




MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development 

MEETING DATE: June 20, 2019

SUBJECT: **PC 19-13, 609 E. St. Charles Road**

Please find the following items for Village Board consideration as part of the June 20, 2019, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 19-13; and
3. An ordinance granting approval of a conditional use for motor vehicle sales (rental of U-Haul trucks and trailers).

The Plan Commission recommended approval of this petition by a vote of 7-0. Please place this petition on the June 20, 2019, Board of Trustees agenda with a waiver of first reading requested by the petitioner.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

June 20, 2019

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Anthony Puccio, Dist. 2
Reid Foltyniewicz, Dist. 3
Andrew Honig, Dist. 4
Daniel Militello, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

*"Our shared **Vision** for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The **Mission** of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 19-13, 609 E. St. Charles Road

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant a zoning conditional use pursuant to Section 155.416(C)(17) of the Lombard Village Code to allow for motor vehicle sales in the B4 Corridor Commercial District on the subject property.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on May 20, 2019. Sworn in to present the petition was Charles Pickerill and Jennifer Ganser, Assistant Director.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Mr. Pickerill said he rents U-Hauls at 609 E. St. Charles Road. His attorney could not make it tonight. He would like to rent the trucks and does not intend to sell them or other vehicles. The trucks would be parked on a concrete area.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner is currently operating Seamless Gutters on the property. Recently they have started to rent U-Hauls. Similar to Nuts & Volts, the property needs to obtain zoning entitlements for the additional use. The petitioner is requesting a conditional use for motor vehicle sales. Per the definition, rental is included. Staff is conditioning the approval to note that any future sales or vehicles would require a new public hearing. Staff finds that the petitioner has affirmed the Standards for a conditional use. After the packet went out property owner submitted a letter of support for the project, which has been added to the file.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners

Commissioner Sweetser clarified the number of trucks on site. Ms. Ganser noted that they have space for fourteen, but ten are usually present. Mr. Pickerill said he will limit the number.

Commissioner Burke said the trucks will be against St. Charles Road. Mr. Pickerill stated some of the trucks would be on the west side are behind a fence. There are four trucks on the east side, with eleven spots. Commissioner Burke said he doesn't think it's ideal for them to be on St. Charles Road and suggested adding a condition of approval to prevent that. Mr. Pickerill said he could limit the parking in the front. In the front he parks cargo vans, and the box trucks would be in the back. Commissioner Mrofcza asked if the customer parking is in front of those spaces on St. Charles Road and Mr. Pickerill said yes. Commissioner Mrofcza said then the vans are set back about twenty feet.

On a motion by Commissioner Burke, and a second by Commissioner Mrofcza, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 19-13, subject to the following six (6) conditions, with the sixth condition added by Commissioner Burke:

1. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. There shall be no more than ten (10) U-Hauls parked on the site at a time;
4. The zoning relief is for the rental of U-Hauls only. Any future changes to rent other vehicles or sell vehicles would require a new public hearing and zoning entitlements;
5. The parking lot shall remain in good repair; and
6. All trucks shall be parked behind fencing, though vans up to 15' in length would be allowed in the east parking lot.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

ORDINANCE NO. _____

AN ORDINANCE GRANTING APPROVAL OF CONDITIONAL USE PURSUANT TO SECTION 155.416(C)(17) OF THE VILLAGE CODE FOR MOTOR VEHICLE SALES LOCATED IN THE B4 CORRIDOR COMMERCIAL DISTRICT

PC 19-13: 609 E. St. Charles Road

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois;

WHEREAS, the Subject Property as defined below is zoned B4; and,

WHEREAS, an application requests approval for a conditional use for motor vehicle sales (U-Haul vehicle rentals) in the B4 Corridor Commercial District on the subject property; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on May 20, 2019 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the conditional use described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That a conditional use is hereby granted for the Subject Property, as described in Section 4 below, pursuant to Title 15, Chapter 155, Section 155.416(C)(17) of the Village Code for a motor vehicle sales establishment;

SECTION 2: This ordinance is limited and restricted to the property generally located at 609 E. St. Charles, Lombard, Illinois, and legally described as follows:

