

Village of Lombard

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



Meeting Agenda

Thursday, June 2, 2011

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

[110322](#) Presentation - Virginia Lippig

[110317](#) Proclamation - Welcome Home 2011

Attachments: [procwelcomehome2011.doc](#)

V. Approval of Minutes

VI. Committee Reports

Community Relations Committee - Trustee Keith Giagnorio, Chairperson

**Economic/Community Development Committee - Trustee Peter Breen,
Chairperson**

Environmental Concerns Committee - Trustee Laura Fitzpatrick, Chairperson

Finance Committee - Trustee Greg Gron, Chairperson

Public Works Committee - Trustee Bill Ware, 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

VII. Village Manager/Village Board Comments

VIII Consent Agenda

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Payroll/Accounts Payable

- A. [110312](#) Approval of Accounts Payable
For the period ending May 20, 2011 in the amount of \$106,940.54.
- B. [110325](#) Approval of Village Payroll
For the period ending May 21, 2011 in the amount of \$799,303.15.
- C. [110326](#) Approval of Accounts Payable
For the period ending May 27, 2011 in the amount of \$1,110,346.01.

Ordinances on First Reading (Waiver of First Requested)

- D. [080319](#) PC 08-13: 19W471 Roosevelt Road and 351 E. Roosevelt Road
(Lombard Crossing)
Granting a time extension of Ordinance 6211, as amended by
Ordinances 6344 and 6495, extending the time period in which to start
construction of the approved project at 19W471 Roosevelt Road and
351 East Roosevelt Road for an additional 12-month period. (DISTRICT
#6)

Attachments: [PUBLIC NOTICE 08-13.doc](#)
[apoletter 08-13.doc](#)
[Cover Sheet.doc](#)
[DAH referral memo.doc](#)
[Referral Letter.doc](#)
[Report 08-13.doc](#)
[6205,6209,6210,6211](#)
[Annexation agreement per Ordinance 6208.pdf](#)
[Certified Copy of Re recored of Ordinance 6209.pdf](#)
[Conditional uses per Ordinance 6211.pdf](#)
[Map Amendment per Ordinance 6210.pdf](#)
[Re record of Ordinance 6209.pdf](#)
[Ordinance 6211.pdf](#)
[Ordinance 6344.pdf](#)
[DAH memo time extension.doc](#)
[Cover Sheet time extension2.doc](#)
[080319.pdf](#)
[080319.pdf](#)
[Ordinance 6495.pdf](#)
[080319.pdf](#)
[DAH memo time extension3.doc](#)
[080319.pdf](#)
[Ordinance 6623.pdf](#)

*Drew Friestedt, Centrum Properties, 225 W. Hubbard Street, Chicago,
presented the petition for the Lombard Crossings development in a PowerPoint
format. He began by stating that he represents Centrum Properties and he gave*

the company's background and described the types of projects they do as well as the locations of each.

Referring to an aerial view of the proposed site location (which was highlighted in blue) Mr. Friestedt stated that these properties were former known as the Lombard Lanes and the O'Hare Towing properties and the site is approximately 4.6 acres in size. He then showed site photos before the buildings were razed.

He presented the history of the project mentioning that at the August 2007 Plan Commission meeting a proposal was approved and forwarded to the Village Board for final approval. Knowing that they did not have the support of the Village Board, they pulled the petition. Some of the issues that the Village Board had with their proposal were:

- a. did not want a fast food restaurant with a drive through*
- b. compatibility with the Roosevelt Road Corridor Study*
- c. the number and type of uses outlined in the annexation agreement*
- d. the timing of the development outlined in the annexation agreement*

They have since gone back and addressed those issues. He showed the site plan previously approved by the Plan Commission and described the drive-through bank with a fast food tenant, Del Taco. At the back of property was a 95,000 square foot storage facility.

They now have two new site plans, Option A and Option B. The difference between the two is in the location of the sit-down restaurant which affects the drive aisle and parking configurations. He then referred to Option A and described the site. The bank is still in the same location. There will be 12,500 square feet of retail with the retail building in the center. They have changed the fast food restaurant to a 5,700 square foot freestanding sit-down restaurant which was one of the issues the Board had. They spent six months negotiating with the team and came back with a plan for marketing purposes and one that was leasable. They still have the four-story storage use at the back of the property noting that they talked to a number of users for this space but could not attract anyone else to take the space. He then referred to other similar storage users in the area. Mr. Friestedt stated that if they do not have this use, they feel the site could not be marketable. Centrum also agreed to center the building and to limit the retail use to five tenants which is similar to what V-land has. Their original proposal asked for seven tenants.

The next issue was one that concerned Trustee Soderstrom - the timing of the development. The worry was having a bank anchored in the center of the site with a storage use in the back with nothing in the front. To address this concern, they added additional timing and building permit restrictions in the Annexation Agreement. With those three concessions they addressed the issues raised by the Board of Trustees.

He referred to Site Plan - Option B. Because they do not know if the restaurant will be freestanding or attached, they are asking for approval of both plans. Option B includes a reconfiguration of the parking areas by sliding the restaurant building down and integrating it with the retail space. The sit-down restaurant would be 6,000 square feet and would still have the outdoor dining component. The square footage of the retail component would stay the same.

He then showed the street view and bird's eye view renderings of the site. The

building materials used are very similar but they incorporated some of staff's comments regarding color. They buildings are predominately brick with an EIFS corner and he proceeded to describe the remainder of the materials. He stated that all the building materials will be consistent.

The retail building elevations were shown next. The petitioner passed around the materials board to the Plan Commissioners and described that they are proposing to break up the retail building both vertically and horizontally and will change the brick color from the field color. They will have a cast stone base and a lintel consistent with the front and side of the building. The back will be mostly brick with a continuation of the precast lintel.

The bank elevations would be similar to the retail building. The color of the brick will match. Staff requested that at the base of the bank to replace the soldier coarse brick to stone.

Referring to the sign design slide he stated that this has not changed. It still matches in terms of color and scale and he described the same. The square footage of the signs are less than what is allowed by code-one is 70 square feet and the other is 115 square feet.

Mr. Friestedt then addressed how the site complies with the Roosevelt Road Corridor Study and addresses the concerns raised by Trustee Soderstrom. The site has a common and unified development theme, contains harmonious architectural elements, common materials and design color palette, and a shared parking field and shared access points with adjacent shopping center. It also has four-sided building elevations, provides green/open space, is pedestrian friendly, and contains decorative lighting.

He then turned the rest of the presentation over to Scott Novack.

Scott Novack, Centrum Properties, 225 W. Hubbard Street, Chicago, continued with the slide presentation. He stated that everything they are requesting is consistent with what they previously requested in August, 2007. This includes approval of an annexation agreement, annexing the 19W471 site, a map amendment rezoning the site to B4A which is consistent with the Roosevelt Road Corridor District, approval of a conditional use for a planned development with conditional uses, deviations and variations. They will have to subdivide the property into five lots which results in a need for certain deviations and variations such as side yards setbacks and lot deviations. These items are self imposed so the requested relief meets the standards. A slide depicting the five lots of record were shown and he described them.

Lot 1 or Parcel A is the bank parcel. They are requesting a conditional use for a bank as well as for a drive-through facility; deviation of the Sign Ordinance for more than one wall sign per street frontage. He indicated that they originally requested four signs but took the Plan Commissioners comments into consideration and now are only requesting three, one for the north, west and east elevations. They are also asking for a deviation to reduce the minimum lot area from 40,000 square feet to 36,400 square feet and a deviation to reduce the minimum lot width from 150 to 137 feet.

Lot 2 or Parcel B is the retail parcel. They are requesting a conditional use for a shopping center consisting of more than one principal business and a deviation. This was a result of the B4A zoning. They are also requesting a deviation to reduce the required east interior side yard from ten feet to one foot.

Lot 3 or Parcel C is the freestanding sit-down restaurant. They are requesting a conditional use for an outdoor dining area, a deviation from the Sign Ordinance to allow for more than 1 wall sign per street frontage and a deviation reducing the required east interior side yard from 10 feet to 5 feet.

Lot 4 or Parcel D is the back parcel storage area. They are requesting a deviation from the Subdivision and Development Ordinance to allow for a lot without street frontage, a planned development use exception for a storage center in the B4A district with a variation to allow a use exception to exceed 40% of the total floor area of the overall planned development and a conditional use for a 4-story building between 40 and 45 feet in height.

