



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

MEETING DATE: February 1, 2024

SUBJECT: **PC 23-26: 60 Yorktown, Target Parking Lot for a Tesla Supercharger Station**

Please find the following items for Village Board consideration as part of the February 1, 2024, Village Board meeting:

1. Plan Commission referral letter
2. IDRC report for PC 23-26
3. An Ordinance granting a conditional use pursuant to Section 155.415(C)(8) of the Lombard Village Code to allow for gasoline/fuel sales on the subject property located within the B3PD Community Shopping District Planned Development (Yorktown Peripheral Planned Development).

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the February 1, 2024, Village Board of Trustees agenda for a first reading.



VILLAGE OF LOMBARD

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February 1, 2024

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 Militello, 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 23-26; 60 Yorktown, Target Parking Lot for a Tesla Supercharger Station

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition.

The petitioner, requests a conditional use pursuant to Section 155.415(C)(8) of the Lombard Village Code to allow for gasoline/fuel sales on the subject property located within the B3PD Community Shopping District Planned Development (Yorktown Peripheral Planned Development).

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on January 22, 2024. Sworn in to present the petition was Anna Papke, Planning and Zoning Manager, Tami Urish, Planner I and the petitioner, Michael Lovett representing GPD Group Inc. on behalf of Tesla Inc.

Chairperson Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Mr. Lovett began with the presentation of power point slides explaining the location of the charging station, the 24 hours, 7 days a week remote monitoring and the need for additional capacity in the area.

Chairperson Giuliano asked if any additional person would like to speak in favor or against this petition, or for public comment. Hearing none, she requested the staff report.

Ms. Urish entered the staff report into the public record in its entirety. As noted, the Target Corporation is the owner of the 60 Yorktown property that Tesla, Inc. proposes to install an electric charging/fueling station also known as a Tesla Supercharger Station. The proposed location is on the south end of the Target parking lot. The subject property is developed with a retail store and associated parking lot with access to 22nd Street and Yorktown Mall Drive. The property is part of the Yorktown Shopping Center area.

In its review the Building Division noted the following: As this site is covered under the Americans with Disabilities Act (ADA), one charging station/space must be an accessible parking space with a sign, striping, etc. as is typical. This space will need to meet the Illinois Accessibility Code regarding signage, etc. The plans submitted do not meet this standard however can be addressed during the permitting process.

Staff has reviewed the petitioner's request and finds the proposed electric charging station is indistinguishable from a gasoline sales establishment. A recent trend has emerged whereas large grocery and big box retail stores offer fueling stations on site to their customers. Staff reached out to nearby villages that have existing Tesla Supercharging stations. Both the Villages of Villa Park and Oak Brook responded that their charging stations have not created any challenges or concerns and the hours of operation are not limited. Both stations are located in the parking lot of retail stores. Villa Park's station is located at the Target store on North Avenue (Rt. 64) and Oak Brook's station is located at a multi-tenant shopping center on Kingery Highway (Rt. 83).

Yorktown Center already has charging station spaces near Von Maur and staff is unaware of any issues at that location. The subject property, Target, is in a regional shopping area, where retail sales, and other similar land uses are typical uses. The activity associated with the use will not create any undue impacts on neighboring properties.

There are presently 575 parking spaces on the subject property where per code 414 are required. The proposed fueling/charging station will reduce the number of parking spaces available to Target customers that are not charging a car to 555 parking spaces. The site still exceeds the number of parking spaces required. The placement of the fueling/charging station at the south edge of the parking lot will integrate seamlessly into the internal traffic circulation of Target's existing parking configuration.

Staff finds the proposed fueling/charging station use meets the standards for conditional uses and recommends approval.

Chairperson Giuliano asked if there were any questions or comments on the petition and staff report. Hearing none, she opened the meeting for comments among the Commissioners.

