

Village of Lombard

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



Meeting Agenda

Thursday, June 3, 2010

7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President: William J. Mueller

Village Clerk: Brigitte O'Brien

Trustees: Greg Gron, District One; Keith Giagnorio, District Two;

Zachary Wilson, District Three; Peter Breen, District Four;

Laura Fitzpatrick, District Five; and Bill Ware, District Six

I. Call to Order and Pledge of Allegiance**II. Roll Call****III. Public Hearings****IV. Public Participation**[100282](#)

President's Community Service Award

Request to present the President's Community Service Award to Julie Sparks for her contributions to the American Cancer Society.

Attachments: [100282.pdf](#)[100280](#)

Proclamation - Doris Schertz Day

Attachments: [100280.pdf](#)**V. Approval of Minutes****VI. Committee Reports****Community Relations Committee - Trustee Laura Fitzpatrick, Chairperson****Economic/Community Development Committee - Trustee Bill Ware, Chairperson****Environmental Concerns Committee - Trustee Dana Moreau, Chairperson****Finance Committee - Trustee Zachary Wilson, Chairperson****Public Works Committee - Trustee Greg Gron, Chairperson****Transportation & Safety Committee - Trustee Zach Wilson, Chairperson****Board of Local Improvements - Trustee Greg Gron, President****Community Promotion & Tourism - President William J. Mueller, Chairperson****Lombard Historical Commission - Clerk Brigitte O'Brien****US Census Complete Count Ad Hoc Committee - Trustee Laura Fitzpatrick, Chairperson**

VII. Village Manager/Village Board Comments

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [100279](#) Approval of Accounts Payable
For the period ending May 21, 2010 in the amount of \$320,160.91.
- B. [100288](#) Approval of Village Payroll
For the period ending May 22, 2010 in the amount of \$826,014.19.
- C. [100289](#) Approval of Accounts Payable
For the period ending May 28, 2010 in the amount of \$258,603.56.

Ordinances on First Reading (Waiver of First Requested)

- D. [090289](#) PC 09-15: 275 W. Roosevelt Road (Roundheads Pizza)
Granting a further time extension to Ordinance 6341 extending the time period for construction of the conditional use approval of an outdoor dining area for an additional twelve month period (June 3, 2012).
(DISTRICT #2)

Attachments: [DAH referral memo.doc](#)
[Cover Sheet.doc](#)
[Referral Letter 09-15.doc](#)
[REPORT 09-15.doc](#)
[PUBLIC NOTICE 09-15.doc](#)
[apoletter.doc](#)
[Ordinance 6341.pdf](#)
[Ordinance 6488.pdf](#)
[Cover Sheetextension.doc](#)
[DAH referral memo ext.doc](#)
[090289.pdf](#)
[090289.pdf](#)
[Ordinance 6488.pdf](#)
[DAH referral memo ext2.doc](#)
[Cover Sheetextension2.doc](#)
[Ordinance 6626.pdf](#)
[090289.pdf](#)

- E. [100273](#) Liquor License Amendment - Lombard Grill, 1300 S. Main St.
Amending Title 11, Chapter 112 of the Village Code reflecting an increase in the Class "A/B-I" liquor license category. (DISTRICT #2)

Attachments: [ordincrease.doc](#)
[memo increase reapprove 30 days.doc](#)
[Ordinance 6489.pdf](#)
[100273.pdf](#)

- F. [100283](#) Amending Title 11, Chapter 119 - Food Delivery Vehicles
With regard to background checks for licensees of food delivery vehicles.

Attachments: [Food Delivery Vehicles.DOC](#)
[memo license amendment.doc](#)
[Ordinance 6490.pdf](#)
[100283.pdf](#)

- G. [100294](#) Gun Trade In
Ordinance declaring 13 guns as surplus and authorizing their trade-in toward the purchase of 10 guns. Staff is requesting a waiver of first reading.

