

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Huliseberg, Village Manager *DH*

DATE: August 26, 2008 (BOT) Date: September 4, 2008

TITLE: PC 08-23: 455 Eisenhower Lane

SUBMITTED BY: Department of Community Development *WD*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The petition requests approval of the following actions on the subject property within the I Limited Industrial District:

1. A conditional use for a trade school; and
2. A variation from Section 155.602 (C), Table 6.3 reducing the number of requisite parking spaces.

(DISTRICT #3)

The Plan Commission recommended approval of this petition with conditions.

The petitioner is requesting a waiver of first reading.

Please place this item on the September 4, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<i>David A. Huliseberg</i>	Date	8/22/08

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: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP, Acting Director of Community Development *WH*

DATE: September 4, 2008

SUBJECT: PC 08-23; 455 Eisenhower Lane (Illinois Center for Broadcasting)

Attached please find the following items for Village Board consideration as part of the September 4, 2008 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 08-23;
3. An Ordinance granting approval of a conditional use for a trade school and a companion variation from the parking requirements, located in the I Limited Industrial District; and
4. Plans associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with the petition with conditions. The petitioner is also requesting a waiver of first reading of the Ordinance.

VILLAGE OF LOMBARD
 255 E. Wilson Ave.
 Lombard, Illinois 60148-3931
 (630) 620-5700 Fax (630) 620-8222
 www.villageoflombard.org



September 4, 2008

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

Village of Lombard

Subject: PC 08-23; 455 Eisenhower Lane (Illinois Center for Broadcasting)
 Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests approval of the following actions on the subject property within the I Limited Industrial District:

1. A conditional use for a trade school; and
2. A variation from Section 155.602 (C), Table 6.3 reducing the number of requisite parking spaces.

Richard Dunn, consultant for the Illinois Center of Broadcasting, 470 Fawell Boulevard, #112, Glen Ellyn; George Voynovich, Vice President and CEO for the Illinois Center for Broadcasting, 9000 Sweet Valley Drive, Valley View, Ohio; and Steve Karlson, Property Manager with NAI Hittman, 436 Eisenhower Lane North, Lombard, were in attendance to present the petition. Mr. Dunn stated that they are requesting a conditional use and a parking variation, and they support the recommendations of staff. He then gave a PowerPoint presentation in which he discussed the school's class format and the petitioner's responses to standards. He added that they have submitted a building permit application to comply with the first recommended condition of approval and they have no objection to the second condition.

Mr. Karlson stated that they had not yet installed the double check detector assembly requested by Public Works due to some timing issues with their tenant negotiations, but the permit has been submitted and the work will be completed. Mr. Voynovich stated that the move to 455 Eisenhower Lane will allow for additional students and the advancement of the school's program.

"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."

Village Manager
 David A. Hulseberg

Trustees
 Greg Alan Gron, Dist. 1
 Richard J. Tross, Dist. 2
 John "Jack" T. O'Brien, Dist. 3
 Dana L. Moreau, Dist. 4
 Laura A. Fitzpatrick, Dist. 5
 Rick Soderstrom, Dist. 6

Village Clerk
 Brigitte O'Brien

Village President
 William J. Mueller

Commissioner Nelson asked if the school will always have classes in four-hour time blocks. Mr. Voynovich stated that they generally have three class sessions with overlapping programs, depending on enrollment.

Chairperson Ryan then opened the meeting for public comment. No one spoke in favor or in opposition to the petition.

Chairperson Ryan then requested the staff report.

Jennifer Henaghan, Planner II, presented the staff report, which was submitted to the public record in its entirety. Trade Schools are listed as conditional uses within the I Limited Industrial District. The Illinois Center for Broadcasting (ICB) wishes to occupy approximately 15,000 sq. ft. of the building at 455 Eisenhower Lane. ICB has operated in Lombard for more than 20 years and offers an accredited 10-month program to approximately 90 students. The new location would allow ICB to significantly expand its enrollment and offerings. The expansion on the subject property would include classrooms, television studios, editing studios, and administrative offices. As a companion to this request, the petitioner is also seeking a variation from the parking standards.

