

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) _____

X

TO:

PRESIDENT AND BOARD OF TRUSTEES

FROM:

David A. Hulseberg, Village Manager *deh*

DATE:

September 23, 2009

(BOT) Date: October 1, 2009

TITLE:

PC 09-27: 850 N. DuPage Avenue

SUBMITTED BY:

Department of Community Development *wd*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests that the Village grant a conditional use, pursuant to Section 155.418 (C) of the Zoning Ordinance, to allow for an athletic training facility within the I Limited Industrial District.

The Plan Commission recommended approval of this petition with conditions.

Please place this item on the October 1, 2009 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X

Finance Director X

Village Manager X

deh

Date

Date

Date

9/23/09

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: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP
Director of Community Development *WH*

DATE: October 1, 2009

SUBJECT: PC 09-27: 850 N. DuPage Avenue (The Olympian Centre)

Attached please find the following items for Village Board consideration as part of the October 1, 2009 Village Board meeting:

1. Plan Commission referral letter;
2. IDRRC report for PC 09-27;
3. An ordinance granting a conditional use, pursuant to Section 155.418 (C) of the Zoning Ordinance, to allow for an athletic training facility within the I Limited Industrial District; and
4. Plans associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with this petition.

VILLAGE OF LOMBARD
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Lombard, Illinois 60148-3931
(630) 620-5700 Fax (630) 620-8222
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October 1, 2009

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

Subject: PC 09-27: 850 N. DuPage Avenue

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests approval of a conditional use for a learning center (athletic training facility) in the I Limited Industrial District. After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on September 21, 2009.

Peter Becker, 1117 N. Main Street, presented the petition. He stated that his business, The Olympian Centre, is seeking a conditional use to relocate its facility from 1117 N. Main Street to 850 N. DuPage Avenue. The site is approximately the same size but will be more affordable. Chairperson Ryan asked if there would be any changes associated with the relocation. The petitioner stated there would be none.

Chairperson Ryan then opened the meeting for public comment. No one spoke for or against the petition.

Chairperson Ryan requested the staff report. Jennifer Henaghan, Senior Planner, stated that the petitioner is proposing to operate an indoor athletic training facility within the I Limited Industrial District. The facility is currently located at 1117 N. Main Street (as approved by PC 07-21).

Public Works noted that the certifications for this property's backflow prevention devices are out of date and the property owner has not responded to the Village's multiple requests to bring the building into compliance with Cross Connection Control Ordinance 51.08. This deficiency should be remedied prior to occupancy.

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Trustees
Greg Alan Cron, Dist. 1
Richard J. Tross, Dist. 2
Zachary C. Wilson, Dist. 3
Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
David A. Hulseberg

"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."

The Building Division and Fire Department had a number of comments relating to the need for building permits and the classification of the facility as an assembly use. The petitioner is aware of these comments and will address them directly with the applicable divisions and departments through the building permit process. The petitioner has indicated that the building already has fire sprinklers.

Ms. Henaghan stated that, in 2007, the Village Board approved a Text Amendment to the Zoning Ordinance adding athletic training facilities as a conditional use within the I Olympic Centre for the property located at 1117 N. Main Street. The new space is approximately 7,800 square feet in area and the petitioner has indicated that the new location will better suit their needs.

The Comprehensive Plan calls for this area to be developed with light industrial land uses. The property as developed complies with the recommendations of the Comprehensive Plan. The proposed use is also in compliance with the recommendations of the Comprehensive Plan in that the Plan suggests that industrial properties attract diverse tenants. The property is surrounded by light industrial uses on all sides. Other uses within the building include a warehousing/distribution facility and a steel cutting die manufacturer. Many of the trips generated by the proposed training facility will occur after 5:00 p.m., which is after the typical operating hours of the surrounding businesses. All activities associated with the use will occur indoors. Staff finds that an athletic training facility is compatible with the surrounding land uses.

Staff finds that the proposed use meets the Standards for Conditional Uses. No exterior improvements are proposed. The indoor nature and primary operating hours of the business will not conflict with the surrounding uses and there is a surplus of parking on the site. The training facility will conform to the I District requirements in all other respects.

Chairperson Ryan opened the meeting for comments from the Plan Commission.

