

July 15, 2019

**Title**

PC 19-16

**Petitioner/Property Owner**

J1 Automotive  
591 S. Main Street  
Lombard IL 60148

**Property Location**

591 S. Main Street  
06-08-317-022; 06-08-317-016  
Trustee District #5

**Zoning**

B2 General Neighborhood  
Shopping District

**Existing Land Use**

Commercial business

**Comprehensive Plan**

Neighborhood Commercial

**Approval Sought**

The petitioner requests that the Village grant approval of a zoning conditional use, pursuant to Section 155.414(C)(16) of the Village Code, to allow for Motor Vehicle Sales establishment within the B2 General Neighborhood Shopping District.

**Prepared By**

Tami Urish  
Planner I



LOCATION MAP

**PROJECT DESCRIPTION**

The subject property is currently operating as motor vehicle repair. Recently they have started to rent Penske trucks. Similar to Seamless Gutters and Nuts & Volts, the property needs to obtain zoning entitlements for the additional use.

**APPROVAL(S) REQUIRED**

The petitioner requests that the Village grant a zoning conditional use pursuant to Section 155.414(C)(16) of the Lombard Village Code to allow for motor vehicle sales in the B2 General Neighborhood Shopping District on the subject property.

**EXISTING CONDITIONS**

The subject property is operating as J1 Automotive Repair. They have recently started to rent Penske trucks at the property.

**PROJECT STATS**

**Lot & Bulk**

Parcel Size: 8,333 SF  
Building Area: 1,980 sq. ft.  
Year Built: 1990  
Lot Coverage: Approx. 90%

**Setbacks (required/actual)**

Front: 30/110 feet  
Corner Side: 30/72 feet  
Interior Side: 10/17 feet  
Rear: 20/19 feet

**Parking Spaces**

Supply: 22  
Demand: 6  
(per bay + per employee)

**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 ALTA/ACSM dated July 6, 2015;
4. Site Plan, prepared by the petitioner; and
5. Ordinance 6239.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has no issues or concerns regarding the conditional use at this time. Should the petition be approved, additional comments may be forthcoming during permit review.

**Fire Department:**

The Fire Department has the following concerns:

IFC 315.4 Outside Storage. Outside storage of combustible materials shall not be located within 10 feet of a lot line.

IFC 503.1 Building and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of the section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

IFC 503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

The storage of the Penske vehicles shown on the site map are up against what appears to be the wood fence on the lot line and blocks the access to the rear of the building.



**Private Engineering Services:**

Private Engineering Services has no comments regarding the conditional use.

**Public Works:**

The Department of Public Works has no comments regarding the conditional use.

**Planning Services Division:**

The Planning Services Division (PSD) notes the following:

**1. Surrounding Zoning & Land Use Compatibility**

	Zoning Districts	Land Use
North	R2	Single Family Residential
South	B2	Lombard Animal Clinic
East	R2	Single Family Residential
West	B2	Seven-11

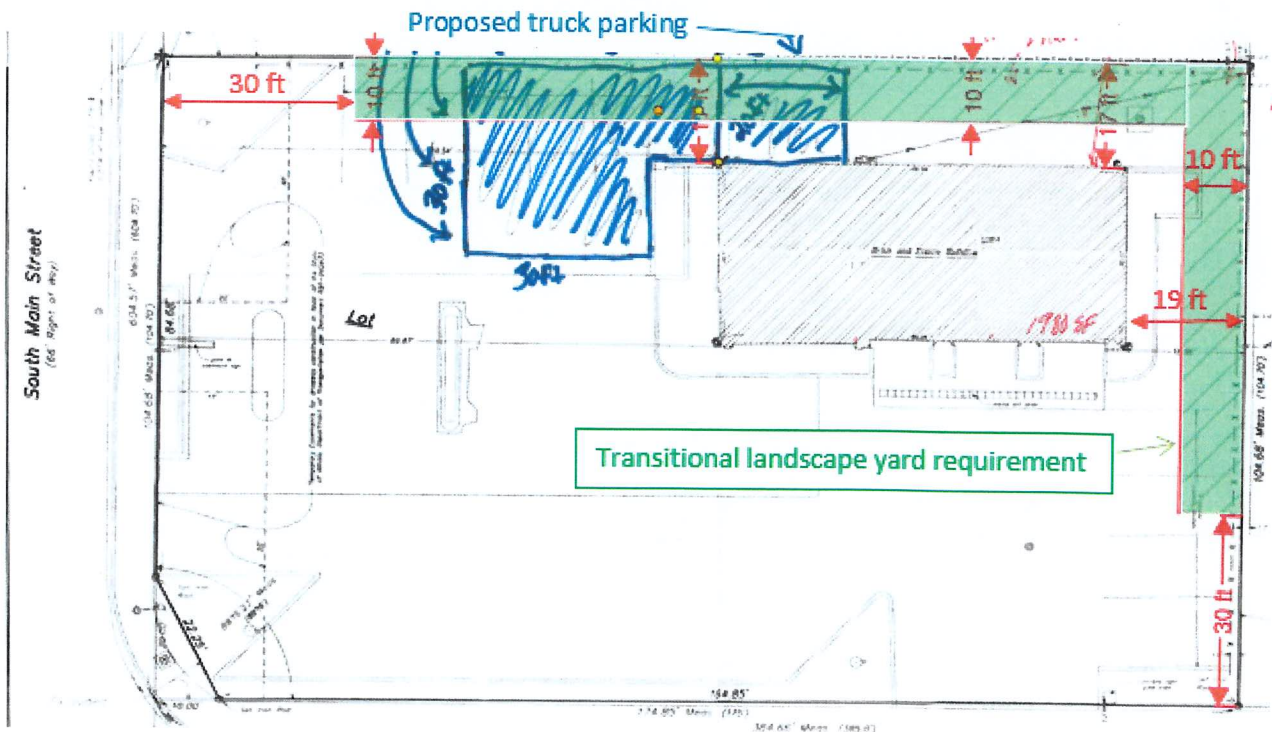
The site is zoned B2 and the neighborhood has properties that are zoned residential directly adjacent to the property and also zoned B2 across the street on Main and Madison Streets. The use is not compatible with the surrounding neighborhood and

