

# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

837 S Westmore Meyers Road

March 20, 2023

**Title**

PC 23-05

**Petitioner**

Jim Daluga  
837 S Westmore Meyers Road  
Lombard IL 60148

**Property Owner**

Rezin Family Investments LLC and  
Illinois Holdings (USA), Inc.  
180 N Wacker Drive, Suite 301  
Chicago IL 60606

**Property Location**

837 S Westmore Meyers Road  
PIN: 06-16-117-007  
Trustee District 5

**Zoning**

B3PD

**Existing Land Use**

Commercial building – Ace  
Hardware and Eastgate Shopping  
Center

**Comprehensive Plan**

Community Commercial

**Approval Sought**

Conditional use for outdoor sales

**Prepared By**

Jennifer Ganser, AICP  
Assistant Director



Location Map

**PROJECT DESCRIPTION**

The petitioner proposes to add outside sales and storage for a garden center with a companion fence. Ace has existing outdoor sales in the front of the store. This would be a new area for additional outdoor sales.

**Approvals Required**

The petitioner requests a conditional use the outdoor display and sales of products for which the sale of such items is a permitted use or a conditional use in the B3PD Community Shopping District Planned Development pursuant to Section 155.415(C)(17) of the Lombard Village Code.

**Existing Conditions**

The property is the existing Eastgate Shopping Center, with Ace Hardware being a current tenant.

**PROJECT STATS**

**Lot & Bulk**

Parcel Size: 12.585 acres

**Submittals**

1. Petition for a public hearing;
2. Response to Standards;
3. Plat of Survey, prepared by Webster, McGrath & Angberg Ltd., dated May 6, 2015; and
4. Site plan, prepared by the petitioner.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has the following comments:

1. This area will be required to be fully “accessible” per the ADA and Illinois Accessibility Code (accessible route throughout, accessible gates, etc.)
2. Store exits should generally not pass through the outdoor storage area.
3. Lighting will be required to be added for this area (new lights should not cause glare to adjacent properties).
4. The plan does not show any roofed area; therefore, we assume there is none (only fenced in open areas).
5. Additional comments may be forthcoming during permit review.

**Fire Department:**

The Fire Department has the following comments:

1. Fire agrees with Building’s comments on PC 23-05.
2. Fire will need access to the building through the fenced areas. This will be reviewed through the permit process.
3. Additional comments may be forthcoming during permit review.

**Public Works:**

The Department of Public Works has no comments on the subject petition. Additional comments may be forthcoming during permit review.

**Private Engineering Services (PES):**

PES has no comments on the subject petition. Additional comments may be forthcoming during permit review.

**Planning Services Division:**

The Planning Services Division (PSD) notes the following:

***1. Surrounding Zoning & Land Use Compatibility***

	<b>Zoning Districts</b>	<b>Land Use</b>
<b>North</b>	R2	Single-Family Homes
<b>South</b>	R4PD	Townhomes
<b>East</b>	B3 and R4PD	DuPage County Health Department and Townhomes
<b>West</b>	R2	Single-Family Homes

The subject property is located on Westmore-Meyers, a minor arterial with a mix of single-family residential, medium-density residential, commercial, and office uses. Surrounding uses include a bank to the north, office to the east, and townhomes to the east and south. Single-family residences exist to the west and north, though the homes to the west face away from Eastgate and have fencing between their rear yards and Eastgate. The area will be screened with a fence. The fence will be solid in the back to screen the residential area from the garden center. The fence will be open in the front to see the garden center from the parking lot. The fence is approximately thirty feet from the property line to the north. All the fencing would be eight feet (8') tall.

2. *Comprehensive Plan Compatibility*

The Comprehensive Plan recommends Community Commercial uses for this location. The shopping center is an appropriate use within this designation. The outdoor storage and sales activity are intended to supplement the existing commercial activity already on the premises.

3. *Zoning Compatibility*

Per the petitioner, the garden center would be ADA compliant. Down lighting would be used for the garden center space only. The garden center would not have a permanent roof; however, some areas may have a temporary shade structure.

In analyzing the petition, staff finds the proposed use will be compatible with nearby development and will not create negative impacts on neighboring properties.

4. *Site History*

PC 00-44 allowed for a conditional use for outdoor sales in front of Ace Hardware. These entitlements will remain and Ace may continue to sell products in front of their store. As noted in PC 00-44 this is for an approximate 20x20 area.