The Utilities Division of the Public Works Department noted that a double check detector assembly (DCDA) is required.

As stated by the petitioner in the Response to Standards, ICB appears and functions more like office space than a traditional trade school with the bulk of the space being occupied by desks and computer workstations. Although the school anticipates an eventual enrollment of up to 170 students, the students will be divided among morning, afternoon, and evening classes. Accordingly, the number of students entering, occupying, and exiting the property at any one time would not be inconsistent with office uses (which are permitted in the I Limited Industrial District). Staff supports the requested conditional use as ICB will be a relatively low-impact user of the property that is compatible with the other tenant on the property.

The Zoning Ordinance requires trade schools to provide off-street parking at a ratio of two spaces per three employees plus one space per maximum number of students. The school currently has 10 employees and 90 students, and forecasts growth at the new location up to 18 employees and 170 students. This means that they would have an immediate requirement of 97 spaces and an eventual requirement of 182 parking spaces. However, students are divided into three daily sessions, so the functional need for parking will be closer to 69 spaces. The submitted plans show a total of 109 on-site parking spaces on the property as a whole. Based on its square footage the OfficeMax office space is required to have 38 spaces, leaving 71 spaces for ICB. Since the number of available spaces matches the planned number of parking spaces needed by the school at any one time, staff can support the requested parking variation.

Chairperson Ryan then opened the meeting for comment among the Commissioners. The Commissioners had no comments.

Commissioner Olbrysh made the following motion for approval, which was seconded by Commissioner Sweetser:

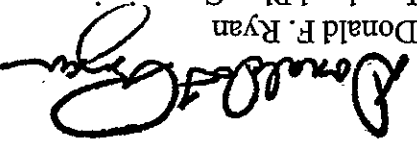
Based on the submitted petition, accompanying plans and the testimony presented, the proposed relief complies with the provisions set forth in the Zoning Ordinance, and, therefore, I move that the Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission, and therefore recommend to the Corporate Authorities approval of PC 08-23, subject to the following conditions:

1. Prior to the issuance of any Zoning Certificate/Certificate of Occupancy, a double check detector assembly shall be installed and completed test certifications shall be sent to the Village for review and approval.

2. The parking relief set forth within this petition shall provide for a reduction in the requisite parking spaces from 97 to 71 and shall be exclusively for the proposed trade school use. Should the trade school operator increase the enrollment of the school above 170 students, the operator shall provide for the additional requisite parking or seek additional an additional parking variation.

Respectfully,

VILLAGE OF LOMBARD



Donald F. Ryan

Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

**VILLAGE OF LOMBARD
INTER-DEVELOPMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission
FROM: Department of Community Development
HEARING DATE: August 18, 2008
PREPARED BY: Jennifer Henaghan, AICP
Planner II

TITLE

PC 08-23, 455 Eisenhower Lane (Illinois Center for Broadcasting): The petitioner requests approval of the following actions on the subject property within the I Limited Industrial District:

1. A conditional use for a trade school; and
2. A variation from Section 155.602 (C), Table 6.3 reducing the number of requisite parking spaces.

GENERAL INFORMATION

Petitioner: M&S Media, Inc. dba The Illinois Center for Broadcasting
55 W. 22nd Street, Suite 240
Lombard, IL 60148

Property Owner: The Realty Associated Fund VII, L.P.
One Oakbrook Terrace, Suite 600
Oakbrook Terrace, IL 60181

Relationship of Petitioner to Property Owner: Prospective tenant

PROPERTY INFORMATION

Existing Zoning: I Limited Industrial District

Existing Land Use: OfficeMax (10,000 sq. ft.) and vacant (15,000 sq. ft.)

Size of Property: 2.04 acres

Comprehensive Plan: Planned Business Park

SURROUNDING ZONING AND LAND USE

North: I Limited Industrial District; developed as Public Storage
South: I Limited Industrial District; developed as multitenant office space
East: I Limited Industrial District; developed as office/warehouse
West: R5PD General Residence District Planned Development; developed as Beacon Hill senior residences

ANALYSIS

SUBMITTALS

This report is based on the following documents filed with the Department of Community Development:

1. Public Hearing Application.
2. Response to Standards for Variations.
3. ALTA/ACSM Land Title Survey, prepared by Edward J. Molloy & Associates, Ltd., dated September 6, 2005 and revised September 19, 2005.
4. Construction plan, prepared by Thomas Kapusta Architects and Partners, Ltd., dated April 29, 2008 and last revised June 26, 2008.

DESCRIPTION

Trade Schools are listed as conditional uses within the I Limited Industrial District. The Illinois Center for Broadcasting (ICB) wishes to occupy approximately 15,000 sq. ft. of the building at 455 Eisenhower Lane. ICB has operated in Lombard for more than 20 years and offers an accredited 10-month program to approximately 90 students. The new location would allow ICB to significantly expand its enrollment and offerings. The expansion on the subject property would include classrooms, television studios, editing studios, and administrative offices. As a companion to this request, the petitioner is also seeking a variation from the parking standards.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The Private Engineering Services Division has reviewed the submitted plans and has no comments.

PUBLIC WORKS

The Utilities Division of the Public Works Department has the following comment. This property failed the cross connection inspection because the fire system has a single check

detector assembly (SCDA) where a double check detector assembly (DCDA) is required. The SCA does not meet current Village cross connection code or Illinois State Plumbing Code. All properties are being required to upgrade their backflow devices regardless of change of use, ownership, etc. The other occupant (OM Workspace) and property manager (NAI Hittman) were sent copies of the inspection that was performed by the Village's cross connection contractor, Aqua Backflow, Inc., and at least three notices. The petitioner or the property manager should be required to install a DCDA and send the completed test certifications to the Village prior to approval for the conditional use or variation for parking spaces.

FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has no comments.

PLANNING

Compliance with the Zoning Ordinance

Conditional Use

As stated by the petitioner in the Response to Standards, ICB appears and functions more like office space than a traditional trade school with the bulk of the space being occupied by desks and computer workstations. Although the school anticipates an eventual enrollment of up to 170 students, the students will be divided among morning, afternoon, and evening classes. Accordingly, the number of students entering, occupying, and exiting the property at any one time would not be inconsistent with office uses (which are permitted in the Limited Industrial District). Staff supports the requested conditional use as ICB will be a relatively low-impact user of the property that is compatible with the other tenant on the property.

Parking Variation

The Zoning Ordinance requires trade schools to provide off-street parking at a ratio of two spaces per three employees plus one space per maximum number of students. The school currently has 10 employees and 90 students, and forecasts growth at the new location up to 18 employees and 170 students. This means that they would have an immediate requirement of 97 spaces (7 employee plus 90 student) and an eventual requirement of 182 parking spaces (12 employee plus 170 students). However, students are divided into three daily sessions, so the functional need for parking will be closer to 69 spaces (12 employee plus 57 student).

The submitted plans show a total of 109 on-site parking spaces on the property as a whole. Based on its square footage the OfficeMax office space is required to have 38 spaces, leaving 71 spaces for ICB. Since the number of available spaces matches the planned number of parking spaces needed by the school at any one time, staff can support the requested parking variation.

FINDINGS AND RECOMMENDATIONS

The Inter-Departmental Review Committee has reviewed the standards for variations for the requested variations and finds that the standards have been met, subject to one condition. As

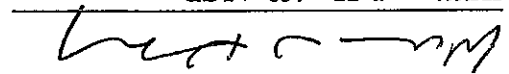
such, the Committee recommends that the Plan Commission make the following motion recommending approval of PC 08-23:

Based on the submitted petition, accompanying plans and the testimony presented, the proposed relief **complies** with the provisions set forth in the Zoning Ordinance, and, therefore, I move that the Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission, and therefore recommend to the Corporate Authorities **approval** of PC 08-23, subject to the following conditions:

1. Prior to the issuance of any Zoning Certificate/Certificate of Occupancy, a double check detector assembly shall be installed and completed test certifications shall be sent to the Village for review and approval.

