

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

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: David A. Hulseberg, Village Manager

DATE: March 28, 2011 (BOT) Date: April 7, 2011

TITLE: PC 11-05: 67 W. Eisenhower Lane South

SUBMITTED BY: Department of Community Development *DH*

BACKGROUND/POLICY IMPLICATIONS:

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

- 1. A conditional use, per Section 155.420 (C) (8) of the Village of Lombard Zoning Ordinance, for a catering business.

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 April 7, 2011 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *[Signature]* _____ Date 3/29/11

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.

1. 10.



MEMORANDUM

TO: David A. Hulseberg, Village Manager

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

DATE: April 7, 2011

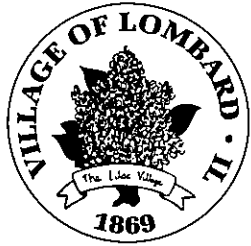
SUBJECT: **PC 11-05: 67 Eisenhower Lane South**

Attached please find the following items for Village Board consideration as part of the April 7, 2011 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 11-05;
3. An Ordinance granting approval of a conditional use for a catering business;
4. Plans associated with the petition.

The Plan Commission recommended approval of the conditional use for a catering business.

The petitioner has requested a waiver of first reading.



VILLAGE OF LOMBARD

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

April 7, 2011

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

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

Trustees

Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Subject: PC 11-05; 67 W Eisenhower Lane South

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests approval of a conditional use for a catering business in the I Industrial District.

Village Manager
David A. Hulseberg

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 21, 2011.

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses create a distinctive sense of spirit and an outstanding quality of life."

James Marcantonio, 21W533 Monticello Rd., Glen Ellyn, IL presented the petition. He stated that they are seeking to use the property as a catering business. He stated that all cooking will be on the lunch truck and the unit will be used to store the food and cut meat in the morning. When the process is completed, the food is transferred to the truck where it will be sold.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

No one spoke in favor or against the petition.

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Director of Community Development, presented the report. He 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 petitioner is seeking to occupy a 1,500 square foot tenant space for a catering business. The business will be storing, preparing and packaging food that will be sold off site on a truck. According to the petitioner, all cooking will be on the truck. However, the site will be used to make sandwiches and cut meat. The petitioner has indicated that the vehicles will be stored inside the building. Since this will function as a catering business, conditional use approval is required.

The petitioner is seeking to occupy a 1,500 square foot tenant space for a catering business in an existing 70,000 square foot multi-tenant industrial building. According to the information provided by the petitioner, the business will be storing, preparing and packaging food that will be sold off site on a truck. The interior of the tenant space includes an office, prep kitchen and garage area for the storage of 1 truck. The petitioner plans to only use the space to store products and make sandwiches and cut meat. All cooking would occur on the truck during the day at various locations. The truck will kept within the enclosed building during the overnight hours.

Pursuant to the Zoning Ordinance, catering businesses require conditional use approval within the I Industrial District. The I Industrial District also lists "Food Manufacture, Packaging & Processing" as a conditional use in the I District. As the proposed use will be selling the prepared food offsite, staff considers the use a catering business. The Plan Commission may recall a similar case heard for the property at 86-88 Eisenhower Lane North (PC 04-14). That petition was approved as a "Food Manufacture, Packaging & Processing" known as Van-Lang Food Products. Similar uses have also been approved in the North Avenue Industrial Park. As the Plan Commission and the Village Board have approved similar cases in the I Industrial District, staff supports the proposed conditional use.

An additional item for consideration pertains to the existing dumpsters on the premises. Right now, there are several dumpsters sitting in various locations throughout the site. Staff recommends that a trash enclosure area be constructed for the petitioner's dumpster, with said enclosure being designed per Village Code (solid fence of 6 to 8 feet in height).

Staff finds the standards have been met and that the use is compatible with the Comprehensive Plan and surrounding land uses and therefore staff recommends approval of the conditional use subject to the conditions noted in the staff report.

