

February 2, 2006

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

**Subject: PC 06-01; 7-37 E. St. Charles Road (Hammerschmidt Property)**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, New Urban Lombard, LLC, is requesting approval of a conditional use for a planned development, with a deviation from Section 155.416 (G) of the Zoning Ordinance to allow for an increase in building height to fifty-six feet (56') for a clock tower, where a maximum building height of forty-five feet (45') is permitted; all located within the B5 Central Business District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on January 23, 2006. Robert O'Neill of New Urban Lombard LLC, petitioner, presented the petition. He opened his presentation by presenting a PowerPoint presentation describing his project. He noted that the property at 11-37 is currently owned by the Village. The adjacent property at 7 East St. Charles Road is under contract by the petitioner and they propose to incorporate the property into their overall development.

He then described the project. Their building will consist of 36 residential condominiums and 10,000 square feet of commercial space. Parking will be provide both at-grade (42 spaces) and below grade (32 spaces).

He then showed the proposed building elevations and described the building materials associated with the project. The building exterior will primarily consist of red brick masonry with stone accents at the first level. He noted that the proposed clock tower element on the west side of the building was a preference made by the Village Board when they considered the development agreement for the property. As the proposed clock tower is greater than forty-five feet in height, relief will be required. A planned development is requested as the Zoning Ordinance requires planned developments for projects within the B5 District that do not meet code.

He then discussed the other proposed property improvements, including the parking plan and the landscape plan. He noted that the east parking lot would tie into the existing Hammerschmidt Commuter lot.

Chairperson Ryan then opened the meeting for public comment. No one spoke in favor or in opposition to the proposal. He then requested the staff report.

William Heniff, Senior, presented the staff report. The vacant property at 11-37 East St. Charles Road is currently owned by the Village. In 2005, the Village negotiated a development agreement for the property with New Urban Communities Lombard, LLC to provide for a new mixed-use multiple-family residential/commercial development. To ensure that the future development on the property would be consistent with the vision of downtown Lombard and the Village's Comprehensive Plan, the agreement set forth specific development plan requirements and included concept building elevations.

As part of this agreement, the Board also directed the developer to provide a clock tower element at the west end of the building as an additional architectural feature. However, the proposed tower element would exceed the maximum height requirements for buildings in the B5 District. As such, the proposed plan is being forwarded to the Plan Commission to consider this element. However, as the Zoning Ordinance requires that any new development within the B5 District that requires a variation to be considered as part of a planned development, the petitioner has submitted for planned development approval with a height deviation. Also, independent of the development agreement with the Village, New Urban has also entered into a contract to acquire the 7 E. St. Charles Road property as well. This parcel, which is currently improved with an accessory garage, will be integrated into the overall project development.

Concurrent with the review of this petition by the Village Board, the Village Board will consider a first amendment to the previously approved development agreement, which will include environmental remediation activities, developer obligations and TIF provisions to facilitate the project redevelopment. He also referenced that the Village will need to approve a variation to allow the proposed development to be tied into a combined sanitary/storm sewer system. A petition must be filed to request this variation.

He then discussed the history of the property. In 2000, the Village Board granted approval for a planned development consisting of one large, five-story condominium building with commercial uses on the first floor and four residential townhome buildings. All previously granted relief has since expired on the property as the project was not started within one year of the date of approval. Therefore, any new actions would require new reviews and approvals accordingly.

The petitioner's plan will consist of a more traditional design, with 10,000 square feet of commercial space on the first (street) level. No definitive tenants have been identified for this space at present. Each residential floor (floors 2, 3 and 4) will have twelve residential units, with

the units ranging from 860 to 1,250 square feet in size. Parking will be provided at-grade (42 spaces) and in the basement of the building (32 spaces).

The Zoning Ordinance requires the creation of a planned development for any property in the B5 District on which a principal building is proposed to be constructed that does not meet the full provisions of the Zoning and Sign Ordinances. The petitioner is requesting a deviation from Section 155.416 (G) of the Zoning Ordinance to allow for an increase in building height to fifty-six feet (56') for a clock tower, where a maximum building height of forty-five feet (45') is permitted. The additional height relief is requested in order to provide for the proposed clock tower element as shown on the petitioner's submittals. The petitioner's elevations show that the clock tower is intended as an architectural embellishment to the building and will break up the linear mass of the building. While the plans could be modified with a flat roof to meet the height limitations, both the petitioner and the Village Board expressed a desire to incorporate the tower into the final building elevations.

Staff notes that the increase in height is only intended to provide an additional architectural feature, as opposed to creating additional living space. Staff notes that such relief has been previously supported by the Village Board in the downtown area. If the height deviation is not desired, the building could be constructed as proposed, but without the tower element. But for the height deviation, this development proposal is intended to meet all of the underlying provisions of the Zoning Ordinance. To ensure that this provision is met, staff offers the following additional comments regarding the site plan that would need to be addressed as part of the building permit submittal.

The Comprehensive Plan examines the downtown area and this property, in particular. The Hammerschmidt property is within the area identified as the recommended boundaries of the Central Business District. The Comprehensive Plan recommends that within this area the Village should continue to encourage commercial, residential, civic and other land uses to meet the needs of the community. This development follows the recommendations of the Comprehensive Plan by providing for a mixed-use residential/commercial development. Should this project proceed, the petitioner will be required to provide the Village with a plat of resubdivision combining the properties into a single lot, which can be approved administratively.

Chairperson Ryan then opened the meeting to the Plan Commissioners.

Commissioner Flint noted that the clock tower element is a positive element to the building and the site plan.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal does comply with the standards required by the Lombard Zoning Ordinance, and therefore, I move that the Plan Commission accept the findings of the Inter-department Review Report as the findings of the Plan Commission and that granting the planned development is in the public interest and therefore, the Plan Commission recommends to the Corporate Authorities **approval** of PC 06-01, by a roll call vote of 4-0, subject to the following conditions:

1. The property shall be developed in substantial compliance with the site plan and building elevations, prepared by Sullivan Goulette Architects, updated January 23, 2006 as well as the landscape plan prepared by Gary R. Weber Associates, Inc., dated December 27, 2005, except as modified by the conditions of approval.
2. The increase in building height shall only be for the proposed clock tower element located on the northwest corner of the building as depicted on the submitted plans. Any height increase above the forty-five feet above grade shall only be for any architectural elements associated with the clock tower and shall not be used as living space.
3. The petitioner shall submit a Plat of Consolidation to the Village for review and approval. Said plat shall consolidate the subject properties into a single lot of record and shall be required concurrent with the building permit submittal.
4. The proposed wall signs shall be of a uniform design, shall not include "box signs", and the wall signs shall be located on the building consistent with the submitted plans. The east elevation shall not include any building identification signage.
5. The final plans for the proposed project shall meet the comments set forth within the Inter-departmental Review Report.

Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan, Chairperson  
Lombard Plan Commission

att-

c. Petitioner  
Lombard Plan Commission