2. The parking relief set forth within this petition shall provide for a reduction in the requisite parking spaces from 97 to 71 and shall be exclusively for the proposed trade school use. Should the trade school operator increase the enrollment of the school above 170 students, the operator shall provide for the additional requisite parking or seek additional an additional parking variation.

Inter-Departmental Review Group Report approved by:

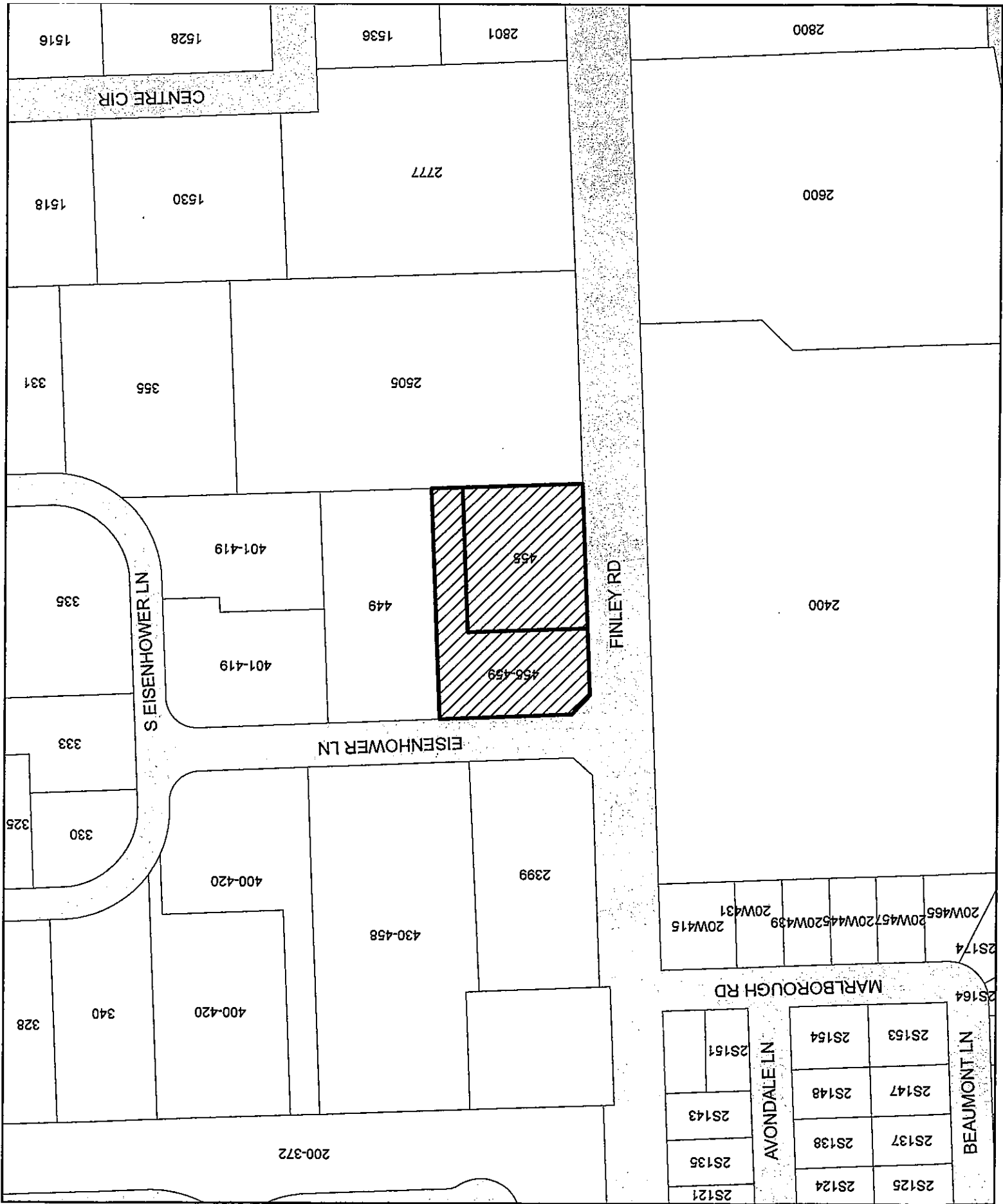


William J. Heniff, AICP
Acting Director of Community Development

c: Petitioner

Location Map

PC 08-23



**STANDARDS
FOR CONDITIONAL USES**

The following is an excerpt from the Lombard Zoning Ordinance. A detailed response to all of these standards should be provided for all conditional uses of the Lombard Zoning Ordinance.

