Planning & Zoning Commission Staff Report
September 11, 2019

Item for Planning & Zoning Commission Consideration:
Request for a Special Use Permit to operate a lift machinery and equipment sales and repair establishment with an open sales lot.

Recommended Action:
Recommend approval of a Special Use Permit and a Site and Landscape Plan, with the following stipulation:

1. Plant 5 parkway trees and 5 trees on private property;
2. Keep lift trucks in a fully contracted position at all times;
3. Install a 7-foot fence along the perimeter of the parking lot with 100% opacity;
4. Driveway for exit bays to be right-out only;
5. All related repair work must be limited to parts only, and fully enclosed within the building;
6. Lifting equipment may be displayed for sale and parked outdoors, only within the area indicated on the proposed site plan;
7. No parking, loading or unloading of tractor trailers may occur on Vandustrial Drive; all uses must be fully enclosed on site.

I. Basis of Recommendation

A. Background

The Applicant, Toplift North America, is requesting approval of a special use permit to operate a lift equipment storage, sales and repair establishment at a facility previously used as an automobile tire repair shop.
Aerial Map showing subject property and notification area.

Zoning map indicating B-2 Zoning of subject property and surrounding districts.
B. Critical Issues

Staff is recommending consideration of two special uses for the establishment of a lift equipment sales and repair use at 280 W. 63rd Street, an existing location in Westmont, IL. No building alterations are proposed.

1. Site Plan
   The proposed site plan is shown attached.

2. Parking
   The square footage of the proposed establishment is 6012 square feet. Machinery and equipment sales (and related repair) establishments are required to provide one space per each 600 square feet of building space. Therefore, the applicant will need to provide 10 spaces. The proposed site plan shows 16 spaces, including an ADA-compliant space and is compliant with the Zoning Code.

   In addition, the proposed site plan shows four oversized parking spaces for the storage of lift equipment, 17 spaces for the parking of tractor trailers and 16 customer and employee parking spaces, including one ADA-compliant space.

3. Access
   Access is via an existing gated driveway located along the easterly property boundary and exit may occur at this gate, and through a right-only exit driveway located south of the main entrance.

4. Landscaping
   The Public Works Forester reviewed the site plan and provided these comments:
   
   1. Install five parkway trees. I’ve curb marked each location in white. Please plan to plant these trees, on that mark, centered within the parkway. All trees shall be 3” diameter, single stemmed with no limbs lower than four feet, and true to species. Please indicate these on the plan. Trees shall be the following species, from north to south:
      a. Cornus mas “Golden Glory” (Golden Glory Cornelian cherry Dogwood)
      b. Malus ‘Royal Raindrops’ (Royal Raindrops Crabapple)
      c. Syringa pekinensis ‘Beijing Gold’ (Beijing Gold Peking Lilac)
      d. Malus ‘Royal Raindrops’ (Royal Raindrops Crabapple)
      e. Syringa pekinensis ‘Beijing Gold’ (Beijing Gold Peking Lilac)
   
   2. The five trees to be planted on the private lot shall be centered within the lawn areas between the building and the sidewalk. There are overhead powerlines, and even though the previous trees were planted closer to the sidewalk, I want these further from those lines.
   
   3. Gleditsia triacanthos var inermis ‘Skyline’ is unacceptable for this location. Please substitute with Taxodium distichum (Bald Cypress)
4. Picea abies (Norway Spruce) is unacceptable for this location. Please substitute with Ginkgo biloba ‘Princeton Sentry’ (Princeton Sentry Ginkgo).

5. Buxes sempervirens (Common Boxwood) along the south edge of the parking lot is unacceptable. Substitute with a combination of Aronia arbutifolia (Red Chokeberry) and Sambucus racemosa (Red Elderberry)

6. I do not know if this covered in the Engineer’s comments, but the stormwater detention basin is over run with invasive species, predominantly cattails (Typha spp). The basin should be redone vegetatively, back into proper native vegetation, for both designed function, and appearance.

5. **Building Details**

The Building Commissioner reviewed the petition and provided the following comments:

- Please clarify all business being conducted on the property. (As such - additional comments may be generated.)
- Parking Stalls shall be 10' x 20' not 9' x 18' - waiver to 9' width may be granted (or may not - and probably should not if parking will be accommodating mostly pick up trucks and other larger vehicles); the depth waiver is only permitted where there is space for a 2' vehicle overhang. (27' indicated, but when addressing village comments, maintain a 24' wide drive aisle minimum.)
- Comply with Off-Street **Loading** requirements Appendix A, Article X, Section 10.07
- Comply with Off-Street **Parking** requirements Appendix A, Article X, Section 10.06(K)(4)
  - (c)(16) for Low volume commercial uses - Machinery and equipment sales establishments having a relatively low volume of customer activity relative to their area shall provide one off-street parking space for each 600 square feet of floor area. OR
  - (e)(13) for Other business, commercial and industrial uses - "Manufacturing, fabricating, cleaning, testing, assembling, repairing or servicing establishments as permitted in the manufacturing district: one parking space for each two employees based upon maximum number of employees that can be accommodated in accordance with building code regulations." OR
  - (e)(26) All other uses not specified in the foregoing sections: one parking space for each 250 square feet of floor area.

- Display of signage, banners, flags, wind driven devices, pennants, etc. is prohibited on trucks, lifts, cranes, and other vehicles - all signage shall be per Village code.
- Appendix A, Article IV, Sec. 4.15. - Outdoor lighting. Where outdoor lighting is provided on any lot, the lighting fixtures shall be so designed and so located as to confine the rays of light within the boundaries of the lot.
- Comply with the requirements of the adopted Village codes, including but not limited to: IBC, IFC, IECC, NEC, IL Plumbing Code.

No alterations to the building are proposed by the applicant.
C. **Special Use Permit Analysis**

Approvals required include Special Use Permits, as follows:

- Sec. 7.03.79 lists Machinery and Equipment Sales Establishment in the list of permitted and special uses in the B-2 district, as allowed with a Special Use Permit, with no special conditions listed.
- Sec. 7.03.98 lists Open Sales Lot as an Accessory Use in the list of permitted and special uses in the B-2 district, as allowed with a Special Use Permit, with two special conditions:
  - Such special use may be permitted where the owner satisfactorily establishes that there will be no appreciable traffic congestion or hazard to pedestrian safety.
  - Such special use may be permitted on a lot which is not less than 20,000 square feet in area.
- Sec. 7.03.99 lists Open Sales Lot as a Principal Use in the list of permitted and special uses in the B-2 district, as allowed with a Special Use Permit, with one special condition:
  - Such special use may be permitted where the owner satisfactorily establishes that there will be no appreciable traffic congestion or hazard to pedestrian safety.
- Special Uses: B-2 Business District allows Machinery and Equipment Sales; Open Sales Lots as a Principal and/or Accessory Uses, as Special Uses with Special Conditions:
  - The Open Sales Lot as an Accessory use is permitted on a lot which is not less than 20,000 square feet in area. The proposed lot is approximately 55,590 square feet. However, the proposed uses are principal uses, while parts repair and service are considered accessory uses and are expected, as part of the normal course of business for this proposed sales lot.
  - Such special use may be permitted where the owner satisfactorily establishes that there will be no appreciable traffic congestion or hazard to pedestrian safety.

- Staff Suggestions for Additional Conditions of Approval:
  - If an Open Sales Lot Special Use is approved, lifting equipment may be displayed for sale, and parked, outdoors, only within the area indicated on the proposed site plan;
  - All repairs and service of parts of lifting equipment must take place indoors, with entry through the west-facing bays;
  - East-facing bays are to be used for exiting only, and doors must be kept closed at all times; and,
  - The southernmost driveway must be right out only exit only.
  - Add five new trees, as identified on the proposed site plan, along the existing green spaces. No other landscaping modifications are required. Village Forester has further recommended the addition of five trees to the private portion of the property.
  - Enclose the parking lot area with a 7-foot high fence with a gate at 100% opacity, as indicated on the proposed site plan.

**Special Use Standards**
The Planning and Zoning Commission will be expected to consider the following standards as part of their decision-making process: Section 3.09 Special Uses (D) Standards. A proposed special use shall substantially meet the following standards in order to obtain the recommendation of the planning and zoning commission and approval of the board of trustees:

1. That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.
3. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. That adequate utilities, access ways, drainage and/or other necessary facilities have been or are being provided.
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.
6. That the special 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 by the village board pursuant to the recommendation of the plan commission.

**Site and Landscape Plan Review**

- **Submitted Plans Requirements:** The site plan shows:
  - A holding area for machinery and equipment, located at the northwest corner of the property;
  - Tractor trailer parking along the westerly boundary;
  - Employee parking area along the southerly boundary;
  - Customer parking area along the northerly building line;
  - Loading and unloading area along the northerly lot boundary;
  - Five additional trees along the easterly boundary;
  - 16 proposed shrubs along the southerly boundary, east of the building’s southerly lot line.
  - A proposed 6-foot high fence at 100% opacity with a gate. Complies with site plan requirements. No changes are requested.

We asked the applicant to prepare and submit elevations showing the proposed fence, additional trees and shrubs.

- **Setbacks:** Complies with all setbacks and minimum yards, including Supplemental Setback line of 30 feet for 63rd Street. No alterations to the building are proposed.
- **Required Minimum Lot Area and Width:** None
- **Maximum FAR:** Complies. Existing building.
- **Building Height:** Complies. Existing building.
- **Yards:** Complies. Existing building.
• Site Access: There are two access points along the easterly boundary. One is for entry into the parking area, while the second is oriented towards the existing bay doors.
• Off-Street Parking Requirements: Complies. There are 15 spaces. Parking requirements are 10 parking stalls for customers.
• Signage: A separate Sign Permit Application is required. The site plan approval does not include signage.
• Lighting: Please provide a photometric plan with light fixture details/specifications. Note that light intensity is not allowed to exceed zero at any lot line.

Report of Findings in support or denial of this use, if any, are attached.

D. Policy

The use category listed as a Special Use in the B-2 District, Machinery and equipment sales establishments, does not indicate whether repairs are included. There is no separate category for related repair uses in the district use tables. Staff has determined that, during the normal course of business, these types of establishments conduct minor repairs to equipment. As discussed with the applicant, the repairs are to be limited in scope to parts that are introduced into the building through the west-facing bays and kept within the building at all times.

E. Legal

Notification: Westmont Village codes require proposed Special Use Permit requests to be advertised with a Public Notice in the local newspaper, and to be considered by the Plan Commission at a public hearing. Public notice was published in the Westmont Suburban Life on August 22, 2019.

Other Required Actions: Village Board action is required for these proposed Special Use Permits.

Code Reference: Village Zoning Code Section 7-03 specifies the uses requiring special use permits and related special conditions.

II. Recommended Conditions, Stipulations, or Other Requirements

1. Plant 5 parkway trees and 5 trees on private property;
2. Keep lift trucks in a fully contracted position at all times;
3. Install a 7-foot fence along the perimeter of the parking lot with 100% opacity;
4. Driveway for exit bays to be right-out only;
5. All related repair work must be limited to parts only, and fully enclosed within the building;
6. Lifting equipment may be displayed for sale and parked outdoors, only within the area indicated on the proposed site plan;
7. No parking, loading or unloading of tractor trailers may occur on Vandustrial Drive; all uses must be fully enclosed on site.

III. Attachments and References
1. Attachment 1—Site and Landscaping Plan, dated 9/3/19
2. Attachment 2—Project Narrative

IV. **Principal Parties Expected at Meeting**
   1. Mr. Ryan Scheuer, Employee/Agent