

May 3, 2007

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

Subject: PC 07-12: 1135 North Garfield Street (Public Works Salt Dome & Operations Building)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, requests approval of the following actions located on property within the I Limited Industrial Zoning District:

1. A conditional use, pursuant to Section 155.208(C) to allow for more than one principal building on a lot of record; and
2. A variation from Section 155.417 to allow for a building height of up to sixty-five feet (65') for a salt dome, where a maximum of forty-five feet (45') is permitted.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on April 16, 2007. Dave Gorman, Lombard Assistant Director of Public Works presented the petition. The petition is for a municipal salt dome and storage facility. The facility is included within the capital improvements plan approved by the Board of Trustees. The petition includes a request for a height variation for a salt dome of up to 65 feet in height. The proposed dome will be conical in shape, which provides for great efficiencies for salt storage. The conditional use would be for more than one principal building on the lot. The proposed operations building will be 60' x 60' in size and will provide for indoor storage of equipment.

He then displayed an aerial photo showing the surrounding area. He showed the subject property as being vacant and bounded by railroad tracks on north side, wetlands on east and industrial properties on other sides.

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Chairperson Ryan then opened the meeting for public comment. No one spoke in favor of the petition.

Speaking against this petition were Ken Buckman and Mike Driscoll, owner representatives of Tri-Tech Skyline, located at 1136 N. Garfield Street. Mr. Buckman passed out an information packet to the Commissioners about his business. He stated that they oppose the requested relief.

He then described the history of his business. In 1999, they decided to start a company and determined to go to Lombard. Their business serves the convention and trade show business and Lombard was the correct place to locate. They leased a 10,000 square foot facility at 1120 N. Garfield Street. They opened up with five employees and \$3,000,000 in revenue.

They moved into their existing building in 2005 and he showed a picture of it. He knew about the salt dome project at the time he acquired their site. In the meantime, the market shifted on them and they switched to a service business. The existing building is now too small to store equipment for all trade shows. They have up to 40 employees now and \$12,000,000 in revenue this year. There is no other place in Lombard to expand and they would have to take a devastating loss, as the only available land is the subject property. They talked to staff about options to stay in Lombard.

They are asking to have the petition put on hold, stating that they would purchase the land at fair market value and they will talk with Village officials to find other options for the salt dome to relocate to. This would provide a favorable outcome for the Village and their company to stay and grow in Lombard. Mr. Driscoll stated that the Village has been getting the land ready for the salt dome and they are willing to make that right with the Village. Mr. Buckman referenced their folders that showed pictures of the area and he believes that the salt dome is a detriment to that area and that there has to be another solution. He stated that the owner of 1130 N. Garfield Street (Olympic Signs) and Rothbart Realty also opposed the petition.

Chairperson Ryan stated that real estate transactions are not under the Plan Commission's purview and they cannot deal with that aspect of your concerns. Mr. Buckman stated he understood this, but wanted to go on record and state their case.

Commissioner Nelson asked if there was any other way to expand. Mr. Buckman said they could lease additional space or sell their property and relocate, but it is important that everything is under one roof. Commissioner Nelson asked if they could purchase land elsewhere. Mr. Buckman said that they over-invested in their existing building. They invested heavily in the exterior and interior of their building to create an attractive appearance.

William Heniff then gave the staff report. He noted that this petition pertains to a conditional use for two buildings and a height variation for the salt dome. The use itself is a permitted use and could be built by right, but the building height would have to be lowered and the two buildings would have to be connected. The Village acquired the property in 1989 and identified the site for Public Works purposes. The Village plans to move forward with the salt dome with funding in

place and is requesting approvals associated with the plan as set forth in the capital improvement program.

He stated that the project will primarily consist of the following elements:

- The salt dome will serve as the primary storage center for the Village's bulk salt storage supply.
- The operations building will provide for indoor storage of selected Public Works equipment. Office activities and all public activities and functions will remain at the Village Hall campus.
- Several storage bins for storage of asphalt, dirt, stone and other materials will be provided on site.
- Two calcium chloride tanks (used as an additional deicing treatment added to traditional salt applications) and a one-hundred square foot materials shed are proposed along the west side of the property.
- While it is possible that the site could be used for other governmental purposes at some point in the future (such as the burn tower labeled on the plans), only the Public Works activities are identified as part of this petition.

He noted that the Zoning Ordinance provides a blanket exemption for essential Village governmental services. However, the Village has traditionally developed Village-owned properties in conformance with the Zoning Ordinance or sought relief accordingly. Staff has used the public hearing process as a means to solicit public input regarding Village proposals so that the final plan addresses neighbor's concerns. The Zoning Ordinance also lists "public utility and service uses" as permitted uses within the I Limited Industrial District.

