

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: July 18, 2005

FROM: Department of
Community Development

PREPARED BY: William Heniff, AICP
Senior Planner

TITLE

PC 05-18: 2N700 Lombard Road (B. Haney & Sons): The petitioner requests that the Village take the following actions on the property:

1. Approve an Annexation Agreement;
2. Annex the property into the Village of Lombard;
3. Approve a map amendment to rezone the property from the R1 Single-Family Residence District to the I Limited Industrial District;
4. Approve a conditional use for a landscape contractors equipment and material storage yard (a contractor's establishment providing existing tree service, wood waste recycling and manufacturing of landscape mulch together with related storage and allied business transactions); and
5. Associated with the Annexation Agreement, approve a variation from Section 51.02 of the Lombard Village Code to allow for an existing private well to remain on the subject property for non-potable water purposes.

GENERAL INFORMATION

Petitioner/Property Owner: B. Haney & Sons, Inc.
2N700 Lombard Road
Lombard, IL 60148

PROPERTY INFORMATION

Existing Land Use: Contractor's establishment providing existing tree service, wood waste recycling and manufacturing of landscape mulch together with related storage and allied business transactions

Size of Property: Approximately 5.01 Acres

Comprehensive Plan:	Light Industrial
Existing Zoning:	I-1 Limited Industrial District, DuPage County
Surrounding Zoning and Land Use:	
North:	Property within the Village of Addison zoned industrial; developed as industrial uses (Commonwealth Edison right-of-way and contractor's yards)
South:	Property zoned I Limited Industrial District and developed as light industrial uses
East:	Property zoned I Limited Industrial District and developed as light industrial uses
West:	Property within the Village of Addison zoned industrial; developed as industrial uses (contractor's yards)

ANALYSIS

SUBMITTALS

This report is based on the following documents, which was filed with the Department of Community Development:

1. Petition for Public Hearing
2. Plat of Survey prepared by Gentile & Associates, dated January 23, 1996.

DESCRIPTION

The subject property is located along Lombard Road north of Cortland Avenue. The property is currently unincorporated and is improved with a one-story industrial building used by B. Haney & Sons, a contractor's establishment providing existing tree service, wood waste recycling and manufacturing of landscape mulch together with related storage and allied business transactions. The property is within the Village's ultimate municipal boundaries and is wholly surrounded by properties within the Villages of Lombard and Addison.

In consideration of the pending development approvals for the Grant Property immediately north of the subject property, the Village has been working with the petitioner on an annexation petition. The petition set forth herein will grant various approvals to allow the property owner to

continue to operate his business establishment as a legal conforming use on the subject property upon annexation.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Public Works Engineering

The Public Works Engineering Division notes the following:

1. A specific time frame shall be identified for connection to the Village of Lombard Utilities once they are located within the right-of-way across the property's frontage. *(This will be addressed within the annexation agreement)*
2. The Well head and the point of water discharge shall be labeled as non-potable.

Private Engineering Services

The Private Engineering Services Division has the following comment regarding this petition:

The petitioner shall provide a copy of a DuPage County Health Department permit for the well that is proposed to be kept for non-potable purposes. The existing building shall be connected to the Village of Lombard's water main per Village Code and any other well(s) on the property shall be abandoned per County requirements.

BUILDING AND FIRE

The Fire Department/Bureau of Inspection Services has no comments at this time.

PLANNING

Annexation

The subject property is contiguous to the Village of Lombard from the east and south and is within an area that will ultimately be annexed into Lombard per Lombard's boundary agreements. A companion annexation agreement has been created and will be considered by the Board of Trustees as part of this request.

Compatibility with the Zoning Ordinance

The subject property meets all of the bulk requirements for the I Limited Industrial District.

Table 1: Bulk Requirements for I Limited Industrial District

	Code Requirements	Existing Conditions
Minimum lot area	20,000 s.f.	5 acres
Minimum lot width	80'	306.48'
Front yard setback	25'	40'
Interior side yard setback	15'	46.69' (south), 115' (north)
Rear yard setback	15'	610'
Height	Less of 45'/4 stories	1 story
Open space	10%	> 10%

The response to standards for map amendments is attached as Appendix A.

Conditional Use Request

Staff is considering the existing business establishment to be similar to contractors' offices, shops and yards which are listed as conditional uses within the I Limited Industrial District. Staff notes that many of the business establishments north and west of the subject property are also used as contractor's yards.

