

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

 X 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, 2016 (B of T) Date: July 21, 2016

TITLE: PC 16-10; 550 E. 22nd Street

SUBMITTED BY: Department of Community Development *WJ*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village approve a conditional use for a planned development for a twenty-six (26) unit attached single-family (townhouse) development with the following companion conditional use and deviation, as follows:

1. A conditional use from Section 155.208(C) to allow for more than one (1) building on a lot of record;
2. A deviation from Section 155.409(F)(3)(d) for a rear yard setback of nine (9) feet where thirty (30) is required, for the northernmost building abutting the stormwater detention outlot; and
3. Approve a Major Plat of Subdivision.

The Plan Commission recommended approval of this petition by a vote of 5-0.

The petitioner requests a waiver of first reading of the ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ 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*

DATE: July 21, 2016

SUBJECT: **PC 16-10; 550 E. 22nd Street - Yorktown Village Townhomes**

Please find the following items for Village Board consideration as part of the July 21, 2016 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 16-10; and
3. An Ordinance granting approval of a conditional use, pursuant to Section 155.208 (C) with companion conditional use and deviation of the Village of Lombard Zoning Ordinance, to allow for a new twenty-six (26) unit townhome subdivision in the R4 Limited General Residence Zoning District.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the July 21, 2016 Board of Trustees agenda with a waiver of first reading, as requested by the petitioner (attached).

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VILLAGE OF LOMBARD

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

July 21, 2016

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, 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 16-10, 550 E. 22nd Street

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, RSS Homes LLC., requests that the Village approve a conditional use for a planned development for a twenty-six (26) unit attached single-family (townhouse) development with the following companion conditional use and deviation, as follows:

1. A conditional use from Section 155.208(C) to allow for more than one (1) building on a lot of record;
2. A deviation from Section 155.409(F)(3)(d) for a rear yard setback of nine (9) feet where thirty (30) is required, for the northernmost building abutting the stormwater detention outlot; and
3. Approve a Major Plat of Subdivision.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on June 20, 2016. Sworn in to present the petition was William J. Heniff, AICP, Director of Community Development, and the petitioner, Dennis McNicholas. Also sworn in were Rich Barnes of Barnes Architects, Ltd., and Zack Grabijas, Project Engineer, Bono Consulting Inc.

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

Dennis McNicholas, the attorney representing the petitioner, RSS Homes LLC., described the project as described in the marketing booklet.

He said the project is very similar to Fairfield Glen approved by the Plan Commission and Village Board in 2004. Each of the units has an inward view facing other units. The garages are facing east, west and north. He stated that the petitioner is willing to comply with the comments and recommendations from staff.

Acting Chairperson Flint asked if any person would like to speak in favor or against the petition, or for public comment.

Vince Domino said he represents the Fairfield Court Association. He asked what the values of the townhomes are. He referenced the plat and asked if there is an access into the cul-de-sac. He asked if there is going to be a play area if there would be any fencing on the north side of the property.

Acting Chairperson Flint asked if any person would like to speak in favor or against this petition, or for public comment.

George Bedard said he lives on the east side adjacent to the property and has 280 feet of common boundary with the Village. He stated the drainage in this area is always a problem. He said his concern is that the Village no longer takes responsibility for the pipes on the property. If there is a problem it is always up to the association. He asked what is going to happen with the flow of the water. He asked about the screening as far as keeping his property private.

Brian O'Conner said he lived across the street from the subject property. He stated that on June 15, 2015 they had over 2.5 inches of rain. He presented a photo of the water in his back yard. He said it is imperative that the water drains away from 22nd Street. He said he would like a commitment from the developer that there be a periodic maintenance and repair of the pipes on the property. He asked that the developer put in a detention pond because everything on the plans looked like hardscape surfaces.

Acting Chairperson Flint asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked the petitioner to respond to the questions.

Rich Barnes, the project architect, began with responding to Mr. Domino's questions and said that the cost of the units is \$215 a square foot. He explained that would be no vehicular access into the cu-de-sac from the north. There is no play area planned and that there will be a fence along the north line. There is sidewalk access that is requested by the Village.