### **FINDINGS & RECOMMENDATIONS**

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

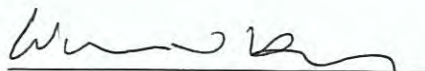
The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use in the B3PD District, and finds that the proposed use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 23-05:

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 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 23-05, subject to 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. All dumpsters for Ace Hardware shall be screened per Code;
4. Outside sales are allowed in the approved areas only;
5. Outside materials shall not exceed the height of the fence;

6. The fence shall be maintained in good conditions at all times;
7. 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

### **Response to the Standards for Conditional Use**

**“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 garden center will be replacing an abandoned building that welcomed vandalism and vagrancy. The new garden center will not only sell gardening products and host seasonal events, but will be a place that the community can be proud of.

**“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.”**

The garden center will only be operated during our normal business hours and as always we will be conscious of our neighbors. We will provide an aesthetically pleasing fence that will be replacing a dilapidated fence and abandoned building. We believe this addition will only have positive impacts on the neighborhood’s property value.

**“That the establishment of the conditional use will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district”**

Our business will work in conjunction with the surrounding businesses to revitalize the Eastgate Shopping Center. We look forward to partnering with the Prairie Food Co-op in the future and the development of the garden center will not impede their plans.

**“That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided”**

All necessary provisions will be made to account for these requirements as required by code.

**“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”**

Public access to the garden center will only be available through the front parking lot side of the center. The conditional use will improve any congestion as we will no longer have to store our product in the parking lot during our busiest seasons. The garden center will be self-contained and allow for the free flow of traffic around it.

**“That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard”**

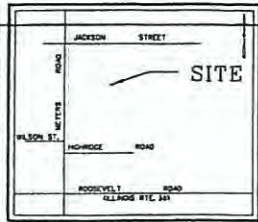
The current Comprehensive Plan calls for the Village to “Work proactively to identify businesses seeking expansion and promote Lombard’s willingness to help them expedite their development and approval processes.” Ace has been a proud member of this community for sixty years. Over the last three years we have made improvements on the interior of the store and now we are looking to expand and make

improvements to the exterior. The garden center will be positive addition to our business as well as the community.

**“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”**

Two of the goals stated in the 2014 Westmore Meyers plan are to “preserve and improve aesthetic characteristics” and to “encourage the most desirable and efficient uses of land while enhancing the physical environment”. While our location falls just outside the boundaries of this plan, we believe this project will help to achieve these goals. We will conform to all necessary regulations and board recommendations in the development and execution of the garden center.

# ALTA/ACSM LAND TITLE SURVEY



VICINITY MAP  
DOT TO SCALE

## GENERAL NOTES

- A UTILITIES SHOWN ARE FROM ABOVE GROUND OBSERVATIONS, MANHOLE INSPECTIONS, VILLAGE OF LOMBARD ATLAS AND AVAILABLE RECORDS AT THE TIME THIS SURVEY WAS PERFORMED AND MAY NOT REFLECT ALL EXISTING UNDERGROUND INSTALLATIONS.
- B FIELDWORK COMPLETED ON 03/08, UPDATED 03/14 AND UPDATED A-23-13
- C A PORTION OF THE ADJACENT PROPERTY AT THE SOUTHWEST CORNER OF THE SUBJECT PROPERTY HAS BEEN PAVED WITH ASPHALT.
- D EASEMENTS FOR NORTHERN ILLINOIS GAS COMPANY PER DOCUMENTS NO. 87789, 884321 AND 884321 ARE SHOWN AND INCORPORATED HEREIN WITH AN EFFECTIVE DATE OF DECEMBER 16, 2004. THE GAS MAIN WOULD BE LOCATED IN THE FIELD BY NORTHERN ILLINOIS GAS COMPANY IN ORDER TO DETERMINE THE LOCATION OF THE EASEMENT. AT THE TIME THIS SURVEY WAS PERFORMED, THERE WERE NO VISIBLE MARKERS FOR THE GAS MAIN, THE EASEMENT SHOWN HEREON HAS BEEN SCALED FROM THE DOCUMENTS AND IS ONLY APPROXIMATE AND IS FOR VISUAL REFERENCE ONLY.

## LEGAL DESCRIPTION

LOT 1 IN PARCELS IN MACDONALD COUNTY CLERK'S EASTGATE SHOPPING CENTER ASSIGNMENT PLAT IN PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 878-7298, IN DUPAGE COUNTY, ILLINOIS.