Staff notes that the existing site plan shows the existing business building to be situated along Lombard Road. The landscape mulch piles are located to the west of the building. Staff can support the existing business establishment. Any future expansions of the existing premises would need to be reviewed in the context of an amended conditional use petition.

Compatibility with the Comprehensive Plan

The Long-Range Plan Map of the Comprehensive Plan recommends that the property be used for light industrial uses, which is consistent with the proposed rezoning to the I Limited Industrial District.

Compatibility with the Surrounding Land Uses

Haney & Sons use has been well established on the premises. Adjacent uses are also industrial in nature. Traffic to and from the property will primarily consist of dump trucks and business vehicles transporting mulch products and landscape materials on and off the site.

Non-potable Well

While not under the purview of the Plan Commission, staff notes a proposed variation request associated with the existing wells on the property. Right now two wells exist on the property – one well is located in the front yard and serves the existing building. A second well is used for irrigation purposes and is located on the west side of the property and is used to minimize dust from the mulch piles on the property.

Village Code requires all properties to be connected to public water systems and does not allow for wells. In consideration of the annexation agreement, staff supports a variation, which would allow for the non-potable well to continue to utilized on the property, subject to DuPage County regulations.

Annexation Agreement

As noted earlier, staff and the petitioner have been working on an Annexation Agreement with the property owner and a development agreement with the developer of the neighboring Grant Property (PC 05-17). To facilitate public improvements associated with both properties, Lombard Road in front of the Haney Property will be reconstructed at expense of the Grant Property developer. These improvements also include a cul-de-sac bulb at the terminus of Lombard Road. The petitioner is willing to work with the petitioner to facilitate the improvements as set forth in the annexation agreement. Staff notes that even with the dedication of the additional land for right-of-way purposes, the petitioner's site will still meet all setback requirements of the Village.

FINDINGS AND RECOMMENDATIONS

Staff believes that the map amendment for the subject property is appropriate at the subject location and is compatible with surrounding uses.

Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of the request:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; 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 therefore, recommend to the Corporate Authorities **approval** of PC 05-18 subject to the following condition:

1. That the petitioner shall enter into an annexation agreement with the Village setting forth the terms and conditions of the annexation of the subject property.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH:WH:

Appendix A: Standards for Map Amendments

1. *Compatibility with existing uses of property within general area of the property in question.*
The area surrounding the property is generally industrial uses. Staff finds that the existing use any negative impacts and therefore is compatible with the surrounding uses.
2. *Compatibility with the zoning classification of property within the general area of the property in question.*
The property to the south and east of the subject property are also zoned I Limited Industrial District.
3. *The suitability of the property in question to uses permitted under the existing zoning classification*
The property is currently zoned I-1 Limited Industrial in DuPage County. The I-1 District under DuPage county jurisdiction is very similar to the I District under Village of Lombard jurisdiction.
4. *Consistency with the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification.*
The petitioner does not have any plans for improvements for the property – he proposes to continue to use the property in the same manner as it is used today. South of the Commonwealth Edison property, the general area is well-established and developed. The subject property is developed consistent with the surrounding properties. The Village has granted approval of map amendment requests for established properties along Roosevelt Road concurrent with a voluntary annexation petition.
5. *The compatibility of the surrounding property with the permitted uses listed in the proposed zoning classification*
The surrounding properties are zoned I Limited Industrial and have been developed with uses that are permitted in the I District.
6. *The objective of the current Comprehensive Plan for the Village of Lombard and the impact of the proposed amendment of the said objectives.*
The Comprehensive Plan calls for Light Industrial uses. This is consistent with the proposed I Limited Industrial District zoning designation.
7. *The suitability of the property in question for permitted uses listed in the proposed zoning classification.*
The property meets all bulk requirements for the I Limited Industrial District.

Standards for Conditional Uses

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 existing business use meets these standards. The business activity is similar to other uses commonly found in industrial areas and surrounding properties.

- 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;*

The use of the property is well-established and is similar to other properties surrounding the site.

- 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 use will not impact the orderly development of the properties. But for the Grant property, the surrounding properties are already well-established industrial uses.

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

Associated with the annexation agreement petition, the property owner is agreeing to allow for right-of-way dedication of a port of his property and will facilitate public improvement in front of his property

- 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;*

See item 4 above.

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

The use is consistent with the provisions of the Light Industrial designation in the 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*

The use will conform to the I District provisions.