Lot 5 of Parcel E is the detention area. They are requesting a deviation from the Subdivision and Development Ordinance to allow a lot without public street frontage, a deviation to reduce the minimum lot area from 40,000 square feet to 19,000 square feet and a deviation to reduce the minimum lot width from 150 to 131 feet.

Mr. Novack then cited the additional 6 requests from the Zoning and Sign Ordinances.

Concluding, Mr. Novack stated that they have a number of consultants available and would be happy to answer any questions they might have.

Chairperson Ryan then opened the meeting for public comment. There was no one present to speak in favor of or against the petition.

William Heniff presented the staff report, which was submitted to the public record in its entirety. Rather than repeating the petitioner's representations, he referenced many of the zoning actions for the project and selected comments included within the staff report.

He noted that upon annexation, the whole property would need to be zoned into a district that is consistent with the Comprehensive Plan and the Roosevelt Road Plan. Staff believes the property should be rezoned to the B4A District, consistent with the Roosevelt Road Plan recommendations. He also described many of the design elements encouraged or required within the B4 regulations or the Roosevelt Road Corridor report. Establishing a planned development for the entire development is an appropriate way to address the unique site constraints and phasing of the proposed development.

The B4A District lists financial institutions as conditional uses - this differs from the previous petition when banks were permitted by right. This change allows the Village to review the facility relative to the overall development plan. The Roosevelt Road Report noted that banks could provide value to a community if it is part of an overall planned development. While not attached to the retail building, the proposed plan integrates the use into the overall development through its common building design elements, shared access and integrated design.

When the petitioner was seeking initial approval of the development, the property was zoned B3 and the property met the B3 requirements. However, this relief was created as part of the overall B4A district designation. The issue of lot width and area was discussed as part of the Roosevelt Road Ad-Hoc Committee review. The Committee noted that a number of lots do not meet the lot provisions included within the B4A designation. Staff noted that for lots that

do not meet the requirements, they could be designed in a manner that would allow the lots to functionally operate as if it was a larger lot.

Regarding the retail center itself, this use was previously a permitted use, but is now a conditional use within the B4A District. This designation allows the Village to look at the overall design of the facility relative to the overall B4A provisions and determine if the proposed design and layout meets the objectives of the Plan. The petitioner is proposing two options - a separate in-line center of 12,500 square feet and a unified center that includes the retail center component anchored by a sit-down restaurant. To address concerns regarding the tenants and uses in the center, the petitioner is amenable to a cap on the total number of tenant spaces at five, excluding the restaurant end-cap use. This was applied to the nearby V-Land Center and is intended to provide for larger store spaces, which may attract more destination related uses and retail businesses.

This interior yard relief is intended to allow the building to be located closer to the east property line of the abutting bank use. Staff finds this relief to be desirable as it allows for the other side of the center to be better utilized for outdoor dining and additional parking.

At this point in time, the final sit-down restaurant tenant is unknown, but the petitioner is preparing a final list for consideration within the annexation agreement itself. The proposed outdoor seating area location will be a function of the final design plan for the restaurant itself, but it will be located either on the east side of the building (in Plan A) or the west side (in Plan B). As noted in the Roosevelt Road Report, outdoor dining elements associated with restaurant establishments can be considered a desired amenity, provided that they do not create negative impacts on adjacent properties.

The wall sign relief is intended to provide for additional flexibility for the restaurant use, which would likely desire wall signs on the exterior walls visible from Roosevelt Road. Consistent with other restaurant uses and the proposed bank, staff does not object to the request. However such signage would be reviewed as part of the overall restaurant building elevations in the site plan approval process.

Lot 4 requires a deviation from the Subdivision and Development Ordinance to allow a lot without street frontage. Access to Lot 4 will be provided by means of cross access with Lots 1 through 3 of the proposed resubdivision. Lot 5 would be a detention outlot for the stormwater drainage of the project. Given the overall lot configuration, the grade issues and the built-in cross access provisions, and similar relief approved in a couple of other cases, staff does not object to this request.

The petitioner requests the right for a 95,000 square foot storage center to be located on Lot 4 (Parcel D). Storage centers are not listed as permitted or conditional use in the underlying B4A District. The petitioner indicated that they have not finalized a tenant for Lot 4 and have not submitted any building elevations or materials for the proposed building. The petitioner would like to establish the right for the use exception. Staff recommends as a condition of approval that site plan approval be required for Lot 4 to allow the Plan Commission to review building elevations and materials. In addition, should the petitioners choose not to move forward with the use exception for Lot 4, they can seek site plan approval for other uses permitted within the underlying B4A District.

Staff can conceptually support the storage center use given that the subject property is adjacent to two other storage uses including the U-Store-It storage center and the York Township Highway Department facility. Furthermore, there is a substantial change in grade with the elevation at the northern property line being as much as fifteen feet (15') higher than the elevation at the southern property line. The multi-story storage center building will not have as great of an impact when viewed from Roosevelt Road as a result of the grade change. Furthermore, the proposed storage center will provide additional screening of the York Township Highway Department facility to the south of the subject property.

A review of the plans estimated that the proposed Parcel B in Plan A would have about eight percent green space. However, given that the site is part of an overall planned development and the lot lines are intended to be more arbitrary, staff notes that this relief could be supported provided that the overall planned development meets the open space requirements of 12.5% of the area. Staff estimates that the open space will be about 15% of the planned development. This approach and requisite relief was also successfully implemented within the Highlands of Lombard planned development.

The petitioner's 2007 proposal requested approval of four freestanding signs proposed within the planned development. The new petition decreased the number from four to two. Staff can conceptually support the necessary relief to allow the two shopping center signs located at each of the access drives. Any signage for the bank and storage center will be incorporated into the shopping center signs.

He then reviewed the access and site design issues that were present in the 2007 petition and noted that they have not changed since last year. Staff recommends approval of the petition subject to a number of conditions.

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

Commissioner Olbrysh stated that he liked both site plans and the elevations looked good but thought that the south elevation should be spruced up. He liked their explanations as to the Village Board's concerns. He had assumed that the Village Board did not have any objections to the public storage facility. Mr. Friestedt stated that at the Village Board hearing the Board expressed concerns about having a storage use. Afterward, they went back and came up with the current plan by addressing other issues. By going into the market and testing the plan they believe the Board will now support it.

Commissioner Olbrysh indicated that he was on the Roosevelt Road Ad Hoc Committee and would have had a problem if the storage use was located on Roosevelt Road but since it was set back to the rear of the property you don't actually see the building. Mr. Friestedt mentioned the cross section studies they did and how you can only see the top 10-12 feet of the building based on a person being 6 feet tall. Commissioner Olbrysh stated that it will be very difficult to get anyone back there due to the drop in elevation. He thought it was a perfect use for that location on the site.

Chairperson Ryan commented that he was initially against the idea of a storage facility on the site and still was. He questioned the height of parcel B and how high the strip mall was going to be. Also how much will you see from Parcel D.

Mr. Friestedt answered that the height of the parcel was 10-15 feet or a story and a half. The top of the parapet of the retail component could be 20-22 feet from grade so due to it's height as well as the drop in grade, you will only see the top of the storage facility. He stated that they are aware that they will have to come back to the Plan Commission for site plan approval and will adhere to those requirements. It's a challenging piece of the project. Chairperson Ryan stated that when you come back for site plan approval for the storage facility and site elevations, he asked if the looks of it could be diminished. We are trying to build up Roosevelt Road and don't want to turn it into something not wanted.

Chairperson Ryan then stated his preference for Site Plan Option B. The restaurant and retail combined together make it a better looking facility and you can see the outdoor dining from the street. He then questioned how the south elevation might look having five tenants. Mr. Novack indicated they would update the elevation to show the number of doors. Chairperson Ryan indicated that with their previous proposal there were a larger number of doors for each tenant on that elevation which broke up the mass of the building. With five tenants it will be all brick so there is a need to tie it in with the other elevations. Mr. Novack indicated that using two colors would break up the building similar to the V-land project.

Commissioner Nelson asked about the access into the site when traveling westbound on Roosevelt Road. Mr. Heniff indicated that the center median lets you go either way. Westbound will have a full access or through cross access. Commissioner Nelson asked if there would be a turn lane. Mr. Heniff answered there would not be a dedicated one now just a shared access. IDOT will decide the appropriate striping pattern.

