

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


 X 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: Scott R. Niehaus, Village Manager

DATE: August 8, 2014 (B of T) Date: August 21, 2014

TITLE: PC 14-16; 123 Eisenhower Lane South

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, requests that the Village grant a conditional use, pursuant to Section 155.420 (C) of the Zoning Ordinance, to allow for a Learning Center (indoor athletic training facility) within the I Limited Industrial District. (DISTRICT #3)

The Plan Commission recommended approval of this petition by a voted 4 to 0 vote.

The petitioner requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

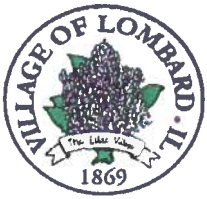
Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____

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.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development 

DATE: August 21, 2014

SUBJECT: **PC 14-16; The Katus Group – 123 Eisenhower Lane South**

Please find the following items for Village Board consideration as part of the August 21, 2014 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 14-16; and
3. An Ordinance granting approval of Conditional Use to allow for a Learning Center (indoor athletic training facility) within the I Limited Industrial Zoning District.

The Plan Commission recommended approval of this petition by a vote of 4-0. Please place this petition on the August 21, 2014 Board of Trustees agenda with a waiver of first reading, as requested by the petitioner (attached).



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

August 21, 2014

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Peter Breen, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses 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."

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 14-16; 123 Eisenhower Lane South

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, requests that the Village grant a conditional use, pursuant to Section 155.420 (C) of the Zoning Ordinance, to allow for a Learning Center (indoor athletic training facility) 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 July 21, 2014. Sworn in to present the petition was Jennifer Ganser, Assistant Director and Tony LaPano of Glen Ellyn, IL and Nancy Kocorek of Glen Ellyn, IL.

Mr. LaPano said they are seeking approval for a conditional use permit to operate an indoor fitness facility for student athletes. He explained the location, open floor plan and higher ceilings makes the building a good area for them to start their business.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser, Assistant Director of Community Development, presented the staff report, which was submitted to the public record in its entirety. Ms. Ganser said the petitioner is proposing to operate an indoor athletic training facility at 123 Eisenhower Lane South. Per Village of Lombard Zoning Ordinance, the use is considered a

Learning Center and thus requires a conditional use permit within the I Limited Industrial Zoning District. The subject property is bounded by light industrial and office uses to the north, south, east, and west in the Eisenhower Lane Business Park. The property is accessed by Eisenhower Lane. Ms. Ganser said the Inter-Departmental Review committee had no issues or concerns regarding the project at this time.

Staff has discussed the use of the building with the property manager. Neither staff nor the property manager has any concerns with parking or traffic. Based on the hours of operation the petitioner is proposing, there would be minimal overlap with the hours of the existing tenants.

A conditional use permit is required and the scope of the project under consideration complies with all other zoning regulations. The proposed use is not a typical light industrial use, but the space required of the equipment associated with the use is better suited for an industrial space.

While the proposed use is not traditionally considered a light industrial use, the unique interior spatial demands for such athletic training facilities are oftentimes best met by light industrial/warehouse structures due to their higher ceilings and open floor plans and therefore staff supports approval of this request.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

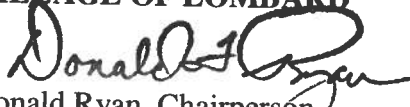
On a motion by Commissioner Mrofcza, and a second by Commissioner Flint, the Plan Commission voted 4-0 that the Village Board approve the petition associated with PC 14-16, subject to the following five (5) conditions:

1. The conditional use permit for an indoor athletic training facility is exclusively for the tenant space at 123 Eisenhower Lane South. Any expansion of the establishment within the existing building beyond the plans submitted as part of PC 14-16 shall require an amendment to the conditional use;
2. All business activity associated with the indoor athletic facility shall be conducted within the existing building;
3. The parking lot shall be configured so as to meet all Illinois Accessibility Code requirements, including but not limited to (a.) one (1) sixteen (16) foot wide parking spaces with either an eight (8) foot or five (5) foot wide diagonally striped access aisle; (b.) accessible parking on level pavement on the shortest accessible route to an accessible entrance; and (c.) a U.S. Department of Transportation R7-8 (Reserved Parking) and an R7-I101 (\$250 Fine) sign must be permanently mounted in the center of the sixteen (16) foot wide accessible parking space and the signs shall be no more than five (5) feet from the front of the parking space and at minimum, the bottom of the R7-8 sign must be five (5) feet from the pavement;

4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
5. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the learning center is not established by said date, this relief shall be deemed null and void.

