

# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

229 Eisenhower Lane South, Dentless Touch Inc.

June 21, 2021

### Title

PC 21-18

### Petitioner

Dentless Touch, Inc.  
140 Millers Crossing  
Itasca, IL 60143

### Property Owner

Chicago Industrial, LLC  
405 Eisenhower Lane South  
Lombard, IL 60148

### Property Location

229 Eisenhower Lane South  
06-30-205-009

### Zoning

IPD – Limited Industrial Planned  
Development District

### Existing Land Use

Industrial building

### Comprehensive Plan

Light Industrial

### Approval Sought

Conditional use, pursuant to Section 155.420(C)(21) of the Village Code, to allow for a motor vehicle repair business to operate on the subject property located within the I Limited Industrial District.

### Prepared By

Tami Urish  
Planner I



LOCATION MAP

### PROJECT DESCRIPTION

The petitioner, Dentless Touch Inc., a motor vehicle repair business proposes to perform dent removal with tools applied to the body of the vehicle. The procedure does not include hazardous chemicals, paint or work on the engines. The business is a national chain with this proposed site to be the first in Illinois. All repairs of motor vehicles will be conducted inside the building, as required by Village Code. The business owner anticipates having no more than four vehicles being serviced that will be parked in the parking lot at any one time.

### APPROVAL(S) REQUIRED

The petitioner requests a conditional use pursuant to Section 155.420(C)(21) of the Lombard Village Code to allow for a motor vehicle repair business to operate on the subject property located within the I Limited Industrial District.

### EXISTING CONDITIONS

The subject property is developed with a multitenant, one-story warehouse building known as 201- 235 Eisenhower South built in 1977. The paved parking lot is shared access with 141 total parking spaces.



## PROJECT STATS

### Lot & Bulk

Parcel Size: 159,125 SF

Building Size: 72,400 SF

Tenant Space Size: 3,488 SF

### Parking Spaces

Total: 141

ADA Spaces (included in total): 5

### Submittals

1. Petition for a public hearing, dated June 15, 2021;
2. Response to Standards for a Conditional Use, prepared by the petitioner; and
3. Plat of Survey, prepared by Edward J. Molloy & Associates, dated March 25, 2018.
4. Floor Plan
5. Letter sent via email on July 9, 2021 from Much Shelist, P.C

## INTER-DEPARTMENTAL REVIEW

### Building Division:

The Building Division notes as this type of business does not do any mechanical work on the motor, no paint work, there is no additional code upgrades needed for the space. Since the building does not have a fire sprinkler system, vehicles cannot be stored overnight inside the building.

### Fire Department:

The Fire Department has no issue with the proposed business due to no hazardous chemicals or paints are being used in the process. However, they can only bring in cars to work on them, but not store them overnight inside unless they have a fire sprinkler system. If vehicles are not being stored inside overnight then nothing at this time would need to be done. If things change and they want to store vehicles inside overnight, the location would need to be reevaluated and at a minimum it would require a fire alarm or sprinkler system.

### Private Engineering Services:

Private Engineering Services has no comments regarding the petition.

### Public Works:

The Department of Public Works has no comments regarding the petition.

### Planning Services Division:

The Planning Services Division (PSD) notes the following:

#### 1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	IPD	Warehouse/industrial building
South	M-2, Restricted Manufacturing	Downers Grove boundary line with industrial buildings
East	IPD	Warehouse/industrial building
West	IPD	Warehouse/industrial building

The subject property is located in the Yorkbrook Business Park, an established industrial park that contains a mixture of contractor yards, warehouses, manufacturing uses, and other vehicle repair businesses. The proposed vehicle repair business is compatible with surrounding uses.



## 2. Comprehensive Plan Compatibility

The Comprehensive Plan recommends light industrial uses in this area. The proposed use is consistent with this designation.

## 3. Zoning Compatibility

Per Section 155.420(C)(21) of the Village Code, motor vehicle repair businesses are conditional uses in the I District.

Section 155.802 of Village Code defines motor vehicle repair as follows:

*Motor vehicle repair is the repair of motor vehicles including rebuilding, reconditioning, replacement, or dismantling of major components such as body, frame, or fender repair or painting. Motor vehicle repair generally consists of work that is more intense and less routine than motor vehicle service and sometimes includes overnight storage of vehicles.*

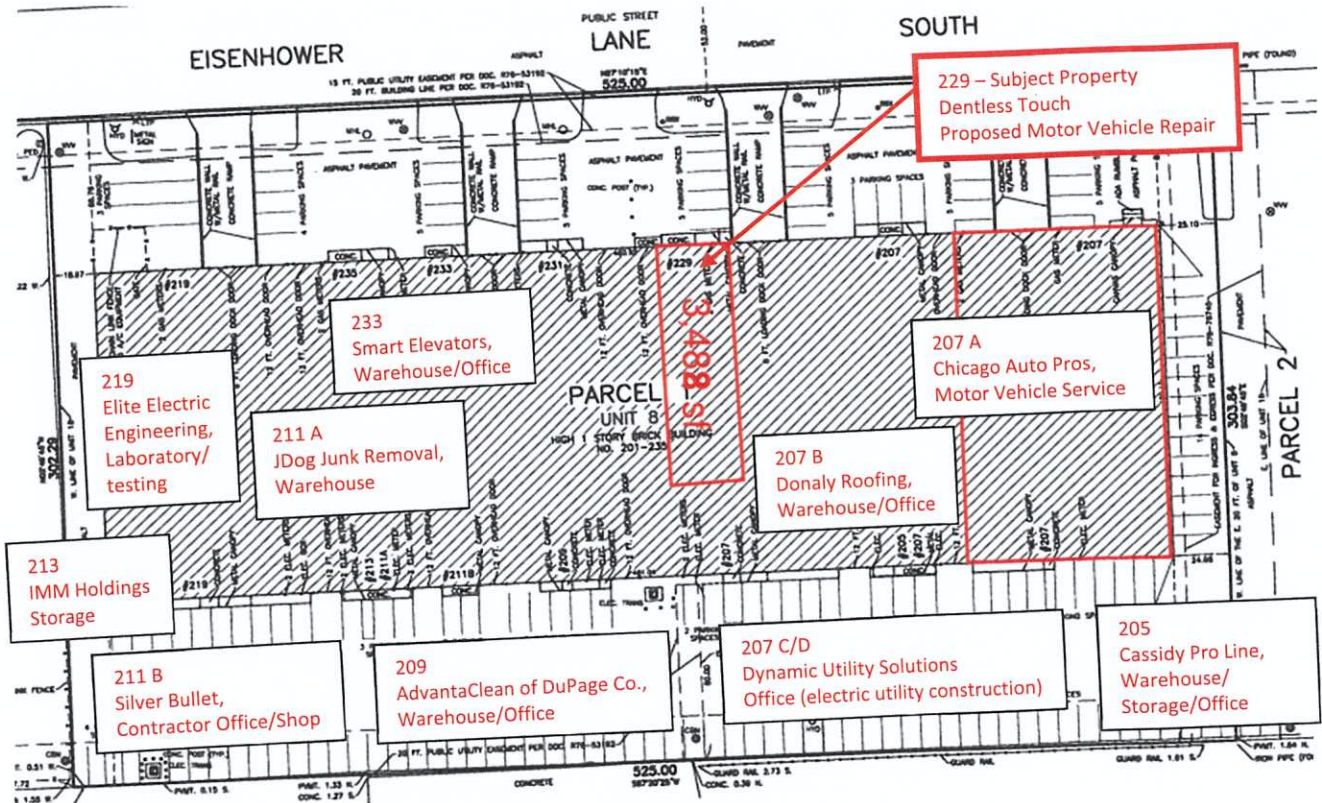


Figure 1: 201 - 235 Eisenhower Lane South, Suite Number with Business Name and Land Use

Staff has reviewed the petitioner's request and finds the motor vehicle repair business will not create any undue impacts on neighboring properties. All repair and maintenance work will be conducted inside the building, in accordance with Village Code. The occasional temporary parking of motor vehicles on the property overnight is an ancillary function to the business and thus subject to the regulations in Village Code Section 155.210 pertaining to accessory uses. The subject property is located in the Yorkbrook Business Park, where motor vehicle repair and other similar businesses are typical uses. Staff finds the proposed motor vehicle repair business meets the standards for conditional uses.



