

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

 X 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: December 27, 2016 (B of T) Date: January 5, 2017

TITLE: PC 16-24, 454 E. North Avenue, International Car Center

SUBMITTED BY: Department of Community Development *WLS*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant a conditional use pursuant to Section 155.416(C)(16)(17) to allow for motor vehicle repair and motor vehicle service in the B4 Corridor Commercial District, as a companion to a motor vehicle sales use that is already permitted, on the subject property.

The Plan Commission recommended approval of this petition by a vote of 5-0.

The petitioner requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

MEETING DATE: January 5, 2017

SUBJECT: **PC 16-24, International Car Center – 454 E. North Avenue**

Please find the following items for Village Board consideration as part of the January 5, 2017 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 16-24; and
3. An Ordinance granting a Conditional use pursuant to Section 155.416(C)(16)(17) to allow for motor vehicle repair and motor vehicle service in the B4 Corridor Commercial District, as a companion to a motor vehicle sales use that is already permitted, on the subject property.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the January 5, 2017 Board of Trustees agenda with a waiver of first reading.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

January 5, 2017

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bob Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 16-24, International Car Center – 454 E. North Avenue

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant a conditional use pursuant to Section 155.416(C)(16)(17) to allow for motor vehicle repair and motor vehicle service in the B4 Corridor Commercial District, as a companion to a motor vehicle sales use that is already permitted, on the subject property.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on December 19, 2016. Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development and the petitioner Sam Daya.

Chairperson Ryan read the Plan Commissions procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing none, he proceeded with the petition.

Mr. Daya said International Car Center recently purchased the building next door. Both buildings were utilized in the past as car dealerships. He is proposing for the building at 454 to repair cars. They have been a benefit to the neighborhood and had heard that they operate in a good manner. He said, repairing vehicles should not cause any impact to the neighborhood. Repairs will not be on Sunday's or after 5pm. Their business expanded which is why they purchased the building next door.

"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."

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser, Assistant Director of Community Development, presented the staff report, which was submitted to the public record in its entirety. The petitioner, International Car Center is currently operating at 434 E. North Avenue selling vehicles. The business is expanding and they have purchased the site next door at 454 E. North Avenue. The new site was previously Lombard Auto Exchange, however Lombard Auto Exchange only had entitlements to sell vehicles not repair or service vehicles. International Car Center will be using the property at 434 to sell cars (as they do now) and would like to use the building at 454 to repair and service cars. A six foot (6') wood board on board fence will screen the residential uses to the north.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Sweetser asked if the repairs would be inside and how the noise would be minimized. Ms. Ganser said previously we have not required that doors be closed for ventilation issues. Mr. Daya said the building offers the flexibility and room to repair vehicles. The building is about 3,500 square feet so there no repairs would be done outside. All the equipment would be housed inside the building. The building is heated and air conditioned.

On a motion by Commissioner Olbrysh, and a second by Commissioner Burke, the Plan Commission voted 6-0 that the Village Board approve the petition associated with PC 16-24 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. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the motor vehicle repair facility is not established by said date, this relief shall be deemed null and void; and
4. The north property line shall be maintained with a six foot (6') foot solid fence. The fence shall be maintained in a good state of repair at all times.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

December 19, 2016

Title

PC 16-24

Petitioner

International Car Center
434 E. North Ave
Lombard IL 60148

Property Owner

Tejai Sheth
651 Grenache Ct
Bartlett, IL 60103

Property Location

454 E. North Ave
06-08-103-010
Trustee District #4

Zoning

B4

Existing Land Use

One story building

Comprehensive Plan

Community Commercial

Approval Sought

Conditional use pursuant to Section 155.416(C)(16)(17) to allow for motor vehicle repair and motor vehicle service in the B4 Corridor Commercial District, as a companion to a motor vehicle sales use that is already permitted, on the subject property

Prepared By

Jennifer Ganser, Assistant
Director



PROJECT DESCRIPTION

The petitioner, International Car Center is currently operating at 434 E. North Avenue selling vehicles. They do occasional repair in house and also send vehicles out for repair. The business is expanding and they have purchased the site next door at 454 E. North Avenue. The new site was previously Lombard Auto Exchange, however Lombard Auto Exchange only had entitlements to sell vehicles not repair or service vehicles. International Car Center will be using the property at 434 to sell cars (as they do now) and would like to use the building at 454 to repair and service cars.