In response to the other questions, Mr. Barnes explained the screening and landscape would have to go through the building permit review. He said he didn't think the requirements for repair and maintenance have been imposed on any other developer. He explained the property is made up of 40% green space.

Mr. Barnes then introduced Zack Grabijas from Bono Consulting. Mr. Grabijas said that in regards to the drainage that they would be picking up all the impervious on the lot and directing it toward 22nd Street. He said there is a small portion of grass on the north and east side that is an easement. The overflow for the detention pond is to the south or to the storm sewer system. Mr. Grabijas stated that they will be complying with all of the Village's recommendations.

Acting Chairperson Flint asked if anyone else would like to speak in favor or against the petition, or for public comment. Hearing none, he asked for the staff report.

William Heniff, Director of Community Development, submitted the staff report to the public record in its entirety. Mr. Heniff began by stating that that the petitioner, RSS Homes LLC., requests that the Village approve a conditional use for a planned development for a twenty-six (26) unit attached single-family townhouse development with a conditional use to allow for more than one (1) building on a lot of record. Also, they are seeking a deviation for a rear yard setback of nine (9) feet where thirty (30) is required, for the northernmost building abutting the stormwater detention outlot as well as approve a Major Plat of Subdivision.

Discussing comments from the Inter-Departmental Review Committee, Mr. Heniff stated that the Fire Department has asked to provide design specifications to accompany the plans indicating the necessity of an approved revision to the 22nd Street median to allow east bound emergency vehicle access to the site. He explained that as part of the final engineering review, the petitioner shall submit to the Village for review a plan showing the access configuration with the creation of a left-in only turn lane to be located at the western access drive into the development and that the petitioner shall be obligated to construct the improvements accordingly.

Mr. Heniff said that Private Engineering Services offered comments regarding the stormwater engineering plan. He noted that his is a preliminary engineering review. Staff has met with the petitioner numerous times to discuss how this property could be configured. The Public Works Department offered several comments that would be addressed in final engineering as well.

Regarding the zoning and land use, Planning Services noted that the property has been zoned R4 since 1985. The Plan Commission identified the subject property as a parcel in which office or commercial uses could be conceptually supported, given the nature of 22nd Street as a minor arterial roadway and the adjacent non-residential land uses. While the adopted Comprehensive Plan thereby identified the property for office uses, the zoning of the site is R4 and townhomes are a permitted use. This development is also consistent with the Fairfield Glen subdivision to the north. So while not consistent with the Plan document, it does attempt to address the land use and design issues that would be required of such a development. Staff finds the proposed townhome subdivision to be consistent with the underlying surrounding zoning and land uses.

Concerning the Planned Development, the Zoning Ordinance encourages the use of planned developments that provide for a more efficient use of the site. Staff is supportive of the planned development request as it establishes a framework for review and consideration of subsequent activities or structures that could be developed in the future. Such an approach was successfully established as part of the approved Fairfield Glen townhome development. Staff supports the

conditional use request for a planned development and that the shared parking fields, common open space and sidewalk amenities provide for a more unified project.

Mr. Heniff noted the stormwater detention will be subdivided into an outlot, as required in the Subdivision and Development Ordinance. However, this code requirement results in the northern building to be within nine feet of the outlot parcel itself. Staff notes that this will function as a paper deviation, as the relief will not be visually apparent to properties within or abutting the proposed development.

Reviewing the access to the site, Mr. Heniff said it will be solely accessed by 22nd Street. The project is consistent with the Fairfield Glen townhome development to the north. Additional sidewalks throughout the development, along 22nd Street and linking to the Fairfield Court will enhance pedestrian circulation. Staff finds the proposed townhome subdivision to be consistent with the underlying surrounding zoning and land uses.

Mr. Heniff explained the intent of the project is that the stormwater runoff from the project would be carried to the proposed detention outlot located at the far northern end of the subject property, with stormwater drainage being directed away from the abutting properties and toward 22nd Street via a new storm sewer on the property. This should help alleviate drainage concerns raised by selected property owners within the Congress Knolls Subdivision. There will be some benefit to the abutting property owners.