The site plan shows the placement of the salt dome to be placed on the northwest corner of the property. The operations building will be located toward the center of the lot. While either of the structures could be considered as ancillary buildings, their placement and functions suggest that both serve a principal use and activity on the property. Their location on the site was based upon a review of the operations activities by the Public Works staff. The separate structures provide two distinct functions – the salt dome for bulk storage purposes and the operations building is intended for storage of selected vehicles and seasonal equipment. However, the two structures are integrated in their purpose and function on the site. Staff believes the plan for the site would meet the standards for conditional uses.

The petition includes a height variation to allow for the salt dome of up to sixty-five feet (65') for a salt dome, where a maximum of forty-five feet (45') is permitted. While the submitted plans show the dome to be 60.5 feet in height, staff added a few extra feet to the overall request to account for potential dome modifications and/or changes to the overall grade on the property. With the additional storage facility, the Village may also be able to ensure that sufficient salt supplies for the entire year are readily available at a competitive price. During storm events, the dome may provide additional flexibility to Village crews salting streets on the north side of town. This may also indirectly reduce the overall traffic demand around the Village Hall complex

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during storm events as well. Overall, staff supports the height request based upon the reasons included within the response to standards.

He noted the property is entirely surrounded by light industrial uses. Staff finds that the proposed use will be compatible with other types of uses found within the North Avenue Business Park area and within the I District. The site plan attempts to address the land use compatibility issues by providing for a solid fence no less than six feet (6') in height consistent with the requirements the Village has required as part of other outdoor industrial activities. The plan includes solid fencing around the perimeter of the storage area. Moreover, each of the bulk storage materials on site will be placed in bins, which will provide an additional screening element.

The plan shows a designated parking area for Village vehicles. As this site will not be open to the public, no additional parking spaces are anticipated for non-Village vehicles. All vehicles and/or equipment will be parked on an asphalt or concrete surface.

The site will be improved with a hard surface for the active Public Works areas. To address stormwater detention needs, the plan shows a detention area to be located at the southern end of the property. The project will include requisite parkway tree plantings and supplement plantings and ground cover within the front yard. The Village will provide shade trees along the perimeter of the property line as well as around the perimeter of the detention area. The specific shade tree species and the final location of the trees will be identified as part of the building permit process.

He stated that staff recommends approval of this petition.

He then read two letters into the record. The first letter was from the DuPage County Forest Preserve District (DCFPD) stating their concerns about the development, particularly salt run-off. He also read the letter from Gary Rothbart of Rothbart Realty, stating their objections, as the facility would be incompatible with and would create a negative image of the industrial park. Mr. Heniff responded by noting that the Village has a primary responsibility to provide essential services like snow plowing activities and locating such a structure in an industrial district is much more compatible than locating it within a residential area like the Village Hall complex.

Mr. Gorman mentioned the salt runoff would dissolve in rainwater. The runoff will be diverted into the detention basin. They have permit certification from the DuPage County Department of Environmental Concerns and they have approved the project layout. Less salt will find its way into the waterways with this dome. Currently, most of the salt pile is covered by a tarp but as salt is soluble one cannot remove it from water. So having all salt completely covered is better for the Village and the environment.

Chairperson Ryan then opened the meeting for discussion among the Commissioners.

Commissioner Burke stated that the comparison is not the same. The question is not how we are storing salt now. There are no wetlands next to the Village Hall. At the new facility, the runoff will happen from rain and the snow storage area and it will go into the wetland. He then asked

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about the proposed snow storage area. Mr. Gorman stated at areas such as St. Charles Road and Main Street, crews create a windrow to the center of the street and then crews will pick it up after the storm and truck snow to this location. Commissioner Burke noted the transported snow would have salt in it. Mr. Gorman stated that the proposed stormwater detention basin is large and snow melts slowly. The detention area would have native plantings as part of the County's Best Management Practices requirements. The water that runs off the site would ultimately go to Salt Creek. They will still put those plantings in.

Commissioner Sweetser stated that the DCFPD letter indicates that they urge all necessary protections be taken so no chemicals enter the wetland - is this consistent with what was approved by the County? Mr. Gorman noted that DCFPD and DuPage County are two separate governmental entities. DuPage County required that the Village put the detention facility and the plantings in.

Commissioner Olbrysh stated that this site is the best place to locate the facility, as it would cause the least amount of problems. He is concerned about the chemical issue with the ecosystem. The issues presented by Skyline are issues we cannot address.

Chairperson Ryan confirmed that the plan has to be approved by DuPage County. Mr. Heniff said that the County has jurisdiction and they approved the plan. Chairperson Ryan suggested that a condition be added that the plan meets all federal, state and local requirements.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed conditional use and variation complies with the standards of the Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities, **approval** of the petition associated with PC 07-12, subject to the following condition:

1. That the proposed development shall meet all federal, state and local regulations.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

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c Petitioner
 Lombard Plan Commission