APPROVAL(S) REQUIRED

The petitioner requests that the Village grant a conditional use pursuant to Section 155.416(C)(16)(17) to allow for motor vehicle repair and motor vehicle service in the B4 Corridor Commercial District, as a companion to a motor vehicle sales use that is already permitted, on the subject property.

PROJECT STATS

Lot & Bulk

Parcel Size: 0.46 acres
Building Area: 3,300 sq. ft.
Tenant Area: 3,300 sq. ft.

Submittals

1. Petition for a public hearing;
2. Response to Standards for a Conditional Use, prepared by the petitioner;
3. Plat of Survey, prepared by Carradus Land Survey Inc., dated March 30, 2016;

EXISTING CONDITIONS

The subject property is currently a vacant one-story building. The petitioner recently purchased the property.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division will need to confirm the building has an oil separator (triple basin) in the repair area. Should the petition be approved, additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department will need to confirm that the fire protection equipment has the current certifications. Should the petition be approved, additional comments may be forthcoming during permit review.

Private Engineering Services:

Private Engineering Services (PES) has no comments. Should the petition be approved, additional comments may be forthcoming during permit review.

Public Works:

The Department of Public Works has no comments regarding the project at this time. Should the petition be approved, 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	R4	Residential – Single Family
South	B4	Undeveloped
East	B4	Commercial – Restaurant
West	B4	Commercial – International Car Center

The B4 District is intended to accommodate motorist-orientated commercial activities and the area is not confined to any one neighborhood or community. Staff finds that the proposed use will be complementary in the B4 District and the North Avenue corridor. A six foot (6') wood board on board fence will screen the residential uses to the north.

2. *Comprehensive Plan Compatibility*

The proposed location and use as motor vehicle repair is consistent with the Comprehensive Plan's recommendation of community commercial uses "providing services extending beyond daily living needs." The North Avenue corridor also has other similar type auto sales, repair, and service uses. This would be an expansion for an existing business, International Car Center, which is located next door.

3. *Site Plan: Access & Circulation*

The site at 454 E. North Avenue would be operated by International Car Center, who currently operates 434 E. North Avenue. Vehicles would be sold from 434, but repaired at 454. The petitioner has noted that having both buildings run by the same business will decrease traffic in the neighborhood, as cars can move between the lots. There will be two (2) open aisles for vehicles to move between the two sites. Street parking should decrease from International Car Center, as they now will have both properties under control.

SITE HISTORY

454 E. North Avenue operated as Lombard Auto Exchange, selling used cars, per a Certificate of Occupancy from 1992. Previously the site was an Isuzu dealership.

FINDINGS & RECOMMENDATIONS

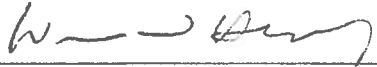
Staff finds that as the proposed motor vehicle repair and service facility is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use for motor vehicle repair and service facility 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 16-24:

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 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 16-24, 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. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the motor vehicle repair facility is not established by said date, this relief shall be deemed null and void; and
4. The north property line shall be maintained with a six foot (6') foot solid fence. The fence shall be maintained in a good state of repair at all times.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

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Lombard Zoning Ordinance Response for 454 E. North Ave

1. The last business operation (Lombard Auto Exchange) was very similar to our proposed use. Therefore we believe this use to not be in any way detrimental to the public health.
2. The last business operation (Lombard Auto Exchange) was very similar to our proposed use. Therefore we believe this use to not be in any way detrimental to property values of nearby residents or businesses.
3. The last business operation (Lombard Auto Exchange) was very similar to our proposed use. Therefore we believe this use to not be in any way detrimental to ongoing development of surrounding property.
4. The proposed use will not change the current state of any public utilities, drainage, or access roads.
5. Our proposed use will actually substantially decrease the amount of traffic and increase the amount of available parking on La Londe Ave. Our dealership facilities used the driveway on La Londe Ave as the entry and exit for employees and customers. This traffic will now be lessened due to the driveway availability on Fairfield Ave.
6. The proposed use is very similar to the previous business and fits in line with the "Automotive corridor" on this stretch of North Ave.
7. This proposed use should be in alignment with any rules or regulations that Lombard has set forth as it has been used in a similar way for a few decades.



