

May 6, 2004

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

Subject: PC 04-14; 86-88 Eisenhower Lane North

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests an amendment to Ordinance 3439 granting conditional use approval for a food products manufacturing, processing and packaging establishment, within the I Limited Industrial District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on April 19, 2004.

Hein Lam, president of Van-Lang Food Products, presented the petition. She noted that they have been operating their business out of the 88 and 86 Eisenhower Lane North tenant space. She said that they seek an amendment to the conditional use so that the space can continue to be used as a food processing plant. She said the IDRC staff report describes the property and their petition very well, so she is here to answer any questions they might have.

Chairperson Ryan opened the meeting for public comment. No one spoke for or against the petition. He then requested the staff report.

William Heniff, Senior Planner, stated that the subject property is located within the Yorkbrook Industrial Park, which contains a mix of warehousing, office, light manufacturing and light industrial uses. The property, addressed as 50-88 Eisenhower Lane North, is improved with a multiple tenant industrial building that was constructed in 1978. In 1991, the petitioner applied for and received approval of a conditional use (PC Case 91-12, Ordinance 3439) for a food processing facility for the 2,400 square foot space at 88 Eisenhower Lane North.

In 1999, the petitioner applied for and received a Certificate of Occupancy (CO) to occupy an adjacent 2,400 square foot tenant space at 86 Eisenhower Lane North as well. In further review of the 1999 (CO), staff has made the interpretation that occupying the space at the 86 Eisenhower Lane North with the food processing use constitutes an expansion of a conditional use. Therefore, this CO should have been approved only as part of an amended conditional use application. Staff recommended to the petitioner that this issue should be addressed as soon as possible so that both the petitioner and property owner will then have assurances that the business operation is in compliance with the provisions of the Zoning Ordinance. The petitioner is now seeking an amendment to the previous conditional use approval so that the space located at 86 Eisenhower Lane North can continue to be utilized as a food processing business already established on the premises. No exterior physical improvements or interior modification to their business is proposed as part of this petition.

The petitioner has integrated the 86 Eisenhower Lane North space into their overall operations that previously only occurred within the 88 Eisenhower Lane North space. The additional space allows for more office area and cooler space for their business. The number of employees and function of the business remains unchanged. Overall, the proposed food processing use encompasses approximately 7.5 percent of the overall building.

Mr. Heniff noted that the proposed industrial use is compatible with the recommendations of the Comprehensive Plan that recommends business park uses. It is also compatible with the surrounding industrial uses. The operations of the use have not been modified since 1999, when they occupied the space. Therefore, adjacent industrial properties should not be impacted by the conditional use amendment.

North of the tenant space is the existing Arboretum Park townhouse development. But for occasional deliveries to and from the site, the use is completely operated within the existing building space. From a historical perspective, we do not have any code enforcement records or violations associated with the business establishment.

He stated that the petition can be supported based on the final considerations:

1. The Plan Commission and the Village Board found that the food processing activity land use on the property met the standards for conditional uses in 1991;
2. The use has operated in compliance with Village Code since its inception;
3. The expansion, while increasing the overall size of the business activity, has not modified the use to a point that it is no longer incompatible with surrounding land uses or contrary to the Comprehensive Plan; and
4. The expansion of the use is consistent with the standards for conditional uses.

He noted that the existing salt mound on the property was removed. Therefore, this item does not need to be added as a condition of approval. An additional item for consideration pertains to

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the existing dumpster on the premises. Right now, their dumpster is sitting in the middle of the parking lot, which hinders the ability of vehicles to access the designated parking spaces. Staff recommends that a trash enclosure area be constructed for the petitioner's dumpster, with said enclosure being designed per Village Code.

Chairperson Ryan then opened the meeting for discussion among the commissioners. There were no comments.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed conditional use amendment complies with the standards of the Zoning Ordinances. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities, **approval** of PC 04-14; subject to the following conditions as amended:

1. That this conditional use shall be for the tenant spaces at 86 and 88 Eisenhower Lane North exclusively. Any expansions of the food processing use beyond the 4,800 square feet area currently occupied by the tenant shall require an amended conditional use application to the Village.
2. That a trash enclosure shall be erected on the property for the dumpster associated with the petitioner's establishment. Said trash enclosure shall be designed and constructed consistent with the provisions of the Zoning Ordinance, with the final location of the trash enclosure are subject to the Director of Community Development.
3. That the food processing use be operated consistent with the Village Codes.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

att-

c. Petitioner
Lombard Plan Commission