

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: William T. Lichter, Village Manager
DATE: February 20, 2007 (BOT) Date: March 1, 2007
TITLE: PC 07-06: 700-710 W. Hill Avenue (21W140 Hill Avenue)
SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests approval of a conditional use for an automobile repair establishment in the I Limited Industrial District. (DISTRICT #1).

The Plan Commission recommended approval of this petition with conditions.

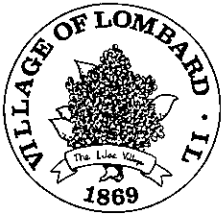
The petitioner is requesting a waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *W. T. Lichter* _____ Date 2/20/07

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: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP *DAH*
Assistant Village Manager/Director of Community Development

DATE: March 1, 2007

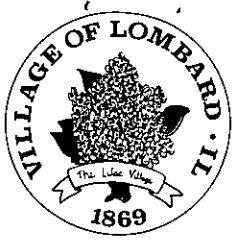
SUBJECT: PC 07-06: 700-710 W. Hill Avenue (21W140 Hill Avenue):

Attached are the following items for Village Board consideration as part of the March 1, 2007 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 07-06;
3. An Ordinance granting approval of a conditional use for an automobile repair establishment
4. Plans associated with the petition.

The petitioner is requesting that the Village Board waive a first reading of the aforementioned Ordinance. Please find the written request attached.

Please contact me if you have any questions regarding the aforementioned materials.



VILLAGE OF LOMBARD

255 E. Wilson Avenue
Lombard, IL 60148-3926
(630) 620-5700 FAX: (630) 620-8222
TDD: (630) 620-5812
www.villageoflombard.org

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Trustees
Greg Alan Gron, Dist. 1
Richard J. Tross, Dist. 2
John "Jack" T. O'Brien, Dist. 3
Steven D. Sebby, Dist. 4
Kenneth M. Florey, Dist. 5
Rick Soderstrom, Dist. 6

Village Manager
William T. Lichter

March 1, 2007

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

Subject: PC 07-06: 700-710 W. Hill Avenue (21W140 Hill Avenue)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests approval of a conditional use for an automobile repair establishment in the I Limited Industrial District. After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on February 19, 2007.

Adam Costello, owner of Hill Avenue Auto Repair, presented the petition. He thanked the Plan Commission for their time and consideration. He mentioned that the staff report explains the facts of the case, and he would be happy to answer any questions that the Plan Commissioners may have.

Vice Chairperson Flint then opened the meeting for public comment. No one spoke for or against the petition.

Vice Chairperson Flint then requested the staff report

Michelle Kulikowski, Planner I, referenced the staff report which is submitted to the public record. She stated that the subject property is developed with a 9,500 square foot office/warehouse building with six units. She noted that the petitioner is proposing an auto repair establishment at 704 Hill Avenue (also known as 21W140 Hill Avenue Unit C). She mentioned that the tenant space is approximately thirty feet (30') by fifty feet (50') and includes a small office area and one service bay. She stated that the petitioner will be the only employee and business will generally be conducted by appointment. She noted that other tenants in the building include a construction company, an electrical contractor, a business specializing in irrigation system design and a business specializing in filtration systems.

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business 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."

Ms. Kulikowski stated that the property complies with the recommendations of the Comprehensive Plan and the proposed use is compatible with the surrounding land uses. She noted that a variation was granted in 1975 to reduce the side yard setback to the west property line to zero feet (0'). She mentioned that the building is setback approximately twenty feet (20') from the front property line, but is considered legal non-conforming as the front yard setback at the time the building was constructed.

Ms. Kulikowski discussed parking issues related to the subject property. She stated that the Zoning Ordinance requires a minimum of three (3) spaces for each use in the Business and Industrial Districts, and therefore a minimum of fifteen (15) parking spaces would be required for the entire subject property. She noted that the parking spaces are not currently striped or delineated within the parking lot, but the petitioner has submitted a site plan that depicts where cars typically park. She stated that the Zoning Ordinance would require the number of parking spaces be brought into compliance if a more intense use is proposed. She mentioned that staff reviewed the current and previous tenants of the property, and made the interpretation that the use of the property will not increase in intensity as a result of the proposed automobile repair establishment. She noted that there have been two other automobile repair establishments and a towing company that have operated on the premises. She stated that the property as a whole is considered legal non-conforming with respect to parking requirements.