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

Commissioner Sweetser questioned condition #4 and asked if that comment included the multiple dumpsters scattered on the site. Mr. Stilling answered that it only applies to the dumpster that is associated with the business and it is a code requirement. Mr. Marcantonio stated that the DuPage County Health Department is also requiring that it be enclosed.

Commissioner Burke asked if the plans meet Health Department requirements. Mr. Stilling stated that they will need a separate permit from the Health Department which is required prior to the issuance of a building permit. Mr. Marcantonio added it has already been approved.

On a motion by Commissioner Sweetser and a second by Commissioner Flint, the Plan Commission voted 4 to 0 that the Village Board approve the petition based on the finding that the petition had met the required Standards as set forth in the Zoning Ordinance.

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-departmental Review Report as the findings of the Lombard Plan Commission and recommend to the Corporate Authorities approval of PC 11-05, subject to the following conditions:

1. The petitioner shall develop the space in substantial conformance with the floor plan attached as Exhibit A.
2. This conditional use shall be for the tenant spaces at 67 W Eisenhower Lane South exclusively. Any expansion of the use and/or an increase of more than 1 truck associated with the business operation shall seek a conditional use amendment along with any other necessary zoning relief. Consideration of the requested relief shall be subject to review by the Village as part of a public hearing petition.
3. As part of the approval, the petitioner shall also address the comments included within the IDRC Report.
4. Any dumpster associated with the petitioner's establishment shall be fully enclosed pursuant to Village Code.

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 HEARING DATE: March 21, 2011
FROM: Department of PREPARED BY: Christopher Stilling, AICP
 Community Development Asst. Director

TITLE

PC 11-05; 67 W. Eisenhower Lane South: The petitioner requests that the Village take the following actions on the subject property located within the I Industrial District:

1. A conditional use, per Section 155.420 (C) (8) of the Village of Lombard Zoning Ordinance, for a catering business.

GENERAL INFORMATION

Petitioner: James Marcantonio
 Steakw'ch Inc.
 21W33 Monticello
 Glen Ellyn, IL 60137

Property Owner: The Realty Associates Fund VII, LLP
 436 Eisenhower lane North
 Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: I - Limited Industrial District

Existing Land Use: Multiple tenant building consisting of various industrial uses

Size of Property: Approximately 4.4 acres

Comprehensive Plan: Planned Business Park

Surrounding Zoning and Land Use:

North: I Industrial District; Light manufacturing and warehouse/distribution

South: Village of Downers Grove; Industrial Uses
East: CR Conservation Recreation District; Allerton Ridge Cemetery & R4
PD General Residence District, Planned Development; developed as
Arboretum Park townhomes
West: I Industrial District; Light manufacturing and warehouse/distribution

ANALYSIS

SUBMITTALS

This report is based on the following documentation:

1. Petition for Public Hearing, with response to Standards for Conditional Uses.
2. Floor Plans attached as Exhibit A.

DESCRIPTION

The subject property is located within the Yorkbrook Industrial Park, which contains a mix of warehousing, office, light manufacturing and light industrial uses. The petitioner is seeking to occupy a 1,500 square foot tenant space for a catering business. The business will be storing, preparing and packaging food that will be sold off site on a truck. According to the petitioner, all cooking will be on the truck. However, the site will be used to make sandwiches and cut meat. The petitioner has indicated that the vehicles will be stored inside the building. Since this will function as a catering business, conditional use approval is required.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Private Engineering Services has no comments regarding the proposed development.

PUBLIC WORKS

The Utilities Division of the Public works Department has reviewed this petition and requires that the petitioner install a grease trap/interceptor in this facility. Also, the plumbing and equipment shall meet all cross connection requirements.

FIRE DEPARTMENT

The Fire Department has reviewed the petition and offers the following comments pertaining to the use and the conditional approval for the storage of the motor vehicle;

1. The tenant shall maintain good housekeeping practices.
2. All combustible materials shall maintain a minimum of 10 feet from the vehicle.
3. Minimum 4A;60BC rated fire extinguisher shall be mounted within 10 feet of the vehicle.
4. No gasoline shall be stored within the tenant space.
5. Conditional approval shall be maintained annually with a satisfactory Fire Department Safety Inspection.

