

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: May 21, 2007

FROM: Department of
Community Development

PREPARED BY: Jennifer Backensto, AICP
Planner II

TITLE

PC 07-20; Text Amendments to the Lombard Zoning Ordinance: The petitioner requests text amendments to Sections 155.418 (C) and 155.802 of the Lombard Zoning Ordinance (and other sections where needed for clarity) allowing athletic training facilities and/or learning centers to be listed as a conditional use within the I Limited Industrial District.

GENERAL INFORMATION

Petitioner: The Olympian Centre
519 Cardinal Avenue
Oswego, IL 60543

ANALYSIS

SUBMITTALS

This report is based on the following documents filed on April 23, 2007 with the Department of Community Development:

1. Petition for Public Hearing.
2. Response to Standards.
3. Plat of Survey, prepared by Mackie Consultants, dated October 12, 1989
4. Site Plan, prepared by Cawley Chicago Commercial Real Estate.
5. Tenant space layout, prepared by petitioner.

DESCRIPTION

The petitioner is proposing to operate an indoor athletic training facility at 1117 N. Main Street within the I Limited Industrial District (PC 07-21). However, before that petition can be considered, the Zoning Ordinance must first be amended to allow athletic training facilities to be listed as conditional uses within the I District.

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 & FIRE

The Fire Department/Bureau of Inspectional Services has no comments regarding the proposed text amendments.

PLANNING

Standards for Text Amendments

For any change to the Zoning Ordinance, the standards for text amendments must be affirmed. The standards and the petitioner's and staff comments are noted below:

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*

Should the amendment be approved, it would apply to all properties with I zoning. As such, other I properties could be considered for athletic training facilities should the text amendment be approved. Athletic training facilities are proposed to be listed as conditional uses, so any future facilities would have to meet the standards for conditional uses and would be subject to a future public hearing process.

2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*

The Zoning Ordinance lists several uses that share certain characteristics with athletic training facilities:

[illegible]

The commercial, walk-in nature of amusement establishments and gymnasiums are fundamentally different from the private, scheduled operations of an athletic training facility. The closest comparison is a combination of a trade school (specialized instruction, frequently involving night classes) with a stadium or arena (accommodating athletic activities). Since these are both listed as conditional uses within the I District, staff believes that listing athletic training facilities as conditional uses within the I District would be consistent with the Ordinance.

The Zoning Ordinance defines learning centers as including “instruction in art, dance, photography, sculpture, language, student tutoring, testing centers, etc., but do not include adult uses, trade schools, public or private full-time schools.” The private, educational nature of athletic training facilities fits in well with the other uses classified as learning centers. Therefore, staff believes that it is appropriate to amend the definition of learning centers to include athletic training facilities and include learning centers as conditional uses within the I District. This would be consistent with recent text amendments to allow public and private full-time schools and clubs and lodges as conditional uses within the I District.

While learning centers are not directly associated with industrial uses as described in the purpose of the Industrial District, the function and impacts of these types of facilities are similar to those of “industrial activities that do not create appreciable nuisance or hazards, or that require a pleasant hazard- and nuisance-free environment” as specified in the Purpose Statement.

3. *The degree to which the proposed amendment would create nonconformity;*

The proposed amendment creates no nonconformities.

4. *The degree to which the proposed amendment would make this ordinance more permissive;*

The proposed amendment would make the Zoning Ordinance more permissive only to the extent that it would allow learning centers within the I District through the conditional use public hearing process.

5. *The consistency of the proposed amendment with the Comprehensive Plan;*

Staff believes that the proposed amendment would be consistent with the Comprehensive Plan. Learning centers can have characteristics similar to industrial uses (i.e., little or no pedestrian movements, community or regional draw to the facility, etc.). Therefore, staff believes that future learning centers can be looked at on a case by case basis to determine if their respective operation is consistent with the intent of the underlying district and would be appropriate for the respective site.

6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*

The Village has a history of amending its Zoning Ordinance to address newly evolving circumstances presented by petition or otherwise. The proposed amendments are consistent with established Village policy in this regard. Staff notes that recent text amendments have also addressed land uses that have changed in nature. This amendment is intended to realize that, while they are not incompatible with other uses listed within the Zoning Ordinance, learning centers (and athletic training facilities in particular) have unique operations that are not appropriate for residential districts and unique space needs that cannot always be met within typical shopping and commercial districts. Therefore, the I District is an appropriate alternative that is consistent with recent I District use amendments.

Survey of Other Municipalities

Staff identified two local communities, Naperville and Wheaton, that specifically list athletic training facilities within their ordinances. Both communities distinguish training facilities from gymnasiums, tutoring, and recreational learning activities.

Naperville:

ATHLETIC TRAINING FACILITY: A specialized indoor facility provided for the training needs and related activities of athletes. Unlike a health club or a gymnasium, these facilities are primarily for the prearranged use of specific teams and programs, rather than for general public walk-in use. This use may include classrooms and meeting space, as well as specialized sports facilities, such as ball courts, gymnasiums, weight rooms, and pools. Activities may include training sessions, practices, and competitive events. *(permitted in certain business districts, conditional in office and industrial districts)*

HEALTH CLUB/GYMNASIUM: A facility designed for the major purpose of physical fitness or weight reducing which may include, but is not limited to, such equipment as weight resistance machines, running and jogging, game courts, swimming facilities, saunas, showers, and lockers. Such facility shall be entirely enclosed, except for accessory outdoor athletic fields, normal and customary accessory uses, and parking. Instruction programs, aerobic classes, and weight control programs may be offered. *(permitted or conditional in certain business districts, conditional in office and industrial districts)*

STUDENT LEARNING CENTER: Includes private tutoring services, test preparation centers, drivers' education services, and similar educational facilities designed primarily for persons beyond the preschool and nursery school ages. *(permitted in certain business districts, conditional in office districts)*

TRAINING STUDIO: An establishment that offers recreational instructions in performing arts, martial arts, wellness, fitness, specialized crafts and other similar uses. *(conditional in certain business districts)*

Wheaton:

ATHLETIC TRAINING SCHOOL: Schools offering instruction in various athletic endeavors including but not limited to gymnastics and martial arts. *(permitted in one business district)*

SPECIALTY SCHOOL: Schools offering instruction in languages, visual and performing arts, business skills, crafts and other similar specialties, but excluding any instruction involving the use of heavy machinery or any instruction conducted out-of-doors. (*conditional in one residential district*)

Proposed Text Amendments

The following are the proposed text amendments for the Zoning Ordinance and Code of Ordinances. Proposed changes to the Zoning Ordinance is denoted by underlining new text.

SECTION 155.418 I LIMITED INDUSTRIAL DISTRICT REQUIREMENTS

(B) Permitted Uses

The following uses shall be permitted in the I District:

- (1) Bedding manufacturing
- (2) Boot and shoe manufacturing
- (3) Cabinet Making
- (4) Carpet manufacturing
- (5) Cloth products manufacturing
- (6) Contractors, architects, and engineers offices and shops
- (7) Dry cleaning plants and operations primarily serving satellite drop-off dry cleaning establishments in other districts.
- (8) Electronic and scientific precision instruments manufacturing
- (9) Exterminating services
- (10) Film Processing; not including retail sales or commercial studios
- (11) Furniture upholstery & Refinishing
- (12) Fur processing
- (13) Laboratories, including research and testing laboratories
- (14) Laundries, including truck route laundries, linen supply, and diaper services
- (15) Light machinery production and repair e.g. household appliances & business machines etc. - appliances, business machines, etc.

- (16) Lithographing
- (17) Mail order houses
- (18) Mechanical Parts Reconditioning
- (19) Mini-Warehouses
- (20) Musical instruments manufacturing
- (21) Offices
- (22) Orthopedic and medical appliance manufacture
- (23) Packing Material Manufacturing
- (24) Parking lots, commercial and lots other than accessory, and subject to the provisions of Section 155.600 of this Ordinance
- (25) Pottery and ceramics manufacture
- (26) Printing and publishing establishments
- (27) Public utility and service uses
- (28) Radio and television stations and towers
- (29) Rope, cord, and twine manufacture
- (30) Sheet Metal Stamping and Fabrication
- (31) Sign Contractors
- (32) Sporting goods manufacture
- (33) Storage Centers
- (34) Tool & Die
- (35) Warehousing, storage, and distribution facilities
- (36) Wearing Apparel Manufacture
- (37) Woodworking and wood products manufacture
- (38) Automated Envelope Merging Process

(39) Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

(C) Conditional Uses

Subject to the provisions of Section 155.103 (F) in this Ordinance, the following conditional uses may be allowed:

(1) Adult uses (including but not limited to adult book stores, adult cabarets, adult theaters, and adult video stores) subject to the adult use:

(a) not being located within 500 feet of a zoning district which permits (or allows as a conditional use) residential development, educational or religious institutions, parks, or playgrounds;

(b) not being located within 1,000 feet of another adult use (distances to be measured from property lines);

(c) being conducted in a manner that prohibits the observation of any material depicting, describing or relating to any specified sexual activities or specified anatomical areas by display, decorations, sign, show window or other opening from any public way.

- (2) Automobile repair
- (3) Automotive service
- (4) Banks
- (5) Building material sales and storage
- (6) Cartage and express facilities
- (7) Catering Services
- (8) Clubs and lodges, nonprofit and fraternal
- (9) Compost collection facility
- (10) Concrete and cast stone fabrication and molding
- (11) Contractors, architects, and engineers equipment and material storage yards
- (12) Cosmetics production
- (13) Dairy products processing or manufacture
- (14) Food manufacture, packaging, and processing
- (15) Gasoline sales

- (16) Glass products production
- (17) Heliports, private or commercial
- (18) Learning centers (no outdoor component)
- (19) Metal Plating, Forging, or Casting
- (20) Mortuarial Services
- (21) Off-site parking, conforming to Section 155.602 (A) (3) (b) of this Ordinance
- (22) Outpatient medical and dental offices and clinics
- (23) Paper products manufacture
- (24) Parks and playgrounds
- (25) Planned developments in conformance with Section 155.500 of this Ordinance
- (26) Plastic extruding
- (27) Recreation buildings or community centers
- (28) Recycling collection centers
- (29) Restaurants
- (30) Schools: public and/or private elementary, middle and high
- (31) Soap manufacture
- (32) Stadiums, auditoriums, and arenas - open or enclosed
- (33) Outside Storage of Motor Vehicles
- (34) Trade school
- (35) Other manufacturing, processing, storage, or industrial uses as determined by the Director of Community Development to be of the same general character as the uses permitted in Subsection 155.418(C), above, and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, toxic or noxious matter or glare or heat.
- (36) Four (4) story buildings within one hundred feet (100') of residentially-zoned property or a minor or major arterial street and buildings which are forty feet (40') to forty-five feet (45') in height and which are within one hundred (100') of a residentially-zoned property or a minor or major arterial street.

(37) Accessory uses and buildings incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance.

SECTION 155.602, Table 6.3 SCHEDULE OF OFF-STREET PARKING REQUIREMENTS

~~Dance/Music/Vocational~~ Learning Centers and
Trade Schools

Two (2) spaces per (3) employees plus one space
per maximum number of students as determined
by the Director of Community Development

SECTION 155.802 RULES AND DEFINITIONS

ATHLETIC TRAINING FACILITIES are specialized indoor facilities provided for the instruction and training needs of athletes. Unlike gymnasiums, these facilities are primarily for the prearranged use of specific teams and programs rather than for general public walk-in use.

LEARNING CENTERS ~~which~~ include, but are not limited to, athletic training facilities, instruction in art, dance, photography, sculpture, language, student tutoring, testing centers, etc., but ~~which~~ do not include adult uses, trade schools, or public or private full-time schools.

FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee recommends that the petition as presented does not meet the standards set forth in the Zoning Ordinance and recommends that Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** 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 07-20.

Inter-Departmental Review Group Report Approved By:

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

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