

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda


 X Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
 X Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: April 25, 2017 (B of T) Date: May 4, 2017

TITLE: PC 17-10: 815 S. Main Street

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village approve a conditional use (per Section 155.413(C)(1) of the Zoning Ordinance) to allow for a cultural facility/institution (museum) for the subject property, located within the B1 Limited Neighborhood Shopping District.

The Plan Commission recommended approval of this petition by a vote of 5-0.

Fiscal Impact/Funding Source:

Review (as necessary):
Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

MEETING DATE: May 4, 2017

SUBJECT: PC 17-10; 815 S. Main Street

Please find the following items for Village Board consideration as part of the May 4, 2017 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 17-10; and
3. An Ordinance granting approval of a conditional use, pursuant to Section 155.413 (C) of the Village of Lombard Zoning Ordinance, to allow for a cultural facility/institution in the B1 Limited Neighborhood Shopping District.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the May 4, 2017 Board of Trustees agenda.



VILLAGE OF LOMBARD

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

April 17, 2017

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, 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 17-10, Indo-American Heritage Museum – 815 S.
Main Street**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition, the petitioner requests that the Village approve a conditional use (per Section 155.413(C)(1) of the Zoning Ordinance) to allow for a cultural facility/institution (museum) for the subject property, located within the B1 Limited Neighborhood Shopping District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on April 17, 2017. Sworn in to present the petition were the petitioners Patrick Wangler and Tamara Biggs, and Jennifer Ganser of the Village of Lombard.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, those standing were sworn in, he proceeded with the petition.

Patrick Wangler proceeded to introduce the petition with the existing conditions with the request for the museum is for the upper floor only.

Ted Crapple requested that any lighting for the building is directed toward the building and not out from the building. Mr. Crapple questioned the hours of use that seem longer than a typical museum use.

Terri Webb stated that she has concerns about the hours of operation. Ms. Webb had done research and found that most museums in the area are not open in the evenings. Will it be a rental facility? Is the

museum a non-profit? Will there be a landscape barrier, headlights late at night? What other days will the museum be open?

Frank Cusimano stated that he is concerned with the fence, lighting and traffic on Main Street. Mr. Cusimano also asked if there would be any cooking, banquets or meetings in addition to a sign out front.

Chairperson Ryan asked if there was anyone else that would like to speak against the petition or had comments. Hearing none, he asked the petitioner to address the concerns.

Mr. Wangler responded that he is aware of the six foot high privacy fence requirement which should address the headlight glare. The lighting of the building and parking lot will be sensitive to the neighbors. The conference room and the two offices on the lower level will be utilized by the DuPage County Medical Society approximately one day per month.

Chairperson Ryan asked about the hours of operation.

Ms. Biggs responded that the Indo-American Heritage Society was incorporated approximately ten years ago. The society has been without a facility and has moved to spaces as available. Currently, the society is located in Chicago and look forward to having a permanent location. The main program facilitated is ethnic dialog with classroom sized school children, university students and adult groups. The operating plan depends on the budget to provide staffing. Ideally the museum will be open some evenings to accommodate working individuals and receptions for new exhibits, etc. The society is a non-profit organization.

Chairperson Ryan asked if the medical society's office use and the museum are the only two uses for the site. Mr. Wangler responded yes. Chairperson Ryan asked about possible traffic generated.

Ms. Biggs responded that anywhere from six to a classroom of twenty to thirty students could attend the museum. Large events are facilitated at other venues.

Commissioner Burke asked about the use of a kitchen and in what capacity.

Ms. Biggs responded that there are plans to cater events with a small kitchen to primary keep food warm that is brought in and offer cooking classes.

Commissioner Olbrysh stated that the previous use of a doctor's office was open until 9 p.m.