Commissioner Sweetser asked about the hours of operation and the ages of the students. The petitioner stated that the youngest students are eight years old and they are primarily there for private coaching. The student age range goes up from there into the 60s. The majority of the students come in during the evenings and are finished by 9:00 or 9:30 p.m., but there are also a number of small daytime classes.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, by a roll call vote of 4 to 0, recommended to the Corporate

**VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission

FROM: Department of Community Development
PREPARED BY: Jennifer Henaghan, AICP
Senior Planner

TITLE

PC 09-27; 850 N. DuPage Avenue: The petitioner requests that the Village grant a conditional use, pursuant to Section 155.418 (C) of the Zoning Ordinance, to allow for an athletic training facility within the I Limited Industrial District.

GENERAL INFORMATION

Petitioner: The Olympian Centre

1117 N. Main Street
Lombard, IL 60148

Property Owner:

The Marsons Group LLC
850 N. DuPage Avenue
Lombard, IL 60148

Relationship of Petitioner:

Tenant

PROPERTY INFORMATION

Existing Land Use: Multi-tenant industrial office/warehouse building

Size of Property: Approximately 1.09 acres

Comprehensive Plan: Recommends Light Industrial

Existing Zoning: I Limited Industrial District

Surrounding Zoning and Land Use:

North: I Limited Industrial District – developed with industrial uses

South: I Limited Industrial District – developed with industrial uses

East: I Limited Industrial District – developed with industrial uses

West: I Limited Industrial District – developed with industrial uses

ANALYSIS

SUBMITTALS

This report is based on the following documents filed on August 21, 2009 with the Department of Community Development:

1. Petition for Public Hearing.

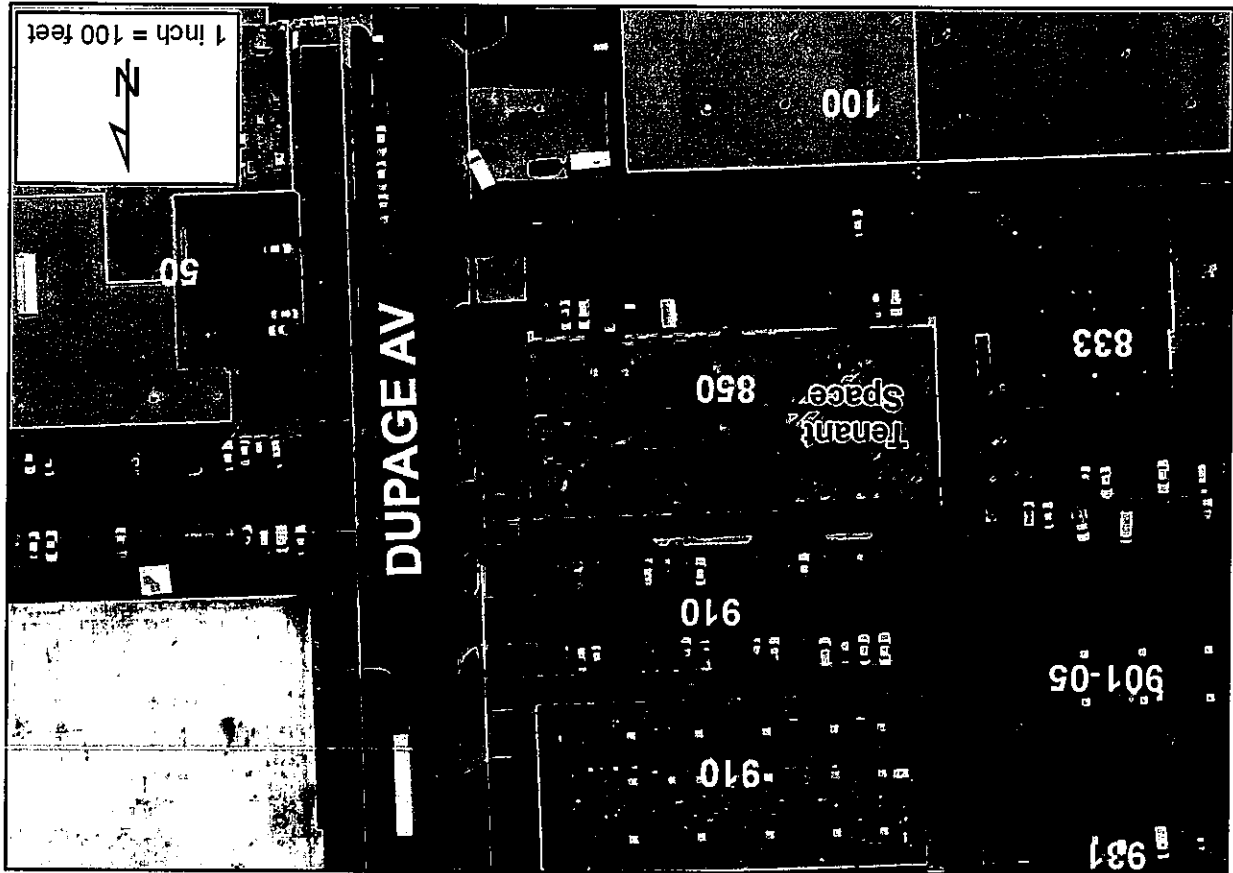
2. Response to Standards.

