

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

Recycled Auto Parts – 640 E. St. Charles Road

December 20, 2021

Title

PC 21-29

Petitioner

Stephen Flint
Flint Architects LLC
314 S. Westmore
Lombard, IL 60148

Property Owner

RAPI LLC
180 N. Dinah Road
Medinah, IL 60157

Property Location

640 E. St. Charles Road
06-05-425-016, 06-05-425-015
and 06-05-428-001
Trustee Districts 4 and 5

Zoning

B4 Corridor Commercial District

Existing Land Use

Recycled Auto Parts

Comprehensive Plan

Community Commercial

Approval Sought

Conditional uses and variances

Prepared By

Jennifer Ganser, AICP
Assistant Director



LOCATION MAP

PROJECT DESCRIPTION

Recycled Auto Parts (RAP) is an existing Lombard business. They acquire late model vehicles that have been in accidents, removes valuable working components from the damaged vehicles and sells those products to other repair businesses. The remainder of the vehicle may then be made available for salvage or sold off for salvage/scrap metal purposes. RAP acquired the property in 2015 from Lombard Auto Wreckers, a long-time salvage business that had been located on the premises for decades.

RAP developed plans that would allow for more efficient property utilization and in the process address potential neighborhood concerns. The result of this effort is a larger vision to bring more of the dismantling operations into a new principal building. RAP proposes to raze the existing office and smaller garage space that is currently located on the premises and replacing it with a larger building (7,806 square feet) that will allow for much of the existing operations to be located indoors. The building is intended to be a masonry with aesthetic enhancements to soften the aesthetic toward St. Charles Road.

PROJECT STATS

Lot & Bulk

Parcel Size:	0.96 acres
Parking lot parcel size	0.49 acre

Submittals

1. Petition for a public hearing;
2. Response to Standards, prepared by the petitioner;
3. Plat of Survey, prepared by Gentile & Associates, Inc. dated 7/30/21;
4. Sign plan, prepared by Chicagoland Signs, dated 11/22/2021;
5. Engineering plans, prepared by CivWorks, dated 11/12/21;
6. Landscape plans, prepared by LG Workshop, dated 11/11/21;
7. Architectural plans, prepared by Flint Architects, dated 11/12/21;
8. Rendering, prepared by Flint Architects, dated 11/12/21;
9. 2016 workshop materials.

APPROVAL(S) REQUIRED

The petitioner requests that the Village take the following actions on the subject property located within B4 Corridor Commercial District, to provide for the construction of a new principle building:

1. Conditional use pursuant to Section 155.305 to allow the current legal nonconforming use (auto salvage yard) to continue with the construction of a new building and demolition of the existing building;
2. Conditional use pursuant to Section 155.416(C)(18) for off-site parking, which is an existing condition;
3. Variance for a front yard setback of 3' where 30' is required, pursuant to Section 155.416(F);
4. Variance for a side yard setback of 4', 4" where 10' is required, pursuant to Section 155.416(F);
5. Variance for open space of 2.23% where 10% is required, pursuant to Section 155.416(M), where the property currently has 0% open space; and
6. Variance for fence height of 14' where 4' is required pursuant to Section 155.205(A)(2);
7. Variance for a fence in the clear line of sight pursuant to Section 155.205(A)(2)(e).

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has the following comments:

1. The new structure will be required to have fire sprinklers;
2. The new structure will be required to have a new water service and ensure the old sewer is serviceable or replaced with new;
3. The West wall will need to be fire resistant and fire rated due to its proximity to the lot line;
4. The new building will need to have an oil separation system installed for all floor drains to be connected to;
5. The approval of the new building is not to be construed as an approval of the existing structures referred to in the plan as lean-to buildings if not previously approved. These structures would still need to meet minimum design standards to withstand snow loads etc. as we do not have any plans from the past for these structures; and
6. Additional comments may be forthcoming during permit/occupancy review.