### SELECTED ZONING DATA

ZONING CLASSIFICATION: R-3PT, COMMUNITY SHOPPING DISTRICT WITH AN APPROVAL FOR A PLANNED DEVELOPMENT WITH EXCEPTIONS FROM THE LOMBARD ZONING ORDINANCE, RECORDED AS ORDINANCE NO. 046 WITH THE VILLAGE OF LOMBARD AND RECORDED AS DOCUMENT NO. 046-000001 WITH THE DUPAGE COUNTY RECORDER.

REAR SETBACK: \*32 FEET  
TRANSITIONAL SETBACK: \*23 FEET  
TRANSITIONAL LANDSCAPE: 1'X40' + 1 FEET  
OPEN SPACE: 1%

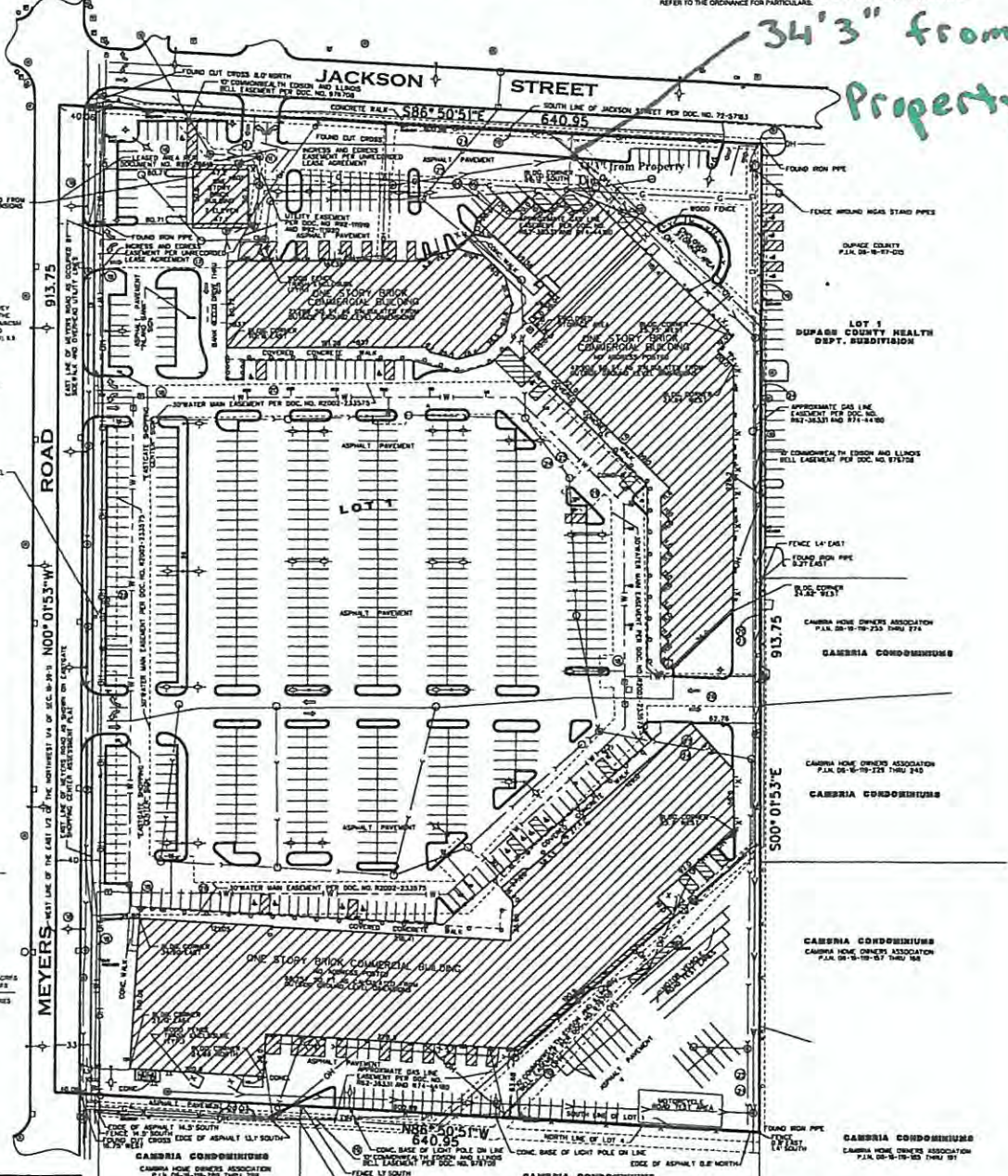
THE ORDINANCE CONTAINS NUMEROUS OTHER REQUIREMENTS WHICH ARE NOT LISTED HERE. REFER TO THE ORDINANCE FOR PARTICULARS.

