

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Minutes

Monday, June 6, 2022

7:00 PM

Special Meeting

Village Hall

Plan Commission

Commissioners:

Ruth Sweetser, Leigh Giuliano, Bill Johnston,

Kevin Walker, Tony Invergo,

Alissa Verson and Robert Spreenber

Staff Liaison: Jennifer Ganser

Call to Order

Commissioner Sweetser called the meeting to order at 7:00 p.m

Pledge of Allegiance

Commissioner Sweetser led the Pledge of Allegiance

Roll Call of Members

Present 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

Also present: Jennifer Ganser, AICP Associate Director of Community Development, Anna Papke, AICP Senior Planner of Community Development, and Anne Skrodzki, Legal Counsel to the Plan Commission.

Commissioner Sweetser called the order of the agenda.

Ms. Ganser read the Rules and Procedures as written by the Plan Commission.

Appoint an Acting Chair

A motion was made by Commissioner Invergo, seconded by Commissioner Johnston to appoint Commissioner Ruth Sweetser Chair. The motion passed by an unanimous vote.

Public Hearings

[220194](#)

PC 22-10: 266 E. Roosevelt Road - Osano Lounge

The petitioner, Osano Lounge, requests a conditional use pursuant to Section 155.417(G)(2)(b)(xii) of the Lombard Village Code to allow for a smoking establishment (in conformance with the Illinois Smoke Free Act, 410 ILCS 82/1 et seq.) to operate on the subject property located within the B4A Roosevelt Road Corridor District. (DISTRICT #6)

Sworn in to present the petition was Jennifer Ganser, Assistant Director and the petitioners Marshall Subach and Kenji Robinson.

Acting Chairperson Sweetser read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Mr. Subach said he represents the petitioner. He said the petitioner is seeking a conditional use permit for a hookah lounge. He said the building is a single tenant building. All traffic will enter off Stewart Avenue. There are 10 parking spaces. The hookah area will be 824 square feet. This would be a gathering space for those 21 and older. He said there is no cannabis and no alcohol. He said this is similar to a cigar bar or coffee shop. Currently there is a Covid-19 testing business. He referenced the standards for a conditional use.

He noted that this business is allowed as a conditional use. He said this business is also regulated by the Illinois Smoke Free Act. He discussed traffic and said they open at 8pm when traffic is lighter. He said 10 parking spaces is more than adequate for the business. He said this is in line with the Comprehensive Plan designation. He said the petitioner is ok with the conditions listed in the staff report.

Acting Chairperson 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. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner requests a conditional use to a hookah lounge on the subject property. The property is currently an office for testing and was formerly the site of a payday loan business. The petitioner does not plan any major interior or exterior alterations.

The building is configured as a single tenant structure and is non-conforming to the area and width standards of the zoning district however in the past retail and office uses have been accommodated in the existing building. A smoking establishment use will be similar in operation to other types of permitted uses such as a coffee shop or restaurant.

The seating area is limited to 824 square foot. The size of the seating area is based on the 10 ten parking spaces available on the subject property per the zoning code. The non-conforming size of the lot directly impacts functionality of the building. The remaining space in the building is approximately 1,500 square feet that will be available for storage, building mechanicals and office use for the smoking establishment only. No expansion of the seating area or subleasing of this space is allowed.

Staff has reviewed the petition and finds it meets the standards for the conditional use and recommend approval of the petition subject to the conditions in the staff report.

Acting Chairperson 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 Giuliano asked how many tables and chairs the 824 square feet would have. Mr. Robinson said there would be eight tables. Commissioner Giuliano said there are 2 spaces in front. Mr. Robinson said there are 5 in front. Mr. Subach said there are another 5 along Stewart for a total of 10. Commissioner Giuliano said it's a small amount of parking. Mr. Robinson said there are only two employees, himself and his wife. Commissioner Giuliano said she is concerned about the ally way potholes. Ms. Ganer said the alley is owned by the property to the west. Commissioner Giuliano asked if the petitioner is concerned that you can't go east on Roosevelt from Stewart and Mr. Subach said no.

Commissioner Johnston said he is concerned about parking. He asked if there is parking on Stewart and Ms. Ganer said no. Commissioner Johnston asked if the building owner to the west could share parking and said the loan company had parking issues.

Commissioner Giuliano said the property isn't graded the same and she would be concerned about safety. Mr. Subach said customers could park to the north and there is a sidewalk leading to the 266 building.

Mr. Subach said that Mr. Robinson is a Lombard resident so it's a unique situation. He wants to be part of the business community. Commissioner Johnston said he wants a successful business and hopes that for everyone.