Commissioner Sweetser asked is there is a right turn lane to access the site while traveling eastbound on Roosevelt Road. Mr. Heniff answered that while proceeding east, the full access will not have a right turn lane but the other will. Commissioner Sweetser commented on how the trucks will be using the full access and how unfortunate it is that we cannot change the state route. Mr. Heniff answered that we could look at it as well as IDOT being that York Township would be running tandem trucks from that access. The petitioner will have to secure a permit from IDOT and the turning radii will have to accommodate those trucks.

Commissioner Flint stated he did not have a problem with the storage use being on the site. He mentioned that there is a storage facility to the west. He stated his preference for Option B as it will look better traveling eastbound, he preferred the location of the outdoor dining area and it has a more open feeling. Acting Community Development Director Bill Heniff explained the petition annexing the old O'Hare Towing and Lombard Lanes, the petitioner recently withdrew and with the Board's concerns in mind they are back with modifications, which give the Village more control over the project. There will be a bank with a drive up, a sit down fast food casual restaurant with out door dining and some in-line retail space. He showed illustrations of two proposed foot prints for the project. The restaurant must begin before the storage facility is built, there is a list of approved restaurants, the billboard will later be removed. He said that they are asking for site plan approval by the Plan Commisiion He added that the developer has adopted many of the provisions of the Roosevelt Road corridor study.

Trustee Soderstrom said that the petitioner brought this forward before and he

had his reservations regarding type or quality of restaurant, the way the retail space would be used, storage on south end of property and was concerned about the phasing so we don't end up with just a bank and vacant land. The restaurant is a much higher quality and the retail spaces are limited to 5. Before they build the bank the retail or restaurant must be underway. He said he thought that the developer had done their due diligence, He said he was satisfied that they have tried to eliminate the storage facility and it is a different program than presented before.

Trustee Soderstrom indicated he wanted to emphasize that the developer and staff worked on all the concerns and he is satisfied and wants to encourage the Board to give unanimous support and approve the annexation agreement.

Trustee Tross stated he voted no the last time and is prepared to vote no again. He stated this is the first major development since the Roosevelt Road moratorium and it has 29 variations and 12 conditions. He stated there is a restaurant yet to be identified and a bank with a drive-up and questioned if this was the best proposal for the area.

Trustee Soderstrom stated this is not just retail, but a mix. He stated it was a mirror of V-land development. He contended this was a good use for the Roosevelt Road corridor. He stated this Board approved a development to the left of it and this one is as good as that one. He asked the Village Board for support of this petition and stated he felt this would enhance the Roosevelt Road corridor.

- E. [110323](#) Prevailing Wage Rate
Adoption of the most current Prevailing Wages for public works projects for DuPage County for June 2011.

Attachments: [Ordinance 6624.pdf](#)
[110323.pdf](#)

Other Ordinances on First Reading

- F. [110269](#) PC 11-11: 23 W. Maple
Requests that the Village approve the following relief for the subject property, located within the R2 Single-Family Residence District:
1. A conditional use (per Section 155.407(C)(1) of the Zoning Ordinance) to allow for a cultural facility/institution (museum); and
 2. A variation from Section 155.407(F)(1) to allow an existing twenty-eight (28) foot front yard setback for a principal structure; and
 3. A variation from Section 155.210(A)(3)(b) to allow an existing twenty-nine and one-half (29.5) foot high accessory structure; and
 4. A variation from Section 155.210(B)(1)(a) to allow the combined area of all accessory buildings to exceed the ground floor area of the principal structure; and
 5. A variation from Section 155.210(B)(2)(a) to allow an existing five (5) foot interior side yard setback for an accessory structure; and
 6. A variation from Sections 155.407(J) and 155.602(C) to allow for zero off-street parking spaces. (DISTRICT #1)

Attachments: [APO Letter PC 11-11.doc](#)
[publichearingnot.doc](#)
[PC 11-11.pdf](#)
[DAH referral memo.doc](#)
[Report 11-11.doc](#)
[Referral Letter.doc](#)
[110269.pdf](#)
[Ordinance 6631.pdf](#)

Commissioner Flint stated that he would be recusing himself from offering any comments or voting on the petition as he may be the potential architect of the project.

George Seagraves, 314 W. Collen Drive, Lombard, provided background on the request. He stated that the Lombard Historical Society operates the museum referred to as the Victorian Cottage Museum and it is owned by the Village of Lombard. He said the Society is seeking to add a 566 square foot 2 story addition to the existing coach house. The variations being requested are necessary to accommodate existing structures on the site and he asked for their support.

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

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Director of Community Development, presented the report. He stated that the Society is seeking to construct a 566 square foot addition to the coach house located at the rear of the property. The addition is intended to improve the experience for museum visitors by providing a logical tour path with new, accessible exhibit space for visitors who cannot navigate the stairs in the Victorian Cottage Museum.

Upon completion, the coach house will house exhibit space, archives, the museum collection, an archive reading room, a restroom, and the gift shop. These improvements will allow the Victorian Cottage Museum gift shop to be converted into an exhibit room. Administrative offices would be relocated from the basement to the second floor of the Victorian Cottage Museum, and the basement and attic would be used for storage. The Society also wishes to construct an additional, small shed on the property so that the Plum shed may be converted into exhibit space or the gift shop.

Mr. Stilling summarized each of the requests and stated that staff finds the standards have been met and that the use is compatible with the Comprehensive Plan and surrounding land uses and therefore staff recommends approval of the conditional use and variations subject to the conditions noted in the staff report.

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

Commissioner Olbrysh stated that he did not have any questions or comments regarding the petition nor did he have any problems with any of the variations.

Commissioner Cooper asked for a timeline for construction. Mr. Seagraves stated that they are in the process of selecting an architect and hope to kick off their fundraising in November. They have already received one grant and expect to get started in the Spring, 2012.

G. [110273](#)

PC 11-12: 500 E. Roosevelt Road

Requests that the Village take the following actions on the subject property:

1. Approve a planned development amendment (Major Change) to Ordinance 5163 for property located in the B4APD Roosevelt Road Corridor District, Planned Development, with the following companion conditional uses, deviations and variations, as follows;
 - a. A conditional use, per Section 155.417 (G) (2) (b) (9) of the Lombard Zoning Ordinance to allow for a new motor vehicle service facility; and
 - b. A conditional use, per Section 155.417 (G) (2) (a) (4) of the Lombard Zoning Ordinance to allow for outside display and sales of products; and
 - c. A variation from Sections 155.706 (C) and 155.709 (B) of the Zoning Ordinance reducing the required perimeter parking lot and perimeter lot landscaping from five feet (5') to zero feet (0') to provide for shared cross-access and parking; and
 - d. A deviation from Sections 154.406 & 154.507 of the Lombard Subdivision and Development Ordinance to allow for detention areas to not be in an outlot. In the alternative, should an outlot be required, the petitioner requests a deviation to Section 155.417 (G)(3) of the Zoning Ordinance to reduce the minimum lot area for detention outlots, a deviation from Section 155.417 (G)(4) of the Zoning Ordinance to reduce the minimum lot width for detention outlots, a deviation Section 154.507 of the Lombard Subdivision and Development Ordinance to allow an outlot to not have at least thirty feet (30') of frontage along a public street and a deviation from Section 154.507 of the Lombard Subdivision and Development Ordinance for single ownership of an outlot.
2. Site plan approval with the following deviations from the Lombard Sign Ordinance:
 - a. A deviation from Section 153.235 (F) to allow for a shopping center sign to be located closer than seventy-five feet (75') from the center line of the adjacent right-of-way; and
 - b. A deviation from Section 153.505 (B)(19)(2) to allow for 3 walls signs where 2 wall signs are permitted; and
3. Approve a major plat of subdivision. (DISTRICT #6)

Attachments: [APO Letter PC 11-12.doc](#)
[NOTICE OF PUBLIC HEARING.doc](#)
[PC 11-12.pdf](#)
[Report PC 11-12 revised 5.16.11.doc](#)
[Referral Letter.doc](#)
[DAH referral memo.doc](#)
[Cover Sheet.doc](#)
[110273.pdf](#)
[Ordinance 6627.pdf](#)

Russ Whitaker, 23 W Jefferson Street, Naperville spoke on behalf of the petitioner. He noted the aerial that was shown on the screen and provided background on the subject location including the history of the car dealership. He stated that the existing West Gate Auto Sales is only using a portion of the site making land available for the proposed Firestone. Mr. Whitaker showed the Plan Commission a number of photos highlighting the existing conditions of the site.

With reference to the proposed Firestone, Mr. Whitaker noted that they have been working with staff for the last several months on a plan that they could conceptually support. He stated that staff and petitioner worked up until 5PM today to come up with conditions that both can support. He referenced his addendum to the petition and noted that it should be part of the record.

