

**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 :** October 28, 2019                      **(BOT) Date:** November 7, 2019

**SUBJECT:** PC 19-21, 960 N. Lombard Road (Addlawn Landscaping Above-ground Fuel Tanks)

**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, Addlawn Landscaping, Inc., requests that the Village grant a conditional use, pursuant to Section 155.420(C)(42) of the Lombard Village Code, to allow for the construction of accessory structures (above-ground fuel tanks) associated with a conditional use in the I Limited Industrial District

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the November 7, 2019, Board of Trustees agenda with a waiver of 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:** November 7, 2019

**SUBJECT:** **PC 19-21, 960 N. Lombard Road (Addlawn Landscaping Above-ground Fuel Tanks)**

Please find the following items for Village Board consideration as part of the November 7, 2019, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 19-21; and
3. An Ordinance granting approval of a conditional use for above-ground fuel storage tanks.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the November 7, 2019, Board of Trustees agenda with a waiver of first reading.



## VILLAGE OF LOMBARD

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November 7, 2019

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

**Trustees**  
Dan Whittington, Dist. 1  
Anthony Puccio, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Andrew Honig, Dist. 4  
Daniel Militello, Dist. 5  
William "Bill" Ware, 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 19-21, Conditional Use for above-ground fuel storage tanks, 960 N. Lombard Road**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Addlawn Landscaping, Inc., requests that the Village grant a conditional use, pursuant to Section 155.420(C)(42) of the Lombard Village Code, to allow for the construction of accessory structures (above-ground fuel tanks) associated with a conditional use 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 October 21, 2019. Sworn in to present the petition was Kevin Wallace, representing the petitioner, and Anna Papke, Senior Planner.

Vice-Chair Flint read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Mr. Wallace presented the petition. He owns Addlawn and purchased the subject property in 2018. He intends to install fuel tanks on the property to serve the Addlawn company vehicles, which will help the business run more efficiently. There is already a propane tank on the property, so Addlawn is familiar with safety issues associated with maintaining fuel tanks. The Illinois State Fire Marshal has approved the proposed tanks. In reference to a comment in the staff report, Mr. Wallace noted that the debris pile had been removed from the front lawn area on the site, and the area had been re-seeded with grass. He provided pictures showing this portion of the property.

Vice-Chair Flint asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The petitioner is a landscape contractor operating in the I Limited Industrial District. The petitioner proposes to install two above-ground fuel storage tanks on the subject property. The landscape contractor yard is a conditional use. As an accessory use to a conditional use, the fuel tanks require approval through the conditional use process. The fuel storage tanks will serve Addlawn company vehicles only. The fuel will not be sold to other businesses or retail customers.

Staff has reviewed the request and finds it to be consistent with the standards for conditional uses. Staff recommended approval of the petition subject to the conditions in the staff report.

Vice-Chair Flint asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Sweetser, and a second by Commissioner Olbrysh, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 19-21, subject to the following four (4) conditions:

1. That the petitioner shall develop the site in accordance with plans submitted as part of this request;
2. That the petitioner shall address the following conditions on the site, as noted in this report:
  - a. The ground elevation within at least three (3) feet to the west of the fence shall be lowered to the original elevation;
  - b. The fencing shall be replaced to the satisfaction of the Public Works Director;
  - c. The dirt and debris located in the landscape area in front of the office building shall be removed;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the above-ground fuel tanks are not established by said date, this relief shall be deemed null and void.

Respectfully,

**VILLAGE OF LOMBARD**

Steve Flint, Vice-Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR  
ABOVE-GROUND FUEL STORAGE TANKS PURSUANT TO  
TITLE 15, CHAPTER 155, SECTION 155.420(C)(42) OF THE  
LOMBARD ZONING ORDINANCE**

PC 19-21; 960 N. Lombard Road

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)(42) of the Lombard Zoning Ordinance to allow above-ground fuel storage tanks associated with a landscape contractor's yard; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on October 21, 2019, 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 two above-ground fuel storage tanks 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 960 N. Lombard Road, Lombard, Illinois and legally described as follows:  
PARCEL 1: PARCEL 14 OF LOMBARD/LOMVAC ASSESSMENT PLAT OF LOT 1 IN "LOMBARD BUSINESS CENTER UNIT ONE", BEING A SUBDIVISION OF PART OF

THE SOUTH ½ OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 6, 1974 AS DOCUMENT R74-56521, ROUNDED BY A LINE DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 02 DEGREES, 37 MINUTES, 56 SECONDS EAST, ALONG THE MOST WESTERLY LINE THEREOF, 490.71 FEET; THENCE SOUTH 89 DEGREES, 43 MINUTES, 15 SECONDS EAST, ALONG THE SOUTH LINE OF AN EASEMENT FOR INGRESS AND EGRESS PER DOCUMENT R88-127421, RECORDED NOVEMBER 4, 1988, AND ALONG THE WESTERLY EXTENSION THEREOF, 145.03 FEET; THENCE SOUTH 00 DEGREES, 16 MINUTES, 45 SECONDS WEST, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 254.89 FEET; THENCE SOUTH 89 DEGREES, 51 MINUTES, 41 SECONDS EAST, 18.21 FEET TO A CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES, 08 MINUTES, 19 SECONDS WEST, ALONG THE MOST EASTERLY EAST LINE OF SAID LOT 1, A DISTANCE OF 235.00 FEET TO THE MOST WESTERLY SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEGREES, 51 MINUTES, 41 SECONDS WEST, ALONG THE MOST SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 183.97 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: EASEMENTS FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1, AS SET FORTH IN THE DECLARATION OF EASEMENTS, RESTRICTIONS AND PROTECTIVE COVENANTS RECORDED NOVEMBER 4, 1988 AS DOCUMENT R88-127421, WITH FIRST AMENDMENT RECORDED SEPTEMBER 13, 1989 AS DOCUMENT R89-114297, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 03-31-301-032; (the "Subject Property").

SECTION 3: This ordinance shall be granted subject to compliance with 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 address the following conditions on the site, as noted in this report:
  - a. The ground elevation within at least three (3) feet to the west of the fence shall be lowered to the original elevation;
  - b. The fencing shall be replaced to the satisfaction of the Public Works Director;
  - c. The dirt and debris located in the landscape area in front of the office building shall be removed;

3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the above-ground fuel tanks are not established by said date, this relief shall be deemed null and void.

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 \_\_\_\_\_, 2019.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2019.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2019.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Keith Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk