

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


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

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : March 28, 2023 **(BOT) Date:** April 6, 2023

SUBJECT: PC 23-06: 901 N. Ridge Avenue, Unit 5

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a zoning conditional use pursuant to Section 155.420(C)(39) of the Lombard Village Code to allow for motor vehicle storage on the subject property located within the I Limited Industrial District.

The Plan Commission recommended approval of this petition by a vote of 4-0. Please place this petition on the April 6, 2023, Village Board of Trustees agenda for a first reading.

Fiscal Impact/Funding Source:

Review (as necessary):


Finance Director _____ Date _____
Village Manager _____ 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 

MEETING DATE: April 6, 2023

SUBJECT: **PC 23-06: 901 N. Ridge Avenue, Unit 5**

Please find the following items for Village Board consideration as part of the April 6, 2023, Village Board meeting:

1. Plan Commission referral letter
2. IDRC report for PC 23-06
3. An Ordinance granting approval of a conditional use pursuant to Section 155.420(C)(39) of the Lombard Village Code to allow motor vehicle storage on the subject property located within the I Limited Industrial District.

The Plan Commission recommended approval of this petition by a vote of 4-0. Please place this petition on the April 6, 2023, Village Board of Trustees agenda for a first reading.



VILLAGE OF LOMBARD

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

April 6, 2023

Village President

Keith T. Giagnorio

Village Clerk

Liz Brezinski

Trustees

Brian LaVaque, Dist. 1
Anthony Puccio, Dist. 2
Bernie Dudek, Dist. 3
Andrew Honig, Dist. 4
Dan Militeello, Dist. 5
Bob Bachner, 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 23-06, 901 N. Ridge Avenue, Unit 5

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a zoning conditional use pursuant to Section 155.420(C)(39) of the Lombard Village Code to allow for motor vehicle storage on the subject property located within the I Limited Industrial District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 20, 2023. Sworn in to present the petition were Perry Dracopoulos, petitioner; Jennifer Ganser, Assistant Director and Tami Urish, Planner I.

Chairperson Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine, and proceeded with the petition.

Mr. Dracopoulos said he is requesting the storage of three vehicles at 901 N. Ridge Avenue. He understands that if he were to do work on the vehicles, he would need a triple basin however he is not running a business but simply storing his personal tools and the cars in the tenant space.

Chairperson Giuliano asked if any additional person would like to speak in favor or against this petition, or for public comment.

Hearing none, Chairperson Giuliano asked for the staff report.

Ms. Urish presented the IDRC report for PC 23-06, which was entered into the public record in its entirety. The petitioner is requesting a conditional use for motor vehicle storage. The fire department discovered the petitioner did not have a certificate of occupancy during a routine life safety inspection of the building. The fire inspector noted that the petitioner appeared to be working on the cars in the unit. Both the property owner and the petitioner commented in discussions that the petitioner stores his automotive tools in the unit and performs minor work on his private cars. The Fire Department and Building Division requires a triple basin in the unit if it is being used for repairs or service. The petitioner agreed to not perform repairs or service on his stored cars as he prefers not to install the triple basin. The storage of motor vehicles is similar in nature to motor vehicle sales that have been approved in the past throughout the Industrial District. The building does have a sprinkler system. After review, staff finds that it can recommend approval of the conditional use of motor vehicle storage.

Chairperson Giuliano opened the meeting to discussion by the Plan Commissioners.

Commissioner Sweetser requested that it is made clear that the three vehicles are allowed and not more. Ms. Urish responded that a condition can be added to state the maximum number of vehicles are three.

Chairperson Giuliano asked if there were any additional comments. Hearing none, she asked for a motion from the Commissioners.

On a motion by Commissioner Invergo, and a second by Commissioner Verson, the Plan Commission voted 4-0 to recommend that the Village Board approve the petition associated with PC 23-06, subject to the following four (4) conditions:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to:
 - a. Compliance with the Fire Department and Building Division's comment regarding the triple basin requirement for any repair or service of vehicles.
2. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).
3. All vehicles are to be loaded and unloaded on the subject property and at no time shall any vehicle be loaded from or unloaded to public right-of-way;
4. The maximum number of vehicles to be stored by the tenant at any time is three.