ALTA/NSPS LAND TITLE SURVEY

18148 S. MARTIN AVE. HOMERWOOD, IL 60430 708-1-SURVEY (478-7839) 708-478-4076 FAX

LOT 8 & 9 AND THE EAST 1/2 OF LOT 10 AND THE SOUTH 1/2 OF THE VACATED ALLEY LYING NORTH AND ADJACENT TO SAID LOTS IN BLOCK 14 IN NORTH AVENUE MANOR, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 14, 1928 AS DOCUMENT 269443, IN DUPAGE COUNTY, ILLINOIS

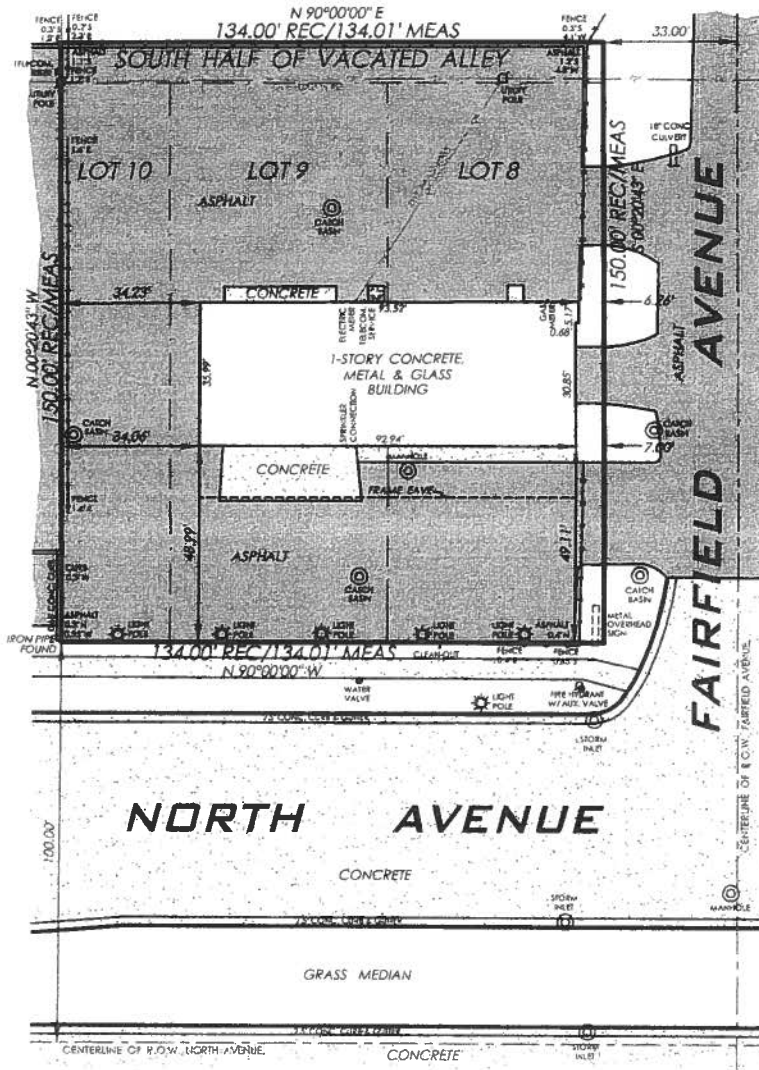


VICINITY MAP
NOT TO SCALE

LOT AREA:
20,100.0 SQ. FT.
0.46 ACRES

NOTE: BEARING SYSTEM ASSUMED FOR
PURPOSE OF THIS SURVEY

CERTIFY TO: ATTORNEY TITLE GUARANTY FUND
DEVED PROPERTIES, LLC
LINCOLN WAY COMMUNITY BANK



THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 4, 7(A), 8, 11, & 14 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON SEPTEMBER 7, 2016.

DATE OF PLAT OR MAP: SEPTEMBER 7, 2016.

ALL DISTANCES AS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF. NO ANGLES OR DISTANCES ARE TO BE DETERMINED BY SCALING.