Attachments: [pdguncover5252010.doc](#)
[pdgunmemo5252010.doc](#)
[pdgunord5252010.doc](#)
[Ordinance 6491.pdf](#)
[Gun Quote.pdf](#)
[100294.pdf](#)

Other Ordinances on First Reading

- H. [100247](#) PC 10-05: Comprehensive Plan Amendment
The petitioner, the Village of Lombard, requests the approval of amendments to the Village Comprehensive Plan pertaining to open space. (DISTRICTS - ALL)

Attachments: [Ordinance 6500.pdf](#)
[Open Space Plan- Update.pdf](#)
[Cover Sheet.doc](#)
[DAH referral memo.doc](#)
[PUBLIC NOTICE 10-05.doc](#)
[Referral Letter 10-05.doc](#)
[Report PC 10-05.doc](#)
[Microsoft Word - Open Space Plan June 3 2010.pdf](#)
[100247.pdf](#)

Jennifer Henaghan, Senior Planner, presented the petition. She stated that although public comments had been obtained via an open house and review by the members of the former Ad Hoc Trails Committee, the Open Space Plan was substantially the same as when the Plan Commission initially discussed the document at its March 15, 2010 workshop session.

On March 15, the Plan Commission requested an overview of how neighboring communities regulate open space. Staff surveyed seven nearby communities and found a wide variety of approaches. Lombard is the only community that requires a minimum amount of open space in every zoning district. Downers Grove, Elmhurst, Glen Ellyn, Oakbrook Terrace, and Wheaton require open space in certain districts (either residential or commercial). Neither Oak Brook nor Villa Park explicitly reference open space within their Zoning Ordinances. Of the five communities that require some sort of open space, two define open space quite differently from Lombard in a way that encourages outdoor living space without requiring "green" space. Elmhurst includes recreational areas and improvements in its open space calculation, including useable roofs, playgrounds, and walkways. Wheaton includes any open area at least seven feet in width, including balconies, porches, or roof decks that can be used for work, play, or outdoor living areas. However, both communities specifically exclude driveways and parking areas from open space calculations. In addition to any open space requirements, six communities (Downers Grove, Elmhurst, Glen Ellyn, Oak Brook, Oakbrook Terrace, and Wheaton) also require a land dedication to the Park District as part of their development approval processes. These requirements are generally intended to serve the immediate and future needs of the residents of the proposed development. However, as these communities are largely built-out and many developments may be physically too small to allow for a land dedication, in many cases the Park Districts will accept a cash contribution in lieu of the land donation.

Although attendance at the Open Space Plan Open House was light, all of the residents and community leaders in attendance expressed positive opinions about the Village's Open Space Plan and planning efforts and agreed that open space is a vital component of the Village. Questions were raised regarding detention basins and bike path improvements. (Specific facility-related comments will be forwarded to the Park District.) Multiple attendees were excited about the proposed Lilac Bikeway. In particular, the National University of Health Sciences felt that it would be a popular amenity for its students due to its proximity to campus and the connections with the Illinois Prairie Path and Great Western Trail.

The draft Open Space Plan contains the text as proposed and rough drafts of the maps that will be included within the final document. The final maps will contain the same information but will have improved readability. The final document will be available at the Village Hall and on the Village's website for public viewing and downloading.

Staff is recommending approval of this petition.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. No one spoke in favor or against.

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

There were no comments from the Commissioners.

- I. [100271](#) Ordinance Amending Title 3, Chapter 33 of the Lombard Village Code Reflecting changes made by the State of Illinois to the Foreign Fire Insurance Tax Board.

Attachments: [Ordinance 6501.pdf](#)
[100271.pdf](#)

Ordinances on Second Reading

- J. [100215](#) ZBA 10-03: 119 N. Main Street
Requests that the Village take the following actions for the subject property located within the R2 Single-Family Residence District:
A variation from Section 155.210(A)(3)(b) of the Lombard Zoning Ordinance to increase the maximum allowable height of an accessory structure from seventeen (17) feet to twenty-nine (29) feet in the R2 Single-Family Residence District. (DISTRICT #4)

Attachments: [apoletter 10-03.doc](#)
[Cover Sheet.doc](#)
[DAH referral memo.doc](#)
[PUBLICNOTICE 10-03.doc](#)
[Referral Let.doc](#)
[Report 10-03.doc](#)
[Ordinance 6492.pdf](#)
[100215.pdf](#)
[Ordinance 6492.pdf](#)

Martin Carroll, 119 N. Main Street, presented the petition. Prior to his presentation, he distributed a color rendering to the ZBA members which was prepared by his architect. The rendering consisted of copies of old photographs of the home and coach house secured from the Lombard Historical Society, as well as elevations of the proposed garage. Mr. Carroll stated that he is requesting a height variation for a garage that he is proposing to build using historically accurate information with architectural elements used in the original coach house. The height variation is primarily the result of the incorporation of the tower element, but also for the inclusion of the gable roof.

Mr. Carroll noted that his property is set back from other properties and the garage will be at least 100' from other houses. The proposed garage will be consistent with the neighborhood as most homes in that area are older homes. This design will fit in nicely and look seamless.