Respectfully,

VILLAGE OF LOMBARD

Leigh Giuliano, Chairperson
Lombard Plan Commission

March 22, 2023

Title

PC 23-06

Petitioner

Perry Dracopoulos
4N271 Walter Road
Addison, IL 60101

Property Owner

Cristie Enterprises
PO Box 120
Bloomington, IL 60108

Property Location

901 N. Ridge Avenue, Unit 5
03-31-403-020

Zoning

I – Limited Industrial District

Existing Land Use

Industrial building

Comprehensive Plan

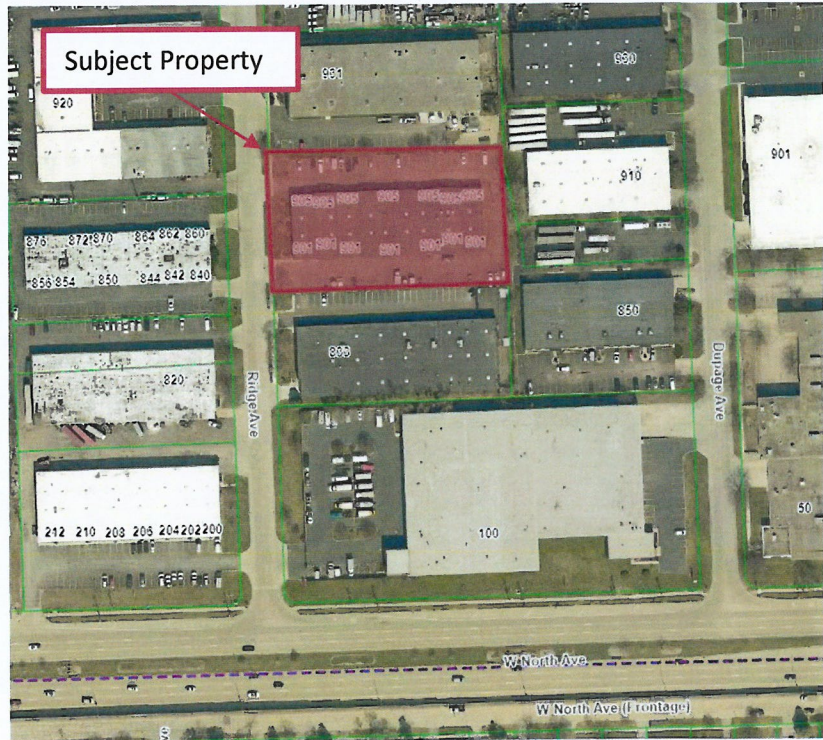
Light Industrial

Approval Sought

Conditional use, pursuant to Section 155.420(C)(39) of the Village Code, to allow for motor vehicle storage to operate on the subject property located within the I Limited Industrial District.

Prepared By

Tami Urish
Planner I



LOCATION MAP

PROJECT DESCRIPTION

The petitioner, Perry Dracopoulos, proposes to store up to three cars including tools and other items inside the tenant space.

APPROVAL(S) REQUIRED

The petitioner requests a conditional use pursuant to Section 155.420(C)(39) Other manufacturing, processing, storage, or industrial uses as determined by the Director of Community Development to be of the same general character as the uses permitted in subsection 155.420(C), and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, toxic or noxious matter or glare or heat of the Lombard Village Code to allow for motor vehicle storage use on the subject property located within the I Limited Industrial District.

EXISTING CONDITIONS

The subject property is developed with a multitenant, one-story warehouse building known as 901- 905 N. Ridge Avenue built in 1984. The paved parking lot is shared access.

PROJECT STATS	
Lot & Bulk	
Parcel Size:	~62,648 SF
Building Size:	~25,304 SF
Tenant Space Size:	~1,000 SF
Parking Spaces	
Demand:	22 (1 ADA)
Supply:	58 (1 ADA)
Submittals	
1. Petition for a public hearing, dated January 14, 2023;	
2. Response to Standards for a Conditional Use, prepared by the petitioner; and	
3. Plat of Survey, prepared by ALTA and ACSM Land Title Survey.	
4. Floor Plan prepared by petitioner.	

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no issue with the motor vehicle storage activity. However, the repair or service of the cars is not allowed without the installation of a triple basin.

Fire Department:

The Fire Department has no issue with the motor vehicle storage activity. However, the repair or service of the cars is not allowed without the installation of a triple basin.

Private Engineering Services:

Private Engineering Services has no comments regarding the petition.

Public Works:

The Department of Public Works has no comments regarding the petition.

Planning Services Division:

The Planning Services Division (PSD) notes the following:

1. Surrounding Zoning & Land Use Compatibility

The Fire Department discovered that Mr. Dracopoulos had not been issued a Certificate of Occupancy (CO). The petitioner is requesting conditional use approval to continue the operation of storing his personal cars. As all motor vehicle activity in the I Limited Industrial District is a conditional use, Village Board approval is required. No exterior physical improvements or interior modification to the building is proposed as part of this petition.