Chairperson Ryan asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner is requesting approval of a conditional use for a Cultural Facility/Institution (museum) within the B1 Limited Neighborhood Shopping District. The petitioner would like to alter the interior of what was a medical office building into a museum. The subject property is currently improved with a vacant two-story office building with a total of 7,600 square feet and

associated parking lot. The site abuts a multi-tenant retail building to the north and residential single-family homes to the east, south and west. Per the conditions of approval and additional ADA space is required and a six foot solid fence on east and south property lines abutting the residential properties. This will need to be completed before a certificate of occupancy will be issued. Any parking lot lighting would need to meet the Village's photometric code. Staff supports the request.

Chairperson Ryan asked for questions of the staff report, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Flint asked what area, demographic the museum hopes to draw from. Ms. Biggs responded that the expectation is the western suburbs. Commissioner Flint asked if multiple school buses are expected.

Happie Datt, a member of the Indo-American Heritage Board, responded that one school bus would be anticipated for students and the same would be the case for out of state guests.

Commissioner Burke asked about signage.

Ms. Biggs responded that they would have a sign. Ms. Ganser stated that signage was not part of this petition therefore any signage would need to meet code for staff approval or return to the Plan Commission for a variance.

Commissioner Burke asked if the petitioner owns or rents the building.

Ms. Biggs stated that the arrangement is anticipated to be a deed of gift by the current owner to the museum board.

Commissioner Mrofcza asked this was a relocation of the museum or an additional site.

Ms. Biggs responded that they will move collections to the Lombard location but will continue to conduct tours in the Devon Avenue area as well.

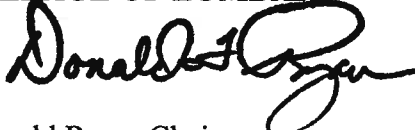
On a motion by Commissioner Olbrysh, and a second by Commissioner Sweetser, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 17-10, subject to five (5) conditions.

1. The parking lot shall be configured so as to meet all applicable Illinois Accessibility Code requirements.
2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.
3. That the petitioner shall develop the site in accordance with plans submitted as part of this request;

4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the cultural facility is not established by said date, this relief shall be deemed null and void; and
5. The east and south property lines shall be maintained with a six foot (6') foot solid fence. The fence shall be maintained in a good state of repair at all times.

Respectfully,

VILLAGE OF LOMBARD

A handwritten signature in black ink, appearing to read "Donald Ryan", written in a cursive style.

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

INDO-AMERICAN HERITAGE MUSEUM (IAHM) – 815 S. MAIN STREET

April 17, 2017

Title

PC 17-10

Petitioner/Property Owner

Main Lombard LLC
8585 Timberridge Drive
Burr Ridge, IL 60521

Property Location

815 S Main Street
(06-17-113-018)

Zoning

B1 Limited Neighborhood
Shopping District

Existing Land Use

Office building

Comprehensive Plan

Neighborhood Commercial

Approval Sought

Conditional use to allow for a
Cultural Facility/Institution
(museum) within the B1
Limited Neighborhood
Shopping District.

Prepared By

Tami Urish
Planner I



LOCATION MAP

PROJECT DESCRIPTION

The petitioner would like to alter the interior of what was a medical office building into a museum. Hours of operation are anticipated to be 10 a.m. to 8 p.m. on weekends and three days during the week. There are plans to host a lecture or presentation regularly at least once a month.

APPROVAL(S) REQUIRED

The petitioner is requesting approval of a conditional use for a Cultural Facility/Institution (museum) within the B1 Limited Neighborhood Shopping District.

EXISTING CONDITIONS

The subject property is currently improved with a vacant two-story office building with a total of 7,600 square feet and associated parking lot. The site abuts a multi-tenant retail building to the north and residential single-family homes to the east, south and west. Access to the site is available via Main Street (a minor arterial four-lane road) and cross access to Harrison Road.

PROJECT STATS

Lot & Bulk

Parcel Size: 0.72 acres
31,342 sq. ft.

Building Area: 7,600 sq. ft.

Tenant Space: 7,600 sq. ft.