SCALE: 1"=30'
JOB NO.: 18-1563
ADDRESS: 454 NORTH AVE.
LOMBARD, IL
P.I.N.: 03-32-415-028/029
TOWNSHIP: ADDISON
ORDERED BY: GUZALOD

REGISTERED ILLINOIS LAND SURVEYOR
PROFESSIONAL SURVEYORS LICENSE # 3433
EXPIRES 11-30-16



Nowakowski, Tamara

From: Ganser, Jennifer
Sent: Tuesday, December 20, 2016 2:10 PM
To: Nowakowski, Tamara
Subject: FW: PC 16-24

From: International Car Center [<mailto:intlcarcenterinc@gmail.com>]
Sent: Tuesday, December 20, 2016 2:05 PM
To: Ganser, Jennifer
Subject: Re: PC 16-24

Jennifer,

Thanks for all the assistance moving things forward quickly. I humbly ask for a waiver of first so we may move along the opening to be as soon as possible. Please let me know if I need to do anything else to expedite the process.

Sam

International Car center
434 E. North Ave.
Lombard, IL 60148
(630)620-1900 main
(630)620-1903 fax
www.intlcarcenter.com website
intlcarcenterinc@gmail.com email
Hours: Mon-Fri 10-7pm & Sat 10-6pm
Closed Sundays

On Tue, Dec 20, 2016 at 1:32 PM, Ganser, Jennifer <GanserJ@villageoflombard.org> wrote:

Sam,

Glad your petition hearing went well yesterday. The next step is the Board of Trustees on January 5, 2017. You are not required to attend that meeting. However, in order for the petition to be once (instead of twice) I need an email from you requesting a waiver of first with a reason. For example, I would like to request a waiver of first in order to open my business expansion as soon as possible.

Thank you.

Jennifer

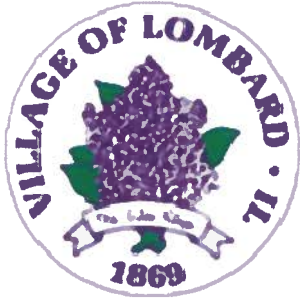
Jennifer Ganser, AICP

Assistant Director of

Community Development

Village of Lombard

255 E Wilson Ave. Lombard, IL 60148



Phone: [\(630\) 620-5717](tel:(630)620-5717)

Fax: [\(630\) 620-2374](tel:(630)620-2374)

Email: ganserj@villageoflombard.org

Web: www.villageoflombard.org

Follow us:   

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION
155.414(C)(16)(17) OF THE LOMBARD VILLAGE CODE**

PC 16-24: International Car Center – 454 E. North 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 Lombard Village Code; and,

WHEREAS, the Subject Property, as described in Section 2 below, is zoned B4 Corridor Commercial District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Title 15, Chapter 155, Section 155.416(C)(16)(17) of the Lombard Village Code to provide for motor vehicle repair and motor vehicle service; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on December 19, 2016 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; 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 2 below, pursuant to Title 15, Chapter 155, Section 155.416(C)(16)(17) of the Lombard Village Code to provide for motor vehicle repair and motor vehicle service

SECTION 2: That this Ordinance is limited and restricted to the property located at 454 E. North Avenue, Lombard, Illinois and legally described as follows:

LOT 8 & 9 AND THE EAST ½ OF LOT 10 AND THE SOUTH ½ OF THE VACATED ALLEY LYING NORTH AND ADJACENT TO SAID LOTS IN BLOCK 14 IN NORTH AVENUE MANOR, BEING A SUBDIVISION OF PART OF THE SOUTH ½ OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 14, 1928 AS DOCUMENT 269443 IN DUPAGE COUNTY, ILLINOIS .

Parcel Number: 03-32-415-028 and -029; (the “Subject Property”).

SECTION 3: The conditional use, as provided for in Section 1 of 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. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the motor vehicle repair facility is not established by said date, this relief shall be deemed null and void; and
4. The north property line shall be maintained with a six foot (6’) foot solid fence. The fence shall be maintained in a good state of repair at all times.

SECTION 4: 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 _____, 2017.

First reading waived by action of the Board of Trustees this ____ day of _____, 2017.

Passed on second reading this ____ day of _____, 2017, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Ordinance No. _____
Re: PC 16-24
Page 3

Absent: _____

Approved by me this _____ day of _____, 2017.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2017.

Sharon Kuderna, Village Clerk