Fire Department:

The Fire Department offers that the new building will need to have a full fire sprinkler and fire alarm system, along with making sure that the hydrant is located within 75-100' of Fire Department Connection and the entrance gates will have override for Fire Department access. Additional comments may be forthcoming during permit/occupancy review.

Public Works:

Public Works notes that any refuse and recycling containers need to be screened on all sides per Section 155.710. Additional comments may be forthcoming during permit/occupancy review.

Private Engineering Services:

Private Engineering Services (PES) notes that an erosion control plan should be included in the plan submittal. At a minimum, there should be inlet filters in the curb inlets. Additional comments may be forthcoming during permit/occupancy review.

EXISTING CONDITIONS

The subject property is owned and operated by RAP as an auto salvage yard. This property was discussed at a Plan Commission workshop in December 2016. The Plan Commission was conceptually supportive of providing for a new ~~principle~~ structure on the premises associated with the legal nonconforming use.

principal

Planning Services Division:

The Planning Services Division (PSD) notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	R2	Single Family Homes
South	B4	RAP Parking Lot
East	B4	Commercial
West	B4PD	Safeguard Self Storage

Staff notes the property is along a commercial corridor, St. Charles Road. The property has existed as an auto salvage yard for decades. The subject property is owned and operated by RAP. The property is improved with a small office building and several non-conforming accessory structures. The accessory buildings are staying as-is. Existing conditions on the property are legal non-conforming and were granted by Court Decree of the Circuit Court of DuPage County in case No. 82 CH 327, consolidated with case numbers 82 OV 930 and 931. The existing use and activities were allowed through the Court Decree. The final order does allow for the use to continue on the subject property, subject to the provisions in the order and the nonconforming provisions in the Zoning Ordinance (Section 155.300 et. seq. of Village Code). The sale and use of the property continued seamlessly in 2015 when Lombard Auto Wreckers sold the property to Recycled Auto Parts.

The auto salvage business is deemed to be a legal non-conforming use and is still subject to provisions of Village Code, including the Zoning Ordinance and Business Regulations. Additionally, the property is subject to the Court Decree of the Circuit Court of DuPage County in case No. 82 CH 327, consolidated with case numbers 82 OV 930 and 931.

The new building will:

1. Replace the existing non-conforming building along St. Charles Road that can accommodate the RAP use;
2. Meet current building code provisions and could be adaptable for a future permissible land use;
3. Allow for more work to be done inside, such as parts collection activities from vehicles;
4. Benefit the business by creating a climate-controlled environment for work activity and can minimize external noise from business operations (which is required by code within Section 155.416(K)(2)); and
5. Bring the property into closer compliance with code and decrease the degree of incompatibility with adjacent residential properties.

2. Comprehensive Plan Compatibility

The property has a Comprehensive Plan designation of Community Commercial. The proposed site improvements would make the property in closer compliance with the Comprehensive Plan.

3. Zoning Compatibility

As noted, the property is legal nonconforming and operates under a court decree. The new building and fence also require zoning relief as the project is not to Code. Other elements on the property will remain legal non-conforming such as the out buildings and landscaping.

- Conditional use pursuant to Section 155.305 to allow the current legal nonconforming use (auto salvage yard) to continue with the construction of a new building and demolition of the existing building – this allow the use (auto salvage yard) to operate on site. Demolishing the existing building, and building a new building, would cause RAP to lose their legal nonconforming status.
- Conditional use pursuant to Section 155.416(C)(18) for off-site parking, which is an existing condition – this is to memorialize the current off-site parking. No changes are planned for the parking lot. Parking is discussed more in Section 5 of this report.
- Variance for a front yard setback of 3' where 30' is required, pursuant to Section 155.416(F) – the existing building does not meet the front yard setback. The proposed new building is larger than the existing building and would allow for additional work to be done inside, as opposed to outside.
- Variance for a western interior side yard setback of 4', 4" where 10' is required, pursuant to Section 155.416(F) – the existing building does not meet the side yard setback.
- Variance for open space of 2.23% where 10% is required, pursuant to Section 155.416(M), where the property currently has 0% open space – the property currently does not meet the open space requirement of 10%. The additional landscaping in the front will allow for some open space, however, a variance is still needed.
- Variance for fence height of 14' where 4' is required pursuant to Section 155.205(A)(2) – the current fence height is 12', per the court decree car and car parts are allowed to be stacked above the fence line. The owner proposed a 14' tall fence and noted with this taller fence, car and car parts will no longer need to be stacked above the fence line. This is listed as a condition, should the petition be approved.
- Variance for a fence in the clear line of sight pursuant to Section 155.205(A)(2)(e) – the current fence is in the clear line of sight, as well as the proposed fence. Staff notes the vehicles entering and existing from the fenced area will mainly be employees and therefore are familiar with the site and existing fence height and location.

A color rendering is attached. The building will be masonry with brown and tan colors. The trash pad will be behind the fence; therefore, the refuse company will pull inside the area to remove trash. There will be no trash containers outside the fence enclosure.

4. Signage

Wall Signage is shown that meets the provisions of Chapter 153 of Village Code (the Sign Ordinance).

5. Traffic and Parking

There is a gravel parking lot on the south side of St. Charles Road owned by RAP, and was previously owned by Lombard Auto Wreckers. It is subject to the nonconforming provisions as set forth within Section 155.300 et. seq. of the Village Code. The lot can stay as a gravel lot but cannot be expanded. Parking in the lot is limited to employee and customer parking and should not be used for vehicle salvage or storage purposes. The owner is not seeking to take any development actions on the parking lot property at this time.

The conditional use is to memorialize the off-site parking for RAP. There is a corresponding condition of approval that if the parking lot was ever sold, RAP would need to make provisions for the lost parking. The (previous) property owner appealed the decision of the (previous) Community Development Director on the nature of the parking lot and an expansion in ZBA 00-10. The ZBA concurred with the Director that the property owner should obtain a conditional use permit for the off-site parking, but the Ordinance is not to be interpreted to mean that making parking lot improvements (such as paving) is inconsistent with the intent of the Code.

The site plan includes two (2) parking spaces on the north side of St. Charles Road. One is an ADA accessible space, closest to the entrance, and the second space is along St. Charles Road. No repurposed cars will be stored in these parking spaces. RAP does not have frequent customers to the site.

FINDINGS & RECOMMENDATIONS

Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

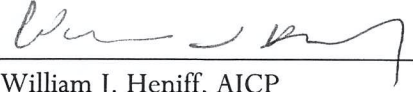
The Inter-Departmental Review Committee has reviewed the standards for the requested zoning relief and finds that the proposed use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 21-29:

Based on the submitted petition and the testimony presented, the proposed conditional uses and variances do comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the conditional use permit 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 21-29, subject to the following conditions:

1. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
2. That the petitioner shall be required to apply for and receive building permits prior to construction;
3. The petitioner shall submit a plat of consolidation, to make the property into a lot of record, before building permits shall be issued;
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11);
5. The conditional use is for the current use of an auto salvage business, permitted previously by the Court Decree of the Circuit Court of DuPage County in case No. 82 CH 327, consolidated with case numbers 82 OV 930 and 931;
6. The use shall not expand in size by the purchase of additional land or enlarging the buildings. Should this occur, the property owner would need to petition the Plan Commission for an expansion of a conditional use, and any other required zoning relief;
7. RAP, and other future owners and/or tenants, shall not pile or stack materials in whole or in part above the fenced level. Cars and car parts is included as materials;

8. If, for any reason, the parcel to the south (PIN 0605428001) becomes unavailable for off-site parking related to 640 E. St. Charles Road, an amendment to the conditional use and/or any necessary variations must be obtained in order to continue the use.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner