

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: October 16, 2006

FROM: Department of Community
Development

PREPARED BY: Michelle Kulikowski, AICP
Planner I

TITLE

PC 06-30; Text Amendments to the Lombard Zoning Ordinance: The Village of Lombard is proposing amendments to the following sections of the Lombard Zoning Ordinance:

1. Sections 155.413 and 155.414 to establish furniture upholstery, repair, and refinishing as a conditional use in the B2 General Neighborhood Shopping District and the B3 Community Shopping District.
2. Section 155.415 modifying the permitted land uses in the B4 Corridor Commercial District in order to clarify that furniture upholstery, repair, and refinishing is a permitted use.
3. Section 155.418 modifying the permitted land uses in the I Limited Industrial District in order to clarify that furniture manufacturing and furniture upholstery, repair and refinishing are permitted uses.

BACKGROUND:

The Planning Services Division of the Community Development Department is proposing several text amendments to the Zoning Ordinance as it relates to furniture stores, furniture upholstery, repair, and reconditioning, and furniture manufacturing. These amendments are intended to allow furniture upholstery, repair, and reconditioning as a conditional uses in the B2 General Neighborhood Shopping District and B3 Community Shopping District as well as clarify and distinguish the different land uses associated with furniture.

Staff received a companion petition (PC 06-31) requesting a conditional use for furniture upholstery, repair and reconditioning at 305 S. Westmore Meyers Road located in the B2 District. The petitioner has since withdrawn their petition. As staff was initially in support of the proposed text amendments and finds it desirable to clarify the different activities associated with furniture, staff is proceeding with the petition for the proposed amendments. The text amendment, if approved, would be applicable to all properties in the B2, B3, B4, and I Districts.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The Private Engineering Services Division does not have any comments.

PUBLIC WORKS

Public Works has reviewed the petition and does not have any comments.

BUILDING AND FIRE

The Bureau of Inspectional Services has reviewed the petition and does not have any comments.

PLANNING

Compatibility with the Zoning Ordinance

The Zoning Ordinance currently distinguishes furniture related uses and the districts in which they are listed as permitted uses as follows:

CURRENT ZONING ORDINANCE PROVISIONS

Use	Districts Listing as a Permitted Use
Furniture stores including upholstering as part of the retail operations and secondary to the principal use	B3, B4, B5, and B5A
Furniture reconditioning	B4
Furniture upholstering and refinishing	I

Staff finds that the current land use categories do not clearly distinguish the different uses. Therefore staff proposes the following three land use categories related to furniture.

Furniture stores including upholstering as part of the retail operations & secondary to the principal use

Furniture stores refer to the retail function associated with furniture. Upholstering is permitted as long as it is an ancillary to furniture sales. Furniture stores are listed as a permitted use in the B3, B4, B5 and B5A Districts. Staff finds the current provisions to be appropriate and no changes related to this use category are proposed.

Furniture upholstering, repair, and reconditioning

Staff finds that furniture reconditioning and furniture refinishing to be essentially the same except that currently furniture reconditioning is only permitted in the B4 Corridor Commercial District and furniture refinishing is only permitted in the I District. Staff is proposing to combine furniture upholstering, repair and reconditioning into one use category and list it as a permitted use in the B4 and I Districts. This land use category will encompass activities that are more of a service function. Staff is also proposing to add furniture upholstering, repair and reconditioning as a conditional use in the B2 and B3 Districts. This expands the districts which allow furniture upholstering, repair,

and reconditioning, but by listing them as a conditional use in the B2 and B3 Districts, such uses will have to be reviewed on a case by case basis through the public hearing process.

Furniture Manufacturing

The Zoning Ordinance addresses furniture sales as well as furniture upholstering, repair, and reconditioning, but does not address furniture manufacturing. Staff finds that this function should be classified separately as it refers to the initial assembly and manufacturing of furniture rather than a repair or alteration. Furthermore, furniture manufacturing generally requires more machinery and larger storage for materials and finished products. Staff is proposing a separate use category for furniture manufacturing and to list it as a permitted use in the I Limited Industrial District.

PROPOSED ZONING ORDINANCE PROVISIONS

Use	Districts Listing as a Permitted Use	Districts Listing as a Conditional Use
Furniture stores including upholstering as part of the retail operations and secondary to the principal use	B3, B4, B5 and B5A	
Furniture upholstery, repair and reconditioning	B4 and I	B2 and B3
Furniture manufacturing	I	

Standards for Text Amendments

For any change to the Zoning Ordinance, the standards for text amendments must be affirmed. The standards and the petitioner's and staff comments are noted below:

- 1. The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property.*

Should the proposed amendments be approved, it would apply to all properties within the B2 and B3 Districts. The only difference for the B4 and I Districts is the language used for some of the land use categories. The intended uses for the B4 and I Districts essentially remain the same.

- 2. The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations.*

The B2 General Neighborhood Shopping District is intended to provide convenience shopping to adjacent residential areas, but allow for a wider range of uses than permitted in the B1 District. Commercial uses in the B2 District must be sensitive to residential uses in adjacent districts. The proposed amendment lists furniture upholstering, repair, and reconditioning as a conditional use in the B2 and B3 Districts. For consistency purposes, furniture upholstering, repair, and reconditioning should also be listed a conditional use within B3 District as well. Comparatively speaking, staff notes that furniture repair activities create fewer negative impacts than other repair establishments allowed through the conditional use process (e.g. automotive repair establishments). Staff notes that by reviewing on a case-by-case basis whether such uses are appropriate for the underlying zoning district is consistent with the ordinance.

3. *The degree to which the proposed amendment would create nonconformity.*

The Ordinance would not create any nonconformities.

4. *The degree to which the proposed amendment would make this ordinance more permissive.*

The proposed amendment would make the Zoning Ordinance more permissive only to the extent that it would allow furniture upholstery, repair and reconditioning within the B2 and B3 Districts through the conditional use public hearing process. Without the text amendment, furniture upholstery, repair and reconditioning could only be approved if the property was rezoned into a district that would such allow uses, which staff believes would not be practical or feasible in most cases. Therefore, establishing the review through the conditional use process is more desirable.

5. *The consistency of the proposed amendment with the Comprehensive Plan.*

Staff believes that the proposed amendment would be consistent with the Comprehensive Plan. Furniture upholstery and reconditioning uses can, in some cases, be compatible in Neighborhood and Community Shopping Districts depending on the scale of their operations. Therefore, staff believes that future furniture upholstery, repair, and reconditioning businesses looking to locate within the B2 or B3 District can be looked at on a case by case basis to determine if their respective operation is consistent with the intent of the underlying district and would be appropriate for the respective site.

6. *The degree to which the proposed amendment is consistent with Village policy as established in previous rulings on petitions involving similar circumstances.*

The Village has a history of amending its Zoning Ordinance to address newly evolving circumstances presented by petition or otherwise. The proposed amendments are consistent with established Village policy.

Proposed Text Amendments

Appendix B lists the proposed text amendments for the Zoning Ordinance and Code of Ordinances. Proposed changes to the Zoning Ordinance are denoted by underlining or ~~striking~~ new text.

RECOMMENDATION:

Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of the request as proposed:

Plan Commission

Re: PC 06-30

Page 5

Based on the submitted petition and the testimony presented, the proposed text amendments comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-department Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of the text amendments described in PC 06-30.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP

Assistant Village Manager/Director of Community Development

APPENDIX A: PROPOSED TEXT AMMENDMENTS

§155.413 B2 GENERAL NEIGHBORHOOD SHOPPING DISTRICT REQUIREMENTS

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, the following conditional uses may be allowed:

1. Amusement establishments, including: bowling alleys, pool halls, gymnasiums, swimming pools, and skating rinks
2. Animal hospitals and kennels
3. Automobile repair
4. Automobile service
5. Club (Non-profit/Fraternal)
6. Cultural facilities/institutions
7. Day care centers
8. Drive-in and drive-through establishments/services
9. Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B) (1) of this Code are not met.
10. Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
11. Greenhouses and nurseries
12. Funeral homes
13. Furniture upholstery, repair, and reconditioning
14. Learning Centers, with outdoor component
15. Motor vehicle sales
16. Outside display and sales of products the sale of which is a permitted or conditional use in this district
17. Outside service areas for other permitted or conditional uses in this district
18. Planned developments in conformance with Section 155.500 of this Ordinance
19. Public utility and service uses
20. Religious institutions
21. Taverns and cocktail lounges, not including entertainment and dancing

22. Theaters, indoor
23. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

§155.414 B3 COMMUNITY SHOPPING DISTRICT REQUIREMENTS

B. Permitted Uses

Any use permitted in the B1 District shall be permitted in the B3 District; and, in addition, the following uses shall be permitted in the B-3 District:

1. Automobile accessory stores
2. Banks and financial institutions
3. Bicycle sales
4. Business machine sales
5. Camera and photographic supply stores
6. Carpet and rug stores, retail sales only
7. Closet and storage organizer stores
8. Department stores
9. Electrical and household appliance stores, including radio and television sales
10. Furniture stores, including upholstery when conducted as part of the retail operations and secondary to the principal use
11. Furrier shops
12. Garden supply, tool, and seed stores
13. Health services, gymnasiums, and weight reduction services
14. Home improvement stores
15. Interior decorating shops, including upholstery and making of draperies, slip covers, and other similar articles, when conducted as part of the retail operations and secondary to the principal use
16. Leather goods and luggage stores
17. Liquor stores, packaged goods
18. Locksmith shops
19. Mail order, catalog store
20. Musical instrument sales