The project is intended to mirror many of the favorable elements of the Fairfield Glen townhome development located at 1400 South Fairfield Avenue. These elements include a center courtyard and walkway with the townhome units generally facing inward. The northern townhome building will face northward which will provide a better aesthetic appearance to the Fairfield Court townhome development to the north.

Mr. Heniff concluded by stating that staff recommends approval of PC 16-10 subject to the four (4) conditions in the staff report.

Acting Chairperson Flint asked if anyone had any questions of the staff report.

Mr. O'Conner asked if there could be a commitment from the developer for periodic maintenance and repair on their drainage system. Mr. Heniff explained the property is in the corporate limits of the Village. Every five years the Village automatically reviews all stormwater detention basins within the Village. He said that if there is ever an issue or a blockage to contact the Village. Mr. O'Conner asked Mr. Heniff to look into the pond issue in Abbey Woods.

Ms. Phyllis Scalare said she lives on Fairfield Court. She said her concern is that when they get a severe rain they also get water in their retention pond. She said she was told that the water drainage goes into the pond. She asked that with the new construction, would the water still drain toward 22nd street. Mr. Heniff explained that the Fairfield Court stormwater would continue to drain in the same manner as it had in the past, but the stormwater from the development site would be redirected directly toward 22nd Street.

Acting Chairperson Flint asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Cooper asked engineer to clarify the stormwater drainage out to 22nd Street.

Mr. Grabijas explained that they have a drainage system around the property to collect the water. The water will get into the pipes and initially drain toward 22nd Street. He said they have designed a system for the 100 year flood. He explained there is a huge amount of the detention underground and the over flow would go toward 22nd Street.

Commissioner Cooper asked about the guest parking. She said it looked there are 8 spaces. Mr. Heniff said there was guest parking and they would also be able to park in the driveway spaces.

Commissioner Cooper said she liked the concept of connecting the neighborhoods. She said it looks like the sidewalk ends in the drive lane and asked if it could be extended to 22nd street. Mr. Heniff referenced the plans and said the intent was for a common walkway though out the project. Mr. Heniff clarified that Commissioner Cooper is suggesting that there should be a continuous sidewalk from the north to the south end of the project. He said it can be addressed in final engineering.

Commissioner Olbrysh noted there are a lot of multi-level units being built in the area and asked if they considered elevators. Mr. Barnes said it would be a great amenity to have but considering the scope of the project that it wasn't feasible.

Commissioner Sweetser asked about the entrance signage. Mr. Grabijas said it would be finalized during the final engineering process.

Commissioner Cooper asked if there is a fence on the east side. Mr. Heniff said there would be a fence around the perimeter as well as landscape plantings.

Mr. Nicholas stated that it is the petitioner's intent to keep up the high quality and standards that they have implemented within their other developments.

Mr. Burke asked if the Plan Commission should add to the conditions the continuous walkway out to 22nd street and the aluminum fence.

Mr. Barnes said the fence is on C1 of the site plan.

On a motion by Commissioner Olbrysh, and a second by Commissioner Sweetser, the Plan Commission voted 5-0 that the Village Board approve the petition associated with PC 16-10, subject to the following four (4) conditions, plus one (1) additional condition:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request;

2. As part of the final engineering review, the petitioner shall submit to the Village for review and approval a plan showing the access configuration with the creation of a left-in only turn lane to be located at the western access drive into the development and that the petitioner shall be obligated to construct the improvements accordingly;
3. The petitioner shall satisfactorily address all other development comments identified within the Inter-department Review Report as part of any future permits as part of the project;
4. The petitioner shall apply for and receive final engineering approval from the Village. Upon such approval, the petitioner shall submit a final plat for Village Board approval and recording; and
5. The petitioner shall provide for a continuous sidewalk from Fairfield Court to 22nd Street through the development.

