

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

TO: Lombard Plan Commission                      HEARING DATE: April 19, 2004  
FROM: Department of                                      PREPARED BY: William J. Heniff, AICP  
          Community Development                                      Senior Planner

**TITLE**

**PC 04-14; 86-88 Eisenhower Lane North:** The petitioner requests an amendment to Ordinance 3439 granting conditional use approval for a food products manufacturing, processing and packaging establishment, within the I Limited Industrial District.

**GENERAL INFORMATION**

Petitioner:                                      Nghi Q. Lam  
    Van-Lang Food Products  
    88 Eisenhower Lane North  
    Lombard, IL 60148

Property Owner:                                      Income & Growth Fund II, LLP  
    C/o Alter Asset Management  
    1980 Springer Drive  
    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 3.74 acres

Comprehensive Plan:                                      Planned Business Park

Surrounding Zoning and Land Use:

          North:                                      R4 PD General Residence District, Planned Development; developed as  
    Arboretum Park townhomes

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

East: 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. Existing Building Plan of Premises, submitted by petitioner, reflecting current operations, undated.

### **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 subject property, addressed as 50-88 Eisenhower Lane North, consists of a single multiple tenant industrial building which was constructed in 1978. In 1991, the petitioner applied for and received approval of a conditional use (PC Case 91-12, Ordinance 3439) for a food processing facility within the 2,400 square foot space at 88 Eisenhower Lane North. A copy of Ordinance 3439 is attached for your reference.

In 1999, the petitioner applied for and received a Certificate of Occupancy (CO) to occupy an adjacent 2,400 square foot tenant space at 86 Eisenhower Lane North as well. In further review of the 1999 (CO), staff has made the interpretation that occupying the space at the 86 Eisenhower Lane North with the food processing use constitutes an expansion of a conditional use. Therefore, this CO should have been approved only as part of an amended conditional use application. Staff recommended to the petitioner that this issue should be addressed as soon as possible so that both the petitioner and property owner will then have assurances that the business operation is in compliance with the provisions of the Zoning Ordinance.

The petitioner is seeking an amendment to the previous conditional use approval so that the space located at 86 Eisenhower Lane North can continue to be utilized as a food processing business already established on the premises. No exterior physical improvements or interior modification to their business is proposed as part of this petition.

**Aerial Photo of Subject Property  
With location of 86-88 Eisenhower Lane North Tenant Spaces**



**INTER-DEPARTMENTAL REVIEW COMMENTS**

**ENGINEERING**

Private Engineering Services has no comments regarding the proposed development.

**PUBLIC WORKS**

The Engineering and Utilities Divisions of the Public Works Department has no concerns.

## **BUILDING AND FIRE**

The Fire Department has no comments on the petition.

## **PLANNING**

### **Compliance with the Zoning Ordinance**

Food manufacturing and processing establishments are listed as conditional uses within the I Limited Industrial District.

Section 155.103 (F)(13) of the Zoning Ordinance reads as follows:

#### *13. Modification or Intensification*

*Any modification or intensification of a conditional use which alters the essential character or operation of the use in a way not intended at the time the conditional use was granted shall require a new conditional use permit. Such conditional use permit shall be applied for prior to any modification of the use or property. The Director of Community Development shall determine whether the proposed modification or intensification represents an alteration in the essential character of the original conditional use as approved. The operator of the conditional use shall provide the Director of Community Development with all the necessary information related to the conditional use to render this determination.*

Staff is making the interpretation that the 86 Eisenhower Lane North tenant space is an expansion and would require a new/amended conditional use based upon the submitted plans and testimony which served as the basis of the approval of Ordinance 3439.

The petitioner has since integrated the 86 Eisenhower Lane North tenant space into their overall site operations that previously only occurred within the 88 Eisenhower Lane North space. The additional space allows for additional office area and cooler space for their business. The number of employees and function of the business is otherwise unchanged. The addition constitutes an additional 2,400 square feet of gross floor area. Overall, the proposed food processing use encompasses approximately 7.5 percent of the overall building.

Views of Tenant Space/Subject Property

**Photo 1: View of Site Along Eisenhower Lane**



**Photo 2: View of West Building Elevation**



**Photo 3: View of North Building Elevation**



**Photo 4: View of North Building Elevation**



### **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 have not been modified since 1999, when they occupied the space. Therefore, adjacent industrial properties should not be impacted by the conditional use amendment.

North of the tenant space is the existing Arboretum Park townhouse development. But for occasional deliveries to and from the site, the use is completely operated within the existing building space. From a historical perspective, we do not have any code enforcement records or violations associated with the business establishment.

### **Additional Considerations**

Staff believes that the petition can be supported based on the final considerations:

1. The Plan Commission and the Village Board found that the food processing activity land use on the subject property met the standards for conditional uses in 1991;
2. The use has operated in compliance with Village Code since its inception; and
3. The expansion, while increasing the overall size of the business activity, has not modified the use to a point that it is no longer incompatible with surrounding land uses or contrary to the Comprehensive Plan; and
4. The expansion of the use has been consistent with the standards for conditional uses.

However, staff does note two property-related items for consideration. First, there is an existing salt mound located within the parking lot. The Village has not permitted such piles for any property as the piles will erode and clog storm drains and they negatively impact water quality of storm water run-off. As far as the petitioner's use is concerned, the pile can interfere with truck traffic movements on the property. Therefore, staff recommends that the salt pile be removed from the property.

An additional item for consideration pertains to the existing dumpster on the premises. Right now, their dumpster is sitting in the middle of the parking lot, which hinders the ability of vehicles to access the designated parking spaces. 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).

## FINDINGS AND RECOMMENDATIONS

Staff believes that justification has been given for granting of the conditional use and that the standards for granting a conditional use amendment have been met.

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 does comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission recommend to the Corporate Authorities, approval of the conditional use amendment associated with PC 04-14, subject to the following conditions:

1. That this conditional use shall be for the tenant spaces at 86 and 88 Eisenhower Lane North exclusively. Any expansions of the food processing use beyond the 4,800 square feet area currently occupied by the tenant shall require an amended conditional use application to the Village.
2. That the salt pile currently located on the subject property shall be removed.
3. That a trash enclosure shall be erected on the property for the dumpster associated with the petitioner's establishment. Said trash enclosure shall be designed and constructed consistent with the provisions of the Zoning Ordinance, with the final location of the trash enclosure are subject to the Director of Community Development.
4. That the food processing use be operated consistent with the Village Codes.

Inter-Departmental Review Group Report Approved By:

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David A. Hulseberg, AICP  
Director of Community Development

Att

c. Petitioner  
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