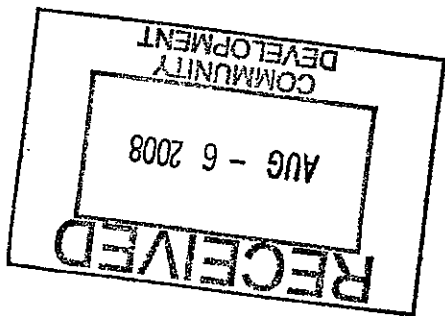
SECTION 155.103 (F)(8) OF THE LOMBARD ZONING ORDINANCE;

No conditional use shall be recommended by the Plan Commission unless it finds:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare; The Illinois Center for Broadcasting ("School") has operated as a good corporate citizen in and around the Lombard area for more than 20 years.
2. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located. Although a school of broadcasting, the School's facility more resembles traditional office space with desks and computer workstations than a traditional trade school (e.g. cosmetology, medical arts, welding). As such, its use fits well with surrounding office uses as is the case with the 55 Eisenhower building.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; As Petitioner will be occupying an already existing building, no impact on surrounding development/improvement would be caused by the granting of a conditional use.
4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided. The building to be occupied by Petitioner has been in place for many years, and the School's planned use will not cause any impact on area infrastructure.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; Ingress/egress are well established for the Building, and because the school offers morning, afternoon, and evening classes, the number of students arriving/leaving is similar to employees of other office uses.

6. that the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard, and; The conditional use requested will serve the objective of keeping a good business within the Village of Lombard and as its proposed use of the Property is congruent with other office development in the immediate area, the objectives of the Comprehensive Plan are not compromised.
7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendation of the Plan Commission. As Petitioner's proposed conditional use is more akin to office use than industrial use, Petitioner trusts that material changes to any regulations governing use will not be required.

**SUPPLEMENT TO
PETITION FOR PUBLIC HEARING**



Conditional Use – Trade School in Limited Industrial District
Petitioner: M&S Media, Inc., dba The Illinois Center for Broadcasting
Property: 55 Eisenhower, Lombard, IL (“Property”)

Description of Request:

Petitioner operates The Illinois Center for Broadcasting, a proprietary school teaching all aspects of broadcasting arts, which has operated in Lombard for more than 20 years. The School is nationally accredited through the Accrediting Commission of Career Schools and Colleges of Technology (“ACCCT”) and also licensed by the State of Illinois. The School has placed hundreds of its graduates into Broadcasting Industry jobs in Illinois and throughout the country by providing quality, industry-approved training in all aspects of broadcasting, from copy-writing through full production of media for radio, television and the Internet.

The School contemplates leasing approximately 15,000 square feet in the existing 25,000 square foot building and building the space out to accommodate relocation of its Lombard campus (currently located at 55 West 22nd Street). The planned expansion involves construction of six classrooms, television studios, audio and video editing studios, and administrative offices for the School. At any given time, approximately 90 students currently attend classes at the School as part of its accredited 10-month program.

The School respectfully requests approval to operate its School as a Conditional Use within the “1 – Limited Industrial District” zoning of the Property.



BEONAIR.COM
55 West 22nd St., Suite 240
Lombard, IL 60148
(630) 916-1700

August 26, 2008

Via Electronic Mail (Henaghan@villageoflombard.org)

Jennifer Henaghan
Village of Lombard
255 E. Wilson Ave.
Lombard, IL 60148

Dear Ms. Henaghan:

As you know, at the next Village of Lombard Board of Trustees meeting, the Board will be considering approval of the conditional use and variation (Plan Commission Case PC 08-23) recommended by the Plan Commission on August 18, 2008. Because the proposed construction schedule to open the new location for the Illinois Center for Broadcasting ("School") is tight, we are writing to request that the Trustees waive the "first reading" requirement for this approval.

