

February 16, 1999

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 99-06; 404 East North Avenue

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. This petition requests conditional use approval for motor vehicle sales and for the outdoor display and sale of motor vehicles in the B4 Corridor Commercial Shopping District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on February 15, 1999.

Anthony G. Barone, 1601 Fairway Drive, Naperville, attorney for the petitioner, presented the petition. He stated that they are proposing to open a pre-owned car sales lot at 404 E. North Avenue and described the location of the lot. He stated that there are currently four (4) separate lots, which the petitioner would consolidate if the petition was approved, and that improvements on the property include a 13,000 square foot building. He stated that there is currently no landscaping that exists on the property. Mr. Barone continued to tell of his client's background as having considerable management experience as well as being the contract purchaser of the property. Describing the property, Mr. Barone stated that the property is separated by a chain link fence to the north from residents and that the petitioner proposed to put up an eight foot (8') board-on-board fence, include landscaping, and seven (7) new light poles, with four (4) along the north side of the property. He has also indicated that landscaping, in the form of shrubbery and trees, will be provided on three (3) sides of the property. He indicated that if there was space on the Grace Street side of the property, landscaping would be provided there as well.

Mr. Barone continued to state he had a couple issues with staff's recommendations and worked most of them out with staff earlier. He stated that staff has been very helpful and had spent a lot of time with them. First, staff is proposing sidewalks on three (3) sides of the property. He stated that IDOT is planning on tearing up a lot of North Avenue. Due to this, he wants to hold off on putting sidewalks along North Avenue until we know what IDOT

plans to do. The petitioner would be willing to put in sidewalks on LaLonde Avenue, but there are no other sidewalks there. He took issue with the landscape island that separates the visitor parking from the sales lot. He stated that if it were to snow, they would have to push all the snow toward that one spot. He suggested that the petitioner provide a wall constructed of landscape blocks instead of a landscape island. They also had an issue with the proposal by staff that allows a maximum of eighty (80) cars on the lot. Mr. Barone stated, that they would maintain the number of aisles indicated on the site plan, but there are times when there may be eighty-five (85) cars on the lot; and other times there may be seventy-five (75) cars on the lot. In addition, Mr. Barone stated that no car will sit on the lot for a long period of time, but the petitioner is requesting flexibility with the recommendation allowing no car to sit on the lot for a longer period than six (6) months. Mr. Barone suggested that no more than five percent (5%) of the cars will be on the lot no longer than six months, with no cars on the lot for longer than nine (9) months. He concluded by giving a description of the surrounding businesses.

No one was present to speak in favor of or against the petitioner.

The staff report was presented by Amy Willson, Planner I. She began by stating that staff is recommending consolidation of the lots. Also, that the entire lot is presently paved and there is no transitional landscape yard to the north. She then summarized the staff report. She brought up issues that staff has. First, she stated the petitioner proposed sidewalk along Grace, where staff is recommending sidewalks along the three (3) sides of the property abutting right-of-way. She then referred to landscaping islands that should be installed within the visitor parking lot as well as the separation between visitor parking and the sales lot. Ms. Willson continued to state that staff would agree with the petitioner's proposal of a barrier with Keystone blocks. Another issue Ms. Willson discussed was the lighting, which is quite bright. The average intensity is proposed to be 41.58 foot-candles, and the range along the north side of the property, abutting residential property, is 1.6 to 7.1 foot-candles. Staff recommended that the number of lamps and their wattage be reduced along the north side of the property. Ms. Willson also discussed the proposed signage. She explained that the petitioner is proposing a 150 square foot wall sign, where a maximum of one hundred (100) square feet is allowed. She explained that the petitioner is not requesting a variation at this time and would have to come back to the Plan Commission, if the Conditional Use is approved, in order to request a variation. So, at this time, the signage will follow the Sign Ordinance. Ms. Willson concluded by requesting a change to two of the conditions by staff regarding the number of sales cars on the lot, the length of time vehicles are permitted on the lot, and the additional option of Keystone blocks to separate visitor parking from the sales lot.

Chairperson Ryan opened the public hearing for discussion and questions by the Plan Commission.