Mr. Whitaker provided the plans showing how the site could be developed. He stated that staff was initially not supportive of a piecemeal redevelopment of the site and that staff recommended shared access, signage and detention. He showed the Plan Commission a 3D rendering of the site including a concept plan showing how another 10,000 square foot building could be accommodated on the site should Firestone be developed. He noted that the existing car dealership would remain. He referenced the proposed changes to the access drives and access from Roosevelt Road, as shown on their submitted plans.

Mr. Whitaker provided an overview of the stormwater detention facilities. He stated that the plan shows 2 detention ponds designed to serve both Firestone and the West Gate Auto sales. He said they are required to release at a restricted rate to minimize off site discharge.

Mr. Whitaker then talked about signage. He stated that they are proposing a shared shopping center sign in lieu of a single freestanding sign. The proposed shopping center sign can be used by Firestone, West Gate and any other future user. He referenced their need for the variation to have the sign located closer to the Roosevelt Road right-of-way.

Mr. Whitaker then referenced the site plan and access from Edgewood. He stated that they would like to have full access in and right out only. He proceeded to discuss parking and how they are providing more than what is required by Code. He said there would be limited overnight storage, maybe one day, to accommodate customers. Firestone will only do light service and tire installation.

Mr. Whitaker then referenced the landscape plan. He said they have increased their landscaping along the east elevation to minimize impacts on the adjacent

residents. He said the building is oriented to have the bay doors face west to minimize any noise.

Mr. Whitaker then showed the Plan Commission the proposed elevations. He stated that the intent of the building design was to be residential in scale. He noted the materials being proposed and showed photos of a similar building in St. Charles.

Mr. Whitaker then referenced the engineering plans and noted that they continue to work with staff to address stormwater. He stated that they will agree to not discharge into the rear yards to the north and that they will continue to work with staff through final engineering. He then noted the photometric plan which meets ordinance.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one to speak in favor of the petition. To speak against the petition were:

Steve Benthine, 1171 S Fairfield, stated he lives directly behind Westgate Auto. His questions were about the water and retention. He asked if only the first retention pond was going to be put in but not the second. Mr. Whitaker stated that they will put in both ponds before an occupancy permit is secured. Mr. Benthine asked where they would drain. Mr. Whitaker stated that it will drain to either Roosevelt Road, Fairfield or Edgewood or a combination of all of the above.

Mr. Benthine mentioned that he was before the Plan Commission two years ago when John Moroni presented a petition. He stated that there is a retaining wall along the south side of his lot which contains drainage holes. Water flows out when it rains and pools into the neighbor's backyards. His concern is the maintenance of the wall. He noted he does not object to the Firestone petition but has issues with the water and maintenance of the wall.

Chairperson Ryan asked the petitioner if the plan will eliminate that totally. Mr. Whitaker stated no; however, the detention they are providing will reduce the amount of run-off.

Chairperson Ryan asked if something can be done to eliminate those holes. Mr. Stilling stated that some of the runoff will be taken away; however, you cannot eliminate it completely. The petitioner's plans will not increase the volume heading north. With reference to the maintenance, staff will bring that to the attention of the property owner as he is responsible for it.

Erica Dumask, 1169 S Fairfield, stated she lives in the 2nd house and gets all the water. She has lived there for 38 years and does not think the plan will help. She also mentioned the weep holes in the wall and if she plugged up those holes their driveways would flood. Chairperson Ryan suggested that they contact staff to address the matter.

Mr. Stilling asked the petitioner what type of shingle will be placed on the roof. Mr. Whitaker stated that it would be an architectural shingle.

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Director of Community Development, presented the report. He stated that the IDRC report is being submitted into the public

record in its entirety. Mr. Stilling stated that staff and petitioner have been working on the conditions and as a result, staff have submitted the revised IDRC report amended 5/16/11. Mr. Stilling stated Firestone is seeking to construct a new 8,500 square foot facility at the southwest corner of Edgewood and Roosevelt Road. Bismarck Real Estate Partners plan to acquire 1.56 acres of the eastern portion of the dealership site, develop the property and lease it to Firestone. The proposed facility would be primarily dedicated to tire sales and automotive service, but no motor vehicle repair activities, as defined by the Zoning Ordinance. The existing owner would retain the remaining 4 acres and continue the automobile sales, repair and service use.

Mr. Stilling said the proposed building would be one story, with a second level loft. The building is orientated with the bay doors facing the west so as to minimize noise and impacts on the adjacent residential properties to the east. The building will be constructed of primarily concrete blocks known as "Quik Brik". This is different from typical masonry because "Quik Brik" is made from concrete rather than clay and painted to a specific color.

Building staff notes that this product is a colored concrete block that is not a veneer, but rather a smaller block that has a face that looks like brick. The benefits of such an application are that one does not have to install a cement block and then install a clay brick veneer. Issues associated with this approach are:

1. The cement used to make the block has a dye mixed in. Dyed cement such as pavers, red sidewalks, etc. have issues with fading. While sealers can lessen fading, staff is unaware of a way to completely prevent it.
2. With traditional cement block wall that has clay brick installed in front of it (double width system) we have a 1" air space between where moisture can run down. This moisture comes from leaks, and vapor transmission. Vapor transmission occurs from the sun heating the outer surface and causing the wet wall to push the vapor into the wall. This vapor condenses in the surface of the cement block and runs down and out of the weep holes. The quickbrick does not have this airspace. In the areas where the block will be exposed, such as in the shop, there may not be an issue. In areas with drywall, staff will need more information on how that moisture will be controlled to prevent damage to the interior finishes. Staff suggests that should this petition be approved, it may be of assistance if the product manufacturer could give us an address of a job close to us that used the product so we could see it first hand.

The petitioner has provided a material board for staff's review. Staff notes that the building elevations and materials proposed for this site are critical as the intent of planned development amendments and the B4A District regulations are to encourage unified design. Should additional redevelopment occur within the planned development, the intent would be to establish compatibility with the architectural style of the future proposed buildings. This approach has been consistently applied to many other planned developments. The petitioner has submitted photos of a similar building constructed in St. Charles, IL. Staff prefers the color, materials and architectural design elements of that building elevation over the plans submitted. Should the project be approved, staff would recommend that the elevations be revised to substantially conform to the color, materials and architectural design elements depicted in the photographs submitted by the petitioner.

With reference to the site layout, Mr. Stilling said during initial meetings

between staff and the petitioner, the petitioner was informed by staff about concerns with a piecemeal development of the site. Specifically, staff referenced the 2007 Roosevelt Road Corridor Plan which calls for uniform development. In addition, staff did emphasize a 'master plan' approach to developing the property and asked that any future plans include information as to how they plan to address the continuity with the entire site. Furthermore, staff expressed concern about the appearance and operation of the Westgate Auto Sales as it relates to the new proposed Firestone. Although this issue is discussed later in the report as part of the compatibility to the Comprehensive Plan, the petitioner's proposed plans have attempted to address these items in the following manner:

- o With reference to access and circulation, the petitioner's plans show the relocation of the existing curb cut onto Roosevelt Road to a more centralized location on the site. This curb cut will now be restricted to a right in/out. A new frontage access drive would be provided along the Roosevelt Road frontage providing access to both the proposed Firestone and existing Westgate Auto Sales. The required curbing and 5' perimeter landscaping is being provided. An additional 10 parking spaces are also being provided along the Roosevelt Road frontage to be shared amongst the Westgate Auto Sales use and Firestone. As noted in the traffic study, this parking area should not be used for the sale and display of automobiles.*
- o The petitioner did submit a 3D rendering (attached as Exhibit B) showing how phase 1 of the site would be developed. As shown on that plan, and the overall site plan, the existing used car sales building would remain. As noted, a curb and 5' perimeter landscaping is being provided to separate that use from the overall development. It should be noted that the used car sales building is currently not being used.*
- o Additional access is being provided via a curb cut along Edgewood Avenue. When the property was being used as Westgate Lincoln Mercury, this curb cut was only used by delivery vehicles and had an automatic gate blocking access during normal business hours. More recently, when Westgate Auto Sales received an extension to their Ordinance in 2010, the Village Board required that this access be permanently closed. Therefore, staff recommended a more restrictive left in only with no exiting movements to minimize the impact on the neighboring residential properties. The petitioner is requesting to have a left in and right in & out.*
- o A new rear access drive connecting Edgewood Avenue and Fairfield Avenue would be provided. This access drive could be used by both businesses and it also provides Firestone customers with access to the signalized intersection at Fairfield Avenue without having to drive through the automobile sales area. The petitioner's plans show that this access drive will only be stripped and the pavement would be patched where necessary. It should be noted that the petitioner is requesting to remove existing fences at both the Edgewood and Fairfield entrances to accommodate the access drive.*
- o The petitioner's future development plan also shows how this access drive would be relocated to align with the existing curb cut on the west side of Fairfield. This is consistent with the recommendations from KLOA.*

Mr. Stilling said the Village's traffic consultant KLOA reviewed the site for its impact on the Village street network and offers several recommendations. Specifically, he said KLOA recommends that the access onto Edgewood Avenue

be restricted to a left in only and right out only. Staff can support KLOA's recommendation as a left in only and right out only provided that it is properly designed with appropriate signage per KLOA's report.

With reference to the stormwater detention, Mr. Stilling said the property was initially developed prior to annexation into the Village and prior to the establishment of the current DuPage County Countywide Stormwater and Floodplain Ordinance. Incremental improvements, consisting of underground detention, were done as part of the 2002 expansion project for Westgate Lincoln Mercury.

The petitioner has submitted preliminary engineering plans showing how they plan to address stormwater on the site. Staff has expressed concern about their preliminary plans. Specifically, we have issues with residential property flooding downstream of this parcel. Currently flow from this parcel is divided in a number of different directions:

- o There is some detention provided in the northern (rear) parking lot that discharges onto private, residential property via a 2" pipe.*
- o There is sheet flow to a parking lot structure that is shown to flow to the back of the curb inlet in Edgewood Avenue.*
- o There is sheet flow toward the Roosevelt Road right of way.*

The proposed development is showing detention in the rear of the parcel in two separate ponds and directs all discharge either toward Edgewood Avenue (for the Firestone development), or the rear yards of the homes between Fairfield and Edgewood (partially reflective of existing conditions). Staff notes that sheet drainage from the existing site toward Edgewood would be more controlled, through the detention improvements. However, while they are restricting the water runoff at the same or greater rate than is currently provided, the overall volume of runoff heading downstream may be increasing northward toward Edgewood Avenue. Staff recognizes that the development is improving the current runoff conditions; however, if the site was developed in a unified and comprehensive manner, discharge to the north could be avoided by discharging into the existing stormsewer along Fairfield Avenue or by some other means. As a result, staff has requested that the petitioner make the following changes to their engineering plans:

- o The current flow directed toward the Roosevelt Road stormsewer must be maintained. The flow would need to be detained to current standards, which, should the petitioner not wish to change the overall site plan, could be handled in underground detention if there is a proper grade difference. Additionally, staff has consulted with IDOT on the downstream issues along Edgewood Avenue and requested if IDOT can favorably consider allowing additional runoff to be directed toward Roosevelt Road in lieu of Edgewood Avenue. The petitioner can finalize their plan as part of the requisite final engineering approvals.*
- o The petitioner shows the existing detention area being improved to a more traditional pond, and discharging to the rear yards to the north as it currently does. Again, keeping in mind that this development is a piece of what would be an overall redevelopment, the flow to rear yards should be eliminated. There is a separated storm sewer on Fairfield that is ~200 feet from 500 E. Roosevelt and another 200 feet to the location of the existing outlet. The storm sewer along Fairfield directs stormwater to Central Avenue, avoiding the rear yards along this area. This option or any other like concept that would relieve the*

discharge of water onto private single family residential property should be provided, as was required in a similar petition (PC 05-42: 218-226 W. St. Charles Road - Pointe at Lombard).

o The proposed plan shows the controlled discharge from the pond connecting to the back of a curb inlet in Edgewood Avenue. The petitioner has been asked under §154.402 (C) (2) Chapter 200 section 2B to show where this flow goes. Pipe size, material, condition and ditch capacity will need to be addressed.

Mr. Stilling highlighted the various conditional uses and variations associated with the petition. He stated Firestone is proposing automobile service which includes the sales and installation of tires and light automotive servicing including brakes, suspension work and tune-ups. No major repairs will take place on site. As this use can be complimentary to the existing use on the property, staff has no objection to the proposed conditional use. The petitioner is also proposing to have a small portion of the site dedicated to outside sales and display of products (such as tires and other vehicle parts). According to the petitioner's plans, the display area will be located in front of the service bays during business hours. They have indicated that they would like to have some flexibility as to where it is located during business hours (i.e. in front of a bay door not being used). As with many other automobile service facilities along the corridor, outside display areas are common. Staff finds that the conditional use for outdoor sales can generally be supported, provided that they meet the conditions.

With reference to the parking lot landscaping, Mr. Stilling noted that while staff is concerned that the proposed development may be considered piecemeal in nature, the petitioner has attempted to address shared access and circulation. By doing so, this has resulted in the need for the variation. Should this project be approved, this deviation can be supported as it provides for better traffic flow and circulation. Staff has supported such relief for other developments.

As part of the Site Plan Approval process, the petitioner is proposing deviations from the Sign Ordinance. Mr. Stilling noted that staff supported the petitioner's request with reference to signage.

Mr. Stilling said the proposed development is considered both a major plat and major development as defined by the Subdivision and Development Ordinance, which would require full public improvements where they are needed. The petitioner's plans do show sidewalk being provided along the west side of Edgewood as well as parkway trees and streetlights. However the petitioner is seeking the following deviations from the following sections of Subdivision and Development Ordinance:

A deviation from Sections 154.406 & 154.507 of the Lombard Subdivision and Development Ordinance to allow for detention areas to not be in an outlot. The Subdivision and Development Ordinance requires that the entire detention area be located in an outlot, not less than 30' wide, along the Edgewood frontage. This is necessary because it promotes common ownership with shared maintenance responsibilities through some type of agreement or association. The petitioner's plans show two separate detention ponds each located in a drainage easement. One pond would be owned and maintained by Firestone and the other would be owned and maintained by the property owner of Westgate Auto Sales. While both ponds do function independently, until high water stage, they are required for the development to proceed. In keeping with the unified

development approach, as stipulated in the 2007 Roosevelt Road Corridor Plan, staff recommends that this relief be denied and recommends that the detention ponds be in a single outlot with shared maintenance. This is consistent with other similar projects such as Lombard Crossings (former Lombard Lanes site), V-Land Development at Highland & Roosevelt, Highlands of Lombard and Fountain Square. It would also be consistent with the issues and concerns raised in the aforementioned narrative regarding stormwater detention improvements. Staff notes that the single outlot minimizes the potential for future maintenance issues and impact to adjacent properties since an association and common ownership would be required to maintain the detention outlot. Also, the intent of a single outlot is consistent with the recommendations of the Comprehensive Plan and Roosevelt Road Corridor study as a unified development. Therefore, staff finds that standards outlined in 154.203 E (a) and (d) have not been met and recommends denial of this request.

Should this relief be denied and the petitioner is required to put the detention into a single outlot, the following relief is required:

- o A deviation to Section 155.417 (G)(3) of the Zoning Ordinance to reduce the minimum lot area for detention outlots; and
- o a deviation from Section 155.417 (G)(4) of the Zoning Ordinance to reduce the minimum lot width for detention outlots

In an effort to get the detention into a single outlot, staff can support the 2 deviations noted above given that the lot will not be developed in the future.

Alternatively, if the outlots are still required, the petitioner has requested that they have 2 outlots, one for each parcel. To accommodate this request, the following relief is required:

- o A deviation Section 154.507 of the Lombard Subdivision and Development Ordinance to allow an outlot to not have at least thirty feet (30') of frontage along a public street; and
- o a deviation from Section 154.507 of the Lombard Subdivision and Development Ordinance for single ownership of an outlot

Staff does not support this option either for the same reasons noted above including the need for common ownership and maintenance responsibilities and unified development. Therefore, staff finds that standards outlined in 154.203 E (a) and (d) have not been met and recommends denial of this request. For clarity purposes, staff recommends that a single outlot be provided with common ownership and maintenance responsibilities for the entire site including the Firestone Parcel and Westgate Auto Sales parcel.

Mr. Stilling summarized by stating that staff has expressed a concern to the petitioner about the piecemeal nature of this development through the development processes. Staff did emphasize a 'master plan' approach to developing the property and asked that any future plans include information as to how they plan to address the continuity with the entire site. This concern goes to the historical purpose and intent of the Roosevelt Road corridor analysis and is intended to minimize past negative impacts of piecemeal development on the corridor. Staff does not support an approach to "break off" a portion of the subject property and consider a proposal for an independent development, as it would also be contrary to the basic intent of the planned developments. Staff has expressed to the petitioner that the Firestone development in of itself would set the tone for future development and absent of knowing how this proposal fits

into the overall master plan for the entire 5.5 acre site, it would be difficult to support such a petition.