3. Tenant space layout, prepared by The Marsons Group LLC.

DESCRIPTION

The petitioner is proposing to operate an indoor athletic training facility within the I Limited Industrial District. This establishment, The Olympian Centre, focuses on training individuals in Olympic sports including boxing, judo, taekwondo, and wrestling. The facility is currently located at 1117 N. Main Street (as approved by PC 07-21).

Aerial View of Property



INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

The certifications for this property's backflow prevention devices are out of date and the property owner has not responded to the Village's multiple requests to bring the building into compliance with Cross Connection Control Ordinance 51.08. This deficiency should be remedied prior to occupancy.

PRIVATE ENGINEERING SERVICES

From an engineering or construction perspective, PFS has no comments.

BUILDING

The Building Division has the following comments:

- The inclusion of any type of spectator viewing would classify the proposed business as an assembly use, which will likely require the tenant space to be sprinklered. The petitioner must submit detailed plans to the Fire Department for further review of sprinklering and exiting requirements.
- The interior buildout of the space must conform to all current building and fire codes of the Village and all provisions of the Illinois Accessibility Code are to be addressed.
- Permits are to be obtained and plans from a licensed architect are to be submitted for review and approval.

FIRE

The Fire Department notes that an athletic training facility would be defined as an Assembly Use. It is this change of use that creates the comments listed below.

1. Village Ordinance 150.030, Section 903.2 (7) (b) states; when a change of use of a building of 2,000 s.f. or more is changed to an Assembly Use an automatic fire sprinkler system shall be installed.
2. This Assembly use would require a main entrance/exit of sufficient size to accommodate one-half of the occupant load.
3. Exiting and egress for this building must be addressed as follows:
 - a. Assembly use for events will require a minimum of 2 separate and remote exits with a minimum clear width of 40 inches and a 200 foot maximum travel distance to any exit.
 - b. Assembly use for training and exercise will require a minimum of 2 separate and remote exits with a minimum clear width of 32 inches and a 200 foot maximum travel distance.
4. The Assembly Use portions of this occupancy must be separated from the existing Industrial Use areas by a fire barrier construction with a fire resistance rating of 2 hours.
5. Accessibility requirements for building and site.

PLANNING

Background

In 2007, the Village Board approved a Text Amendment to the Zoning Ordinance adding athletic training facilities as a conditional use within the I Limited Industrial District. Subsequently, conditional use approval was granted to The Olympian Centre for the property located at 1117 N. Main Street. The petitioner is now seeking to relocate their existing business to 850 N. DuPage Avenue. The space is approximately 7,800 square feet in area and the petitioner has indicated that the new location will better suit their needs.

Compatibility with the Comprehensive Plan

The Comprehensive Plan calls for this area to be developed with light industrial land uses. The property as developed complies with the recommendations of the Comprehensive Plan. The Plan's recommendations for the North Avenue Industrial Area and light industrial areas in general are primarily focused on guidelines for new developments. However, the Plan does suggest that industrial properties attract diverse tenants. In that respect, the proposed use is also in compliance with the recommendations of the Comprehensive Plan.

Compatibility with the Surrounding Land Uses

The property is surrounded by light industrial uses on all sides. Other uses within the building include a warehousing/distribution facility and a steel cutting die manufacturer. Many of the trips generated by the proposed training facility will occur after 5:00 p.m., which is after the typical operating hours of the surrounding businesses. Staff finds that an athletic training facility is compatible with the surrounding land uses.