Ms. Kulikowski noted that the parking requirement for the proposed automobile repair establishments is two spaces per service bay plus one space per employee and because the proposed business will only have one service bay and one employee, three (3) parking spaces would be required. She mentioned that up to three cars can be parked within the tenant space. She stated that in order to ensure that the proposed automotive service use, combined with the other uses on the premises, does not create a parking problem on the site, staff is recommending as a condition of approval that there shall be no overnight outdoor parking or storage of vehicles associated with the proposed automotive use.

Ms. Kulikowski noted that the parking lot must be striped or delineated in accordance with the Zoning Ordinance. She stated that the site plan that was approved with the original building permit provided nine (9) parking spaces on the property. She mentioned that staff recommends that as a condition of approval, the parking lot be striped in accordance with the approved site plan from 1976, included in the Appendix of this report. She also noted that if parking lot improvements are made, an accessible parking space may be required per the Illinois Accessibility Code. She stated that staff's proposed site layout will also provide for a better parking design as it will eliminate vehicles parking in a random manner and on the public right-of-way. Moreover, the proposed plan will create a defined driveway access point to the site, further defining the private parking and circulation areas.

Ms. Kulikowski also noted that the Lombard Code of Ordinance requires all vehicles and equipment to be parked on an asphalt or concrete surface. She referred to the vehicles and equipment being stored in a gravel area to the east of the building. She stated that staff recommends as a condition of approval that all vehicles on the subject property must be parked

on asphalt or concrete surface in accordance with Title 15, Chapter 150, Section 150.301(B) of the Lombard Code of Ordinances. If the property owner or tenants want to use this area for parking, then it must be paved. She also noted that any expansion of the parking lot would require that storm water detention be provided. She stated that staff also recommends as a condition of approval that a fence be placed along the eastern edge of the parking lot to prevent the storage or parking of vehicles or equipment beyond the paved parking area.

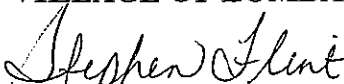
Vice Chairperson Flint opened the meeting for comments from the Plan Commission. There were no comments from the Plan Commissioners.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed conditional use does comply with the standards of the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 07-06 subject to the following conditions:

1. That the petitioner shall satisfactorily address the comments included within the IDRC report.
2. That the subject property be modified to incorporate all of the parking lot improvements as depicted on the site plan prepared by the Village, attached as an exhibit and made a part of the recommendation of approval.
3. The petitioner shall store any vehicles kept overnight within the enclosed building. The outside storage of motor vehicles shall be prohibited.
4. That all vehicles on the subject property must be parked on asphalt or concrete surface in accordance with Title 15, Chapter 150, Section 150.301(B) of the Lombard Code of Ordinances.
5. That the property owner shall apply for and receive a building permit to install a fence no greater than four feet (4') in height along the eastern edge of the paved parking area. In the event that the property owner expands the parking lot to provide additional parking, said fence may be relocated at the discretion of the Director of Community Development.

Respectfully,

VILLAGE OF LOMBARD


Stephen Flint, Vice Chairperson
Lombard Plan Commission

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission HEARING DATE: February 19, 2007
FROM: Department of PREPARED BY: Michelle Kulikowski, AICP
 Community Development Planner I

TITLE

PC 07-06; 700-710 W. Hill Avenue (21W140 Hill Avenue): The petitioner requests approval of a conditional use for an automobile repair establishment in the I Limited Industrial District.

GENERAL INFORMATION

Petitioner: Adam Costello
 d.b.a. Hill Avenue Auto Repair
 165 Exmoor Ave.
 Glen Ellyn, IL 60137

Property Owner: L. Vincent Cuyler
 87 Baybrook Lane
 Oak Brook, IL 60523

Relationship of Petitioner: Tenant

PROPERTY INFORMATION

Existing Land Use: Office/warehouse building

Size of Property: Approximately 24,786 square feet

Comprehensive Plan: Recommends Light Industrial

Existing Zoning: I Limited Industrial District

Surrounding Zoning and Land Use:

North: Union Pacific Railroad

South: Unincorporated DuPage County property zoned I-1 Light Industrial District – developed with industrial uses

East: CR Conservation Recreation District – developed with a wastewater treatment plant

West: I Limited Industrial District – developed with light industrial uses and a cellular tower

ANALYSIS

SUBMITTALS

This report is based on the following documents filed on November 7, 2006 with the Department of Community Development:

1. Petition for Public Hearing.
2. Response to Standards.
3. Plat of Survey, prepared by Carl R. Harrington Inc., dated June 6, 1977
4. Site Plan Overlay, prepared by the petitioner.
5. Interior layout, prepared by the petitioner.