Year Built: 1964

Lot Coverage: Approx. 22%
(min. 10% required)

Setbacks: required (existing)

Front 30 (45) feet

Side (north) 10 (56) feet

Side (south) 10 (38) feet

Rear (east) 20 (75) feet

Parking Spaces

Supply: 38, 2 accessible

Demand: 25, 1 accessible

Submittals

1. Petition for Public Hearing
2. Response to Standards for Conditional Use
3. Plat of Survey prepared by Michael J. Emmert Surveys, Inc., dated 2/23/2017 and submitted by the petitioner on March 1, 2017.
4. Floor Plans prepared by Square Root

INTER-DEPARTMENTAL REVIEW

Building Division:

Due to the requested change of use (Building Code change of use), the building may require a fire sprinkler system to be added, accessibility upgrades per the Illinois Accessibility Code, as well as other possible upgrades (fire alarm, etc.). While these things are not required as part of any zoning approval, they may be required for the subsequent building permit.

Fire Department:

The following preliminary comments are based on materials provided for review:

- The proposed use will be an Assembly occupancy;
- All building and fire code requirements will be in accordance with Assembly use;
- The building will require automatic fire sprinkler system;
- The building will require automatic fire alarm system; and
- The electrical service drop to the existing building will require modifications to achieve the required 18 foot clearance from grade.

Private Engineering Services:

Private Engineering Services (PES) has no issues or concerns regarding the project.

Public Works:

The Department of Public Works has no issues or concerns regarding the project.

Planning Services Division:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	B1	Commercial; Multi-tenant
South	R2	Single Family Residential
East	R2	Single Family Residential
West	R2	Single Family Residential

The proposed use is compatible with the surrounding residential and commercial uses. All proposed museum activity will occur within the enclosed building and therefore have no negative impact on the surrounding uses.

2. **Comprehensive Plan Compatibility**

The Comprehensive Plan recommends mixed commercial and office uses for the subject site. South Main Street is comprised of numerous office uses and several small retail centers. Since Main Street is a minor arterial, it is intended to serve all types of trips with more emphasis on trips within and between the community and areas adjacent the community. The proposed museum is intended to serve and educate the community and other nearby communities. Institutional uses span a wide range of land use types in which the museum use most resembles an office use with public outreach.

3. **Zoning and Sign Ordinance Compatibility**

Cultural facilities/institutions are listed as a conditional use within the BI Limited Neighborhood Shopping District. The petitioner is seeking a conditional use for museum as defined under Section 153.802 of the Zoning Ordinance as:

CULTURAL FACILITIES/INSTITUTIONS

A library, museum, or similar public or quasi-public use displaying, preserving, and exhibiting, or allowing for the use, but not the sale of, objects of community or cultural interest in one or more of the arts or sciences.

The building is currently vacant and has been vacant for approximately ten years. The use difference of a museum compared to the previous use of offices is minimal in regard to site and neighboring impact. There is an existing fence along the adjacent residential properties to the east and south. The site meets the parking requirements of the Zoning Ordinance with the exception of the number of required ADA parking spaces. An additional one is needed with the following requirements: sixteen (16) foot wide parking space with either an eight (8) foot or five (5) foot wide diagonally striped access aisle; (b.) accessible parking on level pavement on the shortest accessible route to an accessible entrance; and (c.) a U.S. Department of Transportation R7-8 (Reserved Parking) and an R7-1101 (\$250 Fine) sign must be permanently mounted in the center of the sixteen (16) foot wide accessible parking space and the signs shall be no more than five (5) feet from the front of the parking space and at minimum, the bottom of the R7-8 sign must be five (5) feet from the pavement.

All significant changes proposed for the building are interior with the exception of some exterior work on the accessibility ramps. Staff finds that the proposed museum meets all of the Standards for Conditional Uses.

SITE HISTORY

None

FINDINGS & RECOMMENDATIONS

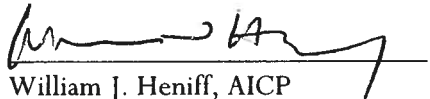
As the petitioner has indicated their intention to operate the business as a museum establishment and that the site will be designed for such use, staff finds that allowing for the cultural facility is consistent with the surrounding context, the Village of Lombard Comprehensive Plan and Zoning Ordinance, and is in the best interest of the Village.