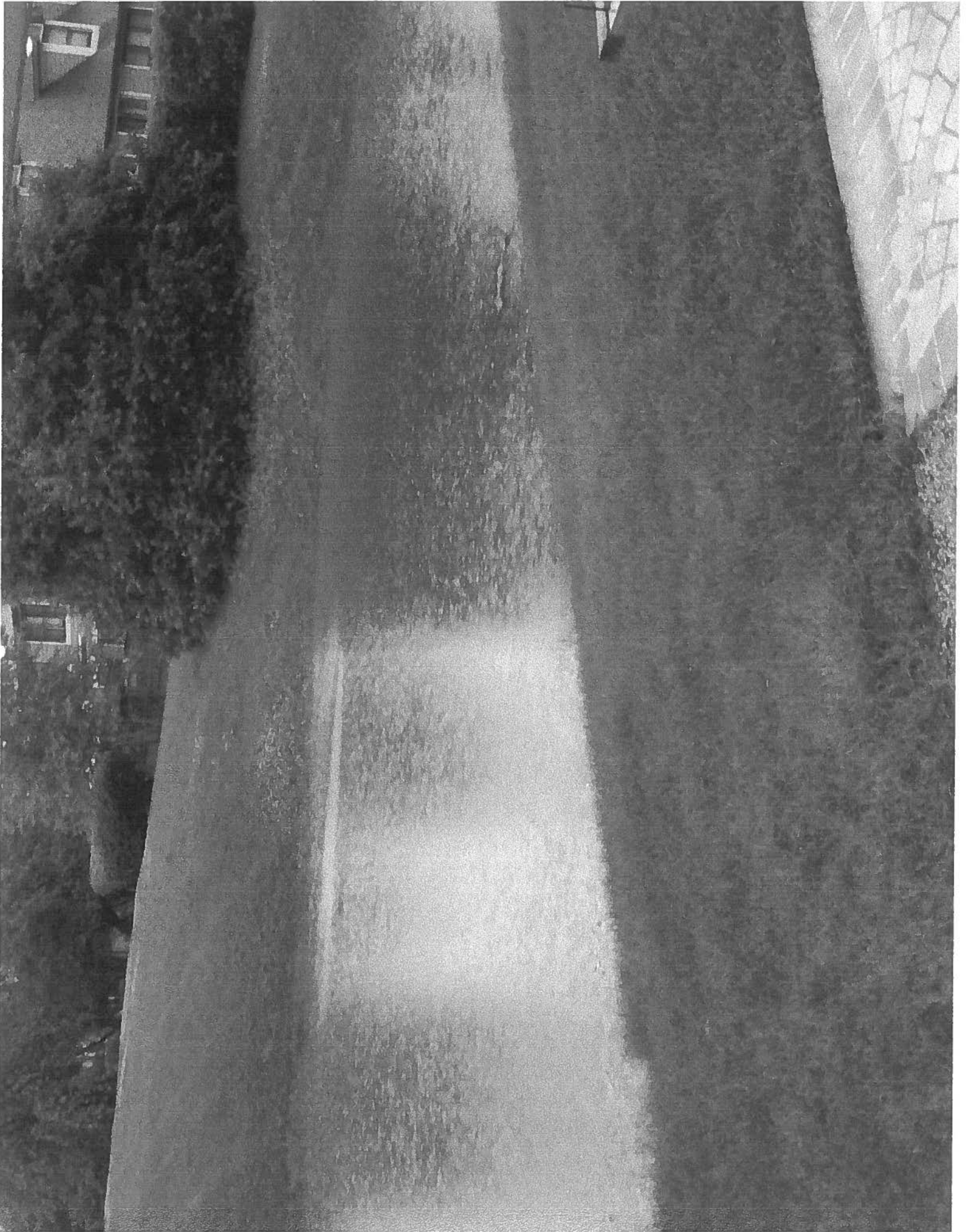
Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

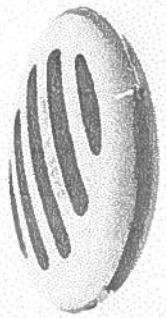
c. Lombard Plan Commission

**Exhibit Submitted as the Public Hearing
Testimony to PC16-10**









June 20, 2016

Title

PC 16-10

Petitioner/Property Owner

RSS Homes LLC
3760 Sunset Lane
Northbrook IL 60062

Property Location

550 E. 22nd Street
PINs: 06-20-405-013
Trustee District #3

Zoning

R4

Existing Land Use

Single family home

Comprehensive Plan

Office

Approval Sought

Approval of a conditional use, setback deviation, and a preliminary major plat of subdivision

Prepared By

Jennifer Ganser, Assistant
Director



PROJECT DESCRIPTION

The petitioner proposes a new twenty-six (26) unit townhome subdivision. A preliminary plat will be reviewed by the Plan Commission with the final plat going before the Village Board of Trustees.