On a motion by Commissioner Giuliano, and a second by Commissioner Spreenburgh, the Plan Commission voted 5-2 to recommend that the Village Board approve the petition associated with PC 22-10 subject to the following conditions in the staff report:

- 1. The seating area is limited to 824 square feet;**
- 2. The building is required to remain a single-tenant occupancy. No other tenants, sublease agreements, private rooms or other enterprises are permitted to operate in the space beyond the seating area;**
- 3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 4. This approval shall be subject to the commencement time provisions as set**

forth within Section 155.103(F)(11) and

5. That the petitioner shall keep the frontage along Roosevelt Road available for customer parking.

The motion carried by the following vote:

Aye: 5 - Ruth Sweetser, Leigh Giuliano, Kevin Walker, Robert Spreenber, and Alissa Verson

Nay: 2 - Bill Johnston, and Tony Invergo

Business Meeting

Approval of Minutes

A motion was made by Commissioner Invergo, seconded by Commissioner Johnston, that the minutes of the May 16, 2022 meeting be approved.

The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenber, and Alissa Verson

Public Participation

There was no public participation

DuPage County Hearings

There was no DuPage County Hearings

Chairperson's Report

The Chairperson deferred to the Director of Community Development

Planner's Report

There was no Planner's Report

Unfinished Business

There was no Unfinished Business

New Business

There was no New Business

Subdivision Reports

There was no Subdivision Reports

Site Plan Approvals

There was no Site Plan Approvals

Workshops

Ms. Papke presented the workshop, which was a review of the permitted and conditional uses in the Village Zoning Ordinance. She noted that this review was part of an ongoing effort to review and update the Village Code as it relates to development regulations, identified in the 2020-2025 Strategic Plan.

Ms. Papke said that staff was proposing a number of amendments to Chapter 155 as it relates to permitted and conditional uses in various zoning districts. She said staff was seeking feedback from the Plan Commissioners in anticipation of a future text amendment.

General retail

Ms. Papke said staff is proposing a new land use of “general retail.” The Zoning Ordinance currently lists many different types of retail uses individually. Staff recommends consolidating most retail uses into one general retail use for efficiency and clarity. Ms. Papke presented the proposed definition of the term general retail.

Commissioner Johnston said he thought this was a good idea.

Commissioner Spreenberg asked how this would affect outdoor sales. Ms. Papke said that outdoor sales and service areas are conditional uses and this will not change. General retail businesses that have outdoor service areas will still need to apply for conditional use approval for the outdoor sales component.

Commissioner Verson asked how a pharmacy like Walgreens or CVS was currently categorized. Ms. Papke said it was currently categorized as a drug store.

Personal care services

Staff also proposes to consolidate barber shops, beauty shops and

tanning salons into a new “personal care services” use. This term offers a broader category to include uses such as nail salons, spas, and other similar businesses. Currently, barber shops, beauty shops and tanning salons are permitted in all the B Districts. Staff is proposing to make personal care services permitted in all the B Districts and the Office District. Ms. Papke noted that massage establishments will not be included with personal care services. Massage establishments will remain conditional uses subject to Plan Commission/Village Board approval.

The Plan Commissioners were supportive of this proposed change.

Animal-related uses

Currently, various animal-related uses are conditional uses in some of the higher intensity B Districts. Some animal-related uses are listed in some but not all of the B Districts, though most B Districts allow for some type of animal-related use. Staff proposes to combine all animal related uses into one use category (Animal hospitals, animal kennels, animal day cares, and animal training), and make it a conditional use in the B2, B3, B4, B5, B5A, and I Districts.

The Plan Commissioners had no comments on this proposed change.

Tattoo studios

Tattoo studios are currently conditional uses in B3, B4 and B4A. Staff proposed to make them permitted uses in B3, B4, B4A, B5, and B5A.

Commissioner Spreenberg asked if tattoo studios would be permitted in all Business Districts and the Office District, similar to personal care services. Ms. Papke said that as proposed, tattoo studios would not be permitted in B1, B2, or O Districts. Commissioner Spreenberg said they could be in those districts as well. Commissioner Verson agreed.

Banks and financial institutions

Banks and financial institutions are currently conditional uses in the B4A and O Districts, and permitted in all other B Districts. Staff proposes to make them permitted uses in all B Districts and the O District. The Plan Commissioners had no comments on this proposed change.

Laboratories

Staff proposes to clarify which type of laboratories can locate in which districts. As proposed, medical and dental laboratories would be permitted in B3, B4, B4A and I Districts. Research and testing laboratories would be permitted in the I District. Ms. Papke noted that staff will need to draft definitions for the two types of laboratories, which will be included in a future text amendment.

Commissioner Sweetser asked if staff would look at definitions used by other municipalities. Ms. Papke said staff would do this, and noted that staff had done so for the general retail and personal care services uses.