Referring to the historic coach house photo, he noted that the 2nd floor of the property was originally used to store hay and other farm implements. He will use the second floor of the new garage for storage only, nothing heavy, as they will only use rough flooring. The tower in the old photo was used as a privy and above that was a pigeon house. The new garage will not include those two items.

Referring to an insurance map drawing from 1925, it shows the original outline of the coach house and the home. The coach house had approximately 1,400 square feet of first floor area. The proposed detached garage site plan shows how the garage will be smaller - 942 square feet in first floor area - and will be built out of cedar to match the house. They will put in some antique windows and will use some of the old doors, which they have been storing in their

basement. He noted that this will be a labor of love as they restored the house about 10 years ago and this is the last piece of the puzzle. The purpose of building this new garage is not to create an economic advantage, but to recreate what was originally there. The Lombard Historical Society encouraged him to do this and he is happy to bring back a piece of Lombard history.

Chairperson DeFalco opened the meeting for public comment. There was no one in the audience either in favor or against the petition.

Chairperson DeFalco then requested the staff report.

Michael Toth, Planner I, presented the staff report. He first emphasized that the proposed garage will be a detached garage and not a coach or carriage house. The petitioner is requesting an accessory structure height variation from seventeen (17) feet to twenty-nine (29) feet to accommodate certain architectural features that would allow the proposed detached garage to be visually compatible with the principal structure on the property.

The petitioner is proposing to demolish the existing detached garage that is currently located on the subject property and construct a new two-story detached garage that would be architecturally compatible with the principal structure. The principal structure was built in 1881. As such, the very nature of the structure is one that lends itself to Lombard's historic community. A carriage house also existed on the subject property, serving as a privy (outdoor lavatory) and pigeon house. The petitioner represents that the carriage house was demolished in the 1960's. In order to preserve historical significance of the premises, the petitioner is attempting to architecturally recreate that carriage house through the use of a turret, windows, gable roof and a copula and other architectural features. The original carriage house consisted of certain architectural elements that, by today's standard, create the need for the variation, due to the height needed. According to the submitted plans, the proposed detached garage would only be used as a three-car garage and storage area only. The petitioner has indicated that the additional height needed for the detached proposed garage is necessary in order to build a historically accurate structure and not to accommodate additional living area.

The Zoning Ordinance allows accessory buildings and structures to be no greater than seventeen (17) feet to the highest point of a roof or parapet. The highest point of the proposed detached garage would be twenty-nine (29) feet; however, that additional height is to accommodate the tower portion of the garage, which is attempting to maintain the historic accuracy of the original carriage house. Documentation (attached) obtained from the Lombard Historical Society states that the carriage house tower was similar to the tower on the house itself. Photographs that were also obtained from the Lombard Historical Society also verify that the carriage house's tower was similar to the tower on the existing house. The actual peak height of the structure (not including the tower) would be twenty-three and a half (23.5) feet, which is measured from grade to the top of the gable portion of the roof.

The Historical Commission discussed the proposed garage at its April 20, 2010 meeting. As part of their discussion, the Commission reviewed the plans submitted by the petitioner and made the following finding:

The Lombard Historical Commission would like to thank the homeowners for including the Commission in their process to design a new coach house/garage

structure. The Commission commends the effort of the homeowners to maintain and enhance the historical significance of their property with this addition. The Commission has reviewed the submitted design concept and believes the structure to be an appropriate addition to the property.

The "Standards for Variations" have been met in the following respects:

1. Staff finds that there are no physical surroundings, shape, or topographical conditions of the specific property that result in a particular hardship applied towards the proposed garage. However, staff believes that the historic value of the property should be preserved in its physical surrounding in a manner that reflects its historic origin.
2. The Lombard Historical Society has deemed the house on the subject property as being of "historical interest". As the property is of historic significance, it is deemed as being unique to the other properties located within the R-2 Single Family District.
3. If the detached garage were to be constructed per Code, the project would actually cost significantly less. As previously stated, the additional height needed for the detached proposed garage is necessary in order to build a historically accurate structure and not to accommodate additional living area.
4. The Zoning Ordinance does not allow the proposed detached garage to be constructed in a fashion that would allow the petitioner from recreating the original carriage house. Moreover, the original carriage house predates all Lombard zoning codes and would not have been subject to such regulations.
5. With the exception of the height variation, the detached garage meets all other Code requirements. The proportion of additional garage height will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. Furthermore, the closest neighboring principal structure in proximity to the proposed detached garage would be in excess of one hundred (100) feet.
6. The principal structure on the subject property is compatible with the historic context of the surrounding neighborhood. As the purpose of the variation is to architecturally integrate the detached garage with the principal structure and match the carriage house, the garage would be visually compatible with the surrounding neighborhood.
7. From a land use perspective, the additional building height does not create adverse impacts on the surrounding neighborhood. The footprint of the proposed garage only represents less than three percent (3%) of the total lot area of the subject property. When considering the setbacks of the proposed detached garage and the relative size of the surrounding properties, the proposed structure would not impair the amount of adequate light and air to the surrounding properties.

