

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : August 10, 2021

(BOT) Date: August 19, 2021

SUBJECT: PC 21-18: 229 Eisenhower Lane South – Dentless Touch, Inc

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition.

The petitioner requests a zoning conditional use pursuant to Section 155.414(C)(22) 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.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the August 19, 2021, Board of Trustees agenda with a waiver of first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____


Village Manager _____ 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 

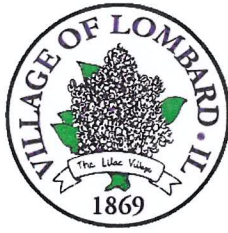
MEETING DATE: August 19, 2021

SUBJECT: **PC 21-18: 229 Eisenhower Lane South – Dentless Touch, INC.**

Please find the following items for Village Board consideration as part of the August 19, 2021, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 21-18;
3. An Ordinance granting approval of a conditional use for motor vehicle repair for a property located at 229 Eisenhower Lane South.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the August 19, 2021, Board of Trustees agenda with a waiver of first reading.



VILLAGE OF LOMBARD

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August 19, 2021

Village President
Keith T. Giagnorio

Village Clerk
Liz Brezinski

Trustees
Brian LaVaque, Dist. 1
Anthony Puccio, Dist. 2
Bernie Dudek, Dist. 3
Andrew Honig, Dist. 4
Dan Militello, Dist. 5
Bob Bachner, 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 21-18: 229 Eisenhower Lane South – Dentless Touch, Inc.

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition.

The petitioner, Dentless Touch, INC., 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.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on July 19, 2021. Sworn in to present the petition was Anna Papke, Senior Planner, and David Olavarria of Dentless Touch INC.

Mr. Olavarria presented the petition. He provided an overview of the process for removing dents with tools.

Acting-Chair Sweetser asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, she asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The petitioner requests a conditional use for motor vehicle repair in the Industrial District. The petitioner operates Dentless Touch, a business that removes dents from vehicles. The business operations do not involve hazardous chemicals, paint, or work on engines. 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 awaiting service parked in the parking lot of the building at any one time. Staff notes that this business is similar to other businesses currently operating in the Industrial District. Staff recommends approval of the request subject to the conditions in the staff report.

Acting-Chair Sweetser asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting for comments among the Commissioners.

Commissioner Johnston asked the petitioner if the business was a franchise. Mr. Olavarria responded that it would be the first in Illinois and there are other partnerships in Virginia and Maryland.

On a motion by Commissioner Giuliano, and a second by Commissioner Walker, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 21-18 subject to the five (5) conditions in the staff report:

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).

Respectfully,

VILLAGE OF LOMBARD

Ruth Sweetser, Acting Chairperson
Lombard Plan Commission

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

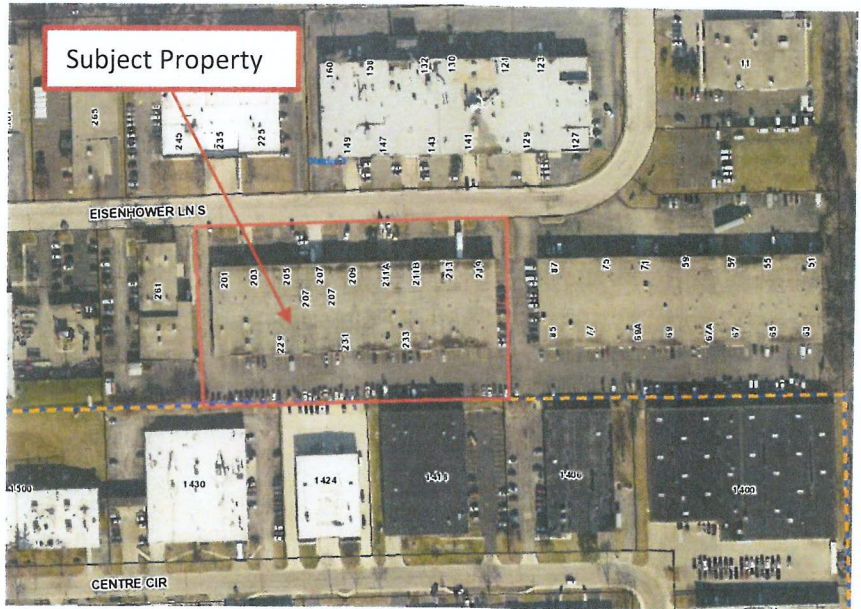
Light Industrial

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.