21. Offices, business and professional
22. Office supply stores
23. Paint, glass, and wallpaper stores
24. Pet shops
25. Phonograph record and sheet music stores
26. Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises
27. Picture framing, when conducted for retail trade on the premises only
28. Printing and duplicating services
29. Repair, rental , and servicing of any article the sale of which is a permitted use in the district
30. Secondhand stores and rummage shops
31. Sewing machine sales and service-household appliances only
32. Shoe stores
33. Sporting goods stores
34. Tailor shops
35. Theater, indoor
36. Ticket agencies, amusement
37. Tobacco shops
38. Toy shops
39. Travel bureaus and transportation ticket offices
40. Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with Section 155.210

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, any conditional use in the B1 District shall be a conditional use in the B3 District and in addition, the following conditional uses may be allowed:

1. Amusement establishments including bowling alleys, pool halls, swimming pools, skating rinks
2. Automobile repair
3. Automobile service

4. Bus station
5. Catering services
6. Day Care Centers
7. Drive-through and drive-in establishments/services
8. Funeral homes
9. Furniture upholstery, repair, and reconditioning
10. Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)
11. Hotel and Convention Hall
12. Hotels and motels
13. Learning Centers, with outdoor component
14. Medical and dental laboratories
15. Meeting hall
16. Motor vehicle sales
17. Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance
18. Outside display and sales of products the sale of which is a permitted or conditional use in this district
19. Outside service areas for other permitted or conditional uses in this district
20. Parking garages or structures, other than accessory parking for private passenger automobiles only
21. Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)
22. Psychics, ESP Readers, and fortune tellers
23. Public utility and service uses
24. Recreation and community centers, noncommercial
25. Religious institutions
26. Restaurants including entertainment, dancing, and/or amusement devices
27. Taverns and cocktail lounge
28. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

29. Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B) (1) of this Code are not met.

§155.415 B4 CORRIDOR COMMERCIAL DISTRICT REQUIREMENTS

B. Permitted Uses

Any use permitted in the B3 District shall be permitted in the B4 District, and, in addition, the following uses shall be permitted in the B4 District:

1. Amusement establishments, indoor only, including: bowling alleys, pool halls, gyms, and skating rinks
2. Bakeries
3. Commercial greenhouses and nurseries
4. Electrical showrooms and shops
5. Funeral homes
6. Furniture upholstery, repair, and reconditioning
7. Health services, gymnasiums, and weight reduction services
8. Hotels and motels
9. Laboratories; medical, dental, research, and testing
10. Laundries
11. Parking lots and structures
12. Pawn shops
13. Plumbing showrooms and shops, including hot tubs, spas, and supplies
14. Repair, rental or servicing of any article, the sale of which is a permitted use in the district
15. Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

§155.417 I LIMITED INDUSTRIAL DISTRICT REQUIREMENTS

B. Permitted Uses

The following uses shall be permitted in the I District:

1. Bedding manufacturing
2. Boot and shoe manufacturing
3. Cabinet Making

4. Carpet manufacturing
5. Cloth products manufacturing
6. Contractors, architects, and engineers offices and shops
7. Dry cleaning plants and operations primarily serving satellite drop-off dry cleaning establishments in other districts
8. Electronic and scientific precision instruments manufacturing
9. Exterminating services
10. Film Processing; not including retail sales or commercial studios
11. Furniture manufacturing
12. Furniture upholstery, ~~& refinishing~~ repair, and reconditioning
13. Fur processing
14. Laboratories, including research and testing laboratories
15. Laundries, including truck route laundries, linen supply, and diaper services
16. Light machinery production and repair e.g. household appliances & business machines etc. - appliances, business machines, etc
17. Lithographing
18. Mail order houses
19. Mechanical Parts Reconditioning
20. Mini-Warehouses
21. Musical instruments manufacturing
22. Offices
23. Orthopedic and medical appliance manufacture
24. Packing Material Manufacturing
25. Parking lots, commercial and lots other than accessory, and subject to the provisions of Section 155.600 of this Ordinance
26. Pottery and ceramics manufacture
27. Printing and publishing establishments
28. Public utility and service uses

29. Radio and television stations and towers
30. Rope, cord, and twine manufacture
31. Sheet Metal Stamping and Fabrication
32. Sign Contractors
33. Sporting goods manufacture
34. Storage Centers
35. Tool & Die
36. Warehousing, storage, and distribution facilities
37. Wearing Apparel Manufacture
38. Woodworking and wood products manufacture
39. Automated Envelope Merging Process
40. Accessory uses and buildings, incidental to and on the same zoning lot as the permitted use, which are constructed and operated in conformance with Section 155.210 of this Ordinance