	Zoning Districts	Land Use
North	I	Warehouse/industrial building
South	I	Warehouse/industrial building
East	I	Warehouse/industrial building
West	I	Warehouse/industrial building

The subject property is located in an established industrial park area that contains a mixture of contractor yards, warehouses, manufacturing uses, and vehicle sales/repair land uses. The proposed vehicle storage use is compatible with surrounding uses.

2. *Comprehensive Plan Compatibility*

The Comprehensive Plan recommends light industrial uses in this area. The proposed use of motor vehicle storage is consistent with this designation.

3. *Zoning Compatibility*

Per Section 155.420(C) of the Village Code, motor vehicle sales, repair and service land uses are conditional uses in the I District.

Staff has reviewed the petitioner's request and finds the motor vehicle storage activity will not create any undue impacts on neighboring properties. The occasional cleaning of the motor vehicles inside the building is an ancillary function to the use and thus subject to the regulations in Village Code Section 155.210 pertaining to accessory uses. The subject property is located in an industrial area, where motor vehicle sales, and other similar land uses are typical uses. Staff finds the proposed motor vehicle storage use meets the standards for conditional uses.

4. *Site Plan: Access & Circulation*

Staff finds that the proposed storage of three vehicles will not generate an additional amount of traffic and parking demand. Access is from Ridge Avenue. The overall parking supply for the parcel exceeds projected demand.

SITE HISTORY

This property appeared before the Plan Commission in the past:

- PC 08-10, 905 N. Ridge Avenue, unit 8: Approval granted for a conditional use for food manufacturing, packaging and processing for a non-dairy ice cream manufacturer on June 5, 2008 per Ordinance 6186.

FINDINGS & RECOMMENDATIONS

Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

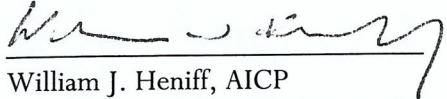
The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use for motor vehicle storage use in the I District and finds that the proposed use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval 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 23-06:

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 Committee Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 23-06, subject to the following conditions:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to:
 - a. Compliance with the Fire Department and Building Division's comment regarding the triple basin requirement for any repair or service of vehicles.

2. All vehicles are to be loaded and unloaded on the subject property and at no time shall any vehicle be loaded from or unloaded to public right-of-way;
3. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

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EXHIBIT 2: STANDARDS FOR CONDITIONAL USES

VII. STANDARDS FOR CONDITIONAL USES

The following is an excerpt from the Lombard Zoning Ordinance. A **detailed response** to all of these standards should be provided for all conditional uses of the Lombard Zoning Ordinance.

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;

The establishment (unit used for vehicle storage) will not be detrimental or have any effects on public health, safety, morals, comfort or general welfare.

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.

Conditional property (unit used for vehicle storage) will not be injurious or have any effects on other properties or their values, including its surrounding neighborhoods.

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;

The establishment (unit used for vehicle storage) will not impede any development or improvements to surrounding property or any other uses that are permitted by the district.

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

The property (unit used for vehicle storage) has no effect on public utilities, access roads or drainage.

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;

The conditional use (unit used for vehicle storage) will have zero effect on traffic or cause congestion, so no other measures are needed.

