

**VILLAGE OF LOMBARD**  
**REQUEST FOR BOARD OF TRUSTEES ACTION**  
**For Inclusion on Board Agenda**

       Resolution or Ordinance (Blue)        X   Waiver of First Requested  
  X   Recommendations of Boards, Commissions & Committees (Green)  
       Other Business (Pink)

**TO :** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** Scott R. Niehaus, Village Manager

**DATE :** August 9, 2022                      **(BOT) Date:** August 18, 2022

**SUBJECT:** PC 22-19: 401 Crescent Blvd – Day Care Center

**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 requests a conditional use pursuant to Section 155.414(C)(5) of the Lombard Village Code to allow for a day care center to operate on the subject property located within the B2PD General Neighborhood Shopping District.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the August 18, 2022 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 *WJH*

**MEETING DATE:** August 18, 2022

**SUBJECT:** **PC 22-19, 401 Crescent Blvd.**

Please find the following items for Village Board consideration as part of the August 18, 2022 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 22-19; and
3. An Ordinance granting approval of a conditional use pursuant to Lombard Village Code to allow for a day care center on the subject property.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the August 18, 2022 Board of Trustees agenda with a waiver of first reading.





## VILLAGE OF LOMBARD

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August 18, 2022

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Liz Brezinski

**Trustees**  
Brian LaVaque, Dist. 1  
Anthony Puccio, Dist. 2  
Bernie Dudek, Dist. 3  
Andrew Honig, Dist. 4  
Dan Militello, Dist. 5  
Bob Bachner, 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 22-19, 401 Crescent Blvd**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a conditional use pursuant to Section 155.414(C)(5) of the Lombard Village Code to allow for a day care center to operate on the subject property located within the B2PD General Neighborhood Shopping District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on July 18, 2022. Sworn in to present the petition were Maryam Bozai, petitioner and Jennifer Ganser, Assistant Director.

Acting Chairperson Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine, and proceeded with the petition.

Ms. Bozai said she is looking to open a child care center. She has been a special education teacher for 10 years and has 5 children of her own. She said day care is a growing need in the community. She has a center in Skokie and opened to a full center. She said it's a faith-based center and this is also a growing need in Lombard. She has received requests to open in Lombard especially for the under 3 age group. She said there is a max. capacity for about 42 children. She discussed drop off and pick up.



Acting Chairperson Giuliano asked if any additional person would like to speak in favor or against this petition, or for public comment.

Hearing none, Acting Chairperson Giuliano asked for the staff report.

Ms. Ganser presented the IDRC report for PC 22-19, which was entered into the public record in its entirety. The petitioner proposes to operate a day care center. The petition includes interior renovations and a new outdoor play area. The location was a former 7-Eleven convenience store. The day care center use is compatible with the surrounding zoning and the Comprehensive Plan. Staff supports the petition.

Acting Chairperson Giuliano opened the meeting to discussion by the Plan Commissioners.

Commissioner Johnston asked if she lives in Skokie and has a management team. Ms. Bozai said she lives in Morton Grove and will hire 11 employees. She said a director is required per DCFS.

Commissioner Sweetser asked about the outside play groups. Ms. Bozai reviewed the DCFS guidelines on spaces per group of children. She had they have more space per child group then required and children are taken outside in groups. She said they are licensed up to age 5. Commissioner Sweetser said she liked the parking spaces being used for drop off. She asked if there are plans for signage. Ms. Bozai said the drop off and pick up procedures are reviewed at an open house.

Commissioner Verson said she is happy that the space is being filled.

Acting Chairperson Giuliano asked if there were any additional comments. Hearing none, she asked for a motion from the Commissioners.

On a motion by Commissioner Spreenberg, and a second by Commissioner Invergo, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 22-19, 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 satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. The relief is only granted to the tenant space at 401 Crescent Blvd; and
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

Respectfully,

**VILLAGE OF LOMBARD**

Leigh Giuliano, Acting Chairperson  
Lombard Plan Commission





# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

401 Crescent Blvd

July 18, 2022

### Title

PC 22-19

### Petitioner

Maryam Bozai  
Little Muslims Academy LLC  
8609 Lillibet Ter  
Morton Grove IL 60053

### Property Owner

The Markum Family Trust & SMR  
Crescent, LLC  
275 Van Damin Avenue  
Glen Ellyn IL 60137

### Property Location

401 Crescent  
PIN: 06-07-208-001  
Trustee District 1

### Zoning

B2PD

### Existing Land Use

Strip Center

### Comprehensive Plan

Neighborhood 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 2,468 square feet with approximately 1,018 square feet outside that will be fenced. The strip center has parking that will be used for drop off and pick up.

### Approvals Required

The petitioner requests a conditional use pursuant to Section 155.414(C)(5) of the Lombard Village Code to allow for a day care center to operate on the subject property located within the B2PD General Neighborhood Shopping District.

### Existing Conditions

The property is an existing 8-unit strip center with associated parking. The unit was formally a 7-Eleven convenience store.



**PROJECT STATS**

**Lot & Bulk**

Parcel Size: 1.148 acres

**Submittals**

1. Petition for a public hearing;
2. Response to Standards;
3. Description of Request;
4. Proposed floor plan;
5. Plat of Survey, prepared by Kanthaphixay Land Surveying, dated August 5, 2018;
6. Site Plan prepared by the petitioner's architect;
7. Site Plan showing turning movements prepared by the petitioner's architect.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The State has many requirements for daycare centers. Per the State Fire Marshal's guide, they must:

1. Test the building for Radon
2. Have a fire alarm and carbon monoxide detection
3. Outside play areas must be fenced
4. Tamper resistant electric outlets required
5. Fire sprinklers are not required as the daycare would be on the ground level.

Additional comments may be forthcoming during permit review.

**Fire Department:**

The Fire Department has the following comments. Day Care centers shall be provided with a fire alarm system. The system shall consist of manual means of initiation (pull boxes) and any required smoke detectors. The alarm system must alert the occupants of the center when it is activated, as well as automatically notify the local fire department. They should follow the State Fire Marshal code requirements for day care centers. 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 no comments on the subject petition. 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**

	<b>Zoning Districts</b>	<b>Land Use</b>
<b>North</b>	B2 and R4	Office and multi-family residential
<b>South</b>	--	Railroad property
<b>East</b>	R4	Multi-family residential
<b>West</b>	B2	Vacant land

The B2 District is intended to provide convenience shopping to the nearby residential. The proposed use is also near the St. Charles Road corridor which was 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. Past day care examples in integrated shopping centers include Pioneer Child Care (while at High Point Shopping Center), His Grace Montessori School, and the existing Kinder Care (downtown Lombard).

**2. Comprehensive Plan Compatibility**

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

**3. Zoning Compatibility**

The proposed use intends to operate in a retail area. 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 Department of Children and Family Services. The day care center will have approximately 45 children and be open from 6am to 6pm Monday through Friday. There will be approximately 8 employees. Parents will use the existing parking spaces to drop off and pick up their children. The parents will go inside the facility.

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.

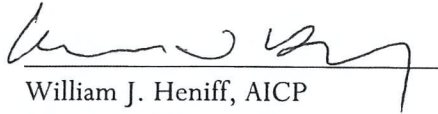
The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use in the B2PD District, and finds that the proposed use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 22-19:

Based on the submitted petition and the testimony presented, the proposed conditional uses, variances, and deviations do 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 22-19, 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;
3. The relief is only granted to the tenant space at 401 Crescent Blvd; and
4. 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





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

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A DAY CARE CENTER WITHIN THE B2PD GENERAL NEIGHBORHOOD SHOPPING DISTRICT PLANNED DEVELOPMENT**

PC 22-19, 401 Crescent Blvd

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 B2PD General Neighborhood Shopping District Planned Development; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Section 155.414(C)(5) of the Village of Lombard Zoning Ordinance for a day care center,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on July 18, 2022 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional uses, 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 conditional uses 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 a day care center 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 401 Crescent Blvd., Lombard, Illinois and legally described as follows:

LOT 12 IN OWNERS SUBDIVISION, BEING A RESUBDIVISION OF OUT LOT 9 IN THE TOWN OF LOMBARD, BEING A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18. TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN. ACCORDING TO THE PLAT OF SAID OWNERS SUBDIVISION. RECORDED SEPTEMBER 21, 1925 AT DOCUMENT 200027, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-07-208-001; (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 satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. The relief is only granted to the tenant space at 401 Crescent Blvd; and
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

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 \_\_\_\_\_, 2022.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2022.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2022.

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

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

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



Ordinance No. \_\_\_\_\_  
Re: PC 22-19  
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Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

ATTEST:

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk

