

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Zoning Board of Appeals

HEARING DATE: May 26, 2004

FROM: Department of Community
Development

PREPARED BY: Angela Clark, AICP
Planner I

TITLE

ZBA 04-06; 935 E. St. Charles Road: The petitioner requests that the Village take the following actions for the subject property located within the B4 Corridor Commercial Zoning District:

1. Approve a variation from Section 155.415 (D) of the Zoning Ordinance to reduce the required minimum lot area from 40,000 square feet to 16,994 square feet.
2. Approve a variation from Section 155.415 (F)(4) of the Lombard Zoning Ordinance to reduce the required rear yard setback from thirty (30) feet to ten (10) feet to allow for the construction of a commercial strip center.

GENERAL INFORMATION

Petitioner: Salvatore J. Pernice
3 N 614 Central Court
Addison, IL 60101

Relationship to Property: Contract Purchaser

Property Owner: Abul Kamal Pasha & Huma Pasha
C/O Nasreen Iqbal
60-B Terra Cotta, Suit 247
Crystal Lake, IL 60014

PROPERTY INFORMATION

Existing Zoning: B4 Corridor Commercial District

Existing Land Use: Vacant Gas Station

Size of Property: 16,994 square feet

Surrounding Zoning and Land Use:

North: B4 Corridor Commercial District; Citgo Gas Station
South: R2 Single Family Residence District; the Great Western Trail and Single Family Residences
East: B4 Corridor Commercial District; Nagano's Restaurant
West: B4 Corridor Commercial District; retail commercial uses (party rental store)

ANALYSIS

SUBMITTALS

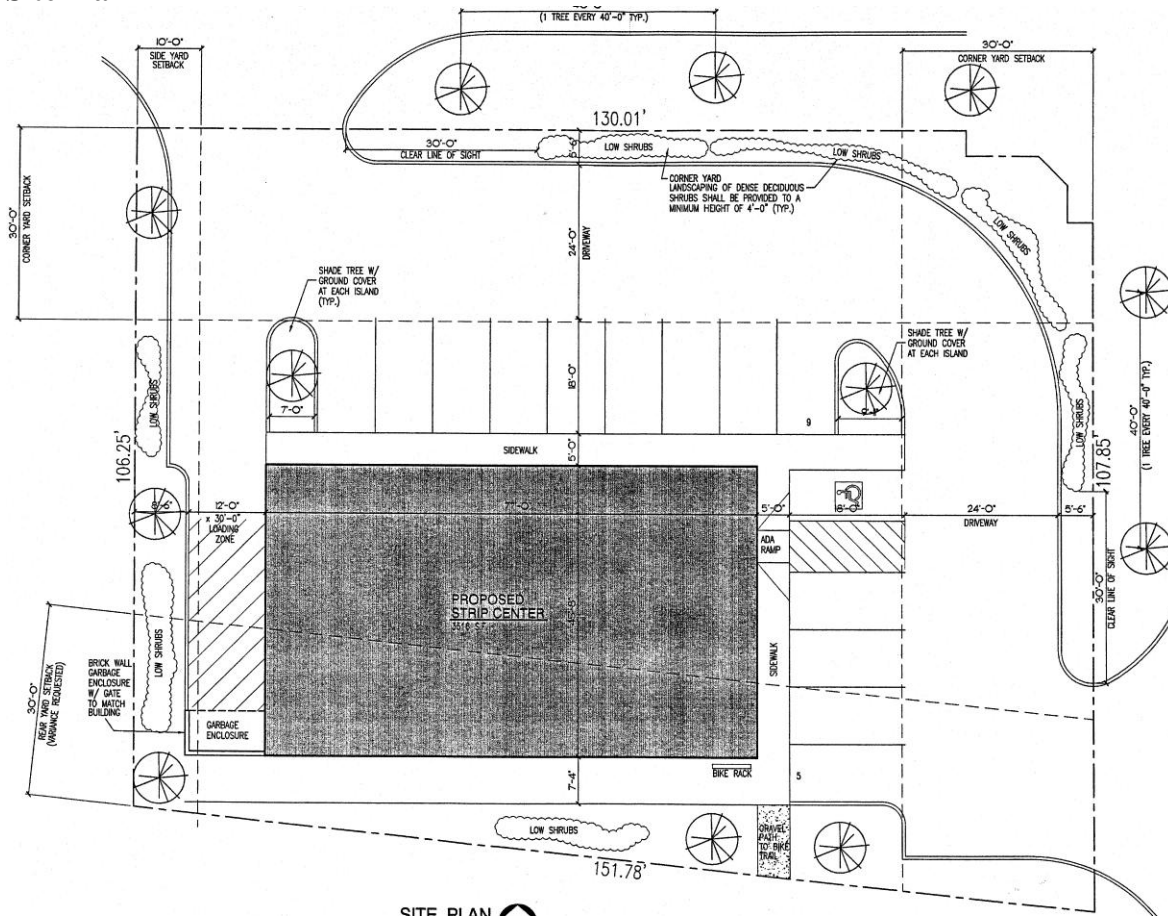
This report is based on the following documents, which were filed with the Department of Community Development on May 7, 2004.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, dated September 13, 2003, prepared by A.P. Surveying Company, PC.
4. Building Elevations and Proposed Site Plan, dated May 4, 2004, prepared by Ekash Associates Ltd.

DESCRIPTION

The subject property is located on the southwest corner of St. Charles Road and Westmore-Meyers Road. The site currently contains a vacant building that was formerly a Shell gas station. The petitioner proposes to demolish the existing building and construct a new strip center that will house three office or commercial tenants. The lot is presently considered legal nonconforming as it is 16,994 square feet whereas 40,000 square feet is the minimum lot area within the B4 Corridor Commercial Zoning District. Any new construction on the site must meet the current zoning requirements - therefore the petitioner is requesting relief at this time. The relief for the rear yard is requested in order to address the lack of sufficient lot depth on the property.

Site Plan



ENGINEERING

Private Engineering Services

From an engineering or construction perspective, PES has the following comments:

1. The stormwater detention shall be provided for the proposed redevelopment.
2. An easement shall be provided over the detention area.
3. Any sidewalk that is missing or in disrepair shall be replaced in the St. Charles Road and Westmore-Meyers Road right-of-ways adjacent to the subject lot.

Public Works Engineering

Public Works Engineering has no comments regarding this request.

FIRE AND BUILDING

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

Please provide room and access in front of the building for the Fire Department Connection (FDC). It seems as though one of the parking spaces on the front side of the building may have to be removed to accomplish this.

We recommend that the ADA ramp may work better if located next to the parking space.

PLANNING

The petitioner proposes to construct a 3,516 square foot building on the subject property. As the lot does not currently meet the minimum lot area requirement of 40,000 square feet a variation is needed to proceed with construction of the new strip center. Given the size and shape of the subject property, a reduction of the rear yard setback from thirty feet to ten feet will also be necessary to accommodate the new building and parking spaces. The proposed development will meet all other aspects of the zoning code as the petitioner is providing the requisite number of parking spaces and landscaped areas.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Community Commercial uses on the subject property and the proposed retail uses proposed for the building would be compatible with the Comprehensive Plan designation. The St. Charles Road Ad-Hoc Committee, a committee formed in 1999 that reviewed appropriate land uses within the East St. Charles Road Corridor, also determined that the subject property should also remain designated for commercial uses.

Compatibility with Surrounding Land Uses

East, west and north of the subject property are properties zoned for and developed as retail commercial uses. The retail uses anticipated to occupy space on this property are compatible to other commercial properties along St. Charles Road. To the south is the Great Western Trail. With the proposed improvements to the property, the visual impact on the trail is anticipated to be vastly improved over the present conditions.

Staff believes that the proposed use would be compatible with the existing land uses surrounding the site. However, to ensure that the overall impacts of the new development are satisfactorily addressed, staff offers additional comments and recommendations, as noted later in this report.

Compliance with the Zoning Ordinance

The table below shows the existing code requirements, existing conditions and proposed conditions and Ordinance requirements for the site. These areas are depicted on the site plan as areas shaded in gray.

	Ordinance Regulations	Existing Conditions	Proposed Plan
Use			
Commercial/Retail Center	Permitted Use	Conditional Use	Permitted Use
Bulk Requirements (Building)			
Lot Area	40,000 sq. ft.	16,994 sq. ft.	16,994 sq. ft.
Number of Principal Structures	1 permitted; more than 1 permitted by conditional use	1	1
Front Yard (St. Charles Rd.)	30 feet	66 feet	47 feet
Rear Yard	30 feet	11.5 feet	10 feet
West Interior Side Yard	10 feet	33.5 feet	20 feet
East Corner Side Yard	30 feet	61.3 feet	42.5 feet
Parking			
Number of Spaces	4 per 1000 sq. ft. = 14	NA	14
Number of Accessible Spaces	1	NA	1
Landscaping			
Total Minimum Open Space	10%	NA	Approx. 15%
Trash Enclosures	6'; not in front or corner side yards	NA	6'; not in front or corner side yards
Signage			
Wall Signage	1 permitted per street frontage; 1 times frontage of tenant space (100' total)	None	1 wall sign per tenant space, per code requirements.

Staff notes that the two items for which relief is requested are current nonconformities with the site. The variation for the rear yard is intended to facilitate the loading activities as well as site circulation around the building. It is important to note that the proposed building will only be located 1.5 feet closer to the property line than the existing building on the property. However, staff believes that the overall property improvement more than offsets any impact of the development on the Great Western Trail.

Staff finds that the variation request meets the standards for variations and is supportive of the variation for the following reasons. As stated by the petitioner, there is not a feasible way to increase the lot area of the site to meet the minimum required. The property is bounded on three sides by property in public ownership and the fourth side is improved with a commercial structure that is located near on the west property line of the subject property.

Granting the rear yard variation would not be injurious to neighboring properties, as the proposed use is compatible with the neighboring commercial uses and the Great Western Trail serves as a substantial buffer between the subject property and residential uses. Staff believes that the proposed development would be an improvement to the visual and aesthetic character of the neighborhood.

Compatibility with the Sign Ordinance

The petitioner is proposing adding channel lettered wall signs for each of the proposed spaces. The petitioner is not requesting any relief associated with this petition – he will be required to meet the underlying Sign Ordinance provisions for the B4 District.

To ensure that the proposed signage and awnings present a favorable appearance to neighboring properties, staff recommends the following items be added as additional conditions of approval:

1. That channel lettering shall only be used for the wall signs.
2. That consistent with the Sign Ordinance, the awnings shall not include text in conjunction with the wall signage.

Should the petitioner desire to install any freestanding signage at a later date, it would be subject to the underlying Sign Ordinance provisions.

Landscaping/Screening

The site plan also includes landscape improvements consisting of parking lot islands, perimeter lot and parkway tree landscaping, per code. With respect to trash enclosure screening the petitioner is proposing to use the same materials as the principal building.

Traffic/Parking

The petitioner's plan proposes the construction of a parking lot on the north and east sides of the building and construction of a service/loading area to the west side. This configuration will minimize the loading operation from the public streets.

To minimize parking conflicts on the property and to minimize impacts on adjacent properties, staff recommends that the following conditions be placed upon the requested relief:

1. No more than fifty (50%) of the proposed building square footage shall be occupied by restaurant uses.
2. That the handicapped parking spaces shall be located in a manner consistent with the Illinois Accessibility Code.

Compliance with the Subdivision and Development Ordinance

The site currently consists of one tract of land. This development would be considered a major development as expressed in the Subdivision and Development Ordinance. Therefore, the petitioner will be required to meet the provisions of Section 154.306. Staff will also require that as a condition of approval that the petitioner provides a plat of resubdivision for the property making the property a lot of record.

Additional Considerations

This property serves as a gateway parcel for visitors coming into Lombard in general and the St. Charles road corridor in particular. Staff feels it is critical that any new development on the property presents a positive image of the community. Staff has met

with the petitioner and the petitioner has incorporated staff's suggestions into their proposed building elevations and site plan accordingly.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented **affirmed** the Standards for Variations for the requested relief. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the requested variations:

Based on the submitted petition and the testimony presented, the requested side yard setback variation **complies** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals accept the findings on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 04-06, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the site plans prepared by Ekash Associates, Ltd., dated May 5, 2004 and submitted as part of this request.
2. That the petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
3. That any trash enclosure screening on Lots 1 or 2 as required by Section 155.710 of the Zoning Ordinance shall be constructed of a material consistent with the principal building.
4. To ensure that the proposed signage and awnings present a favorable appearance to neighboring properties, the property shall be developed and operated as follows:
 - a. That channel lettering shall only be used for the wall signs.
 - b. That consistent with the Sign Ordinance, the awnings shall not include text in conjunction with the wall signage.
5. To minimize parking conflicts on the property and to minimize impacts on adjacent properties, the developer/owner of the property shall operate the property, as follows:
 - a. No more than fifty (50%) of the proposed building square footage shall be allowed to be occupied by restaurant uses.
 - b. That the handicapped parking spaces shall be located in a manner consistent with the Illinois Accessibility Code.

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6. That the petitioner shall provide a plat of subdivision for the subject property making the property a lot of record.
7. That the petitioner shall submit a lighting/photometric plan demonstrating that the proposed development will meet the lighting provisions included within the Zoning Ordinance.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

att-
c: Petitioner

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