Respectfully,

VILLAGE OF LOMBARD


Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

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PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

The Katus Group – 123 Eisenhower Lane South

July 21, 2014

Title

PC 14-16

Petitioner

The Katus Group
324 Woodstock Avenue
Glen Ellyn, IL 60137

Property Owner

The Realty Associates Fund
VII, LP
410 Eisenhower Lane North
Lombard IL 60148

Property Location

123 Eisenhower Lane South
(06-30-203-016)

Zoning

I Limited Industrial

Existing Land Use

Multi-Tenant Industrial
Building

Comprehensive Plan

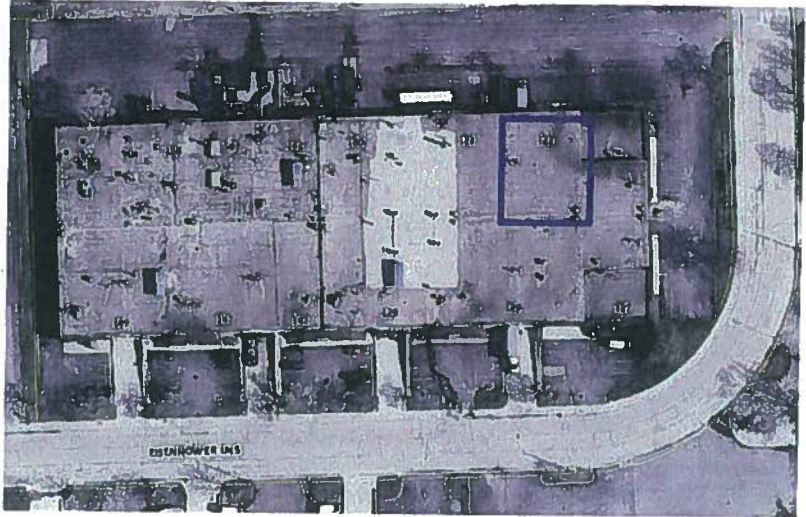
Light Industrial

Approval Sought

Conditional Use to allow for a Learning Center (indoor athletic training facility) within the I Limited Industrial Zoning District.

Prepared By

Jennifer Ganser
Assistant Director



LOCATION MAP

PROJECT DESCRIPTION

The petitioner is proposing to operate an indoor athletic training facility within an existing tenant space on the subject site. The facility is designed for small group and sport specific training.

APPROVAL(S) REQUIRED

Per Section 155.420 (C) (20) of the Zoning Ordinance, the use is considered a Learning Center and thus requires a conditional use permit within the I Limited Industrial Zoning District.

EXISTING CONDITIONS

The subject property is bounded by light industrial and office uses to the north, south, east, and west in the Eisenhower Lane Business Park. The property is accessed by Eisenhower Lane.

The structure, built in approximately 1974, is divided into multiple units occupied with warehouse and office functions.

PROJECT STATS

Lot & Bulk

Parcel Size:	3.7 acres 162,539 sq. ft.
Building Size:	72,000 sq. ft.
Tenant Space:	6,000 sq. ft.
Lot Coverage:	Approx. 44%

Actual Setbacks

Front (south)	59 feet
Side (east)	64 feet
Side (west)	20 feet
Rear (north)	86 feet

Submittals

1. Petition for Public Hearing;
2. Response to Standards for Conditional Use; and
3. Plat of Survey, prepared by Edward J. Molloy & Associates, Ltd., dated 09/06/2005; and
4. Existing Site/Floor Plan, prepared by A&M Architects, LLC dated 03/06/14.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments.

Fire Department:

Use and operation of this facility must meet all of the fire and life safety code requirements as required by the adopted codes and ordinances of the Village with regard to an Assembly Use. Planning Staff followed up with the Fire Department as the proposed student count would not be enough for an assembly use.

Private Engineering Services:

The Private Engineering Services Division has no comments.

Public Works:

The Department of Public Works has no comments.

Planning Services Division:

1. Surrounding Zoning & Land Use Compatibility

	Zoning District	Land Use
North	I	Light Manufacturing
South	I	Light Manufacturing
East	I	Light Manufacturing
West	I	Light Manufacturing

The building that houses 123 Eisenhower Lane South is divided into multiple separate units occupied with warehouse and office functions. Staff has discussed parking concerns with the property manager. The existing tenants only use about 1-2 spaces per business and have hours between 7 a.m. to 3 or 4 p.m. Monday thru Friday. There are usually no cars parked in the lot on the weekends. All parking spaces are common. There are fifteen (15) spots in common on the east side of the property and eight (8) in the lot to the south, mostly dedicated to 123 Eisenhower Lane South. Parking is also allowed on Eisenhower Lane during the day. The petitioner proposes hours of operations from 3pm to 9pm Monday through Friday, 8am to 6pm on Saturday, and closed on Sundays. At this time, the petitioner does not anticipate more than five to ten students using the facility at one time and three employees at start up. The hours provided show there would be minimal overlap with the hours of the existing tenants.