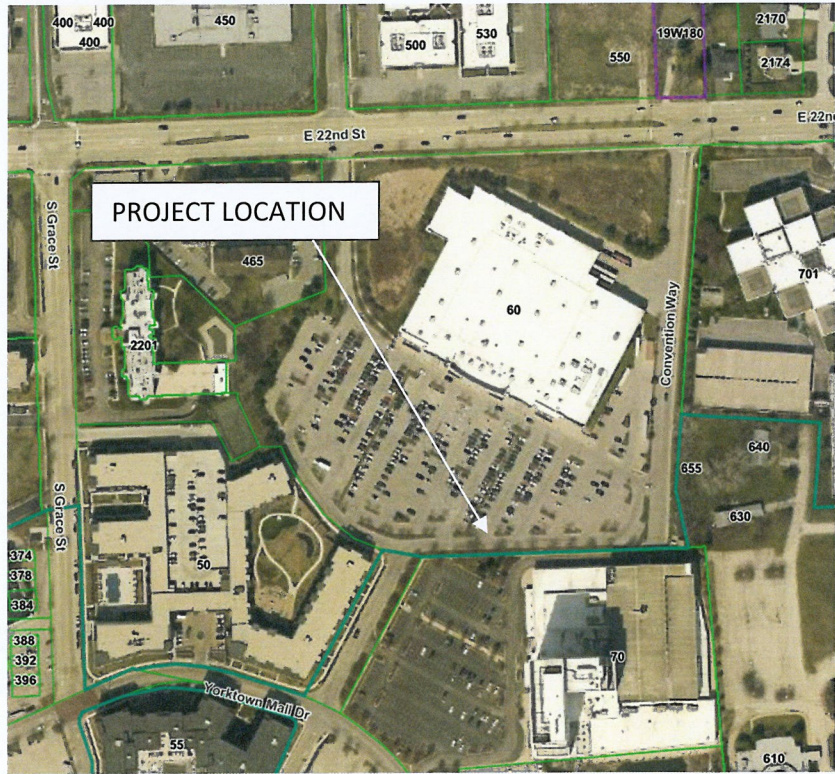
On a motion by Commissioner Invergo, and a second by Commissioner Sweetser, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 23-26.

Respectfully,

VILLAGE OF LOMBARD

Leigh Giuliano, Chairperson
Lombard Plan Commission

January 22, 2024	
Title	PC 23-26
Petitioner	GPD Group Inc. on behalf of Tesla, Inc. 520 S. Main St., Suite 2531 Akron, OH 44311
Property Owner	Target Corporation T1024 PO Box 9456 Minneapolis, MN 55440
Property Location	60 Yorktown PIN: 06-29-200-047
Zoning	B3PD – Community Shopping District Planned Development
Existing Land Use	Retail
Comprehensive Plan	Regional Commercial
Approval Sought	Conditional use for gasoline sales establishment (fueling station) within a planned development.
Prepared By	Tami Urish Planner I



PROJECT DESCRIPTION

Target Corporation is the owner of the 60 Yorktown property that Tesla, Inc. proposes to install an electric charging/fueling station also known as a Tesla Supercharger Station. The proposed location is on the south end of the parking lot.

APPROVAL(S) REQUIRED

The petitioner requests a conditional use pursuant to Section 155.415(C)(8) of the Lombard Village Code to allow for gasoline/fuel sales on the subject property located within the B3PD Community Shopping District Planned Development (Yorktown Peripheral Planned Development).

EXISTING CONDITIONS

The subject property is developed with a retail store and associated parking lot with access to 22nd Street and Yorktown Mall Drive. The property is part of the Yorktown Shopping Center area.

PROJECT STATS

Lot & Bulk

Parcel Size: 15.35 Acres

Building size: ~130,800 SF

Parking Spaces

Required: 414

Proposed: 555

16 charging stalls

4 removed for equipment install

= 20 total removed

Existing: 575

Submittals

1. Petition for a public hearing, dated 10/16/23;
2. Response to Standards, prepared by the petitioner;
3. Plat of Survey prepared by JAS Frankfort, dated 10/16/1995;
4. Plans prepared by GPD Group, dated 12/18/23;
5. Photos of other stations prepared by petitioner.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has the following comment:

As this site is covered under the Americans with Disabilities Act (ADA), one charging station/space must be an accessible parking space with a sign, striping, etc. as is typical. This space will need to meet the Illinois Accessibility Code regarding signage, etc.

Additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department has no comment on the petition. Additional comments may be forthcoming during permit review.

Private Engineering Services:

Private Engineering Services has no comment on the petition. Additional comments may be forthcoming during permit review.

Public Works:

The Department of Public Works has no comment on the 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

	Zoning Districts	Land Use
North	O	Office buildings
South	B3PD	Elan Apartments and Westin Hotel
East	OPD	Office building
West	R5PD, B3PD	Yorktown Condos, TownPlace Suites

The subject property is located along 22nd Street in an area developed with a mixture of commercial retail, a hotel, higher density residential and some single-family residential uses. An existing charging station is located on the south side of Yorktown Shopping Center near the Von Maur department store.

