

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


       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 :** July 12, 2022                      **(BOT) Date:** July 21, 2022

**SUBJECT: PC 22-15: 959 N. Garfield Street – Chicago Performance and Tuning Co.**

**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, Chicago Performance and Tuning Co., requests that the Village take the following actions on the subject property located within the I Limited Industrial District:

1. Pursuant to Section 155.420(C)(20) of the Lombard Village Code to allow for a motor vehicle repair business; and
2. Pursuant to Section 155.420(C)(22) of the Lombard Village Code to allow for a motor vehicle service business.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the July 21, 2022, 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 *WJH*

**MEETING DATE:** July 21, 2022

**SUBJECT:** **PC 22-15: 959 N. Garfield Street – Chicago Performance and Tuning Co.**

Please find the following items for Village Board consideration as part of the July 21, 2022, Board meeting:

1. Plan Commission referral letter
2. IDRC report for PC 22-15
3. An Ordinance granting approval of conditional uses for motor vehicle repair and motor vehicle service for the property located at 959 N. Garfield Street

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the July 21, 2022, Board of Trustees agenda with a waiver of first reading.



# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

959 N. GARFIELD STREET

June 20, 2022

### Title

PC 22-15

### Petitioner

Chicago Performance and Tuning Co.  
Al Uscinski  
5109 W. Lake Street  
Melrose Park, IL 60160

### Property Owner

Stan Kujanski  
959 N. Garfield Street  
Lombard, IL 60148

### Property Location

959 N. Garfield Street

### Zoning

I – Limited Industrial District

### Existing Land Use

Industrial building

### Comprehensive Plan

Light Industrial

### Approval Sought

Conditional use, pursuant to Section 155.420(C)(20) and (22) of the Village Code, to allow for a motor vehicle repair and motor vehicle service business to operate on the subject property.

### Prepared By

Anna Papke, AICP  
Senior Planner



LOCATION MAP

### PROJECT DESCRIPTION

The petitioner, Chicago Performance and Tuning Co., requests that the Village grant a conditional use, pursuant to Section 155.420 (C) of the Zoning Ordinance, to allow for motor vehicle repair and motor vehicle service within the I – Limited Industrial District.

The petitioner proposes to conduct motor vehicle repairs and service on the subject property. All repairs will occur inside the building. The petitioner has stated there will be no vehicle repairs or vehicle storage outside the building.

### APPROVAL(S) REQUIRED

The petitioner requests that the Village take the following actions on the subject property located within the I Limited Industrial District:

1. Pursuant to Section 155.420(C)(20) of the Lombard Village Code to allow for a motor vehicle repair business; and
2. Pursuant to Section 155.420(C)(22) of the Lombard Village Code to allow for a motor vehicle service business.

### **PROJECT STATS**

#### **Lot & Bulk**

Parcel Size: ~38,700 SF

Building Size: ~13,900 SF

#### **Submittals**

1. Petition for a public hearing, dated May 18, 2022;
2. Response to Standards for a Conditional Use, prepared by the petitioner;
3. Plat of Survey, prepared by Accurate Survey Service, dated December 3, 1988; and
4. Floor Plan, prepared by Harris & Kwasek Architects Inc., dated August 15, 1988.

### **EXISTING CONDITIONS**

The subject property is developed with a one-story warehouse building and associated surface parking lot.

### **INTER-DEPARTMENTAL REVIEW**

#### **Building Division:**

The Building Division has the following comments on the petition. Additional comments may be forthcoming during permit review.

1. There is a "triple basin" shown on the plan, but that likely serves the depressed dock area. All floor drains in the vehicle repair area will need to have floor drains and or a trench drain that connects to a triple basin.
2. A plan set and permit will be needed for the ventilation system, etc. associated with the anticipated auto Dynamometer that is typically installed at this type business.

#### **Fire Department:**

The Fire Department has the following comment on the petition. Additional comments may be forthcoming during permit review.

1. The petitioner will need to verify with the Village that the building has properly working and maintained sprinkler and fire alarm systems.

