

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

Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
X Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: September 26, 2006 (BOT) Date: October 5, 2006

TITLE: PC 06-24: 433 E. St. Charles Road

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests approval of a conditional use for a recreational facility (water park) located in the C/R Conservation/Recreation District. (DISTRICT #4)

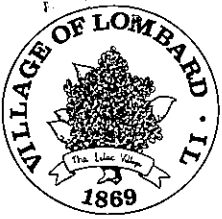
The Plan Commission recommended approval of this petition with conditions.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *W.T. Lichter* _____ Date *9/26/06*

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: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP *DH*
Assistant Village Manager/Director of Community Development

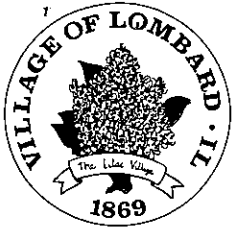
DATE: October 5, 2006

SUBJECT: PC 06-24: 433 E. St. Charles Road (Moran Water Park)

Attached please find the following items for Village Board consideration as part of the October 5, 2006 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 06-24; and
3. An Ordinance granting approval of a conditional use for a recreational facility (water park), subject to conditions.

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VILLAGE OF LOMBARD

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Village President
William J. Mueller

October 5, 2006

Village Clerk
Brigitte O'Brien

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Trustees
Greg Alan Gron, Dist. 1
Richard J. Tross, Dist. 2
John "Jack" T. O'Brien, Dist. 3
Steven D. Sebby, Dist. 4
Kenneth M. Florey, Dist. 5
Rick Soderstrom, Dist. 6

Subject: PC 06-24; 433 E. St. Charles Road (Moran Water Park)

Dear President and Trustees:

Village Manager
William T. Lichter

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Lombard Park District, requests approval of a conditional use for a recreational facility (water park) located in the C/R Conservation/Recreation District.

After due notice was given, the Plan Commission conducted a public hearing on September 18, 2006. Michael Fugiel, Executive Director of the Lombard Park District, presented the petition. He provided an overview of the project and then introduced the development team associated with the project.

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business to create a distinctive sense of spirit and an outstanding quality of life."

Claude Rogers of Water Technologies, Inc., presented a PowerPoint presentation regarding the petition. He described the various improvements to the pool area. He noted the relocated lap pool, a new lazy river and pool wading area, water slide improvements and cabana picnic areas. He noted that there will be no encroachment into the existing park area surrounding the site. He noted that the water surface area for the new water park is about the same as currently existing in the water park.

"The *Mission* of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Bruce Cairns of Cordogan, Clark & Associates, discussed the new concession building and the new bathhouse building and referenced the proposed building plans. He also showed the proposed building elevations for each structure.

Chairperson Ryan then opened the meeting for public comment.

Carli Butler, 105 W. Edgewood Avenue, raised concerns regarding additional traffic generation for the new facility. Mr. Fugiel noted that they sized the water park for 1,300 people, similar to the existing water park. However, that number would only be realized on occasion.

October 5, 2006

PC 06-24

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Commissioner Sweetser inquired about the depth and flow of the lazy river. Mr. Fugiel noted it would be approximately 3.5 feet in depth and it would flow counter-clockwise. She asked about whether the new pool would be sized in yards or meters. Mr. Fugiel stated that the Park District's swim team swims in yards rather than meters, they designed the pool for yards.

Chairperson Ryan then asked about security issues, asking about the entrance area to the pool and what security measures will be provided. Mr. Fugiel noted that a metal accordion gate would be provided at the entrance.

William Heniff, Senior Planner, presented the staff report. The Park District is proposing to upgrade and modernize the existing Moran Water Park facility located within Lombard Common. As the existing facility is a legal non-conforming use, approval of a new conditional use from the Village is required.

Referencing the IDRC comments, he noted that specific comments pertaining to the plans are being addressed as part of the building permit submittal. The Private Engineering Services Division has reviewed the petition and noted that a requisite utility easements shall be granted over the proposed fire hydrant leg as well as over the existing water mains and sanitary sewers adjacent to the water park and throughout the rest of Lombard Common Park.

He then described the zoning history of the project. The pool was initially constructed within the park 49 years ago. The current water park slides were erected 19 years ago. The Lombard Park District Board approved plans to renovate the water park to modernize the recreational offerings to residents and guests and to address existing deficiencies as noted by the petitioner. No improvements are proposed outside of the water park area. The existing community building, parking lot, public driveways and all other park improvements are intended to remain as-is.