2. *Comprehensive Plan Compatibility*

The Comprehensive Plan recommends regional commercial uses on the subject property. The proposed use of a fueling/charging station is consistent with this designation.

3. *Zoning Compatibility*

Per Section 155.415(C) of the Village Code, gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment) are a conditional use in the B3 District.

Staff has reviewed the petitioner's request and finds the proposed electric charging station is indistinguishable from a gasoline sales establishment. A recent trend has emerged whereas large grocery and big box retail stores offer fueling stations on site to their customers. Staff reached out to nearby villages that have existing Tesla Supercharging stations. Both the Villages of Villa Park and Oak Brook responded that their charging stations have not created any challenges or concerns and the hours of operation are not limited. Both stations are located in the parking lot of retail stores. Villa Park's station is located at the Target store on North Avenue (Rt. 64) and Oak Brook's station is located at a multi-tenant shopping center on Kingery Highway (Rt. 83).

Yorktown Center already has charging station spaces near Von Maur and staff is unaware of any issues at that location. The subject property, Target, is in a regional shopping area, where retail sales, and other similar land uses are typical uses. The activity associated with the use will not create any undue impacts on neighboring properties.

4. *Site Plan: Access & Circulation*

The existing Target store is required by Section 155.602 to have 414 parking spaces. There are presently 575 parking spaces on the subject property. The proposed fueling/charging station will reduce the number of parking spaces available to Target customers that are not charging a car to 555 parking spaces. The site still exceeds the number of parking spaces required. The placement of the fueling/charging station at the south edge of the parking lot will integrate seamlessly into the internal traffic circulation of Target's existing parking configuration.

Staff finds the proposed fueling/charging station use meets the standards for conditional uses.

SITE HISTORY

PC 94-15: 601 East 22nd Street – Target, Creation of the Yorktown Peripheral Planned Development (Ordinance 3962), rezoning from R5 to B3PD (Ordinance 3963), amendment to Ordinance 1172, Yorktown Mall Planned Development (Ordinance 3964), certain corrections for clarification purposes of Ordinance 3962 (Ordinance 4039).

PC 05-26: Amended ordinance 3962 to approve a major change to a planned development for a building expansion and sign deviations (Ordinance 5741).

PC 20-16: Amended ordinance 3962, 4039 and 5741 to approve variations of the perimeter yard requirement and signage associated with 600-690 E. Butterfield Road new planned development.

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 planned development within the B3PD District and finds that the petition **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 23-26:

Based on the submitted petition and the testimony presented, the petition does comply with the standards required by the Village of Lombard Zoning Ordinance and approval of the petition 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 23-26, subject to the following conditions:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.
2. That the petitioner shall apply for and receive building permits for any future improvements to the subject property.
3. That the petitioner shall place trash receptacles at the charging station.
4. 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

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO SECTION 155.415(C)(8) OF THE LOMBARD
VILLAGE CODE TO ALLOW FOR GASOLINE/FUEL SALES
ON THE SUBJECT PROPERTY LOCATED WITHIN THE B3PD
COMMUNITY SHOPPING DISTRICT PLANNED
DEVELOPMENT (YORKTOWN PERIPHERAL PLANNED
DEVELOPMENT).**

PC 23-26; 60 Yorktown, Tesla Supercharger Station

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 B3PD Community Shopping District Planned Development; and,

WHEREAS, an application has been filed requesting approval for a conditional use pursuant to Section 155.415(C)(8) of the Lombard Zoning Ordinance to allow for gasoline/fueling station; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on January 22, 2024, 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 a gasoline/fueling station 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 60 Yorktown, Lombard, Illinois and legally described as follows:

LOT 1 IN YORKTOWN PERIPHERAL/TARGET SUBDIVISION, BEING A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 17, 1995 AS DOCUMENT R95-162762, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-29-200-047 (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.
2. That the petitioner shall apply for and receive building permits for any future improvements to the subject property.
3. That the petitioner shall place trash receptacles at the charging station.
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

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 _____, 2024.

First reading waived by action of the Board of Trustees this ____ day of _____, 2024.

Passed on second reading this ____ day of _____, 2024.

Ayes: _____

Nays: _____

Absent: _____

Ordinance No. _____
Re: PC 23-01
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Approved this _____ day of _____, 2024.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this _____ day of _____, 2024.

Elizabeth Brezinski, Village Clerk