Commissioner Zorn asked why on page 2, the report states there are four (4) separate lots, and on page 6, it states there are five (5) lots. How many lots are there? Ms. Willson stated there are four (4) lots and half of the vacated alley.

Commissioner Kramer asked about the landscaping issue, and the Keystone landscape blocks. She asked for clarification as to whether they are putting up a wall or requesting to build an island with landscaping in the middle. Ms. Willson stated that the petitioner is requesting about a one foot (1') wide wall, and staff would recommend that the blocks create a planter at the end of the barrier for a possible tree. Commissioner Kramer stated that the recommendation doesn't say wall and does not match what is written. David Sundland indicated that the blocks will not be an island, but perhaps a planter could be created at the end.

Commissioner Kramer questioned the condition about the aisles in the sales lot. Ms. Willson stated that the condition should read that no more than five (5) rows of sale cars be provided.

Chairperson Ryan asked for clarification on the signage. Ms. Willson stated that the petitioner is not applying for a sign variation. Chairperson Ryan confirmed that he is not requesting variation approval for the signage at this time.

Commissioner Broderick asked about the sidewalk and trees along North Avenue. Ms. Willson stated that nine (9) trees would be the correct amount according to the Zoning Ordinance, but they are proposing only seven (7). Commissioner Broderick then asked how firm is staff on this concerning North Avenue improvements. Mr. Sundland stated that nothing is firm in IDOT's (10) year plan but there would be room for sidewalk and trees even with the widening of North Avenue, based upon plans that staff has reviewed of the proposed widening.

Commissioner Olbrysh stated he is pleased that the chain link fence will come down and be replaced. He then requests that the eight foot (8') board on board fence replacement be included as part of the motion.

Commissioner Kramer asked about condition number six (6), and questioned the number of cars specified. Ms. Willson stated that a maximum of five (5) rows should be allowed for the parking of cars for sale.

Commissioner Kramer stated that the use is appropriate.

After due consideration of the petition and the testimony presented, the Plan Commission found that the conditional use approval complied with the standards of the Zoning Ordinance and the recommendations of the Comprehensive Plan. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities, approval of the petition associated with PC 99-06 with the following conditions:

1. Prepare a Plat of Resubdivision to consolidate the four (4) lots and the vacated alley into one lot.
2. Provide sidewalks along the west (Grace Street), south (North Avenue), and east (LaLonde Avenue) sides of the property.
3. If there is adequate space, parkway trees shall be provided along Grace Street.
4. Redesign the visitor parking layout to meet the size standards and number of parking spaces required by the Village, as recommended in the site plan (Exhibit A), prepared by staff.
5. Provide a landscaping island, a minimum of seven feet (7') in width from outside of curb to outside of curb, between the visitor and sales parking lots, as recommended in the site plan (Exhibit A), prepared by staff; or Keystone Landscape Blocks, a minimum of three feet (3') high, including landscape planters at the end of each wall, subject to the approval of the Director of Community Development.
6. Limit the number of unregistered vehicles on the lot to no more than five (5) rows of cars as per Exhibit A. Ninety-five percent (95%) of the cars may remain on the lot for a period of no longer than six (6) months, and five percent (5%) of the cars may remain on the lot for a period of no more than nine (9) months.
7. Redesign the outdoor car sales and storage area to provide adequate spacing for the appropriate number of cars permitted on the site, as recommended in the site plan (Exhibit A), prepared by staff.
8. A log of the unregistered vehicles with dates of arrival to the lot must be kept on site at all times, with access to the log by an employee of the Community Development Department of the Village of Lombard permitted at any time during business hours.

9. Remove existing lamps from the light poles along the northern property line. No more than four (4) light poles shall be permitted on the northern property line. These poles shall be at least ten feet (10') from the northern property line. Each pole shall have one lamp per pole, with an output of no more than four hundred (400) Watts.
10. Any violation of the Conditional Use agreement may result in a revocation of the Conditional Use for the property and is subject to a fine.
11. Remove the chain link fence on the north property line and replace with an eight foot (8') board on board fence which shall be placed along the north property line.

Respectfully,

VILLAGE OF LOMBARD

Donald F. Ryan
Chairperson
Lombard Plan Commission

DAH:jd
att-

c. Petitioner
Lombard Plan Commission