Concluding Mr. Toth stated that staff recommended approval, subject to the 4 conditions noted in the staff report.

Chairperson DeFalco then opened the meeting for discussion by the Board Members.

Mr. Tap asked if they were recreating the pigeon house. Mr. Carroll answered,

no.

Mr. Tap stated that the ZBA doesn't usually review building height variations in an R2 residential district where architectural elements or structures are the cause for exceeding code. Those types of petitions usually seem to fall under the purview of the Plan Commission or other Committees. He exemplified the train station clock tower, which exceeded height requirements. His point is that he views these elements in the same way that other Commissions/Committees do - that they just represent just an architectural feature. Therefore, he is in favor of this petition.

Chairperson DeFalco asked if the size of the proposed garage will be the same size the coach house originally was. Mr. Carroll answered that the proposed garage is a little smaller.

Dr. Corrado asked what will be stored in the garage. Mr. Carroll answered cars and bikes. On the 2nd floor probably nothing. The way the garage is designed the storage area will be behind the tower so nothing heavy will be able to go upstairs. It's literally for aesthetic purposes only.

Chairperson DeFalco asked what type of material the driveway is currently made of. Mr. Carroll answered that it's concrete and will remain that way until it's ready to be taken out. He was unsure when he would be putting in a new one but maybe in the next few years.

Chairperson DeFalco asked if he knew what material the driveway was made out of prior to concrete. Mr. Carroll answered that in pictures from the 1920's it appears to be pressed gravel.

Mr. Young asked about the footprint of the garage compared to the coach house. Mr. Carroll answered that it is basically the same, but will be positioned farther north.

- K.** [100241](#) Liquor License Amendment - Clancy's Corner Butcher Shoppe, 15 S. Park Avenue
Amending Title 11, Chapter 112 of the Village Code reflecting a decrease in the Class "Y-II" liquor license category. (DISTRICT #1)

Attachments: [orddecre1.doc](#)
 [memoDecrease.doc](#)
 [Ordinance 6493.pdf](#)
 [100241.pdf](#)

Resolutions

- L.** [100277](#) Main Street Lighting Phase 1 Design Engineering Amendment No. 1
Approving Amendment No. 1 to the contract with Civiltech Engineering reflecting an increase in the amount of \$8,874.98 for Design Engineering services. (DISTRICTS #1, #2, #4, #5 & #6)

Attachments: [R 01-11.pdf](#)
 [100277.pdf](#)

- M.** [100269](#) FY2011 Concrete Rehabilitation and Cuts Patching, Change Order No.

1

Reflecting an increase of \$313,620.00 to the contract with G & M Cement Contractors. (DISTRICTS - ALL)

Attachments: [R 02-11.pdf](#)

[Change Order # 1 G&M Cement.pdf](#)

[100269.pdf](#)

- *N. [100300](#) Agreement-Special Event Commemorating the Fourth of July Authorizing the signatures of the President and Clerk on an Agreement with the Lombard Jaycees with regard to a special event commemorating the Fourth of July.

Attachments: [R 03-11.pdf](#)

[Agreement with Jaycees 4th.pdf](#)

[100300.pdf](#)

Other Matters

- O. [100284](#) Purchase of One Tandem Axle Dump Truck
Award of a contract to Chicago International, the only bidder, in the amount of \$139,000.00; and approval of an ordinance declaring Village Unit ST341 as surplus and authorizing its trade in. Bid in compliance with Public Act 85-1295.

Attachments: [Ordinance 6494.pdf](#)

[Award Bid #FS1120.pdf](#)

[100284.pdf](#)

- P. [100292](#) North Industrial Park Pavement Rehabilitation
Award of a contract to Plote Construction, the lowest responsible bid of four bidders, in the amount of \$2,672,205.00. Bid in compliance with Public Act 85-1295. (DISTRICTS #1 & #4)

Attachments: [100292.pdf](#)

[Contract # ST-09-06 Plote.pdf](#)

*Q. [100244](#)

Alley Maintenance Program

Recommendation from the Public Works Committee to approve an Alley Maintenance Policy.