Compatibility with the Zoning Ordinance

Staff finds that the proposed use meets the Standards for Conditional Uses. No exterior improvements are proposed. The indoor nature and primary operating hours of the business will not conflict with the surrounding uses and there is a surplus of parking on the site (41 spaces where only 34 spaces are required by Code). The training facility will conform to the I District requirements in all other respects.

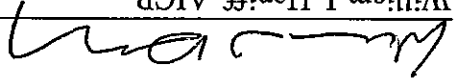
FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee recommends that the petition as presented does meet the standards set forth in the Zoning Ordinance and recommends that Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested relief **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 09-27, subject to the following conditions:

1. All comments noted in this IDR/C report shall be satisfactorily addressed prior to the issuance of a Certificate of Occupancy/Zoning Certificate.
2. The petitioner shall submit detailed plans to the Fire Department for further review of sprinklering and exiting requirements.
3. The building and property shall be brought into compliance with Cross Connection Control Ordinance 51.08.
4. All business activity associated with the athletic training facility shall be conducted within the existing building.

Inter-Departmental Review Group Report Approved By:


William J. Heniff, AICP
Director of Community Development

WJH:JH

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Location Map

PC 09-27



Response to conditional use for city of Lombard:

1. The Olympian Centre has been open for 2 years in Lombard. It will not and hasn't been a detriment to, or endangered the public health, safety, morals, comfort or general welfare of Lombard. In fact we have developed a positive relationship with many other local business and residents of the area.
2. The Olympian Centre will not be injurious to the uses and enjoyment of the other property in the immediate vicinity for the purposes already permitted, and will not diminish or impart property values within the area it is located.
3. The Olympian Centre will not impede the normal and orderly development and improvement of the surrounding area for uses permitted in the district.
4. All of the current utilities, access roads, drainage and necessary facilities have been provided and are significantly more adequate than needed.
5. Parking near and around the facility is more than adequate based on training centre membership and peak hours of use.
6. It is my understanding that the Village of Lombard looks to be considered a model of progress in Dupage county and the surrounding communities thru there continued infra structure improvements and international out reach programs. The Olympian Centre is a training facility that has allowed amateur and professional athletes from around the country and the world to experience the city and the surrounding area in a extremely positive way. We have hosted several Olympic athletes and currently have the NABA heavyweight boxing champion of the world Mr. Eric Dquendo as a weekly coach along with Olympic Bronze medal boxing winner Nate Jones as another coach.
7. The conditional use of the facility shall conform to the regulations of the Plan commission.

Sincerely,

Peter Becker

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.418 (C)
OF THE LOMBARD ZONING ORDINANCE**

(PC 09-27: 850 N. DuPage 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 of a conditional use pursuant to Title 15, Chapter 155, Section 420 (C) of the Lombard Village Code to provide for a learning center; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on September 21, 2009 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, subject to conditions; 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 2 below, pursuant to Title 15, Chapter 155, Section 420 (C) of the Lombard Village Code to provide for a learning center, subject to the conditions set forth in Section 3 below.

SECTION 2: That this Ordinance is limited and restricted to the property located at 850 N. DuPage Avenue, Lombard, Illinois and legally described as follows:

Lot 6 in Lombard Business Center First Resubdivision, being a resubdivision in the Southeast Quarter of Section 31, Township 40 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded December 22, 1977 as Document R77-118164, in the Recorder's Office of Du Page County, Illinois.

Parcel Number: 03-31-403-015; (the "Subject Property").

SECTION 3: The conditional use, as provided for in Sections 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. All comments noted in the IDR/C report shall be satisfactorily addressed prior to the issuance of a Certificate of Occupancy/Zoning Certificate.
2. The petitioner shall submit detailed plans to the Fire Department for further review of sprinklering and exiting requirements.
3. The building and property shall be brought into compliance with Cross Connection Control Ordinance 51.08.
4. All business activity associated with the athletic training facility shall be conducted within the existing building.

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

Passed on first reading this _____ day of _____, 2009.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.

Passed on second reading this _____ day of _____, 2009, pursuant to a roll call vote as follows:

Ayes: _____
Nays: _____
Absent: _____

Approved by me this _____ day of _____, 2009.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this _____ day of _____, 2009.

Brigitte O'Brien, Village Clerk