

**ORDINANCE NO. 1988-21**

**AN ORDINANCE APPROVING A SPECIAL USE FOR A MINI-WAREHOUSE FACILITY, CLASS I SITE PLAN REVIEW, AND VARIANCES (LSC DEVELOPMENT, LLC)**

WHEREAS, LSC Development, LLC (hereinafter referred to as “Petitioner”) has filed a Petition requesting approval for (1) a special use to allow a mini-warehouse (self-storage) facility; (2) a Class I Site Plan; and (3) variances from § 11.04(3), § 11.06, § 11.07, and § 12.05(3)(b) of the Itasca Zoning Ordinance for the property located at 1220 Norwood Avenue, in the Village of Itasca (hereinafter “Subject Property”); and

WHEREAS, Petitioner submitted an application for special use for mini-warehouse (self-storage) facility, attached hereto as Exhibit A; and

WHEREAS, Petitioner proposed a Class I Site Plan, attached hereto as Exhibit B; and

WHEREAS, Petitioner submitted an application for variances from § 11.04(3) to permit a rear-yard setback of 16.67 feet when the minimum required is 40 feet; from § 11.06 to permit a building height of 40 feet and 3 stories when the maximum allowed is 30 feet and 2 stories; from § 11.07 to permit a Floor Area Ratio (FAR) of 1.6 when the maximum allowed is 0.7; and from § 12.05(3)(b) to reduce the number of parking stalls required to 44 when the minimum required is 69, attached hereto as Exhibit C; and

WHEREAS, a public hearing was held by the Itasca Plan Commission on July 21, 2021, on Petitioner’s application, pursuant to public notice as required by law, with respect to Petitioner’s application; and

WHEREAS, the Plan Commission made the following findings of fact with respect to the request for special use:

1. The approval of the special use is in the public interest and not solely for the interest of the applicant.
2. The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
3. Such use will not under the circumstances of the particular case be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.
4. The proposed use will comply with the regulations and conditions specified in the Zoning Ordinance for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.

WHEREAS, the Plan Commission made the following findings of fact with respect to the Petitioner’s request for variances:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
2. The plight of the owner is due to unique circumstances.
3. The variations, if granted, will not alter the essential character of the locality.

WHEREAS, the Plan Commission recommended to the Village Board of Trustees that Petitioner's requests be approved subject to the following conditions:

1. Permit Documents must be in substantial compliance with the materials presented to the Plan Commission ("Plan Commission Submittals") and the Site Plan, Ground Floor Plan, Second Floor Plan, Third Floor Plan, Elevations (North, South, East, West), Perspectives, Preliminary Engineering, Landscape Plan, Plant List and Details, and Site Photometric Plan, prepared by SGW Architecture and Design, dated August 3, 2021 ("Village Board Submittals").
2. The proposed building and site must comply with all Village Ordinance and Building Codes in place at time of permit application.
3. The proposed building and site work shall be completed within two (2) years from the date of Ordinance approval.
4. Additional landscaping must be provided along the north, west, and east façades located along the building foundation and wall. Landscaping shall include deciduous trees of a variety of species type and be provided at a ratio of approximately one (1) tree for every 25 ft. of building length for the north, west, and east façades and trees shall be planted at least 15 ft. apart unless when not feasible due to utilities, doorways, driveways, or other reasoning found acceptable by Village Staff during the permit process. Shrubs or other similar vegetation shall be planted along the building foundation/wall in between the deciduous trees except when not feasible due to utilities, doorways, driveways, or other reasoning found acceptable by Village Staff during the permitting process.
5. The two (2) proposed parking stalls located in the front-yard must be removed as it is not compliant with Sec. 12.03-1-a-(3) and 12.03-8 of the Zoning Ordinance.
6. Lighting shall be revised so that Photometric Plan indicates that footcandles do not exceed 0.5 footcandles at the north and west property lines.
7. The proposed Mini-Warehouse (self-storage) Facility shall comply with all Performance Standards as listed in § 11.02(2) and § 11.02(5) and failure to do so shall result in the revocation of the Special Use, Class I Site Plan, and Variance Approvals for PC 21-009.
8. All activities and operations related to the proposed Mini-Warehouse (self-storage) facility shall be within completely enclosed building and failure to do so shall result in the revocation of the Special Use, Class I Site Plan, and Variance Approvals for PC 21-009.

9. The proposed Mini-Warehouse (self-storage) Facility shall comply with the conditions of operations as listed in Sec. 11.03-2-i-(1) through (8) and failure to do so shall result in the revocation of the Special Use, Class I Site Plan, and Variance Approvals for PC 21-009.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Itasca, DuPage County, Illinois, as follows:

SECTION ONE: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the Village Board.

SECTION TWO: GRANT OF REQUESTED SPECIAL USE AND VARIATIONS. The corporate authorities accept the findings of fact and recommendation of the Itasca Plan Commission concerning Petitioner’s application for approval of (1) a special use to allow a mini-warehouse (self-storage) facility (Ex. A); (2) a Class I Site Plan (Ex. B); and (3) variances from § 11.04(3) to permit a rear-yard setback of 16.67 feet; from § 11.06 to permit a building height of 40 feet and 3 stories; from § 11.07 to permit a Floor Area Ratio (FAR) of 1.6; and from § 12.05(3)(b) to reduce the number of parking stalls required to 44 (Ex. C), and hereby grant the such request special use and variations, subject to the conditions listed above.

SECTION THREE: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION FOUR: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.


	Trustee Aiani	Trustee Gavaness	Trustee Leahy	Trustee Linsner	Trustee Madaras	Trustee Powers	Mayor Pruyn
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVED and ADOPTED by the Village President and Board of Trustees of the Village of Itasca this 17<sup>th</sup> day of August, 2021.

APPROVED:

  
Village President ~~Jeffery J. Pruyn~~

ATTEST:

  
Village Clerk Jody Conidi

