

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: January 25, 2017 (B of T) Date: February 2, 2017

TITLE: PC 17-04: 211B Eisenhower Lane South, 10th Planet Jiu Jitsu Lombard

SUBMITTED BY: Department of Community Development *DS*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Mr. Ocasio, requests that the Village grant a conditional use, pursuant to Section 155.420 (C) (18) of the Zoning Ordinance, to allow for a Learning Center (indoor athletic training facility) within the I Limited Industrial District.

The Plan Commission recommended approval of this petition by a vote of 5-0.

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 

MEETING

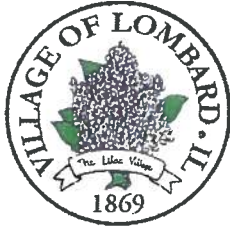
DATE: February 2, 2017

SUBJECT: PC 17-04; 10th Planet Jiu Jitsu, Eisenhower Lane South

Please find the following items for Village Board consideration as part of the February 2, 2017 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 17-04; 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 5-0. Please place this petition on the February 2, 2017 Board of Trustees agenda with a waiver of first reading, as requested by the petitioner.



VILLAGE OF LOMBARD

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Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
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February 2, 2017

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees

Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, 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 17-04; 211B Eisenhower Lane South

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Mr. Ocasio, requests that the Village grant a conditional use, pursuant to Section 155.420 (C) (18) 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 January 23, 2017. Jennifer Ganser, Assistant Director of Community Development, read the Plan Commission procedures. Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment including the petitioner and staff to please stand and be sworn in. Sworn in to present the petition was Wilfredo Ocasio. Mr. Ocasio stated his request to teach martial arts at 211 Eisenhower Lane South. He currently teaches at a Lombard location and would like to open his own business.

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

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner, Mr. Ocasio, is proposing an indoor athletic training center in an existing tenant space without assembly functions. The building is located in the York Brook industrial park surrounded by light industrial land uses. The site maintains 143 parking spaces to be shared by all tenants of the building. The majority of the tenants are manufacturing and ware-

house uses. The petitioner is requesting to occupy approximately 3% of the total square footage of the building. In addition, when reviewing parking needs, the petitioner will be utilizing his space at off hours compared to the other businesses in the building. A conditional use is required in the industrial district for the use of an indoor athletic training facility and staff supports the petitioner's request.

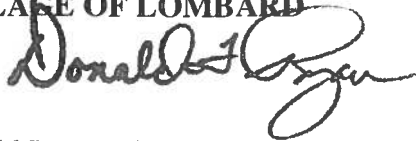
Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Sweetser asked the petitioner if he was planning to bring in any equipment into the space as the response to the standards indicated that he is not. Mr. Ocasio responded that his written statement of no equipment is correct.

On a motion by Commissioner Sweetser, and a second by Commissioner Olbrysh, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 17-04.

Respectfully,

VILLAGE OF LOMBARD

A handwritten signature in dark ink, appearing to read "Donald Ryan", written over the printed name.

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

10th Planet Jiu Jitsu – 211B Eisenhower Lane South

January 23, 2017

Title

PC 17-04

Petitioner

10th Planet Jiu Jitsu Lombard

Wilfredo Ocasio

45 Riverwood Drive

Oswego, IL 60543

Property Owner

VK Industrial III, LP

9500 W Bryn Mawr, Suite 340

Rosemont, IL 60018

Property Location

211B Eisenhower Lane South
(06 30-205 009)

Zoning

I Limited Industrial

Existing Land Use

Multi-Tenant Industrial

Comprehensive Plan

Light Industrial

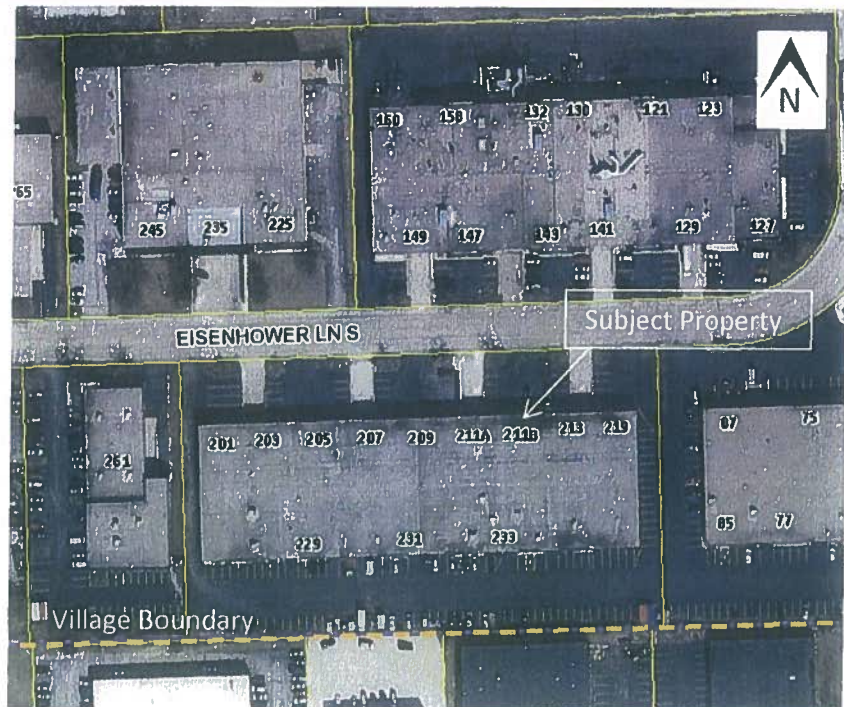
Approval Sought

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

Prepared By

Tami Urish

Planner I



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. This use is not an assembly function; there will not be games or tournaments held.

APPROVAL(S) REQUIRED

Per Section 155.420 (C) (18) 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/office uses to the north, east and west in the York Brook Business Park. To the south, the land uses are also light industrial/office within the Village of Downers Grove. The property is accessed by Eisenhower Lane.

The structure, built in approximately 1977, is divided into multiple units occupied with warehouse and office functions. The tenant space is approximately 2,280 sq. ft. and is currently vacant. There are one hundred and forty-three (143) parking spaces shared between the tenants at 201-235 Eisenhower Lane South.

PROJECT STATS

Lot & Bulk

Parcel Size:	3.65 acres
Building Size:	72,887 sq. ft.
Tenant Space:	2,280 sq. ft.

Actual Setbacks

Front (north)	69 feet
Side (east)	25 feet
Side (west)	19 feet
Rear (south)	85 feet

Submittals

1. Petition for Public Hearing;
2. Response to Standards for Conditional Use;
3. Plat of Survey, prepared by Edward J. Molloy & Associates, Ltd., dated 09/30/2005; and
4. Existing Building Plan, prepared by Ware Malcomb and provided by Venture One Real Estate, LLC.

The majority of other tenants in the building are warehouse uses with the petitioner occupying three percent (3%) of the total 72,887 square footage of the building. The petitioner's parking needs will generally be during off business hours in comparison to typical warehouse business hours.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments. Should the petition be approved, additional comments may be forthcoming during permit review.

Fire Department:

The facility will be located within a non-sprinkler protected building and as such will be limited to an occupant load not to exceed forty-nine (49) persons. Should the petition be approved, additional comments may be forthcoming during permit review.

Private Engineering Services:

The Private Engineering Services Division has no comments. Should the petition be approved, additional comments may be forthcoming during permit review.

Public Works:

The Department of Public Works has no comments. Should the petition be approved, additional comments may be forthcoming during permit review.

Planning Services Division:

1. Surrounding Zoning & Land Use Compatibility

	Zoning District	Land Use
North	I	Light Manufacturing
South	M-2 (DG)	Restricted Manufacturing
East	I	Light Manufacturing
West	I	Light Manufacturing

The building that houses 211B Eisenhower Lane South is divided into multiple separate units occupied with warehouse and office businesses. All parking spaces are common; therefore tenants can utilize all the spaces that are along the building. There are one hundred and forty-seven (147) parking spaces in common. Parking is also allowed on Eisenhower Lane during the day. The petitioner anticipates small class sizes in the morning with two, one-hour classes offered. Three, one and one half hour classes are planned for the evening which are generally non-working hours of the neighboring 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. The majority of other tenants in the building are warehouse uses with the petitioner occupying three percent of the total 72,887 square footage of the building. The petitioner's parking needs will generally be during off business hours in comparison to typical warehouse hours.

HISTORY

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

PC Case	Address	Use
PC 15-01	86 Eisenhower Lane North	Conditional use permit for a Learning Center (athletic training facility)
PC 14-39	131 Eisenhower Lane North	Conditional use permit for a Learning Center (athletic training facility)
PC 14-16	123 Eisenhower Lane South	Conditional use permit for a Learning Center (athletic training facility)
PC 13-10	600-612 E. Western Avenue	Conditional use permit for a Learning Center (athletic training facility)
PC 12-11	270 Eisenhower Lane North, Unit #8	Conditional use permit for a Learning Center (athletic training facility)

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.

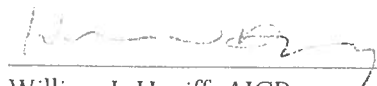
The Inter-Department Review Committee has reviewed the standards for the requested conditional use permit for an indoor athletic training facility and finds that the use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above

considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 17-04:

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 17-04, subject to the following conditions:

1. The conditional use permit for an indoor athletic training facility is exclusively for the tenant space at 211B Eisenhower Lane North. Any expansion of the establishment within the existing building beyond the plans submitted as part of PC 17-04 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 petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. The parking lot shall be configured so as to meet all Illinois Accessibility Code requirements; 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

RESPONSE TO STANDARDS BY THE PETITIONER

- 1) 10th Planet Jiu Jitsu Lombard will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. We actually help promote self-defense, anti-bullying, self confidence, and even a healthy lifestyle through the practice of martial arts.
- 2) 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 its to be located. We don't play loud music or use any equipment in our martial art. Its strictly submission grappling. Safety is taught in our fundamentals courses.
- 3) Area seems to be fully developed. Our use of the location should not be considered a hindrance to normal development.
- 4) 10th Planet Lombard will work with building management to ensure public utilities; access roads, drainage and/or necessary facilities have been provided.
- 5) 10th Planet Jiu Jitsu Lombard will be having two 1 hour class in the morning and three 1.5 hours classes in the evening. Most business in the area are closed by the time we have classes at night in which will not really affect parking. Not to many commit to morning classes so we do not foresee that being an issue as well with parking.
- 6) We don't believe to our knowledge that our use is contrary to the current Comprehensive Plan objectives.
- 7) We at 10th Planet Lombard are committed to conforming to all applicable regulations of the district.

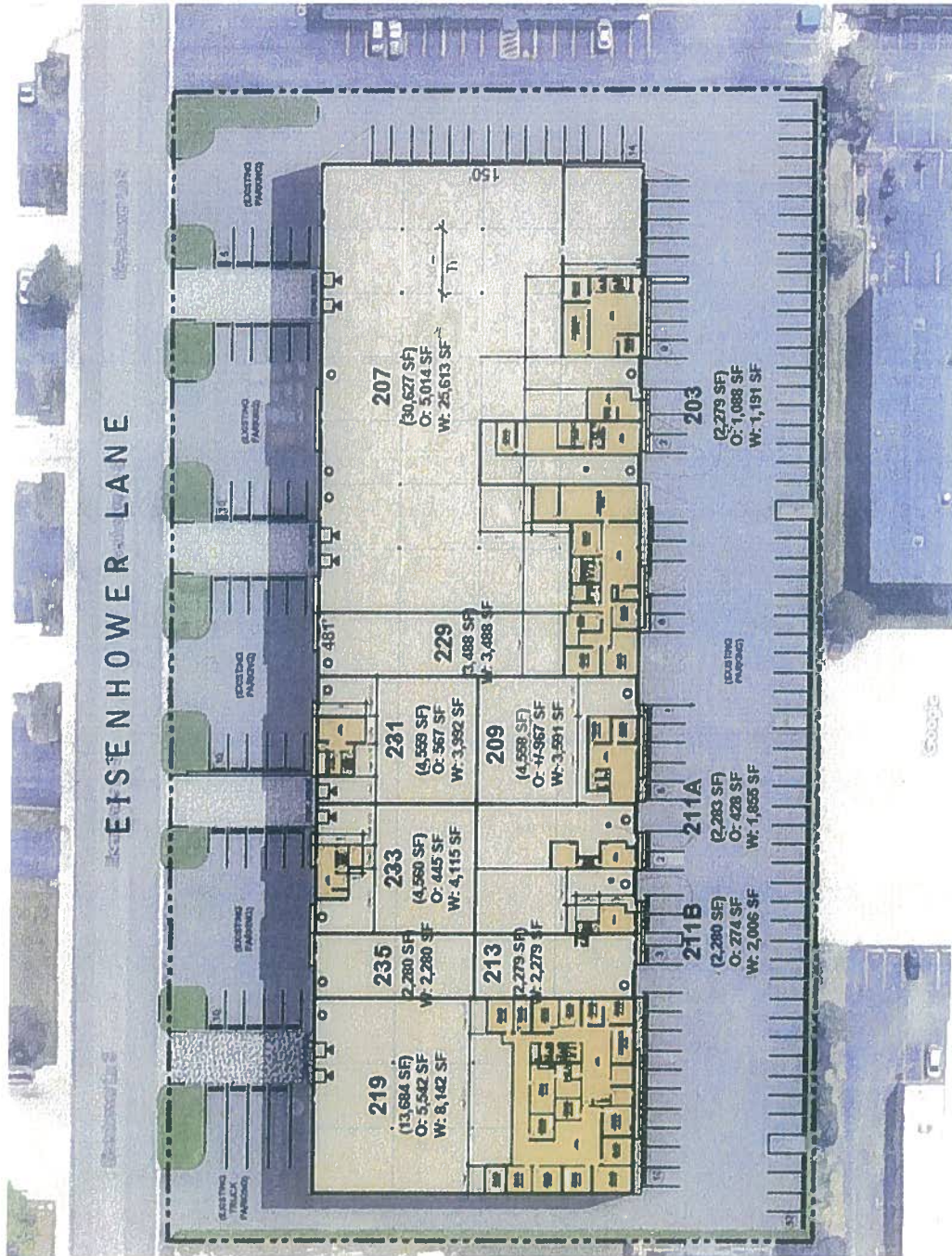
EXISTING BUILDING PLAN

PROJECT DATA:

BUILDING AREA	11,448 SF
OFFICE	5,033 SF
WAREHOUSE	1,647 SF
TOTAL	6,680 SF
DOCK DOOR	16 DOCK DOORS
DRIVE-IN DOOR	1 DRIVE-IN DOOR
AUTO PARKING	142 SPACES

SITE LEGEND

- OFFICE
- WAREHOUSE
- DOCK HIGH TRUCK DOOR
- GRADE LEVEL TRUCK DOOR



Urish, Tami

From: Wilfredo Ocasio <ocasw505@gmail.com>
Sent: Monday, January 23, 2017 8:21 PM
To: Urish, Tami
Subject: Re: PC 17-04; 211 Eisenhower Lane South

Hi Tami,

I wanted to do the waiver if first. Not sure if there is an application or if this is good enough. Thanks!

Sent from my iPhone

On Jan 18, 2017, at 1:24 PM, Urish, Tami <UrishT@villageoflombard.org> wrote:

Mr. Ocasio,

Attached is the staff report for your petition scheduled for Monday, January 23, 2017 at 7:00 pm. Also, attached is the agenda. Please note that you have the only petition for the meeting so please plan to be in attendance by 7:00 pm. Thank you.

If you have any questions, my direct number is 630-620-5967.

	<p>Tami Urish Planner I Village of Lombard 255 E. Wilson Ave. Lombard, IL 60148</p> <p>Phone: (630) 620-5750 Fax: (630) 629-2374 Email: urisht@villageoflombard.org Web: www.villageoflombard.org</p> <p>Follow us:                      </p>
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<PC 17-04_IDRC Report.pdf>

<PC Agenda 01_23_17.pdf>

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.420
(C)(18) OF THE LOMBARD ZONING ORDINANCE**

PC 17-04: 211B Eisenhower Lane South

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)(18) of the Lombard Village Code to provide for a learning center (indoor athletic training facility); and

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on January 23, 2017 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 for a learning center (indoor athletic training facility) is hereby granted for the Subject Property, as described in Section 2 below, pursuant to Title 15, Chapter 155, Section 155.420(C)(18) of the Lombard Village Code to provide for a learning center (indoor athletic training facility).

SECTION 2: That this Ordinance is limited and restricted to the property located at 211B Eisenhower Lane South, Lombard, Illinois and legally described as follows:

UNIT 8 (EXCEPT THE EAST 20.00) IN LOMBARD INDUSTRIAL PARK UNIT NO. 8, A SUBDIVISION OF PART OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 5, 1976 AS DOCUMENT R76-53192, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-30-205-009; (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 a learning center (indoor athletic training facility) is exclusively for the tenant space at 211B Eisenhower Lane North. Any expansion of the establishment within the existing building beyond the plans submitted as part of PC 17-04 shall require an amendment to the conditional use;
2. All business activity associated with the learning center (indoor athletic training facility) shall be conducted within the existing building;
3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. The parking lot shall be configured so as to meet all Illinois Accessibility Code requirements; 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 (indoor athletic training facility) 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.

Ordinance No. _____

Re: PC 17-04

Page 3

Passed on first reading this _____ day of _____, 2017.

First reading waived by action of the Board of Trustees this _____ day of _____, 2017.

Passed on second reading this _____ day of _____, 2017, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2017.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2017.

Sharon Kuderna, Village Clerk