DESCRIPTION

The subject property is developed with a 9,500 square foot office/warehouse building with six units. The petitioner is proposing an auto repair establishment at 704 Hill Avenue (also known as 21W140 Hill Avenue Unit C). The tenant space is approximately thirty feet (30') by fifty feet (50') and includes a small office area and one service bay. The petitioner will be the only employee and business will generally be conducted by appointment. Other tenants in the building include a construction company, an electrical contractor, a business specializing in irrigation system design and a business specializing in filtration systems.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

Public Works has no objections, comments or changes.

PRIVATE ENGINEERING SERVICES

From an engineering or construction perspective, PES has no comments.

BUILDING AND FIRE

Upon review of the above referenced request for conditional use for an automotive repair facility, the Fire Department/Bureau of Inspectional Services has the following comments:

- 1) A triple basin grease interceptor will be required prior to any fluid discharges from vehicles going into the sanitary sewer system.
- 2) It is recommended that a heat detection system be installed to monitor any possible fire situations either during or after hours.

- 3) Since there is no real change of use of the space, a sprinkler system will not need to be installed. If one exists already, it will have to be modified accordingly.

PLANNING

The subject property was annexed into the Village of Lombard in the early 1970's as vacant land. The property was originally part of a larger lot that included the adjacent parcel to the west and was known as 21W200 Hill Avenue. In 1972, the property was subdivided and the adjacent parcel to the west became known as 21W200 and the subject property was known as 21W140 Hill Avenue. In 1975, a variation was granted for the subject property (ZBA 75-10) to reduce the side yard setback on the west side of the property in order to allow for the construction of a storage facility. New addresses were assigned when the building was being built. However, the 21W140 address continued to be used after the building was completed.

Compatibility with the Comprehensive Plan

The Comprehensive Plan calls for this area to be developed with light industrial land uses. The property complies with the recommendations of the Comprehensive Plan.

Compatibility with the Surrounding Land Uses

The property is primarily surrounded by light industrial uses. Staff finds the proposed use to be compatible with the surrounding land uses.

Compatibility with the Zoning Ordinance

The petitioner has not proposed any building expansions at this time. The property does not meet the current front yard and side yard setback requirements for the I Limited Industrial District. A variation was granted in 1975 to reduce the side yard setback to the west property line to zero feet (0'). The building is setback approximately twenty feet (20') from the front property line, but is considered legal non-conforming as the front yard setback at the time the building was constructed was twenty feet (20').

Parking

Because there is a shared parking arrangement, staff has reviewed the overall parking on the subject property. The general parking requirement for industrial/warehouse uses is one (1) space per 1,000 square feet of gross floor area. However, Section 155.602(A)(1) requires a minimum of three (3) spaces for each use in the Business and Industrial Districts. Since there are five business located within the center, a minimum of fifteen (15) parking spaces would be required for the entire subject property. The parking spaces are not currently striped or delineated within the parking lot. The petitioner has submitted a site plan that depicts where cars typically park. The Zoning Ordinance would require the number of parking spaces be brought into compliance if a more intense use is proposed.

In reviewing the current and previous tenants of the property, staff has made the interpretation that the use of the property will not increase in intensity as a result of the proposed automobile repair

establishment. There have been two other automobile repair establishments and a towing company that have operated on the premises. The property as a whole is considered legal non-conforming with respect to parking requirements.

The parking requirement for the proposed automobile repair establishments is two spaces per service bay plus one space per employee. Because the proposed business will only have one service bay and one employee, three (3) parking spaces would be required. The petitioner has represented that up to three cars can be parked within the tenant space. To ensure that the proposed automotive service use, combined with the other uses on the premises, does not create a parking problem on the site, staff is recommending as a condition of approval that there shall be no overnight outdoor parking or storage of vehicles associated with the proposed automotive use.

Staff notes that the parking lot must be striped or delineated in accordance with the Zoning Ordinance. Staff has reviewed building permit files for the property. The site plan that was approved with the original building permit provided nine (9) parking spaces on the property. Staff recommends that as a condition of approval, the parking lot be striped in accordance with the approved site plan from 1976, included in the Appendix of this report. Staff notes that if parking lot improvements are made, an accessible parking space may be required per the Illinois Accessibility Code. Staff's proposed site layout will also provide for a better parking design as it will eliminate vehicles parking in a random manner and on the public right-of-way. Moreover, the proposed plan will create a defined driveway access point to the site, further defining the private parking and circulation areas.