Parks and open space are listed as permitted uses within the within the Conservation/Recreation District. Recreational facilities, such as the water park, are listed as conditional uses within the Conservation/Recreation District. The proposed improvements constitute an increase in the degree of nonconformity and as such a new conditional use for the water park is required.

The principal use of the site will still be a community park facility. The proposed improvements orient the uses and activities away from the perimeter of the park and the adjacent properties. The water park area will be effectively fenced and screened to minimize its visibility from adjacent properties. Therefore, the modified water park design should not create any additional impact on adjacent properties than currently found at the property.

The Comprehensive Plan recommends that the property be used as open space and recreational uses. The principal use of the property will still remain as parks and open space. Specifically, the Plan states as a primary community facility objective that "existing community facilities should be maintained and upgraded as required". The Plan also notes that the Village should cooperate with other governmental agencies seeking to contribute to and improve the quality of life for residents. By providing for modern, attractive public facilities that meet the demographic needs of the community, the proposed improvements are consistent with the Plan's objectives.

Chairperson Ryan asked if there were any comments on the staff report. Martin Jones, 127 S. Edgewood Avenue, inquired about the yard measurement for the pool as well. He also asked whether the diving pool and the lap pool would be connected. Mr. Fugiel restated that they designed the pool in yards to accommodate their swim team. He also surveyed other districts and they all use yard measurements as well. He noted the diving pool and the lap pool would be connected – to prevent safety issues, they will string a buoy line segregating the two areas from each other. Cost issues precluded them from creating a separate diving pool.

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

Commissioner Sweetser noted that bulkheads could be added to the lap pool if needed to address the yard/meter issue. She then asked if they will provide a drop-off lane for the water park. Mr. Fugiel noted that earlier plans has such a lane but it was removed for cost reasons. However, when they reviewed the existing operations of the park they found that such a lane may not be necessary as drop-offs are at a minimum – most people that use the water park walk to the site or they park their cars.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities approval of the petition associated with PC 06-24 subject to the following conditions:

1. The site be developed in compliance with Site Plan Packet materials, prepared by Cordogan, Clark and Associates, Inc., dated July 25 and August 7, 2006 and submitted as part of this petition.
2. As part of the permit submittal, the petitioner shall satisfactory address the engineering preliminary permit review comments provided by the Village.
3. The petitioner shall dedicate to the Village a thirty-foot public utility easement over any existing and/or proposed public utilities on the subject property.

Respectfully,

VILLAGE OF LOMBARD


Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

Plan Commission

Re: PC 06-24

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West: R2 Single-Family Residence District; developed as Single-Family Residences and the Sheldon Peck homestead

ANALYSIS

SUBMITTALS

This report is based on the following documents:

1. Public Hearing Application, dated August 21, 2006
2. Site Plan Packet (includes existing conditions plan, site utility plan, site plan, bathhouse floor plan, concession floor plan, bath house building elevations), prepared by Cordogan, Clark and Associates, Inc., dated August 7, 2006.
3. Color site plan, bath house elevation and concession elevation renderings, prepared by Cordogan, Clark and Associates, Inc., dated July 25, 2006.

DESCRIPTION

The Park District is proposing to upgrade and modernize the existing Moran Water Park facility located within Lombard Common. As the existing facility is a legal non-conforming use, approval of a new conditional use from the Village is required. The Park District has already submitted for building permits and will begin demolition activities and start construction in October, 2006.

INTER-DEPARTMENTAL REVIEW COMMENTS

BUILDING AND FIRE

The Bureau of Inspectional Services has reviewed the petition and does not have any comments on the conditional use request. Specific comments are being addressed as part of the building permit submittal.

Plan Commission
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PUBLIC WORKS

Public Works has reviewed the petition and does not have any comments on the petition other than those noted within the Private Engineering Services (below).

ENGINEERING

Noted below are the square foot impervious surface comparisons for the existing and proposed swimming pool/water park areas as determined by the petitioner's consultant:

Water Park Design Pool Areas Comparisons of Impervious Area (square feet)

	<u>Existing</u>	<u>Proposed</u>
Lap Pool > 4'	4,200	4,045
Bulkhead	400	N/A
Dive Pool	2,000	N/A
Splash (body) Pool	900	900
Tube Plunge	N/A	635
Leisure Pool	9,185	3,340
Lazy River	<u>N/A</u>	<u>4,944</u>
Total	16,685	13,864

Existing hard surface areas inside fence:	38,533 sq. ft.	Proposed hard surfaces:	42,179 sq. ft.
Existing pool dimensions:	<u>16,685 sq. ft.</u>	Proposed pool areas:	<u>15,745 sq. ft.</u>
Totals	55,218 sq. ft.		57,924 sq. ft.

The Private Engineering Services Division has reviewed the petition and offers the following comment:

1. The petitioner shall modify the engineering plan and provide supplemental documents prior to issuance of a building permit per the review comments in the Village's August 28, 2006 letter to the petitioner. This includes a comment that a thirty-foot wide utility easement shall be granted over the proposed fire hydrant leg as well as over the existing water mains and sanitary sewers adjacent to the water park and throughout the rest of Lombard Common Park.

Plan Commission

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PLANNING

According to the petitioner, the pool was initially constructed within the park 49 years ago. The current water park slides were erected 19 years ago. The Lombard Park District Board approved plans to renovate the water park facility earlier this year to modernize the recreational offerings to residents and guests and to address existing deficiencies. These improvements include:

1. Removal of the existing diving tank.
2. Relocating the existing pool from its current location to a new location at the south end of the water park complex.
3. Replacement of the existing concession building with a new facility designed to be compatible with the other water park improvements.
4. Removal of the existing bath house and construction of separate men's and women's bath house buildings with family changing areas which will be located at the facility entrance.
5. Construction of a new lazy river and leisure pool with water apparatus.
6. Construction of an additional water slide with plunge pool.
7. Construction of cabana family picnic areas surrounding the water park.

Ancillary to the aforementioned improvements, the Park District will also construct requisite walkways and concrete areas surrounding the water features. Existing water, sanitary and storm sewer lines will be located accordingly. A service gravel road for Park District maintenance activities will be constructed along the east side of the water park which will connect to the pool mechanical building. New fencing will be provided along the south perimeter of the complex.

No improvements are proposed outside of the perimeter of the water park area. The existing community building, parking lot, public driveways and all other park improvements are intended to remain as-is.

Compliance with the Zoning Ordinance

Past zoning actions approved by the Village for the subject property include a sign size variation for the existing automatic changeable copy sign on the property (ZBA 89-03) as well as a variation from the parking lot curbing requirements (ZBA 95-03).

Parks and open space are listed as permitted uses within the within the Conservation/Recreation District. Recreational facilities, such as the water park, are listed as conditional uses within the Conservation/Recreation District. The existing water park is considered a legal non-conforming use as it predates the C/R District regulations. However, the proposed improvements constitute an increase in the degree of nonconformity and as such a new conditional use for the water park is required.

Attachment A is a copy of the response for the standards for conditional uses.

Compatibility with Surrounding Uses

The principal use of the site will still be a community park facility. The proposed improvements orient the uses and activities away from the perimeter of the park and the adjacent properties. The water park area will be effectively fenced and screened to minimize its visibility from adjacent properties. Therefore, the modified water park design should not create any additional impact on adjacent properties than currently found at the property.

Compliance with the Comprehensive Plan

The Long-Range Plan Map of the Comprehensive Plan recommends that the property be used as open space and recreational uses. The principal use of the property will still remain as parks and open space, which is consistent with the Comprehensive Plan. The Plan identifies the site for open space and recreational uses. Specifically, the Plan states as a primary community facility objective that "existing community facilities should be maintained and upgraded as required" (p.67). The Plan also notes that the Village should cooperate with other governmental agencies seeking to contribute to and improve the quality of life for residents. By providing for modern, attractive public facilities that meet the demographic needs of the community, the proposed improvements are consistent with the Plan's objectives.

FINDINGS AND RECOMMENDATIONS

The proposed conditional uses are compatible with the surrounding land uses and zoning. Based on the above, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending approval of this petition:

Based on the submitted petition and the testimony presented, the requested conditional use complies with the standards required by the Lombard Zoning Ordinance; 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 therefore I move that the Plan Commission recommend **approval** of PC 06-24, subject to the following conditions:

1. The site be developed in compliance with Site Plan Packet materials, prepared by Cordogan, Clark and Associates, Inc., dated July 25 and August 7, 2006 and submitted as part of this petition.
2. As part of the permit submittal, the petitioner shall satisfactory address the engineering preliminary permit review comments provided by the Village.