Attachments: [100244.pdf](#)

[100244 June BOT packet.pdf](#)

[100244 memo - workshop.pdf](#)

[100244 PPT presentation.pdf](#)

[100244 proposed alley improvements Lombard-Elm.pdf](#)

[minsstratplan10192010.doc](#)

Goldsmith introduced Dana Moreau, Trustee for District 4. Many of the alley locations are within her district. Goldsmith gave an explanation of the background and the map with alley locations. Discussed the vacation of some of the alleys and maintenance of others. Kaforski: have any of the people been notified of this? Goldsmith: no, we are bringing this here first. Discussion ensued regarding the size of alleys, utility easements, etc. Dratnol: as part of the vacation, we would address each property owner. Kaforski: have you looked at each of these yourself? Goldsmith: yes. Bochner: according to state stature is the fair market value for tax purposes only? Arnold: are any of these areas we are looking at vacating are they gravel/concrete/asphalt and if they are, are we going to put them back to grass? Are there any rain water run off problems? Goldsmith: yes there is one area. Preins: we cannot just have one blanket policy since there are different situations. Committee is in favor of investigating and going forth with this issue. L. George, 78 S. Lombard: provided photos of her property and the alley. Has lived in this home for 7 1/2 years. Constantly has water coming into her garage due to the pitch in the alley. Goldsmith: not to put the horse before the cart - but if we decide to go forward with this plan - we would like to look at different designs that could be used in the alleys that we are going to maintain. This way we could address some of these problems in the CIP. What we are looking for is direction from the committee as to what we can vacate and then we can look at maintenance. Goldsmith: this whole alley (on S. Lombard) is a problem - there is no sewer to hook up to. M. Bell, 68 S. Lombard: also provided photographs for the committee to view. The water collection is bad in the winter and even worse in the spring. Also, there are runoffs from different properties. There has been a plan to create a wedge and remove the crown. There is a hazard here with the icing situation. Goldsmith: need to come up with a design that is not only safe but is effective. Kaforski: let's try to come up with a short term fix until we can come up with an effective long term fix. Goldsmith: we are looking at worst first and funding is always going to be an issue. Kaforski: possibly perform engineering in house for these 2-3 properties. Goldsmith: we would like to perform a long term fix - we can start looking at a permanent solution and costs. We do need to draw attention to this issue. Moreau: I am starting to get more and more calls on the alley issue. Most of them are from Lombard Ave., but I am also getting calls from Maple St. Kaforski: would like to get a dollar figure so that we know what we are talking about. Preins: don't want to make a knee jerk decision. Goldsmith: we need to make a long term plan. M. Bell: what is going to be the next step? Can the committee keep us informed and talk with us and our neighbors about the course of action? Goldsmith: we will work with Community Development for the next few weeks and find out what areas should be addressed first. Some of these we have no solutions for. By June we will have the ranking on these, and then we can start incorporating some of these projects into the CIP. Anything that will require a sizable amount of \$\$ will

need to go into the CIP. Goldsmith: it will take at least 2 months to assess which alleys are in greatest need. Then staff needs to sit down with the Trustees involved and Community Development and engineering firms. We can start with FY2012 budget. We will do everything that we can to supply some temporary fixes. Frerichs: alley is in the people's backyards. We already have a backyard flooding grant program. Goldsmith: we have no sewer in this area for the water to go to. Preins: we are going to have to prioritize and will not be able to fix these all at once. We will have to pick the worst ones and fit them into the CIP as funds are available.

- R. [100293](#) FY2011 Bituminous Mix Purchase
Request for a waiver of bids and award of a contract to DuKane Asphalt Company in the amount of \$211,650. Public Act 85-1295 does not apply.

Attachments: [100293.pdf](#)

- S. [100285](#) Appointment - Zoning Board of Appeals
Request for concurrence in the appointment of Ray Bartels to fill a vacancy on the Zoning Board of Appeals created by the resignation of Eugene Polley with a term of office to May 2011.

Attachments: [appointmemozba5242010.doc](#)

[SUBMIT.DOC](#)

[apptletterzba5252010.doc](#)

[100285.pdf](#)

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

Other Matters

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII Adjournment

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