The Inter-Department Review Committee has reviewed the standards for the requested conditional use permit for Cultural facilities/institutions and finds that the proposed use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 17-10:

Based on the submitted petition and the testimony presented, the proposed conditional use does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the conditional use permit is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 17-10, subject to the following conditions:

1. The parking lot shall be configured so as to meet all applicable Illinois Accessibility Code requirements.
2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.
3. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the cultural facility is not established by said date, this relief shall be deemed null and void; and
5. The east and south property lines shall be maintained with a six foot (6') foot solid fence. The fence shall be maintained in a good state of repair at all times.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

Section 155.103 (F) (8) of the Lombard Zoning Ordinance:

No conditional use shall be recommended by the plan commission unless it finds:

- 1.) That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;*

Response

The proposed Indo-American Heritage Museum (IAHM) is designed to educate, create awareness and provide an organized re-construction of the advancement and integration of the Hindu community into our culture.

- 2.) That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located;*

Response

The IAHM will only enhance the surrounding property values as it is renovating and improving the property in which it will reside and which has been vacant for the better part of a decade. As a result of these improvements and as the value of the 815 S Main property increases a natural rise in the property values surrounding it will occur.

- 3.) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*

Response

The approval of the conditional use will have no effect on the surrounding properties and their permitted uses as it is profoundly similar to existing permitted uses in it's current B1 zoning, i.e. – antique shops, art shops and gallery's, books and stationary stores, china and glassware, etc as these uses provide space that allow for visual observance of the material displayed.

4.) *That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;*

Response

The 815 S Main property as it exists provides adequate public utilities, access roads and drainage and will be maintained to continue to provide same.

5.) *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;*

Response

The 815 S Main property as it exists provides (4) four means of ingress and egress, 2 north/south to Main St and 2 east/west to ancillary side St.

6.) *That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard;*

Response

By virtue of the IAHM facility being a learning center and is intended to educate their constituency as well as the general public and that these uses are suggested in the B1 definitions describes a proposed use consistent with the Village Comprehensive Plan.

7.) *That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.*

Response

The members of the IAHM have the education, the organized chronological advancement of the Hindu culture and the complete co-operation and integration of their immigration into the American community in which they live as an objective of their efforts.