## BASIS OF BEARINGS

ASSIGNED BEARINGS OF N 0° 01' 33" W ON THE W/2 LINE OF LOT 1 OF PARCELS IN MACDONALD COUNTY CLERK'S EASTGATE SHOPPING CENTER ASSIGNMENT PLAT.

## FLOOD ZONE CLASSIFICATION

AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 174033200R FOR DECATUR COUNTY, ILLINOIS AND INCORPORATED HEREIN WITH AN EFFECTIVE DATE OF DECEMBER 16, 2004, THIS PROPERTY IS IN ZONE X (UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.



SURVEYOR'S CERTIFICATE  
STATE OF ILLINOIS  
COUNTY OF DUPAGE  
TO:  
OLD SECOND NATIONAL BANK  
ILLINOIS HOLDINGS REAL P.C.  
CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY OR MEASUREMENTS THEREON WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS AS ESTABLISHED AND ADOPTED BY ALL AGENTS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 AND 17.

THE FIELD WORK WAS COMPLETED ON 03/13.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

BY: \_\_\_\_\_  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. \_\_\_\_\_  
LICENSE EXPIRES \_\_\_\_\_  
REGISTERED PROFESSIONAL ENGINEER LICENSE NO. \_\_\_\_\_  
201 SOUTH WASHINGTON ROAD  
WHEATON, ILLINOIS 60187  
630-648-7670

### PARKING SPACE TABLE

THE SUBJECT PROPERTY CONTAINS:

- 873 REGULAR STRIPED PARKING SPACES
- 16 HANDICAPPED STRIPED PARKING SPACES
- 887 TOTAL STRIPED PARKING SPACES

### LAND AREA

GROSS AREA = 564,700 SQ. FT., 12.87 ACRES  
NET AREA = 548,210 SQ. FT., 12.65 ACRES

### ABBREVIATIONS

HOPC = HIGH-DENSITY POLYETHYLENE  
RCP = READY-MIXED CONCRETE PIPE  
PVC = POLYVINYL CHLORIDE PIPE  
CMP = CORRUGATED METAL PIPE  
WCP = WIRE-REINFORCED CONCRETE PIPE  
SVC = SLOTTED VENT  
TC = TOP OF CURB  
FL = FLOOR LINE  
FE = FLOOR ELEVATION  
FB = FINISH OF FOUNDATION  
CMB = CONCRETE MASONRY BLOCK  
DIB = DUCTILE IRON PIPE  
RSP = RAILROAD SPIKE

### LEGEND

Symbol	Description
Circle with dot	Manhole
Circle with cross	Manhole
Circle with X	Manhole
Circle with triangle	Manhole
Circle with square	Manhole
Circle with diamond	Manhole
Circle with hexagon	Manhole
Circle with octagon	Manhole
Circle with star	Manhole
Circle with circle	Manhole
Circle with triangle up	Manhole
Circle with triangle down	Manhole
Circle with triangle left	Manhole
Circle with triangle right	Manhole
Circle with square up	Manhole
Circle with square down	Manhole
Circle with square left	Manhole
Circle with square right	Manhole
Circle with diamond up	Manhole
Circle with diamond down	Manhole
Circle with diamond left	Manhole
Circle with diamond right	Manhole
Circle with hexagon up	Manhole
Circle with hexagon down	Manhole
Circle with hexagon left	Manhole
Circle with hexagon right	Manhole
Circle with star up	Manhole
Circle with star down	Manhole
Circle with star left	Manhole
Circle with star right	Manhole
Circle with circle up	Manhole
Circle with circle down	Manhole
Circle with circle left	Manhole
Circle with circle right	Manhole
Circle with triangle up	Manhole
Circle with triangle down	Manhole
Circle with triangle left	Manhole
Circle with triangle right	Manhole
Circle with square up	Manhole
Circle with square down	Manhole
Circle with square left	Manhole
Circle with square right	Manhole
Circle with diamond up	Manhole
Circle with diamond down	Manhole
Circle with diamond left	Manhole
Circle with diamond right	Manhole
Circle with hexagon up	Manhole
Circle with hexagon down	Manhole
Circle with hexagon left	Manhole
Circle with hexagon right	Manhole
Circle with star up	Manhole
Circle with star down	Manhole
Circle with star left	Manhole
Circle with star right	Manhole
Circle with circle up	Manhole
Circle with circle down	Manhole
Circle with circle left	Manhole
Circle with circle right	Manhole