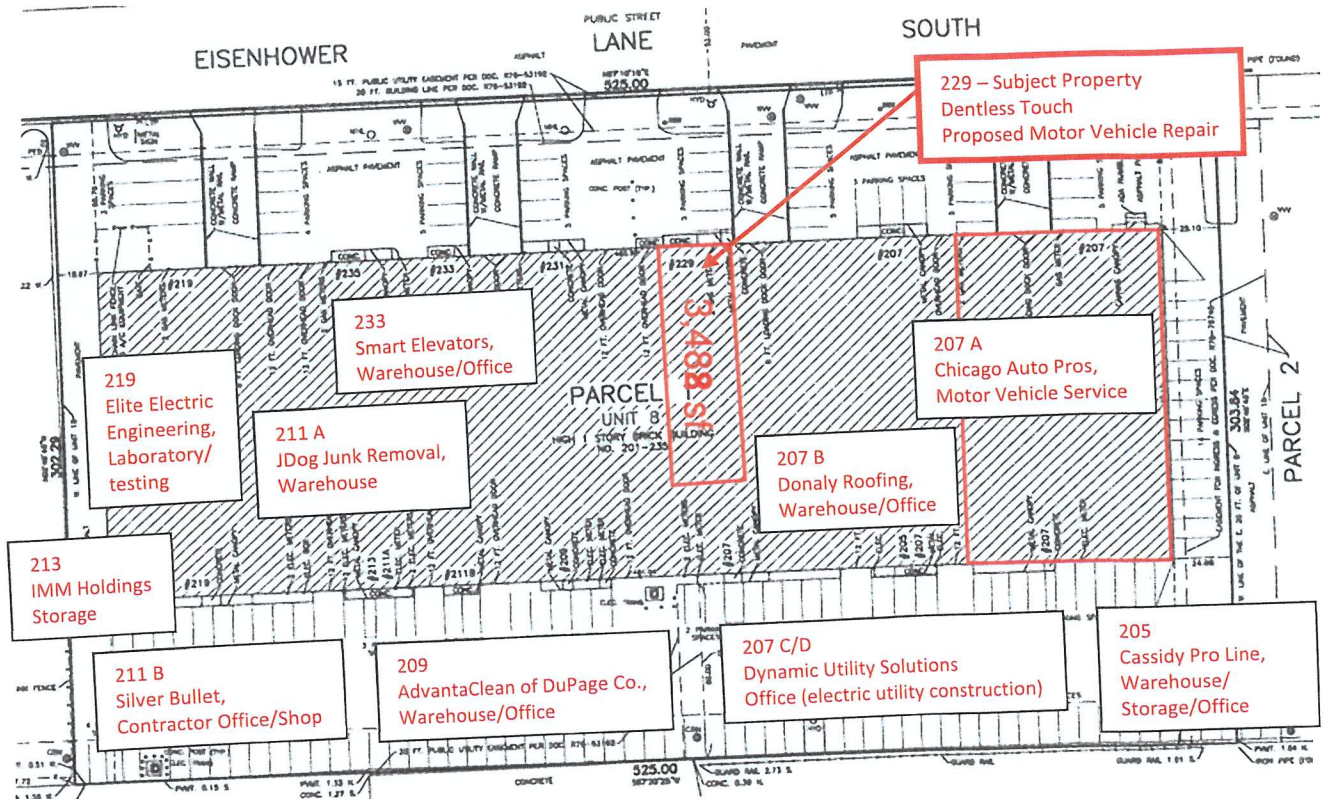


Figure 1: 201 - 235 Eisenhower Lane South, Suite Number with Business Name and Land Use

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, 10th 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

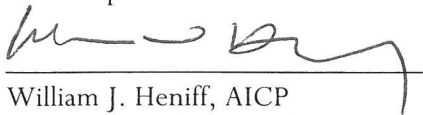
Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

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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ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A
MOTOR VEHICLE REPAIR BUSINESS PURSUANT TO TITLE
15, CHAPTER 155, SECTION 155.420(C)(21) OF THE LOMBARD
ZONING ORDINANCE**

PC 21-18; 229 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 defined below is zoned I Industrial District; and,

WHEREAS, an application has been filed requesting approval for a conditional use pursuant to Section 155.420(C)(21) of the Lombard Zoning Ordinance to allow a motor vehicle repair business; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on June 21, 2021, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional use, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions 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 the following conditional use for a motor vehicle repair business is hereby granted for the Subject Property legally described in Section 2 and subject to the conditions set forth in Section 3.

SECTION 2: That this Ordinance is limited and restricted to the property located at 229 Eisenhower Lane South, Lombard, Illinois and legally described as follows:

PARCEL 1:

UNIT 8 (EXCEPT THE EAST 20.0 FEET) 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 R1976-53192, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY RECIPROCAL EASEMENT FOR INGRESS AND EGRESS DATED JULY 2, 8 AN RECORDED AUGUST 15, 1978 AS DOCUMENT R78-76745 FOR THE PURPOSE OF INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED LAND: THE EAST 20 FEET OF LOMBARD INDUSTRIAL PARK UNIT NO.8, A PLAT OF SUBDIVISION OF A PART 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 R1976-53192, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-30-205-009; (the “Subject Property”).

SECTION 3: This ordinance shall be granted subject to compliance with 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

Ordinance No. _____

Re: PC 21-18

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5. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this _____ day of _____, 2021.

First reading waived by action of the Board of Trustees this _____ day of _____, 2021.

Passed on second reading this _____ day of _____, 2021.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2021.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this _____ day of _____, 2021.

Elizabeth Brezinski, Village Clerk