In addition, staff notes that the Lombard Code of Ordinance requires all vehicles and equipment to be parked on an asphalt or concrete surface. Staff has noticed vehicles and equipment being stored in a gravel area to the east of the building. Staff recommends as a condition of approval that all vehicles on the subject property must be parked on asphalt or concrete surface in accordance with Title 15, Chapter 150, Section 150.301(B) of the Lombard Code of Ordinances. If the property owner or tenants want to use this area for parking, then it must be paved. However, staff notes that any expansion of the parking lot would require that storm water detention be provided. Staff also recommends as a condition of approval that a fence be placed along the eastern edge of the parking lot to prevent the storage or parking of vehicles or equipment beyond the paved parking area.

FINDINGS AND RECOMMENDATIONS

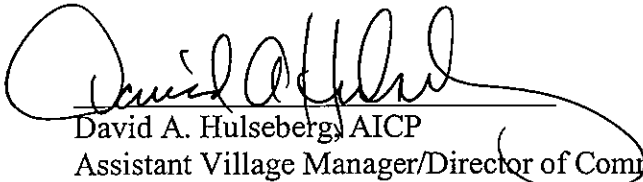
Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and find that it will meet the standards for conditional uses, subject to the conditions of approval. As such, the IDRC recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested relief **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental

Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 07-06, subject to the following conditions:

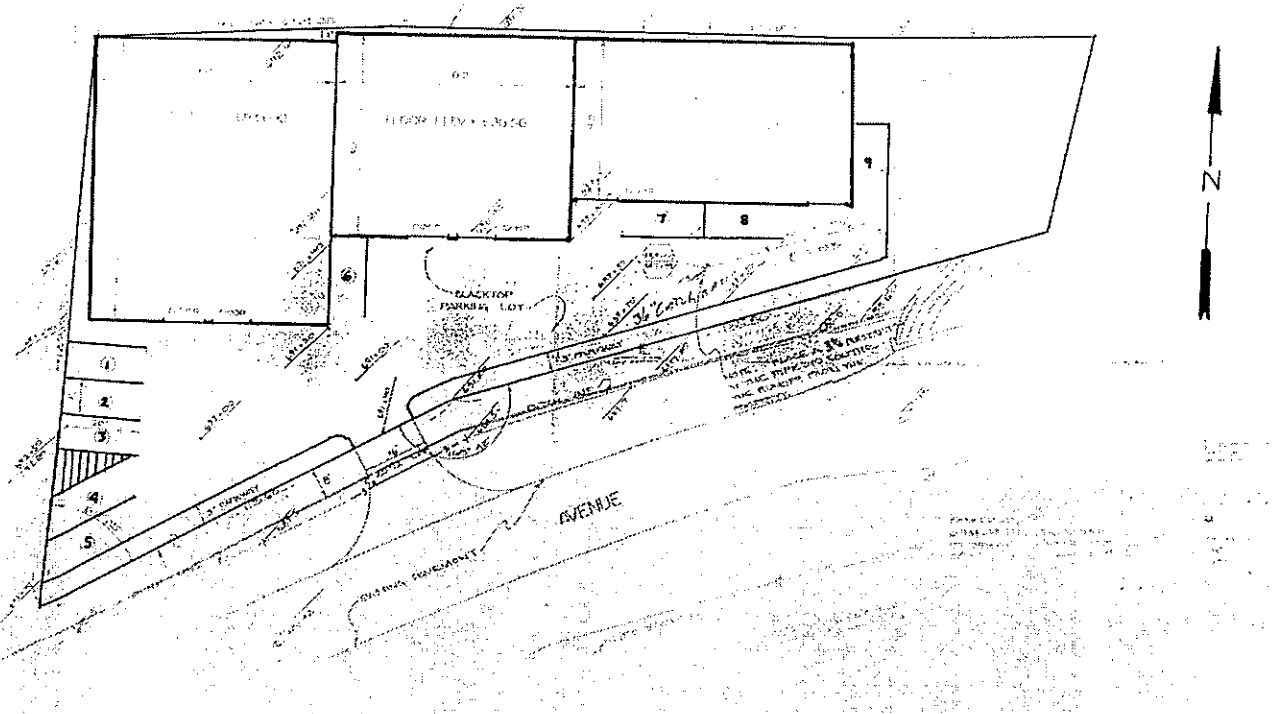
1. That the petitioner shall satisfactorily address the comments included within the IDRC report.
2. That the subject property be modified to incorporate all of the parking lot improvements as depicted on the site plan prepared by the Village, attached as an exhibit and made a part of the recommendation of approval.
3. The petitioner shall store any vehicles kept overnight within the enclosed building. The outside storage of motor vehicles shall be prohibited.
4. That all vehicles on the subject property must be parked on asphalt or concrete surface in accordance with Title 15, Chapter 150, Section 150.301(B) of the Lombard Code of Ordinances.
5. That the property owner shall apply for and receive a building permit to install a fence no greater than four feet (4') in height along the eastern edge of the paved parking area. In the event that the property owner expands the parking lot to provide additional parking, said fence may be relocated at the discretion of the Director of Community Development.