Emerging land use - med spas

Ms. Papke said that staff had received multiple calls from businesses looking to operate med spas in the Office District. Med spas offer a range of services that encompass elements of both standard spas and medical offices. Med spas are not currently listed in the Zoning Ordinance. Staff was interested in Plan Commissioner feedback on whether med spas should be included with personal care services, or regulated separately.

Commissioner Invergo said that med spas seemed to fall right into the personal care services category. Commissioner Spreenbergh agreed.

Emerging land use - fulfillment centers

Staff is seeking feedback from the Plan Commission on how to address fulfillment centers, which seem to be increasing in importance in the retail sector. The Zoning Ordinance includes definitions and regulations for warehouses and distribution centers. These definitions reference points early on in the supply chain (distribution centers - breaking down freight; warehouses - storing goods until they are delivered to a retail store). Fulfillment centers refer to last-mile operations, where goods are packaged up for delivery to the end-user. Currently, the Zoning Ordinance does not reference fulfillment centers. In anticipation of this use becoming more prevalent, staff is introducing the topic to the Plan Commission.

As a point of reference, staff provided the definition of a fulfillment center from the City of Chicago's Zoning Ordinance. Ms. Papke also noted that fulfillment centers would likely have higher employee levels than either distribution centers or warehouses, and may have different traffic impacts as well. Staff was interested in any thoughts the Plan Commissioners had on this use and how the Village might regulate it if added to the Zoning Ordinance.

Commissioner Invergo said fulfillment centers would increase truck traffic with more employees and delivery vehicles. He said this type of use should go into an industrial area such as Eisenhower Lane.

Commissioner Verson said fulfillment centers should be conditional uses due to the potential for traffic concerns. Commissioner Giuliano agreed they should be conditional uses in the Industrial District.

Commissioner Invergo noted that fulfillment centers move goods in and out more quickly than a warehouse does. He said a fulfillment center is not for storage like a warehouse.

Commissioner Spreenbergh said fulfillment centers seem similar to distribution centers based on the definition.

Commissioner Invergo said a distribution center moves slower,

while fulfillment centers move products in minutes, similar to FedEx or UPS. A distribution center can be a warehouse, with a trailer of product parked on the site. Smaller amounts of goods move to the fulfillment center.

Ms. Papke said noted that fulfillment centers differ from distribution centers and warehouses in that the goods being moved out of fulfillment centers are going to the end user. She also noted that fulfillment centers can vary in size and scale.

Commissioner Verson asked if there would be a way to separate fulfillment centers by square footage, to identify fulfillment centers that might be on the smaller side. Commissioner Invergo agreed this could be useful. It might allow for the possibility of a smaller fulfillment center locating somewhere like East St. Charles Road. Ms. Papke said a definition would be helpful in achieving this.

Commissioner Invergo noted that a distribution center is sometimes storing the product of one manufacturer.

Commissioner Johnston observed a difference between a Target that sends their own products from stores and an Amazon fulfillment center that has many suppliers.

Ms. Papke noted that if added to the Zoning Ordinance, a fulfillment center would likely be a conditional use. The conditional use approval process would allow for staff and the Plan Commission to understand the impacts of that a proposed fulfillment center may have on the Village.

Commissioner Johnston said that the Village can look for examples of fulfillment center definitions and regulations in other municipalities.

Deleted land uses

Staff proposed to delete the following land uses from the Zoning Ordinance. Most of these are covered by other uses. The proposed deletions will remove redundancies.

- *Boat showroom and sales*
- *Electrical showrooms and shops*
- *Mail order houses*
- *Plumbing showrooms and shops*
- *Paint, glass and wallpaper stores*
- *Recreational vehicles sales and trailer sales*
- *Silk screening*
- *Travel bureaus and transportation ticket offices*
- *Shopping centers, consisting of more than one principal building on a zoning lot (conditional use in B4A)*

The Plan Commissioners had no comments on these changes.

Combined uses

Staff proposed to combine public and private schools into one use, and also to combine public and private clubs and lodges into one use. The idea was to regulate uses consistently whether they were operated by public or private entities.

Commissioner Johnston asked if there was a definition of a club versus a lodge. Ms. Ganser said they are listed as a combined use in the Zoning Ordinance (club and lodge).

Closing remarks

Ms. Sweetser asked if there was a good way for the Plan Commissioners to understand the scope of the changes. Ms. Papke said that staff had provided a spreadsheet that showed all the listed uses and their status as permitted or conditional uses in each district.

Adjournment

A motion was made by Commissioner Johnston, seconded by Commissioner Walker, to adjourn the meeting at 8:09 p.m. The motion passed by an unanimous vote.

*Leigh Giuliano, Commissioner
Lombard Plan Commission*

*Jennifer Ganser, AICP, Assistant Director
Community Development*