#### **Private Engineering Services:**

Private Engineering Services has no comments on the petition. Additional comments may be forthcoming during permit review.

#### **Public Works:**

The Department of Public Works has no comments on the petition. Additional comments may be forthcoming during permit review.

#### **Planning Services Division:**

The Planning Services Division (PSD) notes the following:

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

	<b>Zoning Districts</b>	<b>Land Use</b>
<b>North</b>	I	Cell tower/otherwise vacant
<b>South</b>	I	Warehouse/industrial building
<b>East</b>	IPD	School
<b>West</b>	I	Warehouse/industrial building



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

**2. Comprehensive Plan Compatibility**

The Comprehensive Plan recommends light industrial uses in this area. The proposed use of motor vehicle repair and service is consistent with this designation.

**3. Zoning Compatibility**

Per Section 155.420(C)(20) and 155.420(C)(22) of the Village Code, motor vehicle repair and service businesses are conditional uses in the I District.

Staff has reviewed the petitioner's request and finds the motor vehicle repair and service business will not create any undue impacts on neighboring properties. The subject property is located in an industrial area, where motor vehicle repair and other similar businesses are typical uses. In the response to standards, the petitioner states that they will not perform any work or store any vehicles outside the building. Staff finds the proposed motor vehicle repair and service business meets the standards for conditional uses.

**4. Site Plan: Access & Circulation**

The subject property is developed with a parking area on three sides of the building, accessed by two curb cuts from Garfield Street. The petitioner does not intend to store vehicles outside, leaving the parking area available for employee and customer parking.



**SITE HISTORY**

This property has not previously appeared before the Plan Commission.

## **FINDINGS & RECOMMENDATIONS**

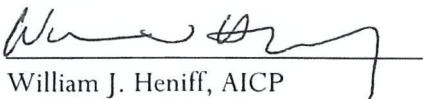
Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use for a motor vehicle repair and service 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 22-15:

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 22-15, 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 compliance with the comments from the Fire Department and the Building Division;
2. All vehicles are to be loaded and unloaded on the subject property and at no time shall any vehicle be loaded from or unloaded to public right-of-way;
3. All vehicle repair and service activity shall be performed inside the building only; and
4. 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

H:\CD\WORDUSER\PCCASES\2022\PC 22-15, 959 N Garfield\PC 22-15\_IDRC Report.docx



## 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;

**Our company has been in business since 2002. We have been in the same location since 2004. We are respectful to other tenants in our building as well as our residential neighbors across the street. We have been coexisting without any problems since 2004. We believe that our operation is clean and tidy as we strive to provide world class service to our customers. We are not a high volume business. There will not be any increase in traffic or vehicle parking.**

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;

**All of our operations are conducted inside the building. We don't perform any work outside or keep any vehicles outside.**

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;

**There will not be any negative effect on development and improvement of the surrounding property.**

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

**We do not require any changes to the exterior, interior or landscaping for our use of the building. We will comply with all Village requirements for our use.**

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;

**The location has plenty of room for our operations and we will not contribute to additional traffic congestion at this location.**

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

**We believe that our business will have a positive impact and is inline with current and future objectives of the Village.**

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.

**We believe that our use of the property is well suited to the type of the building and the immediate are of the building's location.**