In response to staff's concerns, the petitioner did revise their plans to incorporate the shared access and frontage roads. Furthermore, the petitioner did provide a conceptual phase 2 plan showing how the balance of the site could be developed should Firestone proceed and the existing Westgate Auto Sales remain. The plan shows how a 10,000 square foot building could be accommodated on the site and still share access and parking. However, staff still notes that under these scenarios, it still assumes the existing auto sales use as remaining. Also, should this petition be approved, it would likely preclude the ability to facilitate a full-scale redevelopment plan for the full 5.5 acre site. However, if the intent is to set the parameters for future development and to facilitate activity within the corridor in the immediate term, common area elements are represented herein. Therefore, staff finds that the petition has met the standards for conditional use for a planned development.

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

Commissioner Sweetser asked about common ownership of the outlet. Mr. Stilling stated that maintenance could be handled by an association.

Commissioner Sweetser asked for clarification about condition 16. Mr. Stilling stated that it sets the tone for future development on the site and staff prefers the red brick rather than what is proposed.

Commissioner Olbrysh questioned the east side of the building and was concerned about the appearance. Mr. Whitaker stated that the picture does not accurately reflect how this site will look. They are providing additional landscaping to break up the mass of the building.

Commissioner Olbrysh asked if the two ponds are connected to function as one pond. Mr. Stilling stated that they will still function independently but the flow can be tweaked.

Commissioner Sweetser emphasized the need to minimize flow to the north.

Commissioner Cooper asked about the balance of the property having to meet code. Mr. Stilling said what they are impacting has to meet current code but what they are not touching is legal nonconforming and will be considered part of future redevelopment.

Commissioner Cooper asked about the appearance of the ponds and suggested a more naturalized look. Mr. Stilling stated that the western portion of the pond doesn't have barrier curb but the petitioner can provide an infiltration strip and that could include vegetative plantings.

Commissioner Cooper asked about the additional 10 parking spaces located on the south side of the frontage road and if this is a Village requirement. Mr. Stilling stated that staff was only seeking the frontage road and the additional parking was provided by the petitioner. Mr. Whitaker stated that the parking would benefit the future development.

***H. PC 11-13: 889 W. St. Charles Road (Moved to A-2)**

- I. [110302](#) Amending Title 11, Chapter 112 of the Lombard Village Code Reducing the Class "L" liquor license category by one due to the closure of The Room Nightclub. (DISTRICT #3)

Attachments: [orddecre closure.doc](#)
[memoDecrease closure.doc](#)
[AgendaForm.doc](#)
[Ordinance 6632.pdf](#)
[110302.pdf](#)

Ordinances on Second Reading

- J. [090246](#) PC 09-08: 331 W. Madison Street (CPSA)
Granting a further time extension to Ordinance 6347 extending the time period for construction of the conditional use for a planned development and a school for an additional twelve month period (June 18, 2012). (DISTRICT #6)

Attachments: [APO LETTER.doc](#)
[Cover Sheet.doc](#)
[DAH referral memo remand.doc](#)
[DAH referral memo.doc](#)
[PUBLICNOTICE.doc](#)
[Referral Letter.doc](#)
[Report 09-08 \(revised\).doc](#)
[Ordinance 6347.pdf](#)
[Ordinance 6346.pdf](#)
[Cover Sheet ext 1.doc](#)
[BOT_ext_331 W Madison.doc](#)
[Ordinance 6481.pdf](#)
[090246.pdf](#)
[090246.pdf](#)
[Letter to Boards, PC & Village Staff.pdf](#)
[BOT_extII.doc](#)
[Cover Sheet ext 2.doc](#)
[Ordinance 6625.pdf](#)
[090246.pdf](#)

Andrew Draus, 350 S. Fairfield Avenue, Lombard, attorney for the petitioner presented the petition. He thanked the public for coming regardless of whether they were in support or against his client stating that it is nice to see they are taking an active role in government.

Mr. Draus indicated that the subject of the petition tonight is the College Preparatory School of American (CPSA) located at 331 W. Madison Avenue. He indicated that the building has been used primarily by the school district

since 1930. He provided the history of the site and how CPSA came to be at this location in 1994. He noted that the current zoning of the parcel is CR, which is what the parcel has been zoned the entire time, and how it is operating as a legal nonconforming use. CPSA has 5 legal lots comprising of approximately 4 acres containing a school building, parking lot, a playground and 450 students.

Mr. Draus mentioned how CPSA's curriculum and environment has attributed to the success of its students. He stated that a high percentage of students graduate from CPSA and go on to college. He also mentioned students' achievements and accomplishments such as being National Merit Scholars and being selected to the all American Academic Team, as well as how the students become professional members of the community.

The alumni of CPSA represent various professions and they are now sending their children here. CPSA has strict academic standards with people dedicated to these goals. There is no crime, vandalism, or drugs and there very few discipline issues. There has been an increase in demand for enrollment as a result of families who have moved to Lombard so that their children can attend the school. They have conducted various fundraising events in order for the proposed improvements to come to fruition. Representatives of CPSA have been working with Village staff over a period of time in order to bring this plan before you today.

Mr. Draus then introduced Jamshid Jahedi, Architect-Engineer, from Dome Structural Engineers who would discuss the proposed plan in further detail.

Jamshid Jahedi, Architect and Engineer for the project, 105 Ogden Avenue, Clarendon Hills, thanked everyone. He indicated that he would present a PowerPoint presentation outlining the project.

Two years ago their office was asked to create a necessary drawing and design for a new building on campus. The owners' goals were to create a facility that:

- * Offers higher standard of K-12 education in a more delightful environment
- * Remains neighbor friendly while responding to steady growth of the students body
- * Continues adding credential to the school and the Village of Lombard
- * Increases the land value of the school and neighboring properties

Mr. Jahedi showed an aerial view of the school as well as a zoning map which indicated the school's current zoning - CR. He stated that the property is really more consistent with the surrounding zoning of R2.

Next was an aerial of the existing conditions. He explained the orientation of the slide in that Madison Street was to the right. The existing building is very old (90 years) and 32,000 square feet. The site has 80 parking spaces and is served by two access drives -one entrance and one exit. The majority of the students are dropped off in the parking area and he indicated the entrance as well as the exit.

The next slide showed the new addition. He explained that it is the same photo, but they superimposed the new building with the existing building. The new building is going to be built where the existing parking is with part of the building extending to the south, which is currently a grass area. The exit and entrance will stay the same. The two buildings will be connected by an underground corridor to facilitate travel between the two buildings. He then

showed the next slide which was the proposed site plan. The site plan illustrated the two buildings, new parking areas, detention area and baseball field.

The traffic flow slide showed both the existing and proposed traffic patterns, which were indicated with arrows. He showed the traffic flow on the existing site as well as the proposed site and indicated it is pretty much the same. The parking has been moved to a different location and there is a new driveway, which will be strictly used by the Fire Department and is not part of the public drive. This drive was required by the Fire Department.

The existing parking is shaded with color and he indicated the location of the 80 parking spaces. The new parking has the same amount of area, but has been moved from the south of the building to the north of the building. They extended the parking to the east and south. Approximately 19 parking spaces will be added. This is a more efficient design of the site. Mr. Jahedi explained that by having these additional parking spaces on site, it would eliminate the need for parking on the street.

He showed a cross section of the property looking from Madison. They will have landscaping similar to a berm about 2 feet high, which will be complemented with another 2-3 feet of shrubbery. This will total approximately 5-6 feet in height, which is acceptable as a screening device by the Village.

The parking space comparison slide superimposed the existing and proposed parking spaces in order to get a visual indication of how much parking they are adding. He acknowledged they were not adding a significant amount of parking.

The Occupancy & Parking Calculations slide - Mr. Jahedi stated that Village Code requires 80 parking spaces on site. He noted that the number of total parking spaces required for the existing building is 43 and they have 80. With the new facility consisting of two buildings, 32,000 square feet for the existing building and 61,000 square feet for the proposed building, the required number of parking spaces per Village Code is 80. If the Village looks strictly at Code, we are adding 60,000 square feet, but are still within Code by providing only the existing 80 parking spaces. If we use common sense, we see that right now the parking never gets full, but it does get close to maximum capacity. The neighbors would feel better and have more experience in determining whether additional parking spaces should be added to the site or not. CPSA proposes to keep the 19 additional parking spaces in order to negate the spillage of parked cars in the neighborhood. They think that having the additional parking helps the community at large in solving some of the parking problems although they respectfully leave this decision to the discretion of the Plan Commission members.