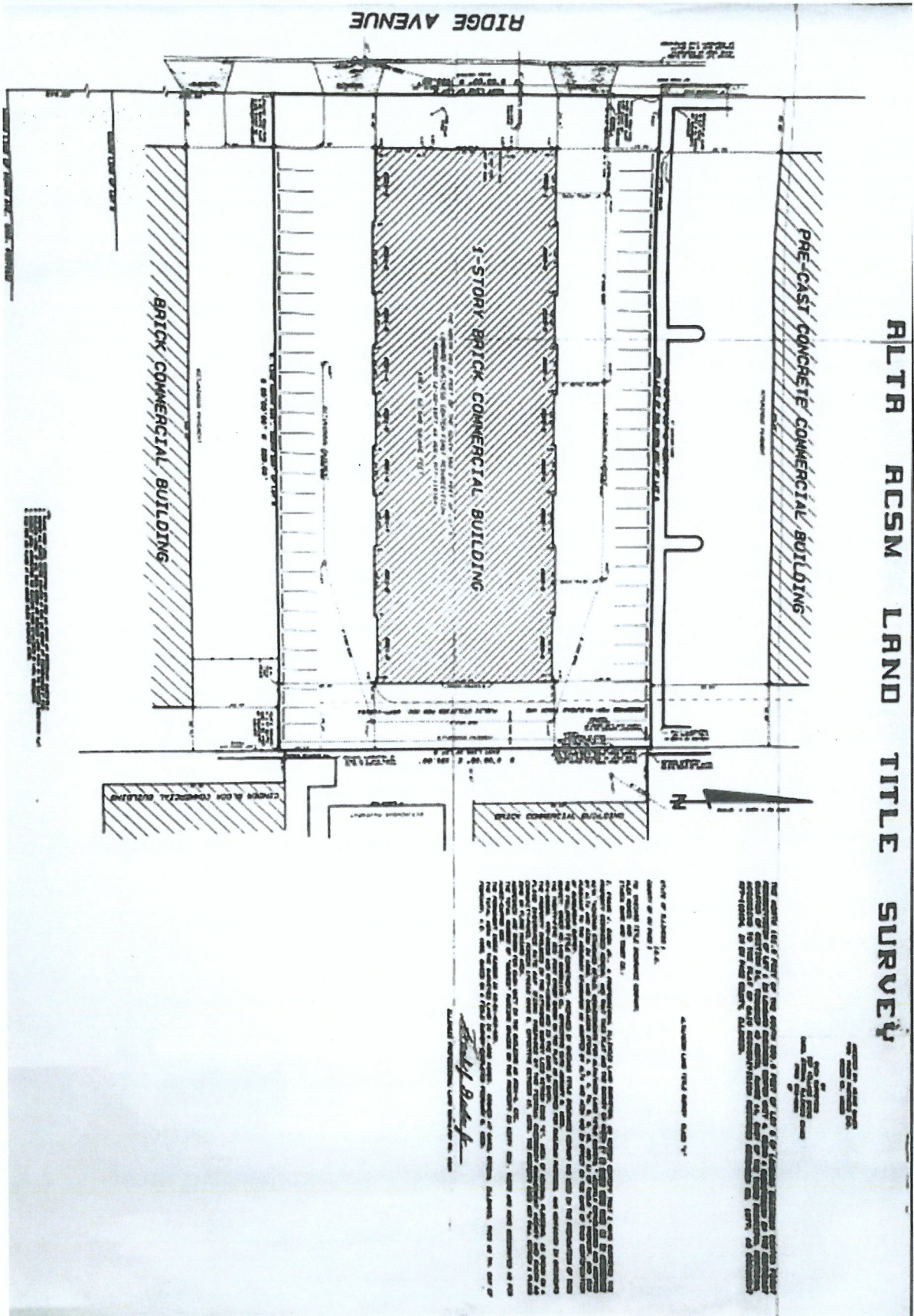
6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,

The (unit used for vehicle storage) proposed conditional use is not contrary to any objectives of current or any future Comprehensive Plans for the Village of Lombard.

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.

The conditional use (vehicle storage unit) will conform to any current and future applicable regulations in its district.

EXHIBIT 3: PLAT OF SURVEY



ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR
MOTOR VEHICLE STORAGE PURSUANT TO TITLE 15,
CHAPTER 155, SECTION 155.420(C)(39) OF THE LOMBARD
CODE OF ORDINANCES**

PC 23-06; 901 N. Ridge Avenue

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 I Limited Industrial District; and,

WHEREAS, an application has been filed requesting approval for a conditional use pursuant to Section 155.420(C)(39) of the Lombard Zoning Ordinance to allow for motor vehicle storage; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on March 20, 2023, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional use, 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 motor vehicle storage 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 901 N. Ridge Avenue, Lombard, Illinois and legally described as follows:

THE NORTH 191.0 FEET OF THE SOUTH 350.0 FEET OF LOT 5 OF LOMBARD BUSINESS CENTER FIRST RESUBDIVISION OF LOT 1 IN LOMBARD BUSINESS CENTER UNIT 4, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED DECEMBER 22, 1977, AS DOCUMENTA77-118164, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 03-31-403-020 (the "Subject Property").

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

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to:
 - a. Compliance with the Fire Department and Building Division's comment regarding the triple basin requirement for any repair or service of vehicles.
2. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).
3. All vehicles are to be loaded and unloaded on the subject property and at no time shall any vehicle be loaded from or unloaded to public right-of-way;
4. The maximum number of vehicles to be stored by the tenant at any time is three.

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 _____, 2023.

First reading waived by action of the Board of Trustees this ____ day of _____, 2023.

Passed on second reading this ____ day of _____, 2023.

Ayes: _____

Nays: _____

Absent: _____

Ordinance No. _____
Re: PC 23-06
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Approved this _____ day of _____, 2023.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this _____ day of _____, 2023.

Elizabeth Brezinski, Village Clerk