APPROVAL(S) REQUIRED

The petitioner, RSS Homes LLC., requests that the Village approve a conditional use for a planned development for a twenty-six (26) unit attached single-family (townhouse) development with the following companion conditional use and deviation, as follows:

1. A conditional use from Section 155.208(C) to allow for more than one (1) building on a lot of record;
2. A deviation from Section 155.409(F)(3)(d) for a rear yard setback of nine (9) feet where thirty (30) is required, for the northernmost building abutting the stormwater detention outlot; and
3. Approve a Major Plat of Subdivision.

EXISTING CONDITIONS

The subject property is currently owned by the petitioner. There is a single-family home on the property that will be demolished.

PROJECT STATS

Lot & Bulk

Parcel Size 2.16 acres

Submittals

1. Petition for Public Hearing and Response to Standards
2. Plat of Survey, prepared by ARS Surveying Services, LLC, dated June 18, 2016
3. ALTA/ASCM Land Title Survey, prepared by Professional Land Surveying, Inc, dated May 26, 2016
4. Preliminary Plat of Subdivision for Yorktown Village, prepared by Professional Land Surveying, Inc., dated June 8, 2016
5. Site Plan, prepared by Barnes Architects, Ltd., dated May 17, 2016
6. Site Engineering Plan, prepared by Bono Consulting, Inc., dated May 16, 2016
7. Utility Plan, prepared by Bono Consulting, Inc., dated May 16, 2016
8. Grading Plan, prepared by Bono Consulting, Inc., dated May 16, 2016
9. Concept Landscaping Plan, prepared by Barnes Architects, Ltd., dated May 17, 2016
10. Exterior and interior concept building plans, prepared by Barnes Architects, Ltd., dated May 17, 2016

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments.

Fire Department:

The Fire Department has the following comments:

1. Provide verification on the site plans that the drive aisle turning radius at the northeast and northwest areas meets the requirements of the largest fire department apparatus.
2. Provide a plan note or design specifications to accompany the plans indicating the necessity of an approved revision to the 22nd Street median to allow east bound emergency vehicle access to the site.

Private Engineering Services (PES):

PES has the following comments:

1. The driveway cuts, as has previously been noted, do not meet the Village's driveway requirements for the curb cut being 5-ft inside the property lines extended. This will continue to be a comment that will need to be addressed.
2. The areas between unit driveways shall be landscaped, not necessarily turf grass, and not paved.
3. Watermain must be at least 15-ft from any building for the required 30-ft easement, to be centered on the watermain as-constructed location.
4. Changes in storm sewer pipe sizes shall be done at a structure.
5. The 60" storm sewers need to have a storm structure at the dead ends.
6. Retaining walls over 3-ft in height must be structurally designed and submitted during final engineering.
7. The detention basin must meet the 10-ft + 1.5-foot time depth setback from the Fairfield Court right-of-way. This may require slight tweaking of the stormwater basin during final engineering.
8. Sidewalk along the west end of the detention basin shall connect to the sidewalk on Fairfield Court.
9. PVC inlets will not be allowed. All structures shall follow the Village's specification manual.
10. Detailed Stormwater and BMP submittal will be required for final engineering.
11. Additional comments may be made once final engineering is submitted.