He described the proposed site plan indicating they have an outdoor sports facility shown as a baseball field, which could also be used by the neighbors. The detention pond located in the northwest part of the site will control stormwater on site.

Mr. Jahedi showed the drainage slide and stated that the site will retain the entire run off provided by a 100-year storm. The detention pond is located on the lowest part of property. The 100-year storm is the maximum amount of coverage the jurisdiction asked the engineer to design for. The intensity is very high. There are two detention ponds shown, the lower part will handle the 50-year storm event and if higher there is a second detention pond which is part

of the sports field. We are improving the drainage of the site much more than currently exists. The neighbors will not see water run off from this property. The light blue line around the site is a swale, which is designed to bring water off the site to the street and into the sewers.

Emphasizing the variances they are asking for he showed the proposed site plan. They are asking for a rezoning from the CR zoning designation to the R2 residential district, a conditional use for a planned development, a variation to the open space and a building height variation to allow 35 feet where 30 feet is allowed.

Simple Rezoning versus PUD - This slide shows a hypothetical analysis of the percentage of open space required when applying for a simple rezoning to the R2 versus applying for a conditional use for a Planned Development. A simple rezoning to the R2 where they connect the two buildings would require they need to meet 50% open space. Their plan provides 47% open space, leaving them 3% short. If we go the other route and apply for a Planned Unit Development with 2 separate buildings, the open space requirement is higher at 62.5%. Their plan proposes 47%, leaving them much shorter. The height restriction of 30' is the same for both routes. The Village prefers they apply for the planned unit development and CPSA prefers the simple rezoning. He asked the Commissioners to think about these two differences, but respectfully leaves this decision to their discretion.

Open Space - Area Calculations - This slide shows the percentage of open space provided by the CPSA's original design versus the percentage of open space needed after factoring in the additional requirements the Village has asked for. By providing impervious roadways and pavement such as the additional driveway the Fire Department requires, as well as the cul-de-sac, this increases the impervious area and result in a larger open space requirement percentage. They are willing to spend additional money and provide green pavement components for the parking lot or the Fire Department access driveway. He mentioned how he is well trained, has appropriate certification and is a very strong advocate of the green building movement. He was disappointed to learn that the Village does not give credit for adding pervious areas. They are still willing to put the pervious pavement in their parking lot in effort to reduce the percentage and increase the open space on site to more than 50%. He asked the Commissioners to look at this concept since they are ready to do it and bring the 50% higher to maybe 62%.

The Height Comparison. Mr. Jahedi stated they are within the 30' height limit for the entire building with the exception of one staircase, which goes up to the roof. The roof consists of fans which blow fresh air into the gym and cafeteria. They will be 3-5' in height and are not included in the building height calculation. They will need a staircase to get up to the roof and this staircase is the result of the extra 5'. They prefer to not incorporate a hatch into the roof, as suggested by Village staff, as the staircase makes easier access. The amount of area that they are taking above 30' is 300 square feet or 1.4% of the footprint. He asked the Plan Commissioners to consider this and compare it for themselves.

The next couple of slides shown were elevations from the northeast, east and south. He commented that they will be 50-70 feet away from the nearest residential property line and the other two sides will see green.

The basement plan includes an area for the gym, which includes a full

basketball court with bleachers and a cafeteria with a kitchen as well other things. The gym and cafeteria are two volumetric designs. They have a large height and in an effort to disguise them they were designed in the basement. As a result the neighbors won't see the gym and the building will be visually pleasing.

The first floor plan consists of the upper part of the gym, which is basically open to the basement, a preschool, administrative offices and classrooms. He noted the staircase that goes down to the basement as well as the tunnel that would take students from one building to the other.

The second floor plan consists of amenities for the school including: various labs, a library with an atrium, classrooms and a multi-purpose room.

Concluding, Mr. Jahedi noted the attributes of project.

Attorney Draus noted the storyboards located behind them. Since the Commissioners could not see the storyboards, Mr. Jahedi referred back to his PowerPoint presentation and showed where the height variation would be located on the building. He explained how they calculated the height or average grade of the building. He noted the highest part of the building indicating that this is the stairs, which lead to the roof, are to be used for facilitating the repair and maintenance of the roof. He noted that the stairway was strategically placed in the middle of the building, placed at the furthest distance away from the neighbors.

Attorney Draus mentioned the fact that CPSA held neighborhood meetings and they have been meeting with the Village for two years trying to incorporate concerns voiced by both parties. Concluding, Mr. Draus indicated that the board members from CPSA were in the audience and were available to answer any questions on behalf of the owner.

Chairperson Ryan opened the meeting for public comment.

To speak in favor of the petition were:

Fazal Ahmed, 20 W. 17th Street, Lombard, stated that he is a resident of Lombard and has children in the school. The school not only provides an excellent education, but also contributes to a person's physical and mental health. He felt they should not be crammed into a building. He stated the need for a new building, as the existing building is aged. Having the new building is not only advantageous for them, but also for the Village as it will increase property value. He wants to stay in town due to its diversity but they need a better cleaner environment, which will result in making a name for the town.

Mohammed Azharuddin, 1069 S. Westmore Avenue, Lombard, stated he lives in the Westmore Avenue Apartment Complex, having moved from Texas because of the school's teachings and credentials. He has two children in the school and their standards are two years above the public school. He requested that they not deny the opportunity for the children to have more labs and a better learning experience.

Sabet Siddiqui, 531 W. Harding Road, Lombard, noted his profession and mentioned that he was building a house, which is one of the moderate to bigger homes in Yorkshire Woods. He indicated how he used to commute long distances in order to have his children attend the school. He asked the

Commissioners to approve the proposal. The school maintains extremely high scores and they need your help to have a decent facility.

Dr. M. Javeed Ansari, 114 Oakton Drive, Lombard, stated that his family consisting of four children moved from Massachusetts for the purpose of attending this school. He mentioned there was a two-year waiting list to get in. The children's education and reputation of the school is nationwide. He has never seen such a school in this area and noted the product the school puts out. He humbly requests the Plan Commissioners to arrive at a favorable decision to help the community and make its citizens proud.

Fatima Nazeer, 43 W. Ann Street, Lombard, indicated she is an alumni of CPSA as is her husband. She stated she attended Benedictine University and he went to Northwestern. They are proud to have been a member of the CPSA community, as the school has had many accomplishments, as well as a citizen of Lombard. She referred to the Character Counts pillars on the wall and indicated that you will find those qualities mentioned at CPSA. She asked the Commissioners to consider everything said.

Mukarram Sheikh, 1328 S. Rebecca Road, Lombard, noted his profession and stated that four years ago he did not know the Village of Lombard. When his family lived in Tennessee they searched for one of the best school in the country where they could maintain their faith as well as obtain the best academic education. They do not have many facilities from which to choose unlike other religions. The program at CPSA made them move here even though the building was something to be desired. They love CPSA, Lombard, the Park District, and the shopping. They are buying property here. He believes that an education is a holistic process and they want to add community service projects, but don't have the available space. They need to go to the next level. He believed that not only will the new proposal benefit them, but will also benefit the neighbors. The school attracts the best in the community and is a win/win situation. He mentioned Daniel Tani and how proud it makes you feel no matter where you came from that he is a product of Lombard who attended Glenbard East. We must be ready so that when the next leader comes, we will all feel proud. He asked the Commissioners to approve the building in order to attract the best talent to Lombard.

Anjum Mirza, 1306 S. Finley Road, Lombard stated he lives in International Village. He has two children in the school. Prior to them moving, his wife had to travel close to 100 miles a day to bring them to school. He humbly requests that they approve the request and give them a chance.

Muddassir Saeed, 2090 S. Valley Road, Lombard, gave his background and educational history. He stated he attended Peter Hoy School, Lombard Jr. High and Glenbard East High School. He loves the community of Lombard as it has a lot to offer and has three children in the school. DuPage County is an affordable place to live and has a good standard and asks that they support the school.

Rashid Zaffer, 1790 Porter Court, stated she lived adjacent to the school and her husband and other family members attended CPSA. It is a great school located in a great community and asks for approval of the request as it will be great for the whole neighborhood.