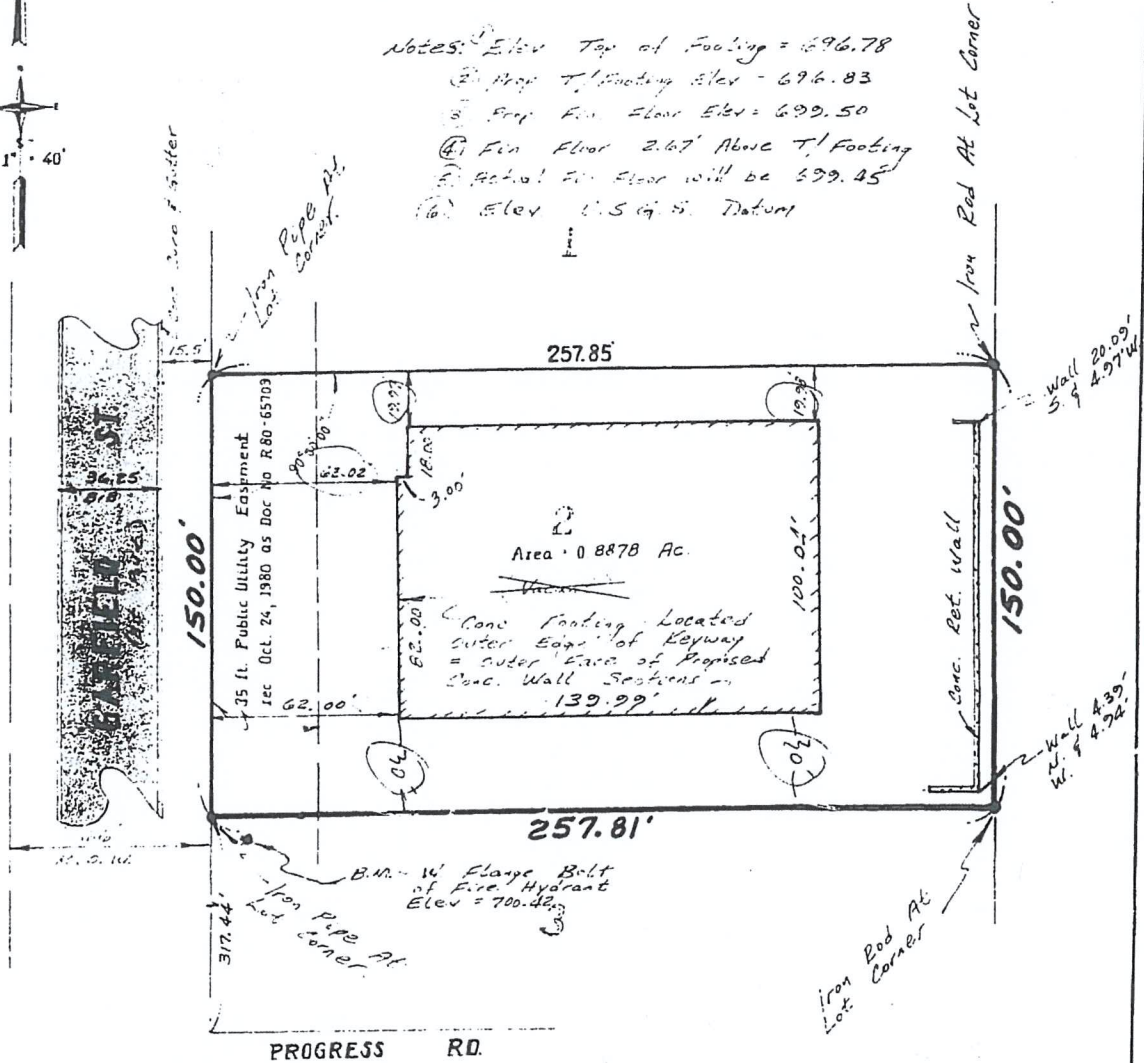


# Plat of Survey

Lot 2 in Progress Business Center, being a Resubdivision of part of Lot 1 in Lombard Business Center Unit 7, being a Subdivision of part of the Southwest Quarter of Section 32, Township 40 North, Range 11 East of the Third Principal Meridian, in Du Page County, Illinois.



- Notes:
- (1) Elev. Top of Footing = 696.78
  - (2) Prop. T/F Footing Elev = 696.83
  - (3) Prop. Fin. Floor Elev = 699.50
  - (4) Fin. Floor 2.67' Above T/F Footing
  - (5) Actual Fin. Floor will be 699.45'
  - (6) Elev. U.S. of S. Datum



PLANNING & ZONING

APPROVED *Kevin Storg*

DATE 1-9-88

• Denotes Iron Pipe

To: Leopardo Construction Co.

