



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Plan Commission

Donald F. Ryan, Chairperson
Commissioners: Ronald Olbrysh, Martin Burke,
Ruth Sweetser, Andrea Cooper, Stephen Flint and
John Mrofcza
Staff Liaison: Jennifer Ganser

Monday, December 15, 2014

7:30 PM

Village Hall - Board Room

Call to Order

Chairperson Ryan called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Chairperson Ryan led the Pledge of Allegiance.

Roll Call of Members

Present 6 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint
Absent 1 - Andrea Cooper

Also present: Jennifer Ganser, Assistant Director of Community Development; Matt Panfil, AICP, Senior Planner, and Jason Guisinger, legal counsel to the Plan Commission.

Chairperson Ryan called the order of the agenda.

Mr. Panfil read the Rules of Procedures as written in the Plan Commission By-Laws.

Public Hearings

[140488](#)

PC 14-29: 1200 and 1204 High Ridge Road - Annexation & Rezoning

Requests annexation to the Village of Lombard and a map amendment (rezoning) from the R0 Single-Family Residence District to the R1 Single-Family Residence District for the subject property. (DISTRICT #6)

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

Sworn in to present the petition was Jennifer Ganser, Assistant Director, and the petitioner's representative, Mike Buhr of Craftstone Architects, Inc.

Chairperson Ryan read the Commissions Procedures and asked if anyone other than the petitioner intends to cross examine, and, hearing none, he proceeded with the petition.

Mr. Buhr began by stating that he is here to request annexation and rezoning of the properties at 1200 and 1204 High Ridge Rd. Both lots meet the bulk requirements in DuPage County and the Village and no variations are being asked for. The property owner would like to tie into the Village's water and sewer lines. If annexation approval is granted, the owner intends to build two new homes at a later date. The owner will complete the line extension at their own cost with a recapture agreement, if approved by the Village Board.

Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. She stated that when property is annexed into the Village, it is at the lowest zoning classification which is R0. The petitioner is seeking a rezoning to R1 to be consistent with the other single family homes. The current two homes meet the Village's bulk requirements. The Comprehensive Plan recommends Estate Residential in this area.

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

A motion was made by Commissioner Burke, seconded by Commissioner Olbrysh, to recommend to the Corporate Authorities approval of this petition subject to the conditions.

- 1. That the map amendment (rezoning) request shall be contingent upon the Village and the property owner entering into an Annexation Agreement;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and**
- 3. That this relief is limited to a map amendment (rezoning) only and any physical site improvement or alterations require approval through the Village.**

The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Absent: 1 - Andrea Cooper

[140489](#)

PC 14-39: 131 Eisenhower Lane North (True Lacrosse)

Requests that the Village grant a conditional use, pursuant to Section 155.420 (C) (18) of the Zoning Ordinance, to allow for a Learning Center (indoor athletic training facility) within the I Limited Industrial District. (DISTRICT #3)

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

Sworn in to present the petition was Jennifer Ganser, Assistant Director and Michael Gabel of True Lacrosse.

Chairperson Ryan read the Commissions Procedures and asked if anyone other than the petitioner intends to cross examine, and, hearing none, he proceeded with the petition.

Mr. Gabel said True Lacrosse hopes to combine two facilities in Niles and Elmhurst into the proposed Lombard location. This would create a training area and allow for office space. He noted lacrosse is one of the fastest growing youth sports in the country.

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

Mr. Joseph Gatto, of Cushman and Wakefield spoke. His firm represents the Yorkbrook Business Park. He stated they are excited for True Lacrosse as tenant since this space has been vacant for approximately four years.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser, Assistant Director of Community Development, presented the staff report, which was submitted to the public record in its entirety. Ms. Ganser said the petitioner is looking to open an indoor athletic training facility. The petitioner would combine their current spaces from Niles and Elmhurst into Lombard. This is not an assembly function, only training. The building is divided into multiple units and staff discussed parking with property manager. This is the fourth case since 2012 for an indoor athletic training facility; all four were approved by the Village Board of Trustees.