BUILDING DIVISION

In reference to PC 11-05; 67 W. Eisenhower Lane South, the Building Division offers the following:

1. The build-out of the building interior space as well as the interior of the trucks will need to meet DuPage County Health Department codes and standards.
2. The build-out of the building interior space will need to meet Village of Lombard Building Division adopted codes and ordinances.

PLANNING

Compliance with the Zoning Ordinance

The petitioner is seeking to occupy a 1,500 square foot tenant space for a catering business in an existing 70,000 square foot multi-tenant industrial building. According to the information provided by the petitioner, the business will be storing, preparing and packaging food that will be sold off site on a truck. The interior of the tenant space includes an office, prep kitchen and garage area for the storage of 1 truck. The petitioner plans to only use the space to store products and make sandwiches and cut meat. All cooking would occur on the truck during the day at various locations. The truck will kept within the enclosed building during the overnight hours.

Pursuant to the Zoning Ordinance, catering businesses require conditional use approval within the I Industrial District. The I Industrial District also lists "Food Manufacture, Packaging & Processing" as a conditional use in the I District. As the proposed use will be selling the prepared food offsite, staff considers the use a catering business. The Plan Commission may recall a similar case heard for the property at 86-88 Eisenhower Lane North (PC 04-14). That petition

was approved as a "Food Manufacture, Packaging & Processing" known as Van-Lang Food Products. Similar uses have also been approved in the North Avenue Industrial Park. As the Plan Commission and the Village Board have approved similar cases in the I Industrial District, staff supports the proposed conditional use.

An additional item for consideration pertains to the existing dumpsters on the premises. Right now, there are several dumpsters sitting in various locations throughout the site. Staff recommends that a trash enclosure area be constructed for the petitioner's dumpster, with said enclosure being designed per Village Code (solid fence of 6 to 8 feet in height).

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Planned Business Park, defined as an area generally intended for both the warehousing and distribution of wholesale goods and supplies and the light assembly and light manufacturing of goods, products and supplies. Staff believes the proposed industrial use is compatible with the recommendations of the Comprehensive Plan.

Compatibility with Surrounding Land Uses

The proposed use is compatible with the surrounding industrial uses. The operations of the use are minimal and the adjacent industrial properties should not be impacted by the conditional use approval.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development finds that the information presented **meets** the Standards for a Conditional Use as set forth in the Zoning Ordinance. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the proposal **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, I move 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, I recommend to the Corporate Authorities **approval** of PC 11-05, subject to the following conditions::

1. The petitioner shall develop the space in substantial conformance with the floor plan attached as Exhibit A.
2. This conditional use shall be for the tenant spaces at 67 W Eisenhower Lane South exclusively. Any expansion of the use and/or an increase of more than 1 truck associated with the business operation shall seek a conditional use amendment along

Plan Commission

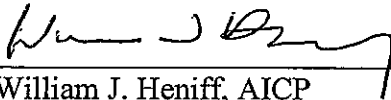
Re: PC 11-05

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with any other necessary zoning relief. Consideration of the requested relief shall be subject to review by the Village as part of a public hearing petition.

3. As part of the approval, the petitioner shall also address the comments included within the IDRC Report.
4. Any dumpster associated with the petitioner's establishment shall be fully enclosed pursuant to Village Code.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP

Director of Community Development

17/2011 17:42

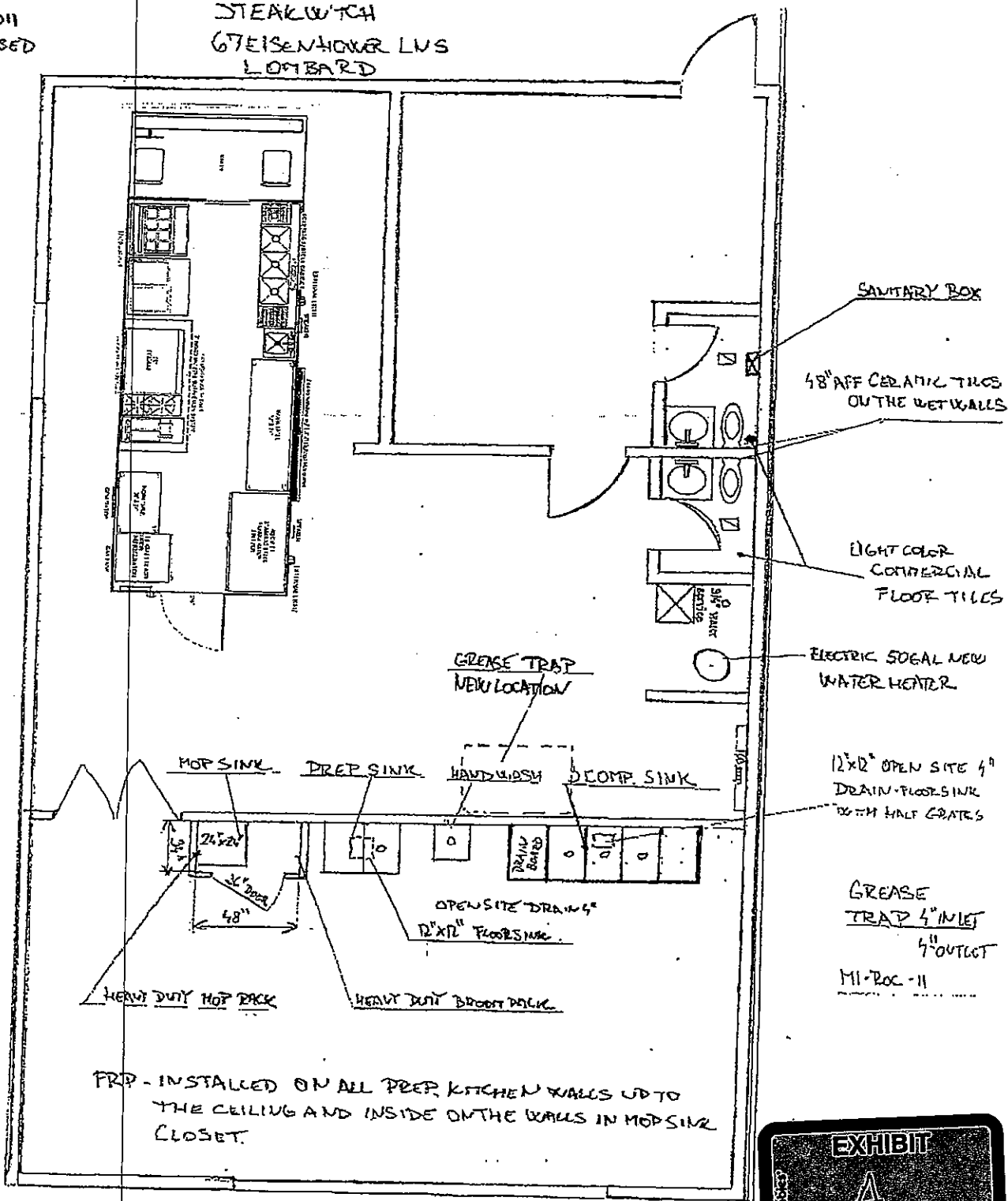
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CBC CHGO BLDRS CONTR

PAGE 02/04

REUSED

STEAKWICH
GEISENHOWER LVS
LOMBARD

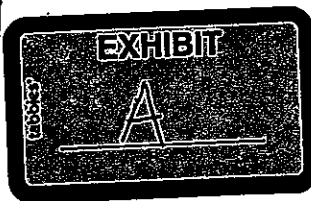


3/16" = 1'