- ### SCHEDULE B SURVEY ITEMS
- PER CHICAGO TITLE INSURANCE COMPANY ORDER NO. 1461 88012888 WITH AN EFFECTIVE DATE OF MARCH 1, 2011
- 15. ORDINANCE WHICH RECORDED SEPTEMBER 8, 1998 AS DOCUMENT 828-18422 FOR APPROVAL OF A PLANNED DEVELOPMENT WITH EXCEPTIONS FROM THE LOMBARD ZONING ORDINANCE APPLIES AND AFFECTS THE SUBJECT PROPERTY. (SEE PLAT ATTACHED).
  - 16. LEASE AREA MADE BY DOCUMENT NO. 888-29118 IS SHOWN HEREON.
  - 17. EASEMENTS AND RESTRICTIONS CONTAINED IN UNRECORDED ORIGINAL PLAT FOR WHITE MEN PARKWAY FOR HORSES AND EGRESS IS SHOWN HEREON.
  - 18. RIGHTS OF THE PUBLIC AND THE MUNICIPALITY FOR THAT PART BEING USED FOR MEYERS ROAD. THE COMMITMENT DOES NOT INCLUDE A FORMAL DEDICATION DOCUMENT.
  - 19. A 10 FOOT COMMERCIAL TRAFFIC SIGNALS BELL EASEMENT BY DOCUMENT NO. 87876 IS SHOWN HEREON.
  - 20. NORTHERN ILLINOIS GAS COMPANY EASEMENT BY DOCUMENT 87789 CANNOT BE PLOTTED BECAUSE THE PLAT SHOWING THE EASEMENT WAS NOT ATTACHED TO THE DOCUMENT AT THE TIME OF RECORDING. DOCUMENT NO. 87789 HAS BEEN RECORDED AS DOCUMENT 884-3211.
  - 21. 12 FOOT NORTHERN ILLINOIS GAS COMPANY EASEMENT CENTERED ON THE GAS MAIN BY DOCUMENT NO. 887-34211 AND 887-34212. THE GAS MAIN WOULD BE LOCATED IN THE FIELD BY NORTHERN ILLINOIS GAS COMPANY IN ORDER TO DETERMINE THE LOCATION OF THE EASEMENT. AT THE TIME THIS SURVEY WAS PERFORMED, THERE WERE NO VISIBLE MARKERS FOR THE GAS MAIN. THE EASEMENT SHOWN HEREON HAS BEEN SCALED FROM THE DOCUMENTS AND IS ONLY APPROXIMATE AND IS FOR VISUAL REFERENCE ONLY.
  - 22. DOCUMENTS 888-10844 AND 888-12268 ARE AGREEMENTS CONCERNING THE REGULATION OF TRAFFIC FOR THE SHOPPING CENTER AND ARE NOT PLOTTED.
  - 23. PUBLIC UTILITY EASEMENT FOR THE VILLAGE OF LOMBARD PER DOCUMENT NO. 808-11191 AND 808-11192 IS SHOWN HEREON.
  - 24. ELECTRICAL LINES AND POLES, STORM SEWER PIPE AND WATERMAIN PIPES ARE SHOWN HEREON.
  - 25. THE STORM SEWER PIPE IS SHOWN HEREON.
  - 26. 30 FOOT WATERMAIN EASEMENT PER DOCUMENT NO. 808-22418 IS SHOWN HEREON. IT APPEARS THIS EASEMENT IS FOR THE WATERMAIN LISTED AS ITEM 15.

### TABLE A ITEMS

ITEM 16. THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.