M.A. Majeed, 509 W. Wilson Avenue, Lombard, stated that Naperville was recently named the number one city in which to live. He did reside there, but

decided to move here instead. He sends his children to CPSA. He emphasized that in the proposed plan there are two issues - the height and the open space. The code requires that they need 80 parking spots and the architect is suggesting 99. We have a choice, as does the Plan Commission and the neighbors, to either contain the parking on the premises or have it spillover onto the streets. There is another school two blocks south and there is no street parking allowed on Madison. There are other schools in the community such as Sacred Heart where street parking is allowed. It comes down to an issue of parking spilling over on the street or having open space. In his opinion, it is better to have the parking contained on the property so the neighborhood won't be affected.

Mohammed Kothawala, 213 W. Harding Road, Lombard, stated he lives two blocks behind the school. They built a house and are happy to be in the neighborhood. He has two children in the school. He sees parents come from different directions to drop off their children and as a result, he does not see much of a traffic problem.

To speak against the petition were:

Ed Pszanka, 615 S. Edson, Lombard, stated he lives adjacent to the school property. He has lived in Lombard for 40 years. He mentioned the new housing that has recently been constructed in the neighborhood. He's tired of constantly looking at a garbage dump and a blank wall. He complained of issues dealing with water run off onto his property, people raising the topography of their land, houses being built too close to property lines and too high. There is a Building Code in place and it should be followed. He stated he was not notified of any of the meetings. He was worried about the retention pond attracting geese, mosquitoes and bugs as well as being unsightly. He is an organic gardener and he does not want that water overflowing onto his property.

Chairperson Ryan mentioned that he was notified of this meeting, but there is no requirement that he be notified of meetings between the petitioners and Village staff.

Mr. Jahedi responded to Mr. Pszanka's comments about the retention pond. He indicated it will be a dry grassy area with no water. It is engineered to retain water during a storm and within a 24-hour period the water will drain back to the Village system. In this way, we are not overloading the Village system at one time.

Mr. Pszanka indicated that when CPSA bought the building in 1994, there was a ditch by the baseball field that took water and brought it along the property line down to Madison. The ditch is now filled up.

Attorney Draus indicated that the retention area has a drain in it so it is not designed for the water to remain. It collects excess water from neighboring properties. It is a Village requirement.

Candice Rizzo, 308 Harding, Lombard, stated she has been a resident for 25 years and they have recently added onto their home. They have abided by all the Village zoning and guidelines. They are very proud of their home and consider it their major investment. She is also here to speak on behalf of her husband and their neighbors. She has a petition opposing the proposal. Their concerns are:

** increased traffic on Madison as well as the route that might be taken around*

the neighborhood to get to the school

- * the height of the building - her house backs up to it so they would be directly affected*
- * privacy and the use of her property - her backyard is open and the school will have activity year round.*
- * property values haven't increased or decreased, but if they sell their house, the new owner won't want the view of the proposed parking lot with traffic being routed behind the school.*
- * garbage that would be generated.*
- * they should maintain the residential look and appearance of the neighborhood.*
- * the proposal is too large of a building squeezed onto a small piece of property and not becoming to the neighborhood.*

She went to houses within a four block radius of the school and is submitting the petition on their behalf relative to those concerns. She asked the Commissioners to consider these issues.

Joe Glazier, Jr., 304 W. Harding, Lombard, asked if they would be able to build future residences on the site without a public hearing if the rezoning to R2 was approved. The northwest corner of his property would be affected by noise and traffic with more being put on the southeast corner of the site. The placement of rooftop mechanicals would be closer to his home and would generate more noise. The placement of the atrium will overlook the surrounding homes and would have a direct site line to his patio eliminating his privacy. They are asking to double the number of students and reduce the open space. There is too much proposed for the space available.

Attorney Draus responded to the rezoning request. He stated that there are no plans to put residential dormitories on the property. That would require another public hearing. Christopher Stilling, Assistant Director, stated that if the rezoning and the planned development were approved, they would not be allowed to build residences. He explained how a planned development is tied to a specific plan and if they deviated from that plan, they would have to come back to the Plan Commission for an amendment to the planned development, which would entail another public hearing.

Mr. Glazier then asked for an explanation about the zoning regulations between an R2 and the CR. Mr. Stilling stated that the CR zoning is intended to provide for the location of such things as public parks, forest preserves, and other open-space uses and is more in line with a publicly-owned facility. The zoning of R2 is in line with private schools and residential areas and is typical of what has been done in the past. Attorney Draus stated that the conditional use request would provide for having a private school.

Fran Pszanka, 615 S. Edson, Lombard, indicated she lives right behind where the retention pond is planned to go and asked if it will come right up to their property line. Also, she asked if there is anything that states that it has to stay away from them. She noted that if the sewer system is not good enough to take the water away, why have the pond? She mentioned previous meetings whereby it was mentioned that something would be done to remove the water. Also, she was concerned about the safety issue with having a pond on the playfield as she heard it was 5' deep. Mr. Stilling responded to the placement of the detention pond and noted that the petitioner's plan indicates there is a 5' setback. Currently, the property has no controlled detention on site so the water travels with the slope of the property. Water detention is governed by DuPage County

as well as the Village.

Mr. Jahedi responded that the detention pond is like a ball so that when there is too much water it is kept in the ball until such time that it drains slowly into the system. This system serves the site better than what it does now. The depth of the pond is 5' and the slope is 3:1, which is the maximum DuPage County allows a slope to be. The slope is walkable and the children can run up and down it. It makes it a good area for play and is not a safety issue.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, introduced two items into the public record: the KLOA traffic report, which is the final version not the draft version as it states, and Response to Standards to Deviations. He noted that only three standards were addressed because they were not met by the petitioner.

Mr. Toth then continued stating that staff has drafted this IDRC report to submit to the public record in its entirety. The College Preparatory School of America (CPSA) has been experiencing an increased demand for classroom space. As such, the school is proposing to construct a second building on the subject property. As proposed, the new building would be approximately 61,000 square feet and located south of the existing building, which would remain. The new building would include a cafeteria, gymnasium, a multi-purpose hall as well as classroom and general office area. To accommodate the increased student population, additional parking would be provided. As a result, the required amount of open space is not being provided. Therefore, the petitioner is seeking a variation to reduce the required amount of open space. In addition, the proposed second building would exceed the maximum allowed building height of thirty (30) feet to thirty-five (35) feet to accommodate a projecting stairway.

As part of their request and at the suggestion of Village staff, CPSA is requesting a map amendment to rezone the subject property from CR - Conservation Recreation District to the R2 - Single-Family Residence District. In addition, the petitioner is seeking a conditional use to establish the property as a planned development.

CPSA obtained a Certificate of Occupancy on February 10, 1993 as an Educational Facility; however, they never obtained conditional use approval to lawfully establish the full-time private school. Therefore, CPSA has been operating under legal non-conforming status since their inception. As part of this petition, CPSA is requesting conditional use approval to legally establish the existing full-time, private school.
use approval to legally establish the existing full-time, private school.

CPSA is located in an established residential neighborhood and is located in close proximity to Madison Elementary School. The hours of operation are similar to the public school hours of 8:00 a.m. to 3:30 p.m. The school year starts in August and ends in June. The addition of the new building will allow 335 more students to attend the school, which would bring the total student population to 785. The drop off/pick up functions would occur between both buildings (central to the subject property) through the use of a twenty-two (22) foot drive aisle. The Fire Department requires that all new buildings provide access to three sides of the new structure(s). As such, CPSA would be required to install a drive aisle around the perimeter of the proposed structure. This fire lane will be blocked off at all times, only to be used by the Fire Department.

As proposed, the existing building would not require ADA or Life Safety Code improvements to its interior as part of this petition. The petitioner's have indicated that the existing building would remain "as is".

The proposed building would have a peak roof height of 35 feet above grade. The R2 - Single Family Residential District permits structures up to 30 feet. The proposed deviation is requested to accommodate an access stairway. The petitioner has stated that the proposed building can be designed without the projecting stairway and still properly function. As such, staff finds that the roof height deviation is a result of an unnecessary desire and therefore, staff does not support the proposed roof height deviation.

The underlying R2 - Single Family Residence District regulations require a minimum of 50% open space for each property. Section 155.508(C)(7) requires that open space in a planned development must be at least 25% more than is required in the underlying district if a deviation is associated with the petition. As such, the additional 25% of open space would not be required if the proposed building were to meet the maximum height requirement