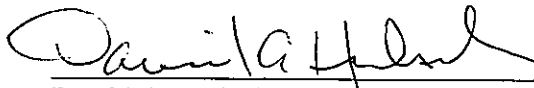
Plan Commission

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3. The petitioner shall dedicate to the Village a thirty-foot public utility easement over any existing and/or proposed public utilities on the subject property.

Inter-Departmental Review Report Approved By:



David A. Hulseberg, AICP

Assistant Village Manager/Director of Community Development

DAH/WJH:

att-

c. Petitioner

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Attachment A
STANDARDS FOR CONDITIONAL USES

SECTION 155.103 (F)(8) OF THE LOMBARD ZONING ORDINANCE:

No conditional use shall be recommended by the Plan Commission unless it finds:

1. *That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;*

Response: The proposed improvements are intended to modernize the existing facility within the water park complex. As a public benefit, the redesigned plan will move the deep pool away from the bathhouse area and the lazy river – activities typically associated with smaller children.

2. *That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located;*

Response: The use of the site as a water park complex is well established. In fact, the use has been identified as an amenity to both the adjacent properties as well as the community. The proposed redesign and screening will be done consistent with the Village's zoning regulations and the mission of the Lombard Park District.

3. *That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*

Response: The water park complex will not negatively impact the orderly development of adjacent properties. In fact, based upon discussions with the property owner/developer of the Oakview Estates Condominium development, the water park is an amenity to their overall development efforts.

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4. *That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;*

Response: The existing complex already meets this standard. The water park improvements will address any additional stormwater drainage concerns, as depicted within the plan submittal.

5. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;*

Response: The existing driveways provide proper access in and out of the site. The new entrance/bath house layout will enhance pedestrian circulation on-site.

6. *That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,*

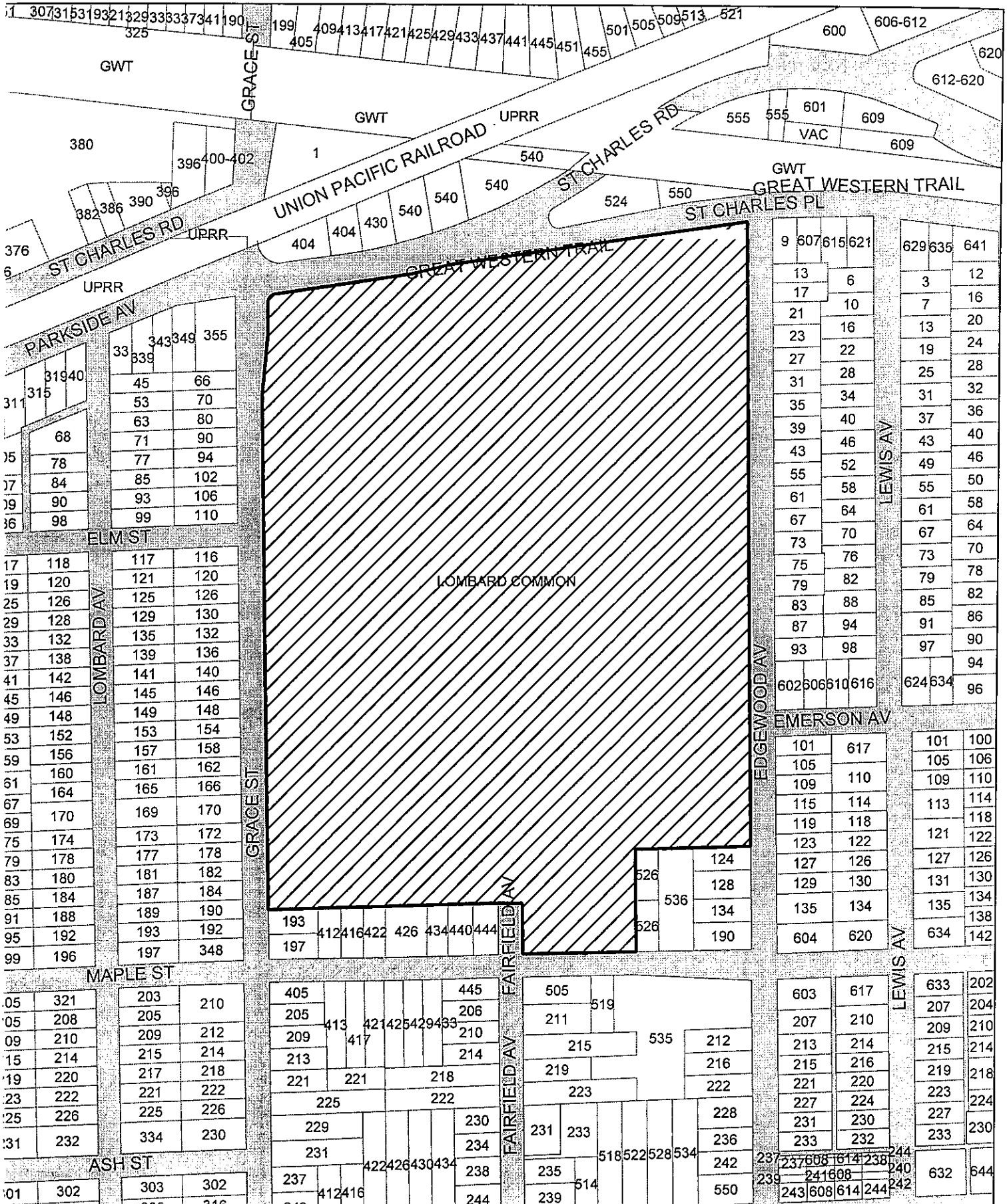
Response: The Plan identifies the site for open space and recreational uses. Specifically, the Plan states as a primary community facility objective that “existing community facilities should be maintained and upgraded as required”. The proposed water park improvements are intended to meet this standard.

7. *That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission*

Response: The use will meet all other provisions of the Zoning Ordinance and Village Code.

Location Map

PC 06-24



ORDINANCE NO. _____

AN ORDINANCE APPROVING A CONDITIONAL USE FOR A RECREATIONAL FACILITY (WATER PARK) IN THE CONSERVATION/RECREATION DISTRICT

PC 06-24: 433 East St. Charles Road (Moran Water Park)

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 Lombard Village Code; and

WHEREAS, the Moran Water Park, located at 433 East St. Charles Road, within Lombard Common Park, as legally described in Section 1 below (the "Subject Property"), is zoned CR Conservation Recreation District; and

WHEREAS, an application has been filed with the Village of Lombard requesting approval of a conditional use for a recreational facility (water park) on the Subject Property (the "Petition"); and

WHEREAS, a public hearing was conducted by the Plan Commission on September 18, 2006, pursuant to appropriate and legal notice, and the Plan Commission recommended approval of the Petition, subject to conditions; and

WHEREAS, the President and Board of Trustees concur with the recommendation of the Plan Commission and have determined that it is in the best interest of the Village to approve the Petition.

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 the ordinance is limited and restricted to the property generally located at 433 East St. Charles Road, Lombard, Illinois, and legally described as follows:

Lot 1 in Lombard Commons Plat of Consolidation, being a subdivision of a part of the Northeast Quarter of Section 8, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded November 4, 1999 as document R1999-232901, in DuPage County Illinois.

Parcel Number: 06-08-201-004

SECTION 2: The President and Board of Trustees, hereby finds that the Petition does meet the standards for conditional uses and hereby grants a conditional use for a recreational facility (water park) on the Subject Property described in Section 1 above and subject to the conditions of approval set forth in Section 3.

SECTION 3: That the conditional use approval as set forth herein shall be subject to the following conditions:

1. The site be developed in compliance with Site Plan Packet materials, prepared by Cordogan, Clark and Associates, Inc., dated July 25 and August 7, 2006 and submitted as part of this Petition.
2. As part of the permit submittal, the Petitioner shall satisfactory address the engineering preliminary permit review comments provided by the Village.
3. The Petitioner shall dedicate to the Village a thirty-foot public utility easement over any existing and/or proposed public utilities on the subject property.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as required by law.

Passed on first reading this ____ day of _____, 2006.

First reading waived by action of the Board of Trustees this ____ day of _____, 2006.

Passed on second reading this ____ day of _____, 2006, pursuant to a roll

call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____, 2006.

Ordinance _____
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William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

Published by me in pamphlet form this _____ day of _____, 2006.

Brigitte O'Brien
Deputy Village Clerk