

December 16, 2024

Title

PC 24-15

Petitioner

Rims & Tires Lombard LLC
434 E. North Avenue
Lombard IL 60148

Property Owner

Chung Nguy
404 E. North Avenue
Lombard, IL 60148

Property Location

434 E. North Avenue
PIN: 03-32-415-027
Trustee District 4

Zoning

B4

Existing Land Use

Commercial Building

Comprehensive Plan

Community Commercial

Approval Sought

Conditional use for motor vehicle sales and service

Prepared By

Tami Urish
Planner I



Location Map

PROJECT DESCRIPTION

The petitioner proposes to operate two businesses to share the building and parking lot. The existing business, RimTyme Custom Wheels and Tires, proposes to add a separate business for car sales. No modifications to the building or parking lot are proposed other than adding an additional wall sign to the exterior. Motor vehicle sales and service are a conditional use in the B4 zoning district requiring approval through the Plan Commission public hearing process.

APPROVAL(S) REQUIRED

The petitioner requests that the Village take the following actions on the subject property located within the B4 Corridor Commercial District:

1. Pursuant to Section 155.416(C)(15) of the Lombard Village Code to allow for a motor vehicle sales business; and
2. Pursuant to Section 155.416(C)(16) of the Lombard Village Code to allow for a motor vehicle service business.

EXISTING CONDITIONS

The property has an existing one-story building with associated parking lot accessed from and LaLonde Avenue with cross access to Fairfield Avenue as well.

PROJECT STATS

Lot & Bulk

Building Size: ~5,000 SF
Parcel Size: 20,100 SF
Existing 17
Parking spaces

Submittals

1. Petition for a public hearing;
2. Response to Standards;
3. Plat of Survey, prepared by Associated Surveying Group P.C. dated 12/6/2006;
4. Floor Plan, prepared by owner.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division offers the following comments:

1. If vehicles are to be brought inside of the building the floor would have to be evaluated as there is a basement below. While the floor was designed to support vehicles, the floor will have to at least receive a visual inspection to make sure it is still in good condition to bring vehicles back into the building. This can be performed by an Architect, Engineer, or even the Village can come out to inspect it and see if further evaluation is needed.
2. If vehicles are to be brought inside of the building, a triple basin oil interceptor is needed. This would be what the floor drains in the area with vehicles would be connected to. This would allow washing of cars inside, repairs of cars with fluid changes, etc. Without this, vehicles could come inside of the building, but no washing of cars, no fluids could be changed, and no car repairs, etc. The inside space without a triple basin can only be used for a showroom.
3. If vehicles are to be brought inside, a complete fire alarm must be present.

Additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department offers the following comments:

There are repair issues in which a sprinkler and fire alarm system that was tested this year in June & August that have some deficiencies on both systems that still need repairs. Additional comments may be forthcoming during permit review.

Public Works:

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

Private Engineering Services (PES):

PES has no comments on the subject 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

	Zoning Districts	Land Use
North	Unincorporated	Single-Family Home
South	B4	Banquet Hall
East	B4	International Car Center
West	B4	Multi Autos

The subject property is located on North Avenue which is a high volume corridor with commercial and industrial sites on the north half and residential sites on the south half of the street with intermittent areas of commercially zoned property. The abutting lot to the east has been a motor vehicle sales establishment for a number of years, prior to 1990. The abutting lot to the west has been a motor vehicles sales establishment since 2016. The subject property was approved for a motor vehicle sales establishment in 2007. The sales establishment had an ancillary service shop as well. Over the years, the service portion eclipsed the sales establishment. Rimtyme obtained a certificate of occupancy for motor vehicle service to continue in 2021 thereby ceasing the motor vehicle sales conditional use entitlement.

Because of the previous change in use, the subject property no longer retains any legal non-conforming rights associated with the previous motor vehicle sales establishment. As such, a conditional use is needed to reestablish the zoning entitlements for both motor vehicle sales and motor vehicle service establishments.

2. *Comprehensive Plan Compatibility*

The Comprehensive Plan recommends Community Commercial uses for this location. A motor vehicle sales and motor vehicle service establishment are an appropriate use within this designation.

3. *Zoning Compatibility*

Per Section 155.420(C) of the Village Code, motor vehicle sales and motor vehicle service are conditional uses in the B4 District. Staff has reviewed the petitioner's request and finds the motor vehicle sales and motor vehicle service will not create any undue impacts on neighboring properties. As noted, the property has been a motor vehicle sales establishment off and on since 1985 without any known negative impacts. Additionally, the motor vehicle service activities shall be conducted inside the building only.

The subject property does not meet all of the bulk regulations for the B4 Corridor Commercial District. The property is legal non-conforming with respect to lot size, lot width, front yard setback and corner side yard setback. The petition does not include any relief from the underlying bulk requirements.

The existing non-conforming building and pavement functionally prevents the petitioner from bringing the property into full compliance with the current landscaping requirements. The Zoning Ordinance requires interior and perimeter parking lot landscaping. A five foot (5') perimeter exists along the southern edge of the parking lot, but there is not enough room to add perimeter landscaping along the northern and eastern side of the property as the paved area extends all the way to the northern and eastern property lines. Reducing the paved area for perimeter and interior parking lot landscaping would significantly hinder the use of the property.

Also, the configuration of the site does not allow for a transitional landscape yard. The only access drive to the subject property is located between the building and the rear property line adjacent to the residences. However, there is an existing six-foot (6') vinyl fence along the northern property line installed in 2022. Staff recommends that a fence no less than six feet (6') in height and no greater than eight feet in height be maintained along the northern property line in order to create a visual buffer for the residential properties. In 2007, the staff report for PC 07-16 included the fence requirement to address the multiple nonconformities created by the lawfully established conditions of the property. Staff finds the fence requirement a credible remedy to the legal nonconformities.

Staff is supportive of the request for motor vehicle sales and motor vehicle service.

4. **Site History**

- 1971: The property was annexed and rezoned B3 per Ordinances 1646 and 1647 for a Schwinn bicycle shop.
- 1985: Certificate of Occupancy for motor vehicle sales establishment. Permitted use at the time.
- 1992: Certificate of Occupancy for pool hall.
- 2007: PC 07-16, a conditional use for a motor vehicles sales establishment per Ordinance 6025.

FINDINGS & RECOMMENDATIONS

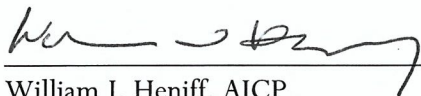
Staff finds that the proposed use is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested conditional use 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 24-15:

Based on the submitted petition and the testimony presented, the proposed conditional use complies with the standards required by the Village of Lombard Zoning Ordinance and that granting the conditional use 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 24-15, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with plans submitted as part of this request
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.
3. The fence along the north property line shall be maintained in good condition at a height of six (6) feet minimum or eight (8) feet maximum.
4. The vehicle display/sales area shall be limited to parking spaces on the parking lot. Moreover, all vehicles parked and/or displayed on the subject property shall be in operable condition.
5. 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. Vehicles shall not encroach into the public right-of-way at any time including blocking the sidewalk or designated ADA parking spaces.
6. All motor vehicle service activities shall always be performed inside the building.
7. 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

VII. STANDARDS FOR CONDITIONAL USES

1. Public Health, Safety, Morals, Comfort, or General Welfare

The proposed conditional use for the addition of used car sales will not be detrimental to public health, safety, morals, comfort, or general welfare. The operation will adhere to all local, state, and federal regulations governing auto sales, ensuring the highest standards of safety and ethics. Measures will be implemented to maintain a clean, organized, and professionally operated facility, free from hazards or nuisances to the community.

2. Impact on Neighboring Properties and Property Values

The proposed use will be complementary to the existing custom rims and tire service facility, aligning with the character of the neighborhood. The business will operate in a manner that respects the enjoyment of neighboring properties, with no adverse effects on their current uses. The site will be maintained to high standards, with landscaping and signage designed to enhance property values in the vicinity.

3. Orderly Development of Surrounding Property

The addition of used car sales will not impede the orderly development of the surrounding area. Instead, it complements the commercial nature of the district and encourages growth by providing additional services that benefit local residents. The proposed use is consistent with existing business activities and supports the development of a thriving, diverse commercial environment.

4. Adequate Public Utilities, Roads, and Facilities

The property is already equipped with adequate public utilities, access roads, drainage, and other necessary infrastructure. Any additional requirements specific to the proposed use will be addressed prior to implementation to ensure full compliance with village standards.

5. Ingress and Egress to Minimize Traffic Congestion

The site plan includes clearly marked ingress and egress points, designed to minimize traffic congestion on public streets. Parking and display areas for vehicles will be organized to ensure smooth traffic flow within the property, with no adverse impact on adjacent roadways.

6. Consistency with the Comprehensive Plan

The proposed use aligns with the objectives of the Village of Lombard's Comprehensive Plan by supporting economic development and enhancing the diversity of services offered in the area. This addition will contribute to the vibrancy of the local economy while maintaining harmony with the surrounding community.

7. Conformance with Zoning Regulations

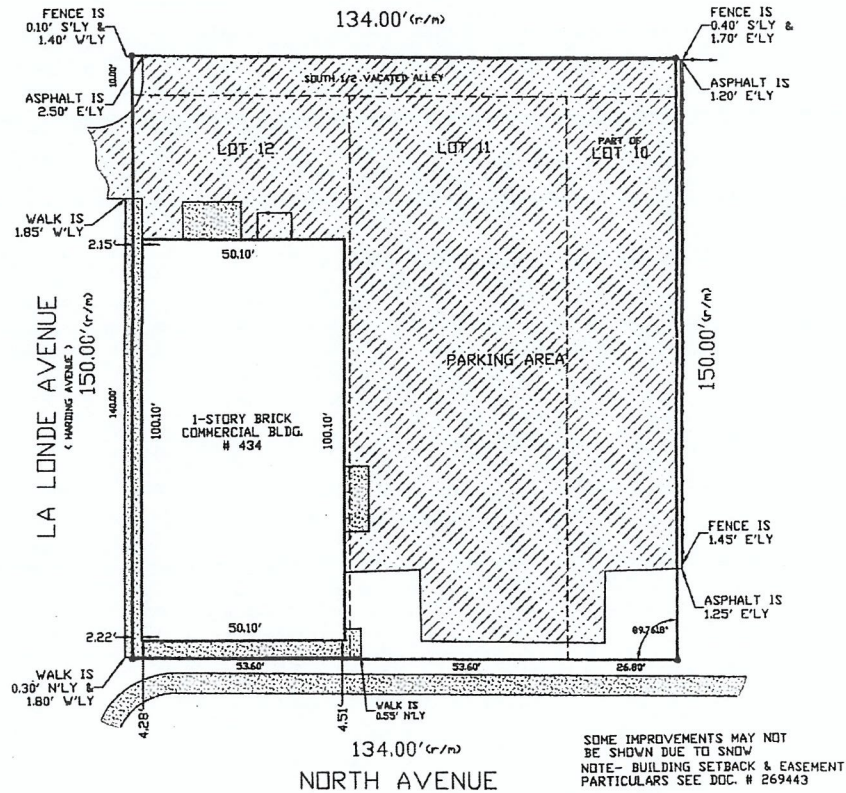
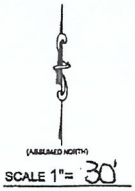
The proposed conditional use will conform to all applicable zoning regulations for the district. Any modifications recommended by the Plan Commission will be fully implemented to ensure compliance and compatibility with the zoning requirements.

Associated Surveying Group, P.C.

Illinois Prof. Design Firm No. 184-003013
 P.O. Box 810 Bolingbrook, IL 60440
 PH: 630-759-0205 FAX: 630-759-9291

PLAT OF SURVEY

THE WEST HALF OF LOT 10 AND ALL OF LOTS 11 AND 12, AND THE SOUTH HALF OF THE VACATED ALLEY LYING NORTH AND ADJOINING SAID WEST HALF OF LOT 10 AND ALL OF LOTS 11 AND 12 IN BLOCK 14 IN NORTH AVENUE MANOR, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 14, 1928, AS DOCUMENT NUMBER 269443, IN DUPAGE COUNTY, ILLINOIS.



State of Illinois }
 County of Will } SS

I, Michael G. Hervey, an Illinois Professional Land Surveyor, do hereby certify that "This professional service conforms to the current Illinois minimum standards for a boundary survey", and that the Plat hereon drawn is a correct representation of said survey.

Dated, this 13TH day of DECEMBER, A.D., 2006,
 at Bolingbrook, Illinois.

FIELDWORK DATE: DECEMBER 6, 2006

Michael G. Hervey
 Illinois Professional Land Surveyor No. 35-002900
 License Expires: November 30, 2008

CLIENT: REYNOLDS

JOB NO.: 64825-06

LEGEND:

- ASPHALT
- BRICK
- WOOD
- CONCRETE
- WALL
- ENCLOSED COVERED
- SET IRON PIPE
- IRON PIPE + CROSS
- REBAR/ROD - NOTCH
- PK NAILS AS NOTCH
- CHAIN LINK FENCE
- WOOD FENCE
- ALL OTHER FENCE TYPES

ABBREVIATIONS:

- A = ARC LENGTH
- R = RADIUS
- CH = CHORD LENGTH
- (r) = RECORD VALUE
- (m) = MEASURED VALUE
- P.U. = PUBLIC UTILITY EASEMENT
- P.U.D. = PUBLIC UTILITY & DRAINAGE EASEMENT
- NLY = NORTHERLY
- S'LY = SOUTHERLY
- E'LY = EASTERLY
- W'LY = WESTERLY
- TYP = TYPICAL

- NOTES:**
- COMPARE THE LEGAL DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE; ALSO, COMPARE ALL FIELD MEASURED LOT CORNERS & BUILDING TIES WITH THIS PLAT BEFORE CONSTRUCTION AND REPORT ANY DIFFERENCE AT ONCE.
 - BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO DEPICTED ON THE RECORDED SUBDIVISION PLAT. REFER TO YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE FOR ADDITIONAL ENCUMBRANCES.
 - MEASURED LOT DIMENSIONS ARE SHOWN ONLY WHEN THEY DIFFER FROM RECORD DIMENSIONS BY 0.15 FEET OR MORE.
 - CURVED LINES DENOTED WITH ARC LENGTHS UNLESS OTHERWISE NOTED. ALSO, ALL ARCS ARE TANGENT UNLESS OTHERWISE NOTED.

FLOOR PLAN