PARCEL 1

LOT 5 IN BLOCK 2, EXCEPT THE NORTHERLY PART THEREOF, MEASURING 50.55 FEET SOUTHERLY FROM THE NORTHWEST CORNER ALONG THE WESTERLY LINE OF SAID LOT, AND 54.9 FEET SOUTHERLY FORM THE NORTHEAST CORNER ALONG THE EASTERLY LINE OF SAID LOT 5; LOT 6 IN BLOCK 2, EXCEPT THE NORTHERLY PART THEREOF, MEASURING 20.3 FEET SOUTHERLY FROM THE NORTHWEST CORNER ALONG THE WESTERLY LINE OF SAID LOT AND 28.9 FEET SOUTHWESTERLY FROM THE NORTHWEST CORNER OF SAID LOT 7, WHICH IS ALSO THE SOUTHERLY RIGHT-OF-WAY LINE OF CIRCLE AVENUE, ALL IN SUNNYSIDE ADDITION TO LOMBARD, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDIGN TO THE PLAT THEREFORE RECORDED APRIL 25, 1925, AS DOCUMENT 191820, IN DUPAGE COUNTY, ILLINOIS.

ALSO,

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF LOTS 5, 6 AND 7 IN BLOCK 2 IN SUNNYSIDE ADDITION TO LOMBARD, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25 1925, AS DOCUMENT 191820, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST QUARTER OF LOT 5 IN BLOCK 2 IN SUNNYSIDE ADDITION TO LOMBARD; THENCE EAST ALONG THE SOUTH LINES OF LOTS 5, 6 AND 7 IN BLOCK 2, AFORESAID, TO THE SOUTHEAST CORNER OF LOT 7; THENCE SOUTHEASTERLY ALONG THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY LINE OF SAID LOT 7, BEING A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 476.28 FEET AND A CHORD DISTANCE OF 222.84 FEET, TO A POINT DISTANT 50.0 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE 460.14 FEET, MORE OR LESS, TO THE WEST LINE OF LOT 5 EXTENDED SOUTH TO SAID NORTH RIGHT-OF-WAY LINE; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 5 EXTENDED SOUTH, AS FORESAID, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS

PARCEL 2

THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 28.0 FEET SOUTHEASTERLY OF THE NORTHWEST CORNER OF LOT 7 IN BLOCK 2 IN SUNNYSIDE ADDITION TO LOMARD RECORDED APRIL 25, 1925, AS DOCUMENT 191820; THENCE EASTERLY ALONG A LINE 33.0 FEET SOUTH OF AND PARALLEL WITH THE CENTERLINE OF ST. CHARLES ROAD, 219.03 FEET; THENCE CONTINUING EASTERLY ALONG A CURVE, BEING 33.0 FEET SOUTH OF AND PARALLEL WITH THE CENTERLINE OF ST.

CHARELS ROAD, HAVING A RADIUS OF 1649.47 FEET, A DISTANCE OF 126.0 FEET; THENCE SOUTHERLY AT RIGHT ANGLES TO THE CHORD LINE OF THE LAST DESCRIBED LINE, 38.15 FEET TO A POINT 50.0 FEET NORTHERLY OF THE CENTERLINE OF THE MAIN TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY AS SAID MAIN TRACK IS NOW LOCATED ; THENCE NORTHWESTERLY ALONG A CURVE, HAVING A RADIUS OF 476.28 FEET, 222.84 FEET TO THE SOUTHEAST CORNER OF LOT 7 IN BLOCK 2 IN SAID SUNNYSIDE ADDITION TO LOMBARD; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF SAID LOT 7, 130.90 FEET TO THE PLACE OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

PIN Numbers: 06-05-423-014 and 06-05-423-010

SECTION 3: The approvals set forth in SECTION 1 above shall be granted subject to compliance with the following conditions:

1. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. There shall be no more than ten (10) U-Hauls parked on the site at a time;
4. The zoning relief is for the rental of U-Hauls only. Any future changes to rent other vehicles or sell vehicles would require a new public hearing and zoning entitlements;
5. The parking lot shall remain in good repair; and
6. All trucks shall be parked behind fencing, though vans up to 15' in length would be allowed in the east parking lot.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this _____ day of _____, 2019.

First reading waived by action of the Board of Trustees this _____ day of _____, 2019.

Passed on second reading this _____ day of _____, 2019.

Ayes: _____

Ordinance No. _____
Re: PC 19-13
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Nays: _____

Absent: _____

Approved this _____ day of _____, 2019.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2019.

Sharon Kuderna, Village Clerk