

October 6, 2005

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

**Subject: PC 05-34: Text Amendments to the Lombard Zoning Ordinance (Use Classifications)**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard requests amendments to the Zoning Ordinance, as follows:

Section 155.411 Office District

C. Conditional Uses

- Add outside service areas for other permitted or conditional uses within this District
- Add trade schools

Section 155.413 through 155.417 B2 through B5A Districts

- Add provisions to classify any principal or ancillary use located on the same property as a gasoline sales establishment as a conditional use.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on September 19, 2005. William Heniff, Senior Planner, presented the petition, indicating that the purpose of the text amendments were to address several outstanding use classification issues within the Zoning Ordinance. Mr. Heniff then referenced the amendments in the staff report, as follows:

**Outdoor Seating for Restaurants within the Office District**

Currently, restaurants are listed as conditional uses within the O Office District. However, outdoor dining components are not listed as permitted or conditional uses – approval of ancillary outdoor dining areas could only be approved through a text amendment or through a use exception within a planned development. The proposed text amendment will classify outdoor service areas as a conditional use. The merits of whether an outdoor dining area should be granted would be reviewed in the same manner as all other conditional uses – it may or may not be appropriate based upon site specific considerations.

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### **Gasoline Sales Establishments**

Gasoline sales establishments are listed as conditional uses within the B2 through the B5A Districts. However ancillary business establishments located on the same property (such as retail convenience stores, restaurants and the like) would be reviewed relative to the underlying district classifications for that particular use. For example, if a convenience store is listed as a permitted use within a district, it can be expanded or enlarged without the need to go through the public hearing process.

Staff has noted several instances in the Village whereby modifications to a secondary or ancillary business activity on a property were undertaken without the need for a public hearing. While this may pose problems in many cases, staff notes that this may not always be the case. He specifically referenced the properties at 610 South Main Street and 1 East St. Charles Road in which the secondary use was modified or expanded without the need to seek approval through the conditional use process. Business expansions of secondary uses could create additional or differing impacts on the operation of the gasoline sales establishment or even on adjacent properties. Therefore staff is proposing an amendment that would reclassify any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment.

### **Trade Schools**

The proposed amendments also list trade schools as conditional uses within the O Office District. Staff has had requests for business-to-business companies to open training centers in the Office District. These business are affiliated with other office related activities. Staff notes that these activities often function similarly to other office establishments. As such staff believes that classifying these uses as a conditional use within the Office District makes sense.

Chairperson Ryan then opened the meeting for public comment. There was no one in the audience to speak in favor of or against the petition.

Commissioner Sweeter requested that the term "trade schools" be expanded to include educational facilities. She believed the term trade schools may not completely reflect the proposed educational use that is referenced in the IDRC report narrative. George Wagner, Village Counsel, noted that the term trade school should remain in the amendment, but the term could be modified to include training facilities or educational centers.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed text amendments do comply with the standards of the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities, approval of PC 05-34, subject to the provision the amendment that the term trade school be amended to read "trade schools/training facilities".

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Respectfully,

**VILLAGE OF LOMBARD**

Donald F. Ryan

Chairperson

Lombard Plan Commission

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