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

Commissioner Sweetser asked if there was an age range that was required of the youth participants. Mr. Gabel said this facility will be for high school age children down to approximately age nine.

A motion was made by Commissioner Olbrysh, seconded by Commissioner Flint, to recommend to the Corporate Authorities approval of this petition subject to the conditions.

- 1. The conditional use permit for an indoor athletic training facility is exclusively for the tenant space at 131 & 120 Eisenhower Lane North. Any expansion of the establishment within the existing building beyond the plans submitted as part of PC 14-39 shall require an amendment to the conditional use;**
- 2. All business activity associated with the indoor athletic facility shall be conducted within the existing building;**
- 3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and**
- 4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the learning center is not established by said date, this relief shall be deemed null and void.**

The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Absent: 1 - Andrea Cooper

[140490](#)

SPA 14-01ph: 80 Yorktown Dr. (AMC Theatre)

Requests site plan approval with the following deviations for the subject property, located within the B3PD Community Shopping District, Planned Development:

1. A deviation from Section 153.505(B)(19)(a)(ii)(a) to increase the permitted number of wall signs; and
2. A deviation from Sections 153.505(B)(15), 153.237 (C) and 153.237 (E) to provide for more than one temporary sign per street frontage, and can be in place year round to be consistent with the intent of SPA 13-01ph, and to exceed thirty-two (32) square feet in area. (DISTRICT # 3)

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

Sworn in to present the petition was Jennifer Ganser, Assistant

Director of Community Development, and the petitioner Mr. Guy Dragisic of Olympic Sign Company.

Chairperson Ryan read the Commissions Procedures and asked if anyone other than the petitioner intends to cross examine, and, hearing none, he proceeded with the petition.

Mr. Guy Dragisic spoke on behalf of AMC Theatre. He said they are asking for signage approval on the southwest area, above the main entrance. The theatre would like a second wall sign consisting of channel letters with two logos on either side. The sign is eight-seven (87) square feet. With the addition of this sign there would be two hundred and thirty-three square feet of signage. They are also seeking approval for two (2) temporary banners at fifty-four (54) square feet to be displayed throughout the year.

Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. She noted the property is governed under Ordinance 1172, as a planned development. Two deviations are needed for site plan approval. AMC is currently undergoing interior renovations. The building is set back approximately one hundred and ninety (190) feet, with four hundred and fifty-two (452) feet of front footage. The sign ordinance would allow for two hundred (200) square feet of signage, hence a deviation is needed. Two banners at fifty-four (54) square feet, which is larger than allowed by code, also requires a deviation. This request was also discussed in SPA 13-01. Staff is in support of a second wall signs and an additional temporary banner to be placed year round. The theatre draws people from outside of Lombard and therefore additional signage is necessary.

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

A motion was made by Commissioner Sweetser, seconded by Commissioner Mrofcza, to recommend that the Plan Commission approve this petition subject to the following conditions.

- 1. The permanent wall signage located on the southwest elevation is not to exceed two hundred and forty (240) square feet.**
- 2. The sign shall be developed in accordance with the elevation plan prepared by Olympic Sign Company, which was submitted as part of this petition.**
- 3. The petitioner shall apply for and receive a building permit for the proposed plans.**

The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Absent: 1 - Andrea Cooper

[140491](#)

PC 14-40: Amend the Geographical Boundaries of the Homestead Village Planned Development (2725 Technology Drive)

Pursuant to an intergovernmental agreement approved by the Village of Lombard (Resolution 93-13), the petitioner, DMG Real Estate Holdings, LLC, requests that the Village amend the geographical boundaries of the previously established Homestead Village Planned Development (Ord. No. 4497) and any companion development approvals for the property at 2775 Technology Drive. (DISTRICT #3)

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

Sworn in to present the petition was Matt Panfil, AICP, Senior Planner, and the Petitioner, Diane Menza of LFI, a consultant for DuPage Real Estate Holdings, LLC.

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

Ms. Menza began by stating that she has reviewed the staff report and finds it to be thorough and accurate in its description of the project and she will answer any questions.

Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.

Mr. Panfil presented the staff report, which was submitted to the public record in its entirety.

Mr. Panfil stated that the proposed project is related to a four-party Intergovernmental agreement approved by the Village of Lombard, as well as Oak Brook Promenade, LLC, DMG Real Estate Holdings, LLC, and the Village of Oak Brook. The intergovernmental agreement specifically requires the Village of Lombard to vacate a portion of the Technology Drive right-of-way, identified as Parcel D on the attached Plat of Vacation.

The Village's obligation to vacate the property was established in Section 2(B), "Vacate Parcel D" and 2(F), "Approve an Amendment to DMG's existing planned unit development to address the real property

transactions set forth in Section Two (A), Four (A), and Four (B),” of the intergovernmental agreement.

There were no issues or concerns expressed by the Inter-Departmental Review Committee.

Mr. Panfil concluded that staff finds the proposal to be consistent with the objectives of the Zoning Ordinance, planned development, and the intent of the Comprehensive Plan.

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

A motion was made by Commissioner Flint, seconded by Commissioner Olbrysh, to recommend to the Corporate Authorities approval of this petition. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Absent: 1 - Andrea Cooper

[140492](#)

PC 14-38: Text Amendment to the Zoning Ordinance - Smoking Establishments

Requests an amendment to Section 155.802 (and any other sections for clarity) of the Lombard Zoning Ordinance to distinguish between the retail sales of e-cigarettes and the indoor use of such e-cigarettes as an assembly function. (DISTRICTS - ALL)

Chairperson Ryan read the Commissions Procedures and asked if anyone other than the petitioner intends to cross examine, and, hearing none, he proceeded with the petition.

Sworn in to present the petition was Matt Panfil, AICP, Senior Planner. The staff report was submitted to the public record in its entirety.

Mr. Panfil began by stating that the recent opening of two e-cigarette retailers and other inquiries into the potential for opening other e-cigarette establishments within the Village made staff aware that it is common practice for customers to use the e-cigarettes, “or vape,” within the retail establishment.

While the Smoke Free Illinois Act does not regulate indoor vaping or the sale of e-cigarettes, staff finds that there is a notable difference between the land use impacts of the two activities. The retail sale of e-cigarettes is very similar to the retail sale of tobacco, which is conducive to a quick turnover of parking spaces because the customer consumes the product outside the establishment. Smoking establishments, where people assemble to consume the product

within the establishment, cause an increase in the demand for parking as well as a decrease in the turnover in parking spaces.

Mr. Panfil stated that the proposed text amendment does not change the zoning district classifications for smoking establishments or tobacco stores, so there should be no changes to existing establishments. Staff is recommending that the definition of smoking establishments be changed to, "smoking establishment is an establishment, which, as its principal business purpose, or if the majority of the gross floor area, is dedicated to the on-premises smoking or vaping of tobacco products or other legal substances, excluding medical cannabis, and/or is regulated through the Illinois Smoke Free Act, 410 ICLS 82/1 et seq."

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

A motion was made by Commissioner Mrofcza, seconded by Commissioner Sweetser, to recommend to the Corporate Authorities approval of this petition. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Absent: 1 - Andrea Cooper

Business Meeting

The business meeting convened at 8:02 p.m.

Approval of Minutes

On a motion by Commissioner Flint and seconded by Commissioner Olbrysh, the minutes of the November 17, 2014 meeting were approved with Commissioner Mrofcza abstaining citing his absence at the meeting. The motion carried by the following vote:

Aye: 4 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, and Stephen Flint

Abstain: 1 - John Mrofcza

Absent: 1 - Andrea Cooper

Public Participation

There was no public participation.

DuPage County Hearings

There were no DuPage County hearings.

Chairperson's Report

The Chairperson deferred to the Assistant Director of Community Development.

Planner's Report

The Assistant Director of Community Development had no report.

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Subdivision Reports

There were no subdivision reports.