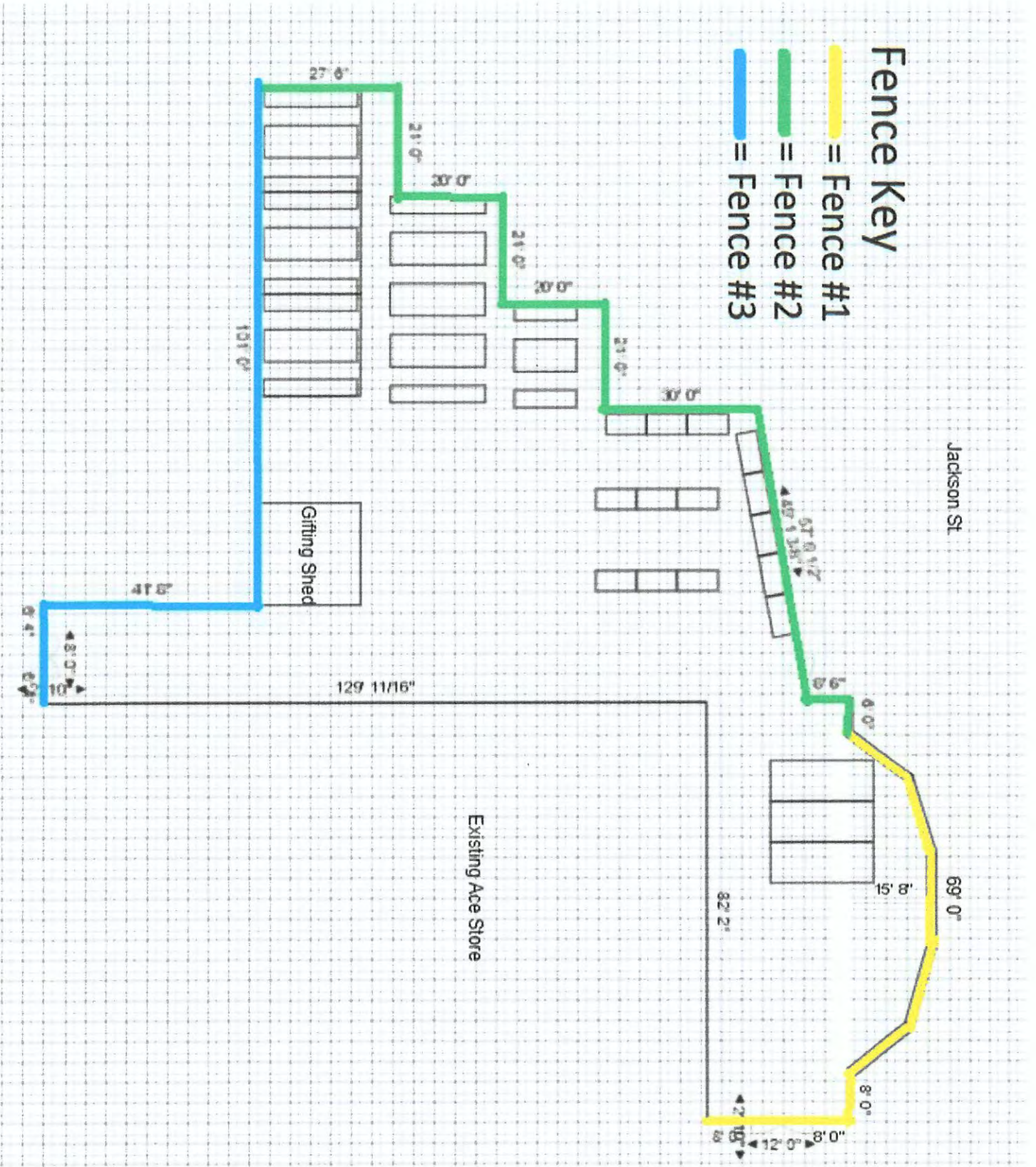
ALTA/ACSM LAND TITLE SURVEY  
EASTGATE SHOPPING CENTER  
LOMBARD, ILLINOIS

PREPARED BY:  
CHICAGO TITLE INSURANCE COMPANY  
200 SOUTH WASHINGTON ROAD  
WHEATON, ILLINOIS 60187  
TEL: 630-648-7670  
WWW.CTIC.COM

DATE: 03/13/13  
SCALE: AS SHOWN  
SHEET: 1 OF 1  
FILE: 080401-1  
1 of 1

# Fence Key

- = Fence #1
- = Fence #2
- = Fence #3



Jackson St





Fence # 1

Fence #2



Fence #3