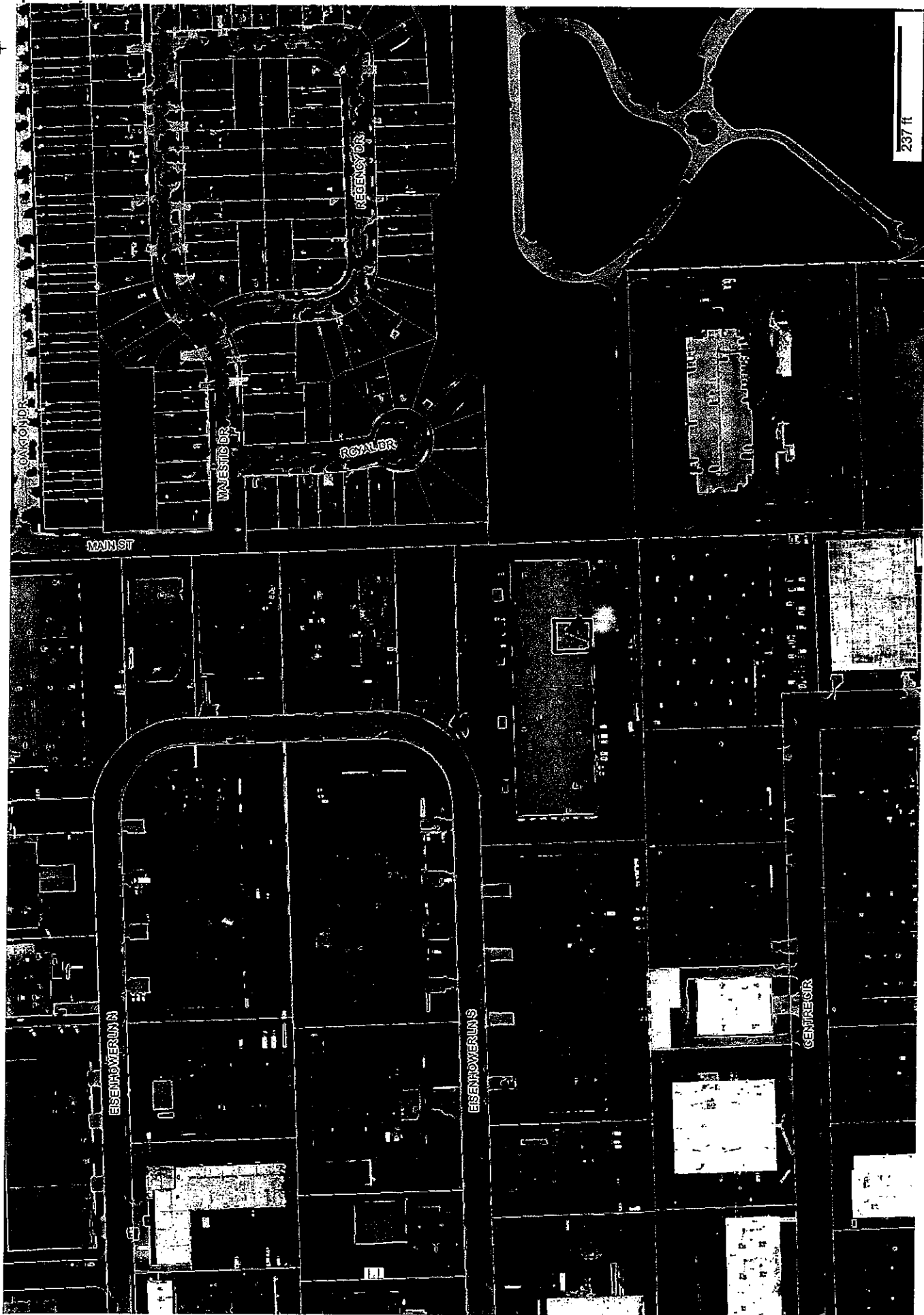
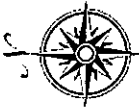
*NOTES: ALL NEW UNDERGROUND DRAINS TO BE PVC 4"

□ - EXISTING BATHROOM EXHAUST FAN

CEILING - 2x4' TYPICAL CELLULose FIBER INSULATION



67 W. Eisenhower Lane South



Toth, Michael

From: Jim Marcantonio [steakwch@comcast.net]
Sent: Wednesday, February 16, 2011 7:49 PM
To: Toth, Michael
Subject: Standards For Conditional Uses (Detailed Response)

Dear Mike,

The following are detailed responses to article VII. Standards For Conditional Uses:

1. Steakw'ch Inc. will provide mobile catering services with all health department permits away from conditional use. These services will be conducted on location at other existing businesses and will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.
2. The conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity. Steakw'ch Inc. will use property for early morning prep and stock of mobile food truck and evening cleaning and storage of mobile food truck.
3. Steakw'ch Inc. will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Steakw'ch Inc. is a mobile catering service business. Conditional use will not be open to the public; adequate public utilities, access roads, drainage and/or necessary facilities will not be altered.
5. Adequate measures will be taken to minimized traffic congestion in the public streets. Steakw'ch Inc. will conduct business away from conditional use where permitted.
6. Steakw'ch Inc. proposes to use facility within the objectives of the current Comprehensive Plan for the Village of Lombard.
7. Steakw'ch Inc. will conform to the applicable regulations of the district in which it is located.

We hope this is what you are looking for. If we need to make changes or have suggestions please advise.

Sincerely,
Jim Marcantonio
Steakw'ch Inc.
Phone: 630-303-8783
Fax: 630-534-6183
steakwch@comcast.net

2/17/2011

7

To: Michael S. Toth
Planner I
Village of Lombard

Date: March 2, 2011

From: Jim Marcantonio
Steakw'ch Inc.

Subject: Waiver of First Reading

Dear Michael,

I would like to request a 'Waiver of First Reading' in regards to Steakw'ch Inc. I request this due to the fact that I cannot begin any renovation to my business until the conditional use is approved.

Sincerely,
Jim Marcantonio

A handwritten signature in black ink, appearing to read 'Jim Marcantonio', with a large, sweeping flourish extending to the right.

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.420(C) (8) OF THE LOMBARD ZONING ORDINANCE

(PC 11-05: 67 W Eisenhower Lane South)

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 Industrial District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Section 155.420(C)(8) of the Lombard Zoning Ordinance for a catering business as set forth herein for the property described in Section 2 below; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on March 21, 2011 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 zoning actions described herein, subject to conditions; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions 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 2 below and pursuant to Title 15, Chapter 155, Section 155.420(C)(8) of the Village of Lombard Zoning Ordinance so as to allow said property to be used for a catering business; subject to compliance with the conditions set forth in Section 3 below:

SECTION 2: That this Ordinance is limited and restricted to the property located at 67 W Eisenhower Lane South, Lombard, Illinois and legally described as follows:

LOMBARD INDUSTRIAL PARK UNIT NO. 5, A PLAT OF SUBDIVISION OF A PART OF SECTION 30, TOWNSHIP 39 NORTH RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 16, 1974 AS DOCUMENT R74-62478, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-30-205-010; (the "Subject Property").

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the space in substantial conformance with the floor plan attached as Exhibit A.
2. This conditional use shall be for the tenant spaces at 67 W Eisenhower Lane South exclusively. Any expansion of the use and/or an increase of more than 1 truck associated with the business operation shall seek a conditional use amendment along with any other necessary zoning relief. Consideration of the requested relief shall be subject to review by the Village as part of a public hearing petition.
3. As part of the approval, the petitioner shall also address the comments included within the IDRC Report.
4. Any dumpster associated with the petitioner's establishment shall be fully enclosed pursuant to Village Code.

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

Ordinance No. _____
Re: PC 11-05
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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 _____, 2011.

First reading waived by action of the Board of Trustees this _____ day of _____, 2011.

Passed on second reading this _____ day of _____, 2011, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2011.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this _____ day of _____, 2011.

Brigitte O'Brien, Village Clerk