Public Works:

The Department of Public Works has the following comments:

1. The on-site sanitary sewer is proposed to run through yards between the buildings rather than under roadways. As such, all sanitary sewer as well as the storm sewers on the private property shall remain privately owned and maintained.
2. Upon successful completion of the project, the water main will be accepted to be owned and maintained by the Village.
3. The water main shall be placed under the roadway and within a 30' wide easement for public water main and public ingress/egress.
4. Both driveways shall be signed within the property as right in - right out due to the median on 22nd Street.
5. Two water main valves, in addition to the two pressure connection valves on 22nd Street and within the property, are required to maintain flow to the residences during main break repairs.
6. Six parkways trees will be required along 22nd Street. Payment will be collected upon permit issuance for installation by the Village.

Planning Services Division:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	R4	Vacant land and townhomes
South	B3PD	Target
East	R2 (Village) R3 (DuPage County)	Single-family residential
West	O	Office

The project is consistent with the Fairfield Glen townhome development to the north. To ensure compatibility with the other abutting properties, the petitioner is proposing a perimeter aluminum fence of a wrought iron design and vegetation plantings, primarily consisting of common boxwoods to serve as a gradual screening function. Additional sidewalks throughout the development, along 22nd Street and linking to the Fairfield Court will enhance pedestrian circulation. Staff finds the proposed townhome subdivision to be consistent with the underlying surrounding zoning and land uses.

2. Comprehensive Plan Compatibility

The Plan Commission identified the subject property as a parcel in which office or commercial uses could be conceptually supported, given the nature of 22nd Street as a minor arterial roadway and the adjacent non-residential land uses. While the adopted Comprehensive Plan thereby identified the property for office uses, the zoning of the site is R4 and townhomes are a permitted use. This development is also consistent with the Fairfield Glen subdivision to the north. So while not consistent with the Plan document, it does attempt to address the land use and design issues that would be required of such a development.

3. Planned Development

Section 155.502 of the Zoning Ordinance encourages the use of planned developments that provide for a more efficient use of the site. Staff is supportive of the planned development request as it establishes a framework for review and consideration of subsequent activities or structures that could be developed in the future. The creation of the planned development will also allow for additional community input through the public hearing process for future improvements to the site.

4. Conditional Use

Five townhome buildings totaling 26 units are proposed. Therefore a conditional use is required for more than one building on a lot. As the drive aisle will remain in private ownership, the need to establish multiple townhome lots to facilitate the project is reduced. Such an approach was successfully established as part of the 2004 approved Fairfield Glen townhome development. Staff supports the conditional use request as the proposed development will function as a unified development and that the shared parking fields, common open space and sidewalk amenities provide for a more unified development.

5. Deviation

The stormwater detention will be subdivided into an outlot, as required in the Subdivision and Development Ordinance. However, this code requirement results in the northern building to be within nine feet of the outlot parcel itself. Staff notes that this will function as a paper deviation, as the relief will not be visually apparent to properties within or abutting the proposed development.

6. Access

The site will be solely accessed by 22nd Street. The east drive is proposed to be a right in, right out. Through further review of the access issue with the Fire and Public Works Departments as well as Private Engineering Services, the western access drive access shall be designed as a full-in, right-out facility, with the left turn lane constructed within the existing 22nd Street parkway. The cut within the parkway shall be designed to preclude left-out movements. As noted below, a condition of approval it is recommended that the petitioner submit to the Village showing the access configuration plans and that the petitioner shall be obligated to construct the improvements accordingly.

7. Plat

This division is considered a major plat of subdivision as it is greater than one acre in size. Therefore the project must be reviewed and approved by the Plan Commission and Village Board. The Plan Commission is tasked to review the preliminary plat. The final plat will be submitted to the Village Board upon completion of the final engineering for the project. The final plat will need to be in substantial conformance with the preliminary plat. It is envisioned that to provide for the eventual sale of the individual residential units, a condominium plat would be established. However condominium plats are not reviewed by the Village but would be subject to 765 ILCS 605/1.

8. Stormwater Management

The development will need to provide the required detention and Best Management Practices (BMP) per the DuPage County Stormwater Ordinance. Final engineering is subject to review during the permit process. However, the intent of the project is that the stormwater runoff from the project would be carried to the proposed detention outlot located at the far northern end of the subject property, with stormwater drainage being directed away from the abutting properties and toward 22nd Street via a new storm sewer on the property. This should help alleviate drainage concerns raised by selected property owners within the Congress Knolls Subdivision.