2. Comprehensive Plan Compatibility

The York Brook Business Park is completely developed and generally well maintained. Although described in the Comprehensive Plan, there are no specific recommendations for the types of uses that should occur within the York Brook Business Park. The proposed use is not a typical light industrial use, but the space required of the equipment associated with the use is better suited for an industrial space. Furthermore, staff finds that the proposed athletic training facility is compatible with the intent of the York Brook Business Park and ultimately the Comprehensive Plan.

3. Zoning Ordinance Compatibility

A conditional use permit is required and the scope of the project under consideration complies with all other zoning regulations. The proposed use is not a typical light industrial use, but the space required of the equipment associated with the use is better suited for an industrial space.

4. Site Plan: Access & Circulation

The site plan/plat of survey indicates that there are zero accessible parking spaces. Per the Illinois Accessibility Code, accessible parking must be placed on level pavement on the shortest accessible route to an accessible entrance. The accessible route, which may include a curb ramp or curb cut, must be installed as close as possible to the accessible entrance it serves. The site's parking lot striping will need to be revised accordingly to include one accessible space. Furthermore, the correct accessible parking dimensions and signage would be required.

AREA HISTORY

123 Eisenhower Lane South has not appeared before the Plan Commission, Zoning Board of Appeals, or Village Board of Trustees. Similar recent petitions on Eisenhower Lane that were approved are described below.

PC Case	Address	Use
PC 14-12	67 W Eisenhower Lane South	Conditional use permit to allow food and dairy manufacture, packaging, and processing
PC 12-11	270 Eisenhower Lane North, Unit #8	Conditional use permit for a Learning Center (athletic training facility)
PC 11-05		Conditional use permit for a catering business
PC 10-19	11 S Eisenhower Lane	Conditional use permit to allow a material storage yard
PC 09-07	355 Eisenhower Lane South	Conditional use permit to allow a private school
PC 08-17	139 Eisenhower Lane North	Conditional use permit to allow food manufacturing, packaging, and processing
PC 07-15	246 Eisenhower Lane North, Units 1-3	Conditional use permit to allow an outdoor equipment and material storage yard
PC 06-22	151 Eisenhower Lane North	Conditional use permit to allow a concrete and cast

		stone fabrication facility
PC 06-07	270 Eisenhower Lane North, Units 1-3	Conditional use permit to allow automobile repair
PC 04-36	315 Eisenhower Lane South	Conditional use permit to allow outdoor storage of motor vehicles (trailers) within the I – Limited Industrial District and a variation to allow stored equipment to be visible over a 10-foot high fence.
PC 04-32	11 Eisenhower Lane South	Conditional use permit to allow a concrete and cast stone fabrication facility
PC 04-14	88 Eisenhower Lane North	Conditional use permit to allow food manufacturing, packaging, and processing

FINDINGS & RECOMMENDATIONS

While the proposed use is not traditionally considered a light industrial use, the unique interior spatial demands for such athletic training facilities are oftentimes best met by light industrial/warehouse structures due to their higher ceilings and open floor plans.

The Inter-Department Review Committee has reviewed the standards for the requested conditional use permit for an indoor athletic training facility and finds that, provided the petitioner can sufficiently address any and all concerns regarding parking and the drop-off/pick-up process, the use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 14-16:

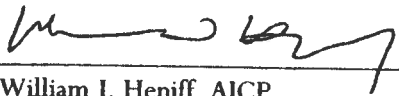
Based on the submitted petition and the testimony presented, the proposed conditional use does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the conditional use permit is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 14-16, subject to the following conditions:

1. The conditional use permit for an indoor athletic training facility is exclusively for the tenant space at 123 Eisenhower Lane South. Any expansion of the establishment within the existing building beyond the plans submitted as part of PC 14-16 shall require an amendment to the conditional use;
2. All business activity associated with the indoor athletic facility shall be conducted within the existing building;
3. The parking lot shall be configured so as to meet all Illinois Accessibility Code requirements, including but not limited to (a.) one (1) sixteen (16) foot wide parking spaces with either an eight (8) foot or five (5) foot wide diagonally striped access aisle; (b.) accessible parking on level pavement on the shortest accessible route to an accessible entrance; and (c.) a U.S. Department of Transportation R7-8 (Reserved Parking) and an R7-1101 (\$250 Fine) sign must be permanently

mounted in the center of the sixteen (16) foot wide accessible parking space and the signs shall be no more than five (5) feet from the front of the parking space and at minimum, the bottom of the R7-8 sign must be five (5) feet from the pavement;

4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
5. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the learning center is not established by said date, this relief shall be deemed null and void.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

STANDARDS FOR CONDITIONAL USES

The following is an excerpt from the Lombard Zoning Ordinance. A **detailed response** to all of these standards should be provided for all conditional uses of the Lombard Zoning Ordinance.

SECTION 155.103 (F) (8) OF THE LOMBARD ZONING ORDINANCE:

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;**
The Katus Group's fitness facility will not be detrimental to the public health, safety, morals, comfort or general welfare. In fact, it will provide another opportunity for the public to get fit and enjoy a healthier lifestyle.
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;**
The Katus Group's fitness facility will not interfere with any properties in the surrounding vicinity and should actually increase the property values in the neighborhood by cleaning up the facility from its current state.
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 Katus Group's fitness facility will not impede any normal developments or improvements in the surrounding area.
4. **That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;**
The Katus Group's fitness facility will work with the building owners to ensure adequate public utilities, access roads drainage and/or necessary facilities will be provided as needed or as directed by the Village of Lombard.
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;**
The Katus Group's fitness facility will take appropriate action to ensure proper ingress and egress to the facility.
6. **That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,**
To the best of our knowledge, The Katus Group's fitness facility is not contrary to the objectives of the current plan for the Village of Lombard.
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**
The conditional use of The Katus Group's fitness facility shall conform to the applicable regulations of the district in which it is located.

Nowakowski, Tamara

PC14-10

From: Ganser, Jennifer
Sent: Tuesday, July 22, 2014 8:35 AM
To: Nowakowski, Tamara
Subject: FW: The Katus Group, LLC - Request Waiver of First Reading

From: T Lapano [<mailto:tlapano@gmail.com>]
Sent: Tuesday, July 22, 2014 8:28 AM
To: Ganser, Jennifer
Subject: The Katus Group, LLC - Request Waiver of First Reading

Jennifer,

The Katus Group would like to request waiver of the first reading as we'd like to open our business as soon as possible.

Thanks,

Tony

Tony Lapano
The Katus Group, LLC
630.746.6118

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.420
(C)(20) OF THE LOMBARD ZONING ORDINANCE**

PC 14-16: 123 Eisenhower Lane South (The Katus Group)

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 described in Section 2 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 155.420(C)(20) of the Lombard Village Code to provide for a learning center; and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on July 21, 2014 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; 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 2 below, pursuant to Title 15, Chapter 155, Section 155.420(C)(20) of the Lombard Village Code to provide for a learning center.

SECTION 2: That this Ordinance is limited and restricted to the property located at 123 Eisenhower Lane South, Lombard, Illinois and legally described as follows:

LOT 15 OF LOMBARD INDUSTRIAL PARK UNIT NO. 4, BEING A SUBDIVISION OF PART OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 20, 1973 AS DOCUMENT R73-52401, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-30-203-016; (the "Subject Property").

SECTION 3: The conditional use, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The conditional use permit for an indoor athletic training facility is exclusively for the tenant space at 123 Eisenhower Lane South. Any expansion of the establishment within the existing building beyond the plans submitted as part of PC 14-16 shall require an amendment to the conditional use;
2. All business activity associated with the indoor athletic facility shall be conducted within the existing building;
3. The parking lot shall be configured so as to meet all Illinois Accessibility Code requirements, including but not limited to (a.) one (1) sixteen (16) foot wide parking spaces with either an eight (8) foot or five (5) foot wide diagonally striped access aisle; (b.) accessible parking on level pavement on the shortest accessible route to an accessible entrance; and (c.) a U.S. Department of Transportation R7-8 (Reserved Parking) and an R7-I101 (\$250 Fine) sign must be permanently mounted in the center of the sixteen (16) foot wide accessible parking space and the signs shall be no more than five (5) feet from the front of the parking space and at minimum, the bottom of the R7-8 sign must be five (5) feet from the pavement;
4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and

5. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the learning center is not established by said date, this relief shall be deemed null and void.

SECTION 4: 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 _____, 2014.

First reading waived by action of the Board of Trustees this _____ day of _____, 2014.

Passed on second reading this _____ day of _____, 2014, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2014.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2014.

Sharon Kuderna, Village Clerk