The School is on a tight deadline to get the facility open for business. Our original goal was to be open by November 1st, 2008. Although that date is no longer feasible, it is important from a construction standpoint, and the School's schedule, that operations can commence in the new location on or about December, 15, 2008. From the day that Village Board approval for the conditional use is approved, we will need at least three (3) weeks to complete the construction drawings, approximately three (3) weeks to obtain construction permits, and then eight (8) weeks of construction. After the construction is completed, we will need to furnish and wire the space for technology, receive the certificate of occupancy, and obtain approval from the State authorities as well as our national accreditation provider. This will take an additional two (2) weeks. In the best scenario, the entire project will be completed in Mid-December.

The delay in waiting for a first and second reading (due to the Board's schedule) would delay each of the steps above, and jeopardize the School's ability to open in 2008. We respectfully request that the Trustees agree to waive the first reading so that the project can stay on schedule.

If you or anyone on the Board has any questions, please do not hesitate to contact me. Also, I plan to be at the September 4 Board of Trustees meeting should anyone on the Board or the Staff have questions at that time. Thank you for your kind attention to this request.

Yours truly,

George F. Voynovich
Vice-President & COO

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO
TITLE 15, CHAPTER 155, SECTION 155.420 (C) AND GRANTING A VARIATION
FROM 155.602 OF THE LOMBARD ZONING ORDINANCE

(PC 08-23: 455 Eisenhower Lane)

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 is zoned I Limited Industrial District,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for trade school on the subject property located within the I Limited Industrial Residence District; and,

WHEREAS, said application also requests approval of variation from Section 155.602 (C), Table 6.3 reducing the number of requisite parking spaces.

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 18, 2008 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 and variation 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 property described in Section 3 below and pursuant to Title 15, Chapter 155, Section 420 (C) of the Zoning Ordinance so as to allow a trade school.

SECTION 2: That a variation is hereby granted for the property described in Section 3 below and pursuant to Title 15, Chapter 155, Section 155.602 (C), Table 6.3 of the Zoning Ordinance to reduce the number of requisite parking spaces.

SECTION 3: That the Ordinance is limited and restricted to the property generally located at 455 Eisenhower Lane, Lombard, Illinois, and legally described as follows:

Parcel 1: The West 190.56 feet of that part of Lot 2 lying south of the North 138.22 feet thereof in Lombard Industrial Park Unit No. 11, a subdivision of part of Section 30, Township 39 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded July 31, 1978 as Document R78-70568 and Certificate of Correction recorded as Document R78-124161, in DuPage County, Illinois; and

Parcel 2: The North 138.22 feet of the West 240.00 feet and the East 49.44 feet of said West 240.00 feet of that part lying South of said North 138.22 feet of Lot 2 in Lombard Industrial Park Unit No. 11, a subdivision of part of Section 30, Township 39 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded July 31, 1978 as Document R78-70568 and Certificate of Correction recorded as Document R78-124161, in DuPage County, Illinois.

Parcel Number: 06-30-205-030, -035

SECTION 4: This ordinance shall be granted subject to compliance with the following conditions:

1. Prior to the issuance of any Zoning Certificate/Certificate of Occupancy, a double check detector assembly shall be installed and completed test certifications shall be sent to the Village for review and approval.

2. The parking relief set forth within this petition shall provide for a reduction in the requisite parking spaces from 97 to 71 and shall be exclusively for the proposed trade school use. Should the trade school operator increase the enrollment of the school above 170 students, the operator shall provide for the additional requisite parking or seek additional an additional parking variation.

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 _____, 2008.

First reading waived by action of the Board of Trustees this _____ day of _____, 2008.

Passed on second reading this _____ day of _____, 2008.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2008.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