zoning, as it is near single family homes to the north and east. As the site does not conform with current standards such as Section 155.414 (J) wherever a rear yard or interior side yard lot in the B2 District abuts a lot in the CR or a residence district, a transitional landscape yard ten feet in width (shown below in green) shall be provided along the abutting lot line and improved with the provisions of the Landscape Chapter,

Section 155.707 (B) Transitional landscape yard improvements. Required planting and fencing shall be required to conform with the following provisions:

(3) B1, B2, B5 and B5A Districts. Within required transitional landscape yards the following improvements shall be required:

- a) Except within a front or corner side yard, a solid fence, the design of which shall be subject to the approval of the Director of Community Development, shall be provided along the entire length of the landscape yard. Such fence shall be six feet in height and shall be located not less than eight feet from the lot line and shall conform to Section 155.205 of this Chapter.
- b) A continuous evergreen or dense deciduous shrub hedge extending the entire length of the landscape yard shall be planted two and one-half feet on center from the fence described, above. The shrub hedge shall be installed at a height of three feet and shall be planted on the outside of



the fence. The spacing of shrubs shall be five feet on center, or as approved by the Director of Community Development.

- c) Shade trees shall be required to conform with subsection 155.705(C)(4), above, with one tree every 25 feet along the entire length of the landscape yard. Shade trees shall be located five feet on center to the outside of the fence described above. Shade trees may be clustered subject to the approval of the Director of Community Development.
- d) The area between the shrub hedge and the lot line shall be sodded and maintained as lawn.
- e) Planted areas shall be maintained in mulch and kept free of weeds.

In addition, the property does not conform to Section 155.414(I) transitional building setbacks whenever a rear yard or interior side yard lot in the B2 District abuts a lot in the CR or a residence district, all principal and accessory buildings, and structures shall be setback from the abutting lot line a distance of 20 feet. The building on the property is 17 feet from the north residential lot line.

## **2. Comprehensive Plan Compatibility**

The proposed use of renting trucks is not consistent with the Comprehensive Plan's recommendation of neighborhood commercial in which a vision statement lists an action of protecting residential areas from encroachment by land uses which are incompatible or which may create adverse impacts (page 15 and 23). In addition, vision 3 states a guiding principle of retail excellence to encourage aesthetically pleasing and functionally well-designed retail and commercial shopping area environments (page 16).

## **3. Zoning Compatibility**

The petitioner is requesting a conditional use for motor vehicle sales. Per the definition below, rental is included.

*Motor vehicle sales is the retail sales or rental of motor vehicles to the general public.*

The petitioner is renting Penske trucks. Staff finds that the petitioner has not affirmed the Standards for a conditional use based on conditions outlined above in items 1 and 2.

## **4. Site Plan**

Per the site plan, there are four parking areas shown as proposed for truck rental. As the fire department has indicated, trucks cannot park up against the building therefore two planned parking areas are prohibited. Staff notes that at one time there have been up to five trucks parked on the site. The plan also does not consider the requirement of providing landscaping between the property line and the trucks. The trucks would effectively be six feet away from a single-family home.

## **STANDARDS FOR CONDITIONAL USES**

No conditional use shall be recommended by the Plan Commission unless it finds:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare; *A typical box truck can be eight to ten feet in height and generally approximately seven feet wide. This places approximately 60 square feet of bulk per truck directly adjacent to a single family home which is detrimental to the general welfare of the residents occupying the home. The placement of trucks against the subject property's building is considered unsafe due to minimized access to fire equipment.*

2. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located;  
*A number of box trucks parked less than seven feet from a single family home could diminish the attractiveness of a home. The intent of a general neighborhood shopping district is not to give the appearance of an industrial district that typically houses these types of trucks.*
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;  
*The activity of truck parking does not improve the use of the single family homes surrounding the property.*
4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;  
*Truck parking activities do not impact this requirement.*
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;  
*Truck parking activities do not impact this requirement.*
6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,  
*The proposed conditional use is contrary to the objectives of the current Comprehensive Plan for the Village of Lombard as out lined on page 4.*
7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.  
*Truck parking activities are not permitted. The temporary use of trucks is applicable to the regulations of the district.*

## **SITE HISTORY**

### **Resolution R122-89**

Agreement to cease operating gasoline sales while maintaining the motor vehicle service facility (this was at one time prohibited).

### **PC 08-27**

Granted approval of a conditional use to allow for motor vehicle repair.

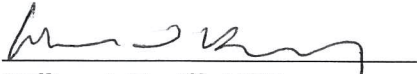
Please find attached Ordinance 6239 that provided conditions associated with the motor vehicle repair. One of the conditions for this approval was “no outside storage shall be permitted except the temporary (generally not to exceed (3) days) vehicles awaiting repair.”

**FINDINGS & RECOMMENDATIONS**

Staff finds that the proposed use is not 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 rental, as an accessory use and finds that the proposed use **does not comply** with the standards established by the Village of Lombard Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **denial** of PC 19-16:

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development

c. Petitioner

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