# 40215

I, William C. Doland I hereby certify that I have surveyed the above described property in accordance with the minimum Standards of detail requirements for Land Title Surveys jointly established and adopted by American Land Title Association and American Congress of Surveying and Mapping in 1962 and reaffirmed September 21, 1979 and that the Plat hereon drawn correctly represents said Survey.

ACCURATE SURVEY SERVICE  
6027 N. NORTHWEST HIGHWAY  
Chicago, Illinois 60631  
Phone (712) 763-7788

Dated at Chicago Ill. this 3<sup>rd</sup> day of Dec. 1988

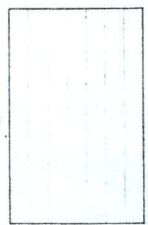
*William C. Doland*  
Illinois Registered Land Surveyor No. 2732

RESURVEYED Jan 5, 1988 W.C. Doland

[illegible][illegible]

GENERAL INVESTIGATIVE  
DIVISION

1. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 08-01-2001 BY 60322 UCBAW/BJS/STP

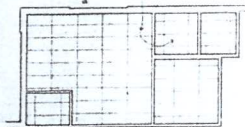
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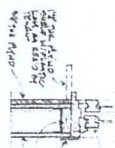
**DISCUSSION**

- ① 3/8" 817" board with stile on 3-1/2" x 3/8" steel flange on 1 1/2" x 6" to extraneous 1/2" plywood. Stile to have continuous seal, joining at 1/2" and 1/2" 2" board backing to ceiling line. Provide 401-joint.
- ② 3/8" 817" board with stile on 3-1/2" x 3/8" steel flange on 1 1/2" x 6" to above ceiling line. Place three above ceiling as required for rigidity.
- ③ Same as type 2 except outside row of studs for gabling with.
- ④ 3/8" 817" board on 3/2" x 2" wood flange on 1 1/2" x 6" to above ceiling line. Provide 1/2" x 1/2" thick vinyl-covered hard insulation between studs.

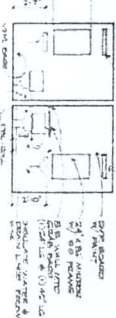
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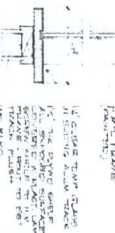
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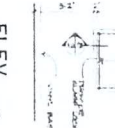
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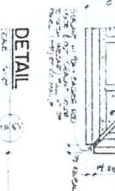
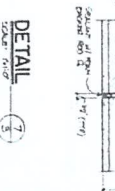
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TEAR 380



THE UNIVERSITY OF CHICAGO



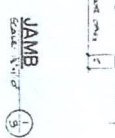
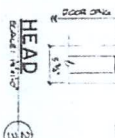
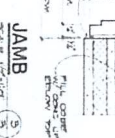
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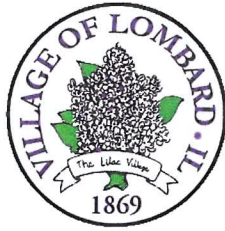


Figure 11.11: A 3D plot of the function  $f(x, y, z) = x^2 + y^2 + z^2$  over the domain  $[0, 1] \times [0, 1] \times [0, 1]$ . The surface is a paraboloid opening upwards from the origin, with its maximum value of 3 at the point (1, 1, 1).



**LEPARD CONSTRUCTION INC.**  
 1001 W. MONROE BLVD. FLOOR 1  
 ZIPPER CONTRACTORS INC.  
 1001 W. MONROE BLVD. FLOOR 1  
 COVINGTON, LOUISIANA 70026





## VILLAGE OF LOMBARD

255 E. Wilson Ave.  
Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
[www.villageoflombard.org](http://www.villageoflombard.org)

July 21, 2022

**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 22-15: 959 N. Garfield Street – Chicago  
Performance and Tuning Co.**

Dear President and Trustees:

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

The petitioner, Chicago Performance and Tuning Co., requests that the Village take the following actions on the subject property located within the I Limited Industrial District:

1. Pursuant to Section 155.420(C)(20) of the Lombard Village Code to allow for a motor vehicle repair business; and
2. Pursuant to Section 155.420(C)(22) of the Lombard Village Code to allow for a motor vehicle service business.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on June 20, 2022. Sworn in to present the petition was Anna Papke, Senior Planner, and Al Uscinski of Chicago Performance and Tuning.

