

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION

For Inclusion on Board Agenda

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, AICP, Village Manager

DATE: May 27, 2008 (BOT) Date: June 5, 2008

TITLE: PC 08-17: 139 Eisenhower Lane North

SUBMITTED BY: Department of Community Development *MAH*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests conditional use approval to allow for Food Manufacturing, Packaging, and Processing in the I Limited Industrial District. (DISTRICT #3) (DISTRICT #1)

The Plan Commission recommended approval of this petition with conditions.

Please place this item on the June 5, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____
Finance Director X _____
Village Manager X *David A. Hulseberg*
Date _____
Date _____
Date *5/29/08*

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.



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MEMORANDUM

TO: David A. Huliseberg, AICP, Village Manager

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

DATE: June 5, 2008

SUBJECT: PC 08-17: 139 Eisenhower Lane North

Attached please find the following items for Village Board consideration as part of the June 5, 2008 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 08-17;
3. An Ordinance granting approval of a conditional use for Food Manufacturing, Packaging, and Processing; and
4. Plans associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with the petition with conditions:

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VILLAGE OF LOMBARD
 255 E. Wilson Avenue
 Lombard, IL 60148-3931
 (630) 620-5700 FAX: (630) 620-8222
 TDD: (630) 620-5811
 www.villageoflombard.org

June 5, 2008

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

Village of Lombard

Subject: PC 08-17; 139 Eisenhower Lane North

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests conditional use approval to allow for Food Manufacturing, Packaging, and Processing 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 May 19, 2008.

Sean Khan, 139 Eisenhower Lane North, of Safe Couriers presented the petition. Mr. Khan stated that his courier business have been in operation at the subject property for about four (4) years. The subject property is currently being operated as eight thousand (8000) square feet of warehousing and offices. Mr. Khan is proposing to build a small room at the rear of the warehouse to house a tortilla-making machine. He also indicated that the machine is modular and can be enlarged to increase capacity. This is a possibility in the future.

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.

Stuart Moynihan, Associate Planner, presented the staff report. Staff has prepared a report and is submitting it to the public record in its entirety. The subject property, addressed as 139 Eisenhower Lane North, consists of a single multiple tenant industrial building.

Safe Couriers is currently operating an 8,000 square foot warehouse and office at 139 Eisenhower Lane North. They are proposing to build a separate room within the warehouse that will be used for the manufacturing of a tortilla-like product called a chapatti. As Food Manufacturing in the I Limited Industrial District is a conditional use, Village Board approval is required.

Village President
 William J. Mueller

Village Clerk
 Brigitte O'Brien

Trustees
 Greg Alan Cron, 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 Manager
 William T. Lichter

"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."

The petitioner plans to produce the chapatis between the hours of three (3) a.m. and six a.m. (6). As the petitioning business plans to do its own distribution, the chapatis will be loaded onto Safe Courier trucks at six (6) a.m. The petitioner states that he may plan to expand production within the warehouse at a future point in time.

Staff has reviewed the property with respect to parking requirements. The subject property has ninety-five (95) spaces and crowding is not an issue. The Zoning Ordinance requires one (1) parking space per one and a half (1.5) employees in the I Limited Industrial District. As the petitioner does not plan to hire any new employees, additional parking would not be required.

The subject property does not currently comply with the landscaping requirements of the Zoning Ordinance. However, it should be noted that there is insufficient space on the property to construct landscaping without the loss of parking spaces or interfering with drive aisles. The dumpster has not been screened per the provisions of Section 155.710 of the Zoning Ordinance with a six (6) foot to eight (8) foot solid wood fence.

Food manufacturing, packaging, and processing is listed as a conditional use in the I Limited Industrial District due in part to the potential for a wide range of usage intensities associated with this use. The petitioner has stated that conditional use "will not have any impact on the business park." The petitioner has expressed that waste, noise, increased traffic, and other such issues associated with the conditional use will not adversely affect surrounding properties.

The approval of the requested conditional use would not have significant effects on the subject property outside of the interior tenant space. All business activities will be conducted indoors with the exception of loading and unloading.

The Comprehensive Plan recommends Planned Business Park uses at this location. The proposed use complies with the recommendation of the Comprehensive Plan.

Safe Couriers will operate a Food Manufacturing, Packaging, and Processing business which is industrial in nature. The subject property is surrounded exclusively by other industrial uses. The petitioner has stated that the new business will not have traffic impacts, create hazardous waste products, or be detrimental to the surrounding environment.

Staff has reviewed the petition and finds that petition does meet the Standards for Conditional Uses set forth in the Zoning Ordinance. Staff is recommending approval subject to the two conditions in the staff report.

Chairperson Ryan then opened the meeting for comment among the Commissioners.

Commissioner Burke motioned to approve PC 08-17 subject to the three (3) conditions outlined in the staff report. The motion was seconded by Commissioner Nelson.

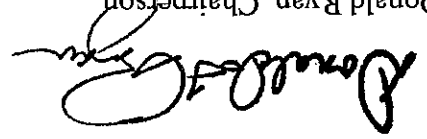
After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-

departmental Review Report be the findings of the Plan Commission and therefore, recommends to the Corporate Authorities **approval** of the zoning actions associated with PC 08-17 for the subject property, subject to the following conditions:

1. All dumpsters or other outside waste containers associated with the business use shall be effectively screened per the provisions of Section 155.710 of the Zoning Ordinance. The petitioner shall apply for a permit for the fence and screening improvements.
2. Prior to constructing any improvements within the building itself, the petitioner shall apply for and receive the requisite building permits before such improvements are made.
3. The petitioner shall contact the Illinois Department of Public Health and Federal Food and Drug Administration regarding the proposed Food Manufacturing, Packaging, and Processing business and shall follow all applicable procedures and regulations.

Respectfully,

VILLAGE OF LOMBARD



Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission



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

TO: Lombard Plan Commission
FROM: Department of Community Development
PREPARED BY: Stuart Moynihan
Associate Planner
HEARING DATE: May 19, 2008

TITLE

PC 08-17; 139 Eisenhower Lane North: The petitioner requests conditional use approval to allow for Food Manufacturing, Packaging, and Processing in the I Limited Industrial District.

GENERAL INFORMATION

Petitioner: Sean Khan
Safe Couriers
139 Eisenhower Lane North
Lombard, IL 60148
Status of Petitioner: Tenant

Property Owner: Nai Hittman
1 Oakbrook Terrace No. 600
P.O. Box 120
Oakbrook Terrace IL 60181

PROPERTY INFORMATION

Existing Land Use: Multi-tenant Industrial Center
Size of Property: Approximately 3.6 acres
Comprehensive Plan: Planned Business Park
Existing Zoning: I – Limited Industrial District

Surrounding Zoning and Land Use:

- North: I – Limited Industrial District; developed as warehousing, offices, distribution facilities, and light machinery production.
- South: I – Limited Industrial District; developed as scientific instrument manufacturing, offices, and warehousing.
- East: I – Limited Industrial District; developed as a contractor's office and shop, offices, light machinery production, and warehousing.
- West: I – Limited Industrial District; developed as a printing operation.

ANALYSIS

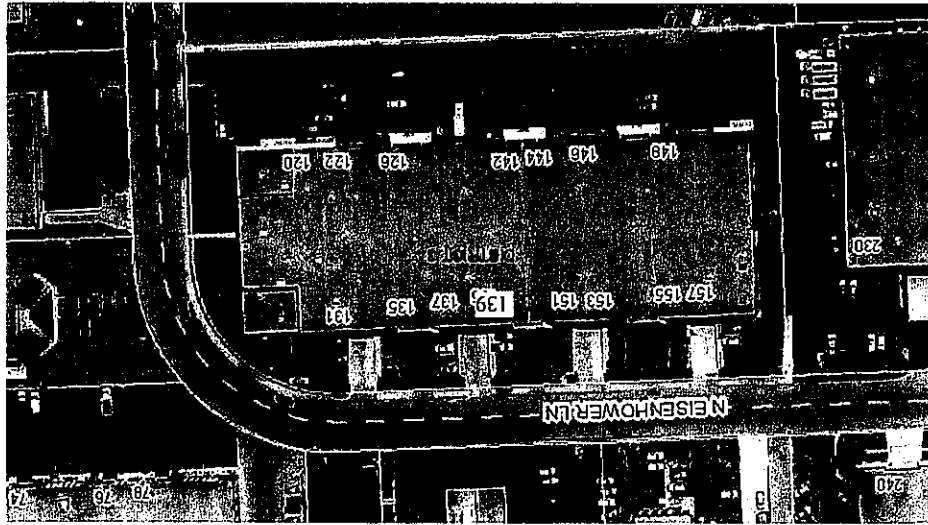
SUBMITTALS

This report is based on the following documents filed with the Department of Community Development on April 9, 2008:

1. Petition for Public Hearing with a response to Standards for Conditional Uses.
2. Plat of Survey, prepared by Edward J. Molley and Associates, Ltd., dated September 8, 2005.
3. Interior Production Plan, submitted by Sean Khan, undated.

DESCRIPTION

The subject property is located within the Yorktown Industrial Park, which contains a mix of warehousing, office, light manufacturing and light industrial uses. The subject property, addressed as 139 Eisenhower Lane North, consists of a single multiple tenant industrial building. Safe Couriers is currently operating an 8,000 square foot warehouse and office at 139 Eisenhower Lane North. They are proposing to build a separate room within the warehouse that will be used for the manufacturing of a tortilla-like product called a chapatti. As Food Manufacturing in the I Limited Industrial District is a conditional use, Village Board approval is required.



139 Eisenhower Lane North

The proposed room will be twenty-two (22) feet by thirty (30) feet and will be located in the southwest corner of the existing warehouse space. There will be access to the room from outside and from within the warehouse. The room will house one tortilla making machine.



Location of Proposed Room

The petitioner plans to produce the chapatis between the hours of three (3) a.m. and six a.m. (6). As the petitioning business plans to do its own distribution, the chapatis will be loaded onto Safe Courier trucks at six (6) a.m. The petitioner plans to use current employees in this new operation. The petitioner states that he may plan to expand production within the warehouse at a future point in time.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

Public Works has no comments at this time.

PRIVATE ENGINEERING

The Private Engineering Division of Community Development offers the following comments on this petition:

1. Water meter shall be tested by Village.
2. Backflow prevention devices shall be tested and certified by a licensed plumber. Results shall be provided to Village no later than 30 days after approval.
3. If there is a fire suppression system, the single check valve shall be upgraded to a double check valve.

FIRE AND BUILDING

The Fire Department offers the following comments on this petition:

1. The new room construction shall meet all current Village building and fire codes and permits shall be obtained for the new room.
2. Health department approval is required prior to permit issuance.

PLANNING

Compliance with the Zoning Ordinance

Food manufacturing and processing establishments are listed as conditional uses within the I Limited Industrial District. As part of the conditional use review process, staff has reviewed the current conditions on the property as they relate to parking and landscaping requirements. The Zoning Ordinance requires one (1) parking space per one and a half (1.5) employees in the I Limited Industrial District. The subject property currently has ninety-five (95) parking spaces. The number of employees of the other businesses in the multi-tenant building has not been provided by the petitioner and is unknown. Therefore, a determination of the exact number of parking spaces required on the property is not possible. However, as the petitioner does not plan to hire any new employees, additional parking would not be required. Furthermore, it has become evident to staff from several site visits that vehicle overcrowding is not an issue on this property.

The subject property does not currently comply with the landscaping requirements of the Zoning Ordinance. The ordinance requires that not less than five (5) percent of the interior of a parking lot shall be landscaped. The subject property does not contain interior landscaping. The property is also lacking the required five (5) foot parking lot perimeter landscaping at the western and southern property lines. However, it should be noted that there is insufficient space on the property to construct internal landscaping without the loss of parking spaces or interfering

with drive aisles. The dumpster has not been screened per the provisions of Section 155.710 of the Zoning Ordinance with a six (6) foot to eight (8) foot solid wood fence.



Safe Courier's Dumpster

Food manufacturing, packaging, and processing is listed as a conditional use in the I Limited Industrial District due in part to the potential for a wide range of usage intensities associated with this use. The petitioner has stated that conditional use "will not have any impact on the business park." The petitioner has expressed that waste, noise, increased traffic, and other such issues associated with the conditional use will not adversely affect surrounding properties. While large scale food manufacturing operations could raise concerns about noise, odor, and waste products, the petitioner's description of the proposed chapatti manufacturing business would not be an operation of that variety.

The approval of the requested conditional use would not have significant effects on the subject property outside of the interior tenant space. All business activities will be conducted indoors with the exception of loading and unloading. Similar loading activities associated with the courier business already take place at subject property.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Planned Business Park uses at this location. The proposed use complies with the recommendation of the Comprehensive Plan.

Compatibility with Surrounding Land Uses

Safe Couriers will operate a Food Manufacturing, Packaging, and Processing business which is industrial in nature. The subject property is surrounded exclusively by other industrial uses. The petitioner has stated that the new business will not have traffic impacts, create hazardous waste products, or be detrimental to the surrounding environment. The petitioner further states that the business will be conducted according to all applicable local, state, and federal regulations.

FINDINGS AND RECOMMENDATIONS

Staff has reviewed the petition and finds that petition does meet the Standards for Conditional Uses set forth in the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion to **approve** PC 08-17:

Based on the above findings, the Inter-Departmental Review Committee recommends that the petition as presented does meet the standards set forth in the Zoning Ordinance and recommends that Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission and therefore the Plan Commission and recommend to the Corporate Authorities **approval** of PC 08-17, subject to the following conditions:

1. All dumpsters or other outside waste containers associated with the business use shall be effectively screened per the provisions of Section 15.710 of the Zoning Ordinance. The petitioner shall apply for a permit for the fence and screening improvements.
2. Prior to constructing any improvements within the building itself, the petitioner shall apply for and receive the requisite building permits before such improvements are made.
3. The petitioner shall contact the Illinois Department of Public Health and Federal Food and Drug Administration regarding the proposed Food Manufacturing, Packaging, and Processing business and shall follow all applicable procedures and regulations.

Inter-Departmental Review Group Report Approved By:

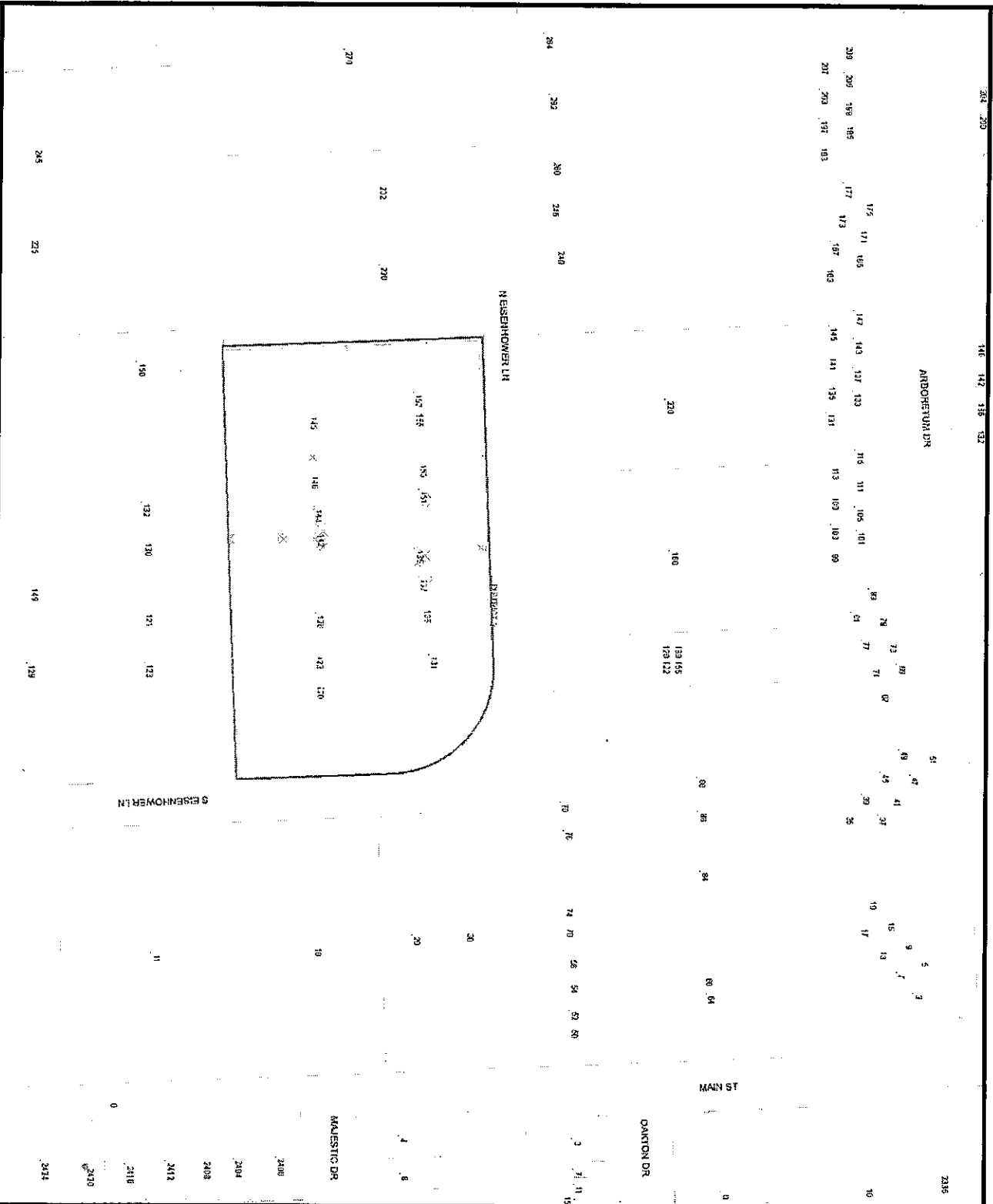


David A. Huliseberg, AICP

Assistant Village Manager/Director of Community Development

DAH:SWM

139 Eisenhower North



Active Cases

Address Points

Centerline

JURIS

RIVER

RXR

TOLLMWAY

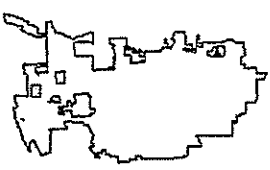
TRAIL

Boundary Agreement

Parcels

Trustee Boundaries

170 ft



Petition for conditional use

Tortilla manufacturing business at 139 Eisenhower Lane, Lombard

Contact Name: Sean Kahn 630.675.4259 (cell)

1. Safe Couriers Inc currently occupying an 8,000 Sq Feet warehouse and office space, within the warehouse we want to build a secure room to house our **tortilla manufacturing equipment**. Tortilla making operation will not endanger or be detrimental to the surrounding environment.
2. The conditional use will not have any impact on the business park, because the equipment will be inside the room in the warehouse. There currently exists a food manufacturing business within our business park.
3. The business will not impede the development because the hour of operations will be limited to 8 hours/ day and there is no hazardous raw material or byproduct to speak of.
4. The tortilla making equipment will not require any special plumbing or drainage, the room will be built according to the village of Lombard's codes
5. The Tortilla manufacturing business will not have traffic impact, this manufacturing operation is not for retail purpose, the traffic concerns are negligible
6. We are seeking permission to conduct the tortilla manufacturing business and build a room inside the walls of our warehouse, we will abide by all regulations



630.675.4259 Cell

630.629.4774 Fax

630.629.4700 Main

Safe Couriers Inc,

Operations

Sean Kahn

Thank You

If there are any other requirements that have to be met, please let us know.

are attached.

Please see the attached sketches of the warehouse and the machine length. The specs for equipment

from inside the warehouse. The height will be 12'.

machine. The room will be 22' x 30', it will have an entrance door to the outside and an entrance door

obtain a permit and code guidelines to build a room within our warehouse to install a tortilla making

We are currently located at 139 Eisenhower Lane (N) Lombard, in an 8500 sq Ft Warehouse. We want to

Dear Sir/Madam

Village of Lombard

Building and Permits Department



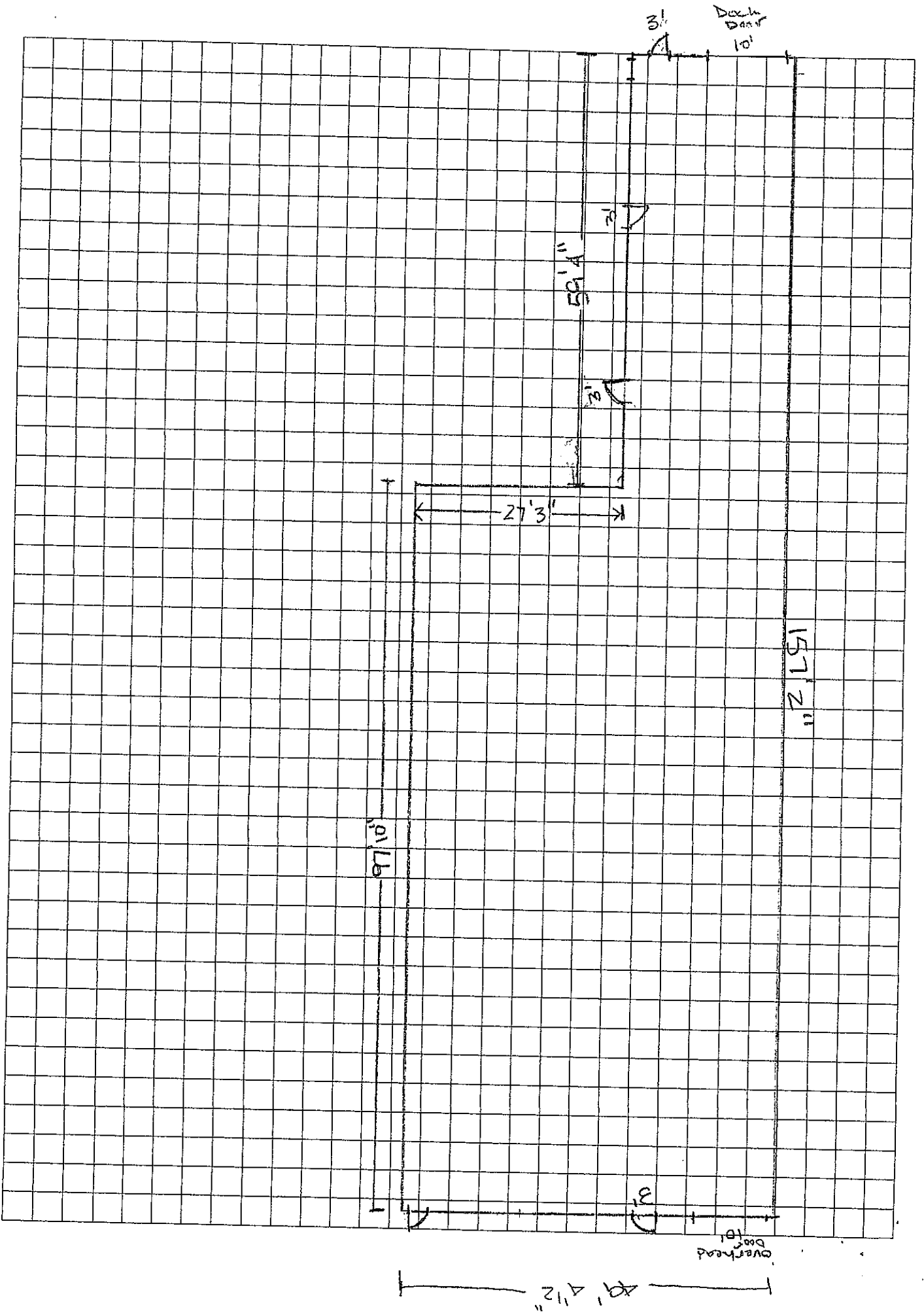
Dimensions

Check These Dimensions for Your Installation!

- Who We Are
- Our Machines
- Service and Guarantee
- Photos
- Videos
- Payment and Financing
- Contact



La Poblana Food Machines, LLC
Espanol: NEXTEL: 128*140141*1
Espanol: 602-908-4379 English: 480-258-2091
Email: sherrie.soria@lapoblanafoodmachines.com



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

(PC 08-17; 139 Eisenhower Lane North)

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 420 (C) of the Lombard Village Code to provide for Food Manufacturing, Packaging, and Processing; and

WHEREAS, a public hearings on the forgoing application were conducted by the Village of Lombard Plan Commission on May 19, 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 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 420 (C) of the Lombard Village Code to provide for Food Manufacturing, Packaging, and Processing, subject to the conditions set forth in Section 3 below.

SECTION 2: That this Ordinance is limited and restricted to the property located at 139 Eisenhower Lane North, Lombard, Illinois and legally described as follows:

LOTS 12, 13 AND 14 IN LOMBARD INDUSTRIAL PARK UNIT NO. 2, A SUBDIVISION OF A PART OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 18, 1972 AS DOCUMENT R72-40869, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-30-203-013; (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. All dumpsters or other outside waste containers associated with the business use shall be effectively screened per the provisions of Section 155.710 of the Zoning Ordinance. The petitioner shall apply for a permit for the fence and screening improvements.
2. Prior to constructing any improvements within the building itself, the petitioner shall apply for and receive the requisite building permits before such improvements are made.
3. The petitioner shall contact the Illinois Department of Public Health and Federal Food and Drug Administration regarding the proposed Food Manufacturing, Packaging, and Processing business and shall follow all applicable procedures and regulations.

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

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, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2008.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this _____ day of _____, 2008.

Brigitte O'Brien, Village Clerk