

January 23, 2023

**Title**

PC 23-01

**Petitioner**

Giovanni Giraldo  
1099 Beverly Court  
Lombard IL 60148

**Property Owner**

Jane Young Kim  
2229 Cold Meadow Way  
Silver Spring MD 20906

**Property Location**

1280 S. Finley Road  
PIN: 06-19-100-017  
Trustee District 2

**Zoning**

B4A

**Existing Land Use**

Commercial building

**Comprehensive Plan**

Community Commercial

**Approval Sought**

Conditional use for a day care

**Prepared By**

Jennifer Ganser, AICP  
Assistant Director



Location Map

**PROJECT DESCRIPTION**

The petitioner proposes to operate a day care center with an outdoor play area. The day care will be approximately 5,000 square feet with approximately 1,864 square feet outside that will be fenced. It is a freestanding building. The property has five (5) parking spaces that will be used for drop off and pick up. The petitioner proposes to buy the property.

**Approvals Required**

The petitioner requests a conditional use pursuant to Section 155.417(G)(2)(b)(iii) of the Lombard Village Code to allow for a day care center to operate on the subject property located within the B4A Roosevelt Road Corridor District.

**Existing Conditions**

The property is an existing vacant building with associated parking. The building was formerly a dry cleaner. Per York Township, the building was built in 1979.

**PROJECT STATS**

**Lot & Bulk**

Parcel Size: 1.148 acres

**Submittals**

1. Petition for a public hearing;
2. Response to Standards;
3. Plat of Survey, prepared by Murry and Moody, Ltd., dated June 11, 2002;
4. Landscape Plan prepared by Beron Design Group, dated October 8, 2022; and
5. Site Plan prepared by Beron Design Group, dated October 8, 2022.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has no comments referring to the Zoning matter regarding PC 23-01, but as this is a change of use, we offer the following:

1. The facility will need to meet all provisions of not only local codes, but the State of Illinois Administrative code regarding daycare centers. Items such as radon and surface lead testing are required, and water lead testing (if serving children under 6) are required by the State of Illinois.
2. The interior buildout will also have to meet all State "Facility" requirements as well as "Outdoor Play Area" requirements. This will include an outdoor play area able to accommodate at least 25% of the center capacity, etc.
3. As this site is a former dry cleaner, and an underground environmental barrier was installed at or near the property line to contain ground contamination, an environmental consultant will have to be retained by the business or property owner in order to ensure the all areas of the proposed business will meet all codes. Specifically providing the State required "well drained" outdoor play area, while still providing the encapsulation needed.
4. Additional comments may be forthcoming during permit review.

**Fire Department:**

The Fire Department has the following comments:

1. Must have a fire alarm and carbon monoxide detection.
2. A building of any construction type, without sprinkler protection, is permitted if the day care center is located only on the first floor (grade level).
3. Additional comments may be forthcoming during permit review.

**Public Works:**

The Department of Public Works has no comments on the subject petition. Additional comments may be forthcoming during permit review.

**Private Engineering Services (PES):**

PES has the following comment on the subject petition:

1. Future permit submittal should have a full ADA design of the sidewalk in front of the ADA parking spots (including slopes). These elevations should be coordinated with the building/front door foundation elevation to ensure that design is constructible.
2. 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	B4A	Retail
South	R5PD	Apartments
East	R5PD and B4APD	Condominiums and Mariano’s Grocery Store
West	B4A	Retail

The B2 District is intended to provide convenience shopping to the nearby residential. The proposed use is on the Roosevelt Road corridor which has retail, office, and other similar uses. Staff finds the proposed use of a day care is consistent with the zoning and land use of the surrounding properties. The day care center will serve the local population.

Per R1972-41405, cross access was established between 1280 S. Finley Road and 515 W Roosevelt Road. 1280 S Finley Road does not have direct access onto Roosevelt Road or Finley Road.

**2. Comprehensive Plan Compatibility**

The proposed use would be consistent with the designation of the property as Community Commercial.

**3. Zoning Compatibility**

Interior renovations will be needed, as well as the addition of an outdoor play area with a fence. Such improvements are reviewed by the Village and the State Department of Children and Family Services. The day care center will have approximately 72 children. It would be open from 6am to 6pm Monday through Friday. There will be approximately 14 employees and 17 parking spaces. There are five drop off parking spaces for parents to use to drop off children in the morning. Parking meets Code.

The outdoor play area will be screen by a 6’ tall wooden fence. The petitioner is adding landscaping to the south, and on both sides of the building to help beautify the property.

In analyzing the petition, staff finds the proposed use will be compatible with nearby development and will not create negative impacts on neighboring properties.

**FINDINGS & RECOMMENDATIONS**

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

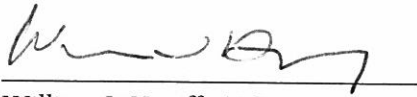
The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use in the B2PD District, and finds that the proposed use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 23-01:

Based on the submitted petition and the testimony presented, the proposed conditional use does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the conditional uses, variances, and deviations 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 23-01, subject to 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 satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
3. 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

## VII. STANDARDS FOR CONDITIONAL USES

1. The building will be use as a child care facility serving children from 0 to 12 years old. And the hours of operation will be 6:00 am to 5:30 pm. The establishment will be maintained in an excellent condition and will be not detrimental to, or endanger the public health, safety, morals, comfort, or general welfare as per we will follow the DCFS rules for child care center license.
2. Our child care center will be favorable to the vicinity. Families of the area will benefit from our place as they will have a place for their children close to home. Likewise, the properties of the neighborhood will increase their value having a child care center in the area.
3. Our child care center will not impede with the development and improvement of the surrounding property. On the contrary, the establishment will help with the development of the area.
4. The public utilities, access roads, drainage are already stablished in the property. We will use them and maintain.
5. We have designed a traffic pattern for parents to follow to the designated drop off/pick up area. Please refer to the plan.
6. Village Comprehensive Plan alignment:
  - Buying an already developed property for improvement and maintenance.
  - Property is already in a commercial zoning.
  - New apartments and townhouses increased the demand for early childhood care for many years to come.
  - Improving the facility will increase the property taxes and the after-repair value will provide the community with more fiscal resources to meet new service demands.
7. We are working alongside with the village and architect to ensure the establishment conforms to the applicable regulations, and we will modify any regulation pursuant to the recommendations of the plan commission and DCFS.