## **SITE HISTORY**

This property appeared before the Plan Commission in the past:

- PC 17-04, 211B Eisenhower Lane South, 10<sup>th</sup> Planet Jiu Jitsu: Approval granted for a conditional use for a learning center/athletic training. (The business has since moved to 1060 N. DuPage Avenue, Lombard)
- PC 18-35, 207A Eisenhower Lane South, Chicago Auto Pros Detailing, Inc.: Approval granted for a conditional use for motor vehicle service.

## **FINDINGS & RECOMMENDATIONS**

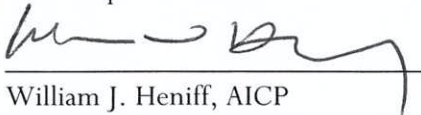
Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use for a motor vehicle repair business in the I District and finds that the proposed 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 21-18:

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 Committee Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 21-18, subject to the following conditions:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to:
  - a. Compliance with the Fire Department and Building Division's comment regarding the no overnight storage of vehicles inside the building unless additional fire protection is installed.
2. All motor vehicle repair activities shall be done within the enclosed building;
3. All parts and components of the service activities shall be stored within the enclosed building;
4. All parking on-site of vehicles being repaired shall be accommodated in designated parking spaces and will remain fully assembled while parked outside; and
5. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development

c. Petitioner

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## VII. STANDARDS FOR CONDITIONAL USES

The following is an excerpt from the Lombard Zoning Ordinance. A detailed response to all of these standards should be provided for all conditional uses of the Lombard Zoning Ordinance.

### SECTION 155.103 (F)(8) OF THE LOMBARD ZONING ORDINANCE:

No conditional use shall be recommended by the Plan Commission unless it finds:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;

The establishment nor current business will cause no harm to the village nor its residents.

2. That 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 it is to be located;

The business established at 229 Eisenhower Lane South will not affect nearby current business in the Yorkbrook Business park.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

Upon the standards of conditional use established by the village, Dentless Touch Inc. shall not impede or disrupt current businesses in the area.

4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;

Dentless Touch Inc. has assumed all responsibility per the lease agreement established by Chicago Industrial TT that the location has been adequate for business

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;

Dentless Touch Inc. understands that parking and location provided is adequate enough for business.

6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,

The objectives of Dentless Touch Inc. shall not impede the objectives of the Village of Lombard.

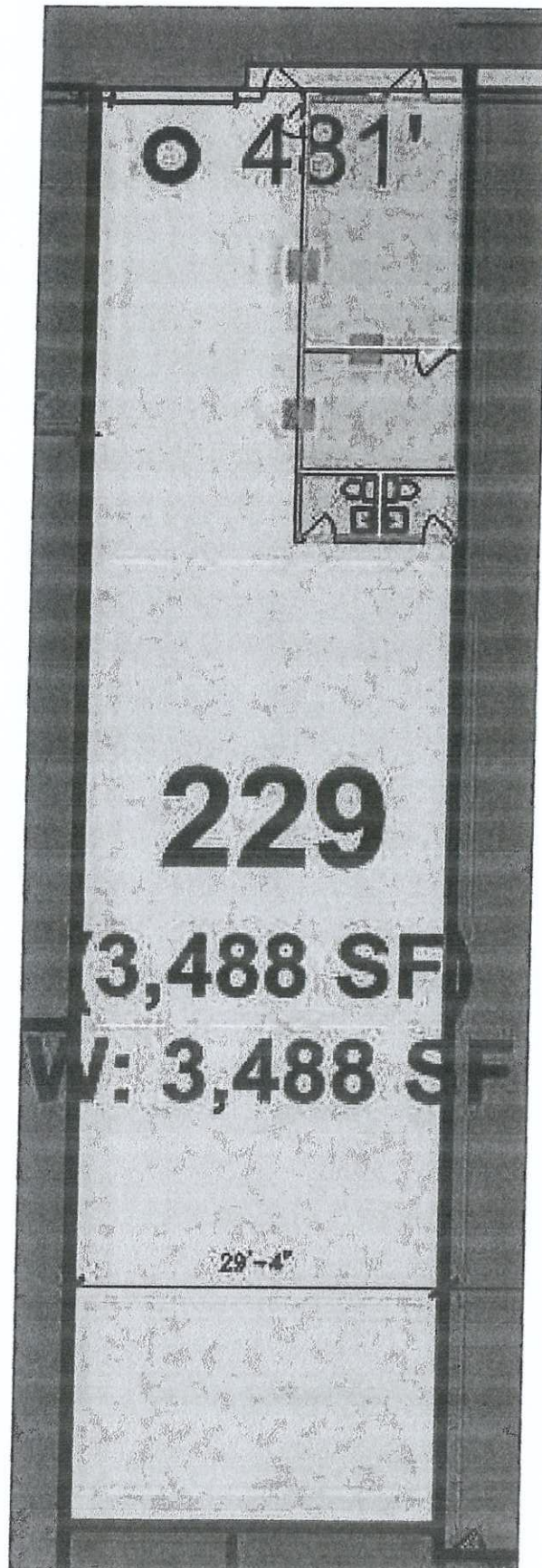
7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.

Dentless Touch Inc. understands and assumes all liability established in lease agreement and will abide by Village of Lombard standards as well as Plan Commission











**Urish, Tami**

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**From:** Mary Hays <mhays@muchlaw.com>  
**Sent:** Friday, July 9, 2021 4:27 PM  
**To:** Community Development  
**Cc:** dave@usbrassandcopper.com  
**Subject:** Case No. PC 21-18/229 Eisenhower Lane South [IWOV-MS1.FID530266]  
**Attachments:** 12129848\_1.pdf

**Please be cautious**

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sir or Madam, please see the attached regarding the property at 229 Eisenhower Lane South.

Kind regards,  
Mary Hays



Mary Hays  
**Much Shelist, P.C.** | 191 North Wacker Drive, Suite 1800 | Chicago, IL 60606  
P:312.521.2614  
[mhays@muchlaw.com](mailto:mhays@muchlaw.com) | [muchlaw.com](http://muchlaw.com)

**Member of Ally Law**

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July 9, 2021

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**Via Email: [communitydevelopment@villageoflombard.org](mailto:communitydevelopment@villageoflombard.org)**

Department of Community Development  
255 East Wilson Avenue  
Lombard, Illinois 60148

**Re: Case No. PC 21-18/229 Eisenhower Lane South/PIN: 06-30-205-009**

Dear Sir or Madam:

We represent 320 Eisenhower LLC and United States Brass & Copper ("USBC"), the owner and occupant, respectively, of property abutting the subject property referenced above. We are in receipt of your letter dated June 28, 2021 advising of the upcoming public hearing for this case.

Per your letter, we wish to provide the following written questions on behalf of our client:

1. Will the petitioner, Dentless Touch Inc., be providing services that require the removal of oil or other fluids from vehicles?
2. If yes, where will these fluids be stored once removed from a vehicle? How will they be disposed of?
3. Assuming paint will be used in its services, how will paint be stored and disposed of?
4. Will any hazardous chemicals be used in the services provided by the petitioner?
5. If yes, how will these hazardous chemicals be disposed?
6. Has a Phase I Environmental Site Assessment been procured? If so, can the results be shared at the public hearing?

Our clients are concerned about the well-being of the employees of USBC. If the petitioner does not properly address the disposal of oil, paint and hazardous chemicals, run off from the subject property to the property occupied by USBC is possible. Such runoff could negatively affect the well-being of USBC's employees.

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Department of Community Development  
July 9, 2021  
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We look forward to hearing from the Commission and/or the petitioner regarding the above concerns. If you would like to address these concerns prior to the public hearing, please do not hesitate to contact me.

Kind regards,

A handwritten signature in black ink, appearing to read 'Mary Vidal Hays', is written over the typed name.

Mary Vidal Hays

Enclosures

cc: Mr. David J. Kavanaugh