9. Site Design Issues

The project is intended to mirror many of the favorable elements of the Fairfield Glen townhome development located at 1400 South Fairfield Avenue. These elements include a center courtyard and walkway with the townhome units generally facing inward. The northern townhome building will face northward which will provide a better aesthetic appearance to the Fairfield Court townhome development to the north.

SITE HISTORY

This subject property has not appeared before the Plan Commission for any zoning actions.

FINDINGS & RECOMMENDATIONS

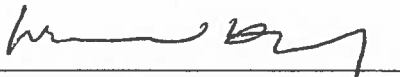
Staff finds that the planned development with associated conditional use and deviation, and the preliminary major plat is consistent with its surrounding properties, the Zoning and Subdivision and Development Ordinance, and is not inconsistent with the overall intent of the Comprehensive Plan.

The Inter-Departmental Review Committee has reviewed the standards for the planned development with associated conditional use and deviation, and the preliminary major plat and finds that they **comply** with the standards established by the Lombard Zoning and Subdivision and Development Ordinances, subject to conditions of approval based on the above considerations. As such, the Inter-Department Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 16-10.

Based on the submitted petition and the testimony presented, the proposed request for a planned development with associated conditional use and deviation ,and the preliminary major plat does comply with the standards required by the Lombard Zoning and Subdivision and Development Ordinances and that granting said request is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 16-10, subject to the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request.
2. As part of the final engineering review, the petitioner shall submit to the Village for review and approval a plan showing the access configuration with the creation of a left-in only turn lane to be located at the western access drive into the development and that the petitioner shall be obligated to construct the improvements accordingly.
3. The petitioner shall satisfactorily address all other development comments identified within the Inter-department Review Report as part of any future permits as part of the project.
4. The petitioner shall apply for and receive final engineering approval from the Village. Upon such approval, the petitioner shall submit a final plat for Village Board approval and recording.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

Petition for Public Hearing: Re: 550 East 22nd Street, Lombard, IL 60148

1. The proposed use of the property will actually enhance the public health, safety, morals, comfort and general welfare of the community by the razing of a small single family structure that until recently was vacant for several years after the death of the prior owner.
2. The conditional use will enhance the value of the parcel in question and once having been completed in compliance with all applicable codes and ordinances may facilitate the further development of the adjoining property.
3. Provisions have been made for on sight water detention and parking such that this development will not impede the normal and orderly development and improvement of the surrounding property. This property is a rectangular parcel for ingress and egress from 22nd Street is being provided in compliance with staff recommendations.
4. The petitioner will comply in all respects with the requirements of the Village formulated after numerous meetings with staff and Village officials.
5. The petitioner is fully aware of the recommendations of the Building and Zoning Department and the Fire Department as the petition relates to ingress and egress for the owners, public and emergency vehicles.
6. The proposed conditional use seems in all respects to comply with the comprehensive plan for the Village of Lombard.
7. The petitioner is in agreement with the principal set forth in this paragraph.

Village of Lombard
Community Development Dept.
255 East Wilson Ave.
Lombard, IL. 60148

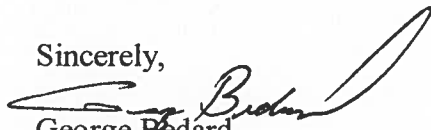
Lombard Development,

Regarding the proposed 26 unit townhouse development by RSS Homes located on 22nd St. I am against this development based on the following comments.

1. Conditional Use Section 155.208(C) AGAINST To much density.
2. Deviation from Section 155.409(F)(3)(d) AGAINST Major flooding problems.
3. Approve a major plat of subdivision AGAINST

A quality townhouse development should have a density of 6 to 8 units per acre. The units should have two(2) car garages with some ranch style units. Adding some basement would also add value to the project. More landscaping is needed to protect the other residential in the area.

Sincerely,



George Bedard
19W181 21st PL.
Lombard, IL 60148

PH. 630-620-7790

6/15/16

DENNIS J. McNICHOLAS, LTD.