Acting Chair Giuliano 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. Uscinski said he is the owner of Chicago Performance and Tuning. The company has been in business since 2002, and has been located in Melrose Park since 2004. Mr. Uscinski is seeking to relocate the business to Lombard, and is requesting a conditional use to do so. He said the business specializes in repairing and servicing road racing and select European cars. There will be no repairs conducted outside. Cars will not be stored outside, as they are not designed to be exposed to the weather. Mr. Uscinski does not plan to make any changes to the building other than interior changes required by the Building Division or Fire Department.

Acting Chair Giuliano 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 proposes to conduct motor vehicle repairs and service on the subject property. All repairs and service will occur inside the building. The petitioner has stated there will be no vehicle repairs or vehicle storage outside the building.

Planning staff reviewed the petitioner and found it meets the standards for conditional uses. The subject property is located in the North Avenue industrial area, where auto repair businesses and other similar businesses are common. The Building Division and Fire Department have reviewed the petition and noted the petitioner may need to make some modifications to the interior of the building. The petitioner is aware they may need to make these improvements. Staff recommended approval of the request.

Acting Chair Giuliano 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 for clarification that the business mostly serves high performance cars. Mr. Uscinski said most of the cars they work on are racing cars, though they do some work on standard cars.

Commissioner Walker asked if the business would be conducting test drives of the cars in the surrounding neighborhood. Mr. Uscinski said there will be no test drives, as most of the cars they work on cannot be legally driven on the street.

Commissioner Sweetser asked when the business plans to open. Mr. Uscinski said it would depend on how long it took to prepare the building after the zoning approval. He estimated two to three months.

On a motion by Commissioner Johnston, and a second by Commissioner Spreenber, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 22-15 subject to the four (4) 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 compliance with the comments from the Fire Department and the Building Division;



2. All vehicles are to be loaded and unloaded on the subject property and at no time shall any vehicle be loaded from or unloaded to public right-of-way;
3. All vehicle repair and service activity shall be performed inside the building only; and
4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

Respectfully,

**VILLAGE OF LOMBARD**

Leigh Giuliano, Acting Chairperson  
Lombard Plan Commission

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING CONDITIONAL USES FOR A  
MOTOR VEHICLE REPAIR AND MOTOR VEHICLE SERVICE  
BUSINESS PURSUANT TO TITLE 15, CHAPTER 155,  
SECTIONS 155.420(C)(20) AND 155.420(C)(22) OF THE  
LOMBARD VILLAGE CODE**

PC 22-15: 959 N. Garfield Street

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)(20) of the Lombard Village Code to allow a motor vehicle sales business; and,

WHEREAS, an application has been filed requesting approval for a conditional use pursuant to Section 155.420(C)(22) of the Lombard Village Code to allow a motor vehicle service business; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on June 20, 2022, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the conditional uses, 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:



Ordinance No. \_\_\_\_\_  
Re: PC 22-15  
Page 2

SECTION 1: That the following conditional uses for a motor vehicle sales and motor vehicle service 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 959 N. Garfield Street, Lombard, Illinois and legally described as follows:

LOT 2 IN PROGRESS BUSINESS CENTER, BEING A RESUBDIVISION OF PART OF LOT 1 IN LOMBARD BUSINESS CENTER UNIT 7, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number(s): 03-32-301-022; (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 compliance with the comments from the Fire Department and the Building Division;
2. All vehicles are to be loaded and unloaded on the subject property and at no time shall any vehicle be loaded from or unloaded to public right-of-way;
3. All vehicle repair and service activity shall be performed inside the building only; and
4. 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 \_\_\_\_\_, 2022.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Ordinance No. \_\_\_\_\_  
Re: PC 22-15  
Page 3

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2022.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Keith Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk