

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

TO: Lombard Plan Commission      HEARING DATE: April 16, 2007

FROM: Department of      PREPARED BY: Michelle Kulikowski, AICP  
Community Development      Planner I

**TITLE**

**PC 07-16; 434 East North Avenue:** The petitioner requests that the Village grant a conditional use, pursuant to Section 155.415 (C) of the Zoning Ordinance, to allow for a motor vehicles sales establishment within the B4 Corridor Commercial Shopping District.

**GENERAL INFORMATION**

Petitioner/Property Owner: Chung and Mai Nguy  
d/b/a International Cars Center  
1916 N. Harlem Ave. #2N  
Elmwood Park, IL 60707

**PROPERTY INFORMATION**

Existing Zoning: B4 Corridor Commercial Shopping District

Existing Land Use: Vacant, One-Story Building (formerly Oscar's Billiards)

Size of Property: Approximately 20,100 Square Feet / 0.5 Acres

Comprehensive Plan: Community Commercial

Surrounding Zoning and Land Use:

North: Property in Unincorporated DuPage County zoned R-4 Single-Family Residence District and developed as a single-family residences

South: B4 Corridor Commercial Shopping District; developed as restaurant

East: B4 Corridor Commercial Shopping District; developed as a motor vehicle sales establishment

West: B4 Corridor Commercial Shopping District; developed as a furniture store

## **ANALYSIS**

### **SUBMITTALS**

This report is based on the following documents which were filed with the Department of Community Development on March 29, 2007:

1. Petition for Public Hearing.
2. Plat of Survey, prepared by Associated Surveying Group and dated December 13, 2006.
2. Site Plan, prepared by Capital Design, LTD. and dated March 15, 2007.

### **DESCRIPTION**

The petitioner wishes to open a “pre-owned” car dealership at the above-referenced location. In doing so, the petitioner will be utilizing the existing building, and will not be constructing any building additions. Only minor cosmetic work is proposed. The building is approximately 5,015 square feet, most of which will be used as showroom space. No vehicle service or repairs will be performed in the building or on the property. The existing parking lot will be used for customer parking and as an outdoor display area. There will be no access onto North Avenue from the subject property. The existing access drive on to La Londe Avenue will provide ingress and egress to and from the property.

### **ENGINEERING**

Private Engineering Services has no objection to the petition.

### **PUBLIC WORKS**

The Public Works Department has no comments.

### **BUILDING AND FIRE**

The Fire Department/Bureau of Inspectional Services has the following comments:

- The existing building is sprinklered as a light hazard use. The requested use of the space would require the system to be upgraded to a medium or heavy hazard system due to motor vehicles being stored in the building.
- The existing floor system construction would need to be evaluated by a structural engineer to determine if it can support the weight of any vehicles that would be brought into the building.
- If vehicles are to be brought into the building for display and/or preparation for sales to the public, a triple basin grease separator may have to be installed along with floor drains for cleaning/servicing of the vehicles.
- The basement cannot be utilized for any occupancy other than that for an ancillary use to the sales of vehicles. If offices for the sales personnel are to be provided in the basement, code compliant vertical transportation must be installed, proper means of emergency exiting needs to be addressed and all construction must meet current building code requirements.
- Along with the proper code compliant fire suppression, a code compliant fire alarm system must also be installed and properly monitored.

## **PLANNING**

### **Compatibility with the Comprehensive Plan**

The Comprehensive Plan recommends Community Commercial at this location. The proposed use complies with the recommendation of the Comprehensive Plan.

### **Compatibility with Surrounding Land Uses**

The proposed use is compatible with the surrounding land uses. Properties to the east, south, and west are zoned B4 Corridor Commercial Shopping District. Residential properties exist north of the site, and are screened by a six-foot (6') board on board fence. The North Avenue corridor is a high volume corridor with commercial and industrial sites on the north half of the street and residential sites on the south half of the street with intermittent areas of commercially zoned property.

The property to the west has been used as a motor vehicle sales establishment for a number of years. At one time, a single motor vehicle sales establishment operated on both the subject property and the adjacent property to the west. When both properties were originally developed, motor vehicle sales was a permitted use in the B4 District. In 1990, a Zoning Ordinance text amendment was adopted that changed the classification of motor vehicle sales, service, and repair in the B4 District from a permitted use to a conditional use. In 1992, subject property changed uses to a billiards hall and the adjacent property to the west remained as a motor vehicle sales establishment. The adjacent

property to west is a legal non-conforming conditional use as the use as a motor vehicle sales establishment has not ceased on the property for more than a year. Because of the previous change in use, the subject property no longer retains any legal non-conforming rights associated with the previous motor vehicle sales establishment. As such, a conditional use is needed for the proposed motor vehicle sales establishment.

The property to the west received conditional use approvals for a motor vehicle sales establishment in 1999, 2000, and 2002 (PC 99-06, PC 00-46, and PC 02-27). However, a car dealership never opened for business. Since none of the conditional use approvals was not acted upon within twelve months, the conditional use became null and void. The property to the west is currently used as a furniture store.

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

The subject property does not meet all of the bulk regulations for the B4 Corridor Commercial District. The property is legal non-conforming with respect to lot size, lot width, front yard setback and corner side yard setback. The petition does not include any relief from the underlying bulk requirements. The table below outlines the existing conditions relative to the bulk regulations for the B4 District.

	<b>Required</b>	<b>Existing</b>
Min. Lot Size	40,000	20,100 (legal non-conforming)
Min. Lot Width	150'	134' (legal non-conforming)
Front Yard	30'	4.28' (legal non-conforming)
Corner Side Yard	30'	2.15' (legal non-conforming)
Interior Side Yard	10'	82'
Rear Yard	30'	46'

### **Landscaping**

The existing non-conforming building and pavement functionally prevents the petitioner from bringing the property into full compliance with the current landscaping requirements. The Zoning Ordinance requires interior and perimeter parking lot landscaping. A five foot (5') perimeter exists along the southern edge of the parking lot, but there is not enough room to add perimeter landscaping along the northern and eastern side of the property as the paved area extends all the way to the northern and eastern property lines. Reducing the paved area for perimeter and interior parking lot landscaping would significantly hinder the use of the property.

Also, the configuration of the site does not allow for a transitional landscape yard. The only access drive to the subject property is located between the building and the rear property line adjacent to

the residences. However, there is an existing six-foot (6') board on board fence along the northern and eastern property lines. Staff recommends that a fence no less than six feet (6') in height and no greater than eight feet in height be maintained along the northern property line in order to create a visual buffer for the residential properties.

#### Lighting

Currently, seven (7) light poles exist on the site. The petitioners have indicated that a photometric study is currently being performed on the property. Staff notes that a final photometric plan must be submitted that complies with the Zoning Ordinance and be approved by staff.

#### Parking

The Village requires seventeen (17) visitor parking spaces with one (1) handicapped accessible parking space, which is provided on the plans. Staff notes that a twenty-four foot (24') drive aisle must be maintained for the parking space located on the east side of the building. Previously, several angled parking spaces were located within the La Londe Ave. right-of-way. These spaces were removed as part of IDOT's North Avenue Reconstruction project. The petitioner has indicated that all loading and unloading of vehicles will be done on the subject property.

#### Access

Neither the subject property nor the adjacent property to the east has access onto North Avenue. The two properties comprise an entire block face. The access drive for the subject property is located off of La Londe Avenue, and the access drive for the adjacent property is located off of Fairfield Avenue. North Avenue is designated as a Strategic Regional Arterial, and as such access drives for properties on North Avenue is limited. Staff recommends that the petitioner provide the rights for a future cross-access connection to the adjacent to the east. Staff believes that this would promote better traffic flow and reduce the amount of traffic passing through the neighboring residential streets.

#### **Compliance with the Subdivision and Development Ordinance**

The block where the subject property is located was originally platted as several lots approximately fifty-four feet (54'). The subject property consists of two and one-half (2.5) of these lots. The petitioner will be required to submit a Plat of Consolidation to make the subject property a single lot of record. This approval can be done administratively.

According to the Subdivision and Development Ordinance, sidewalks are to be installed along all surrounding public rights-of-way for the length of the property. A sidewalk was installed along North Avenue and as part of IDOT's North Avenue Reconstruction project. There is also a sidewalk along the west side of the building which is partly on private property and partly within the public right-of-way that connects to the sidewalk along North Avenue. Staff finds that the existing sidewalks meet the intent of the sidewalk provisions in the Subdivision and Development Ordinance.

**Compliance with the Sign Ordinance**

The petitioner is not proposing any signage at this time. Any future signage must meet the full provisions of the Sign Ordinance.

**FINDINGS AND RECOMMENDATIONS**

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and find that it will meet the standards for conditional uses, subject to the conditions of approval. As such, the IDRC recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested relief **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 07-16, subject to the following conditions:

1. The petitioner shall submit for final approval a Plat of Consolidation to consolidate the three (3) lots and the vacated alley into a single lot of record.
2. The petitioner shall submit a final photometric plan that complies with the Zoning Ordinance.
3. A fence of no less than six feet (6') and no greater than eight feet (8') in height shall be maintained along the northern property line.
4. The proposed use shall operate on the property in substantial compliance with the site plan, prepared by Capital Design, LTD. and dated March 15, 2007.
5. The vehicle display/sales area shall be limited to the area depicted on the approved site plan. Moreover, all vehicles parked and/or displayed on the subject property shall be in operable condition.

Plan Commission  
Re: PC 07-16  
Page 7

Inter-Departmental Review Group Report Approved By:

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David A. Hulseberg, AICP  
Director of Community Development

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att  
c. Petitioner

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