ATTORNEY AT LAW

425 South Main Street, Suite 100
Lombard, Illinois 60148



July 1, 2016

William J. Hennif, AICP
Director of Community Development
Village of Lombard
255 E. Wilson Ave.
Lombard, IL 60148

Re: **550 E. 22nd Street Lombard**

Dear Mr. Heniff:

I am writing to request a waiver of the first reading of the petition filed by my client. My client is making a substantial investment in this property and timing is critical. Therefore, final engineering and construction must begin while the weather is still favorable. It is my client's intention to complete as much substance of work as possible before the onset of winter. If you have any questions, please contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Dennis', is placed below the closing 'Very truly yours,'.

Dennis J. McNicholas
DJM/maf

IRS Circular 230 Notice: Any U.S. tax advice included in this written or electronic communication was not intended or written to be used, and it cannot be used by the taxpayer, for the purpose of avoiding any penalties that may be imposed under the Internal Revenue Code or applicable state or local tax law provisions.

Telephone (630)629-0290 ♦ Facsimile: (630) 629-7107

Web Address: DennisJMcNicholas.com ♦ E-mail: realestate@dennisjmcnicholas.com

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A
PLANNED DEVELOPMENT PURSUANT TO TITLE 15,
CHAPTER 155, SECTION 155.409(C), A CONDITIONAL USE TO
ALLOW FOR MORE THAN ONE BUILDING ON A LOT OF
RECORD FROM SECTION 155.208(C) AND A DEVIATION FOR
A REAR YARD SETBACK FROM SECTION 155.409(F)(3)(d) OF
THE LOMBARD ZONING ORDINANCE**

PC 16-10; 550 E. 22nd Street (Yorktown Village Townhomes)

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 R4 Limited General Residence District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Section 155.409 (C) of the Lombard Zoning Ordinance for a planned development, a conditional use pursuant to Section 155.208(C) to allow more than one building on a lot of record and a deviation from Section 155.409(F)(3)(d) to reduce the rear yard setback to nine feet (9') where thirty feet (30') is required to allow for a new townhome subdivision;

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on June 20, 2016 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:

SECTION 1: That a conditional use pursuant to Section 155.409(C) for a planned development is hereby granted for the Subject Property legally described in Section 4 and subject to the conditions set forth in Section 5.

SECTION 2: That a conditional use from Section 155.208(C) to allow for more than one building on a lot of record is hereby granted for the Subject Property legally described in Section 4 and subject to the conditions set forth in Section 5.

SECTION 3: That a deviation granted from Section 155.409(F)(3)(d) for a rear yard setback of nine (9) feet where thirty (30) feet is required is hereby granted for the Subject Property legally described in Section 4 and subject to the conditions set forth in Section 5.

SECTION 4: That this Ordinance is limited and restricted to the property located at 550 E. 22nd Street, Lombard, Illinois and legally described as follows:

LOT 2 IN FAIRFIELD PLAZA SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHEAST ¼ OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 18, 1986 AS DOCUMENT NUMBER R86-95639, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-20-405-013; (the “Subject Property”).

SECTION 5: This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request.
2. As part of the final engineering review, the petitioner shall submit to the Village for review and approval a plan showing the access configuration with the creation of a left-in only turn lane to be located at the western access drive into the development and that the petitioner shall be obligated to construct the improvements accordingly.

3. The petitioner shall satisfactorily address all other development comments identified within the Inter-department Review Report as part of any future permits as part of the project.
4. The petitioner shall apply for and receive final engineering approval from the Village. Upon such approval, the petitioner shall submit a final plat for Village Board approval and recording.
5. The petitioner shall provide for a continuous sidewalk from Fairfield Court to 22nd Street.

SECTION 6: 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 _____, 2016.

First reading waived by action of the Board of Trustees this _____ day of _____, 2016.

Passed on second reading this _____ day of _____, 2016.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2016.

Keith Giagnorio, Village President

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ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this ____ day of _____, 2016.

Sharon Kuderna, Village Clerk