EXHIBIT A – PLAT OF SURVEY

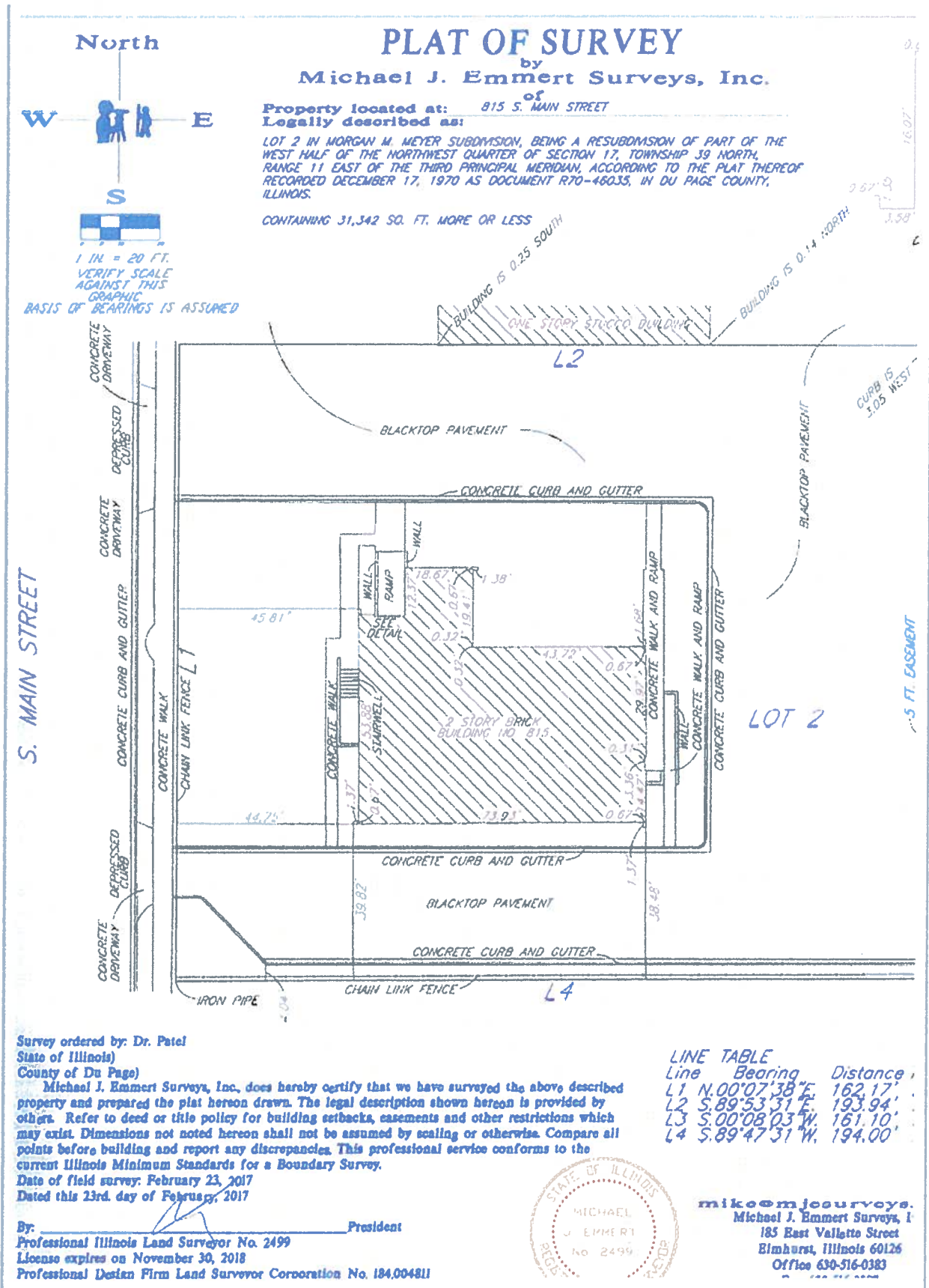
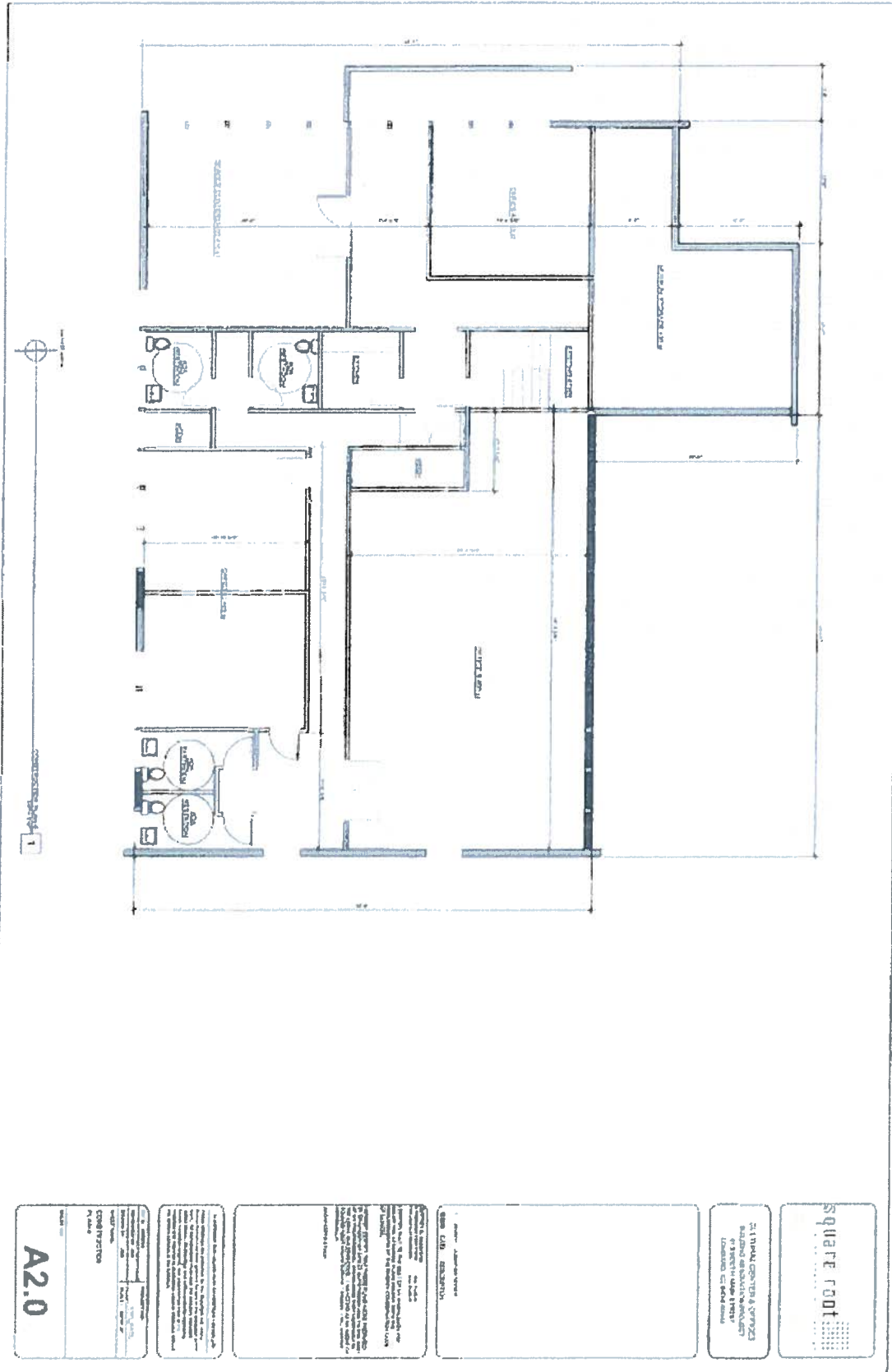
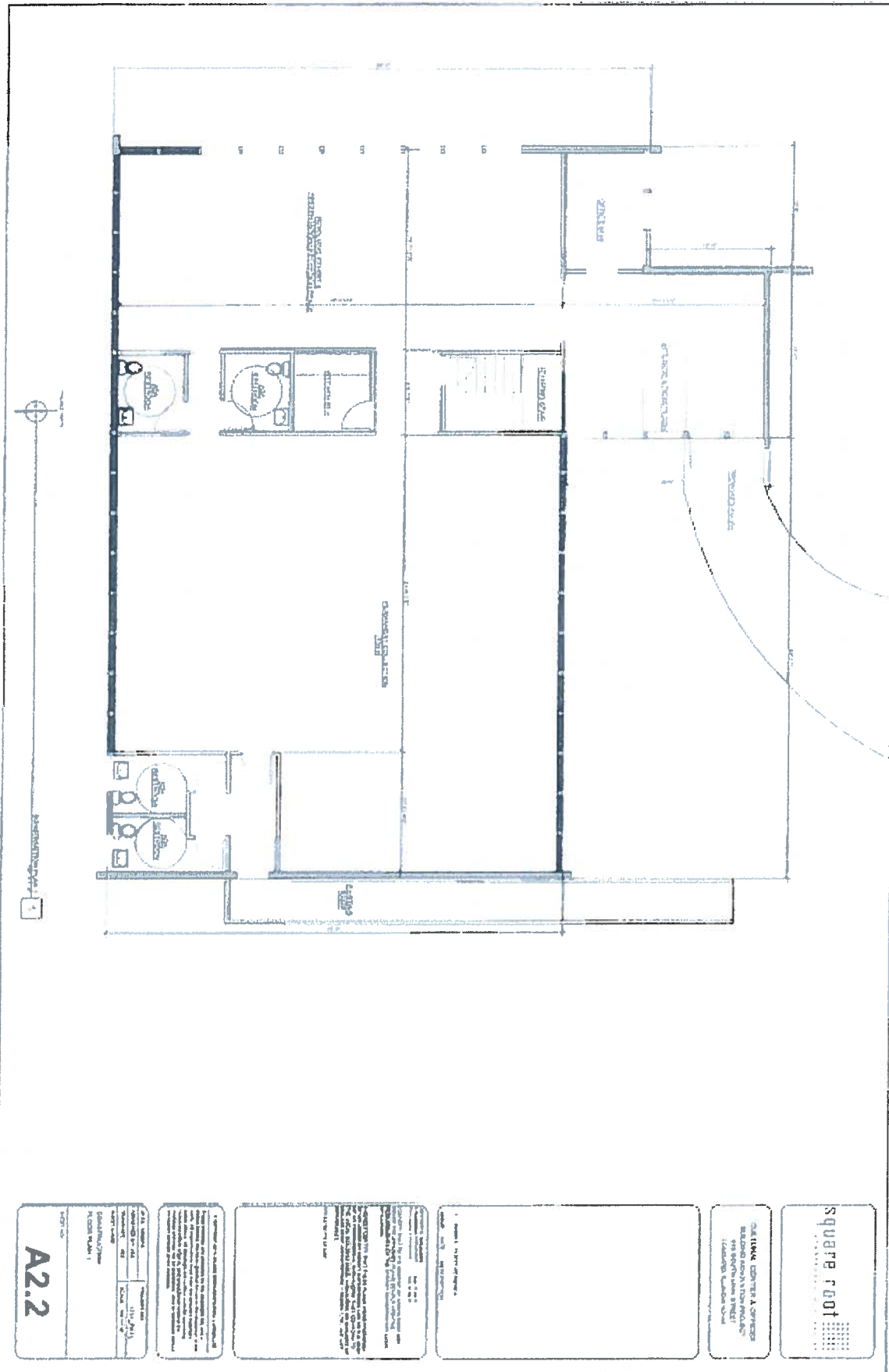


EXHIBIT B – FLOOR PLANS





1st FLOOR

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A
CULTURAL FACILITY/INSTITUTION PURSUANT TO TITLE
15, CHAPTER 155, SECTION 155.413(C)(1) OF THE LOMBARD
ZONING ORDINANCE**

PC 17-10; 815 S. Main Street

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; and,

WHEREAS, the Subject Property as defined below is zoned B1 Limited Neighborhood Shopping District; and,

WHEREAS, an application has been filed requesting approval conditional uses pursuant to Section 155.413(C)(1) of the Lombard Zoning Ordinance to allow a cultural facility/institution; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on April 17, 2017 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional uses, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions 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 the following conditional use for a cultural facility/institution is hereby granted for the Subject Property legally described in Section 2 and subject to the conditions set forth in Section 3.

SECTION 2: That this Ordinance is limited and restricted to the property located at 815 S. Main Street, Lombard, Illinois and legally described as follows:

LOT 2 IN MORGAN M. MEYER SUBDIVISION, BEING A RESUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 17, 1970 AS DOCUMENT NUMBER R70-46035, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-17-113-018; (the "Subject Property").

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The parking lot shall be configured so as to meet all applicable Illinois Accessibility Code requirements.
2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.
3. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the cultural facility is not established by said date, this relief shall be deemed null and void; and
5. The east and south property lines shall be maintained with a six foot (6') solid fence. The fence shall be maintained in a good state of repair at all times.

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 _____, 2017.

First reading waived by action of the Board of Trustees this _____ day of _____, 2017.

Ordinance No. _____
Re: PC 17-10
Page 3

Passed on second reading this ____ day of _____, 2017.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2017.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this ____ day of _____, 2017.

Sharon Kuderna, Village Clerk