Site Plan Approvals

[140493](#)

SPA 14-03: 2239 S. Highland Avenue (Yorktown Apartments)

Requests site plan approval for 2239 S. Highland Avenue, the Yorktown Apartments. The property received approvals for additional residential units by Ordinance 1323. (DISTRICT #3)

Chairperson Ryan asked if any person would like to speak on behalf of this petition, or for public comment.

The petitioner's Mohan Srinivasan, Thomas Gonzalez, and Nathan Hemming of Norr Architects and Richard Hawthorne, Sr. Director of Development of AIMCO, the owner of the property, were present on behalf of the petition.

Mr. Srinivasan presented the petition and showed a site aerial and the location of the proposed apartment building. He noted this building was approved in 2010, but could not be built at that time. The intent is to blend with the existing buildings and garage. The garage will be partially covered by the new building. The building will meet the

guidelines of the Planned Development Ordinance. It will be seven (7) stories high with seventy-eight (78 units). There will be a landscape buffer between the building and Highland Avenue. Mr. Srinivasan showed floor plans of the interior of the building. The basement and ground floor will connect with the existing garage. There will be thirteen (13) to fourteen (14) apartments per floor and they are larger than the units proposed in 2010. Mr. Srinivasan showed the elevations proposed in 2010 and what they propose now. The building is similar in scale and materials but there are more glass and more windows. This makes the building look lighter. It will blend into the complex. Mr. Srinivasan also showed examples of the building materials.

Chairperson Ryan asked if any person would like to speak in favor or against this petition. Hearing none, he requested the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioners are asking for site plan approval. The building received approval via Ordinance 1323 in 2010 as and went before the Plan Commission a SPA 10-05 for the parking deck and apartments. There are three (3) apartment buildings currently. The proposed building is seven (7) stories high with seventy-eight (78 units). The site is currently vacant. Ms. Ganser referenced an attached memo detailing the differences between SPA 10-05 and SPA 14-03. The proposed building is slightly taller and larger, and there are less units. Per Ordinance 1323, not more than ten percent (10%) of the development may be three (3) bedroom units, with the additional units the development would be at eight percent (8%). No deviations or variations are being requested. Staff supports the development as it meets the Zoning Ordinance and Planned Development Ordinance 1323.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Mrofcza asked why the previous plans showed approximately seventy-five percent (75%) of the development 1-bedroom or less, and now approximately thirty percent (30%) are 1-bedroom units with no studios. Mr. Hawthorne said they have done research on apartment sizes and recently built twenty-eight (28) units in Elmhurst with larger size units. The original plan was for density, but they have found an untapped demand for larger units from empty nesters or older professionals who don't want home maintenance. Larger units are in demand and this is a favorable area near Yorktown Mall and I-88 and I-355.

Commissioner Sweetser asked if the building materials are renewable

or if there will be an energy savings. Mr. Srinivasan said the energy code will be followed which was updated from 2010. That alone will allow for energy savings. He hopes the building will become LEED certified in the future.

A motion was made by Commissioner Burke, seconded by Commissioner Sweetser, to recommend that the Plan Commission approve this petition subject to the following conditions.

- 1. The petitioner shall develop the site in conformance with the submitted site plan, prepared by Norr Architects Engineers Planners, dated December 15, 2014, except as may be changed for final engineering and building permit approval and the following conditions below.**
- 2. The petitioner shall satisfactorily address all comments raised within the Inter-Departmental Review Report as part of their building permit application.**
- 3. The petitioner shall apply for and obtain a building permit for any development activity on the subject property.**
- 4. As part of the requisite permit for the site improvements, the petitioner shall provide a copy of the final landscape plan.**
- 5. All provisions associated with Ordinances 1323 for the subject property shall remain in full force and effect.**

The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Absent: 1 - Andrea Cooper

Workshops

There were no workshops.

Adjournment

A motion was made by Commissioner Mrofcza, seconded by Commissioner Olbrysh to adjourn the meeting at 8:21 p.m. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Absent: 1 - Andrea Cooper

*Donald F. Ryan, Chairperson
Lombard Plan Commission*

*William J. Heniff, Secretary
Lombard Plan Commission*