Inter-Departmental Review Group Report Approved By:


David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

DAH:MK

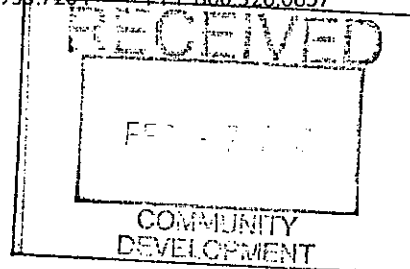
APPENDIX A





Forest Preserve District of DuPage County

3 S. 580 Naperville Road • Wheaton, IL 60187-8761 • 630.933.7200 • Fax 630.933.7204 • TTY 800.526.0857



February 5, 2007

Ms. Michelle Kulikowski
Planner, Department of Community Development
Village of Lombard
255 E. Wilson Avenue
Lombard, Illinois 60148

Re: Public Hearing Notice on Hill Avenue Property
PC 07-06

Dear Ms. Kulikowski:

The Forest Preserve District of DuPage County recently received notice of a proposed project on property located at 700-710 W. Hill Avenue. We appreciate receiving timely notification of such projects that may have an impact on our nearby property, and thank you for the opportunity to comment.

District Staff has reviewed the public hearing notice and the proposed project, and does not have any comments at this time. Please call me at 933-7684 if you have any questions.

Sincerely,

Marcia Thomas
Land Preservation Specialist

cc: Bob Vick, Deputy Director of Natural Resources

2/20/07

Attn: Village Board of TRUSTEES-

I request a waiver of the
first reading. Due to Time Constraints-
of opening my Business.

Thank You

Adam Costello

ADAM COSTELLO-

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.418 (C)
OF THE LOMBARD ZONING ORDINANCE**

(PC 07-06: 700-710 W. Hill Avenue (21W140 Hill Avenue))

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 I Limited Industrial District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Title 15, Chapter 155, Section 418 (C) of the Lombard Village Code to provide for an automobile repair establishment; and

WHEREAS, a public hearings on the forgoing application were conducted by the Village of Lombard Plan Commission on February 19, 2007 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the conditional use described herein, subject to conditions; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations 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 a conditional use is hereby granted for the Subject Property, as described in Section 4 below, pursuant to Title 15, Chapter 155, Section 418 (C) of the Lombard Village Code to provide for an automobile repair establishment, subject to the conditions set forth in Section 3 below.

SECTION 2: That this Ordinance is limited and restricted to the property located at 700-710 W. Hill Avenue (21W140 Hill Avenue), Lombard, Illinois and legally described as follows:

LOT 2 IN VILLA PARK KITCHENS RESUBDIVISION OF PART OF LOT 11 IN THE ASSESSMENT DIVISION OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED AUGUST 11, 1972 AS DOCUMENT R72-47323, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 05-12-207-038; (the "Subject Property").

SECTION 3: The conditional use, as provided for in Sections 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. That the petitioner shall satisfactorily address the comments included within the IDRC report.
2. That the subject property be modified to incorporate all of the parking lot improvements as depicted on the site plan prepared by the Village, attached as an exhibit and made a part of the recommendation of approval.
3. The petitioner shall store any vehicles kept overnight within the enclosed building. The outside storage of motor vehicles shall be prohibited.
4. That all vehicles on the subject property must be parked on asphalt or concrete surface in accordance with Title 15, Chapter 150, Section 150.301(B) of the Lombard Code of Ordinances.
5. That the property owner shall apply for and receive a building permit to install a fence no greater than four feet (4') in height along the eastern edge of the paved parking area. In the event that the property owner expands the parking lot to provide additional parking, said fence may be relocated at the discretion of the Director of Community Development.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

Ordinance No. _____
Re: PC 07-06
Page 3

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2007.

First reading waived by action of the Board of Trustees this ____ day of _____, 2007.

Passed on second reading this ____ day of _____, 2007, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this ____ day of _____, 2007.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this ____ day of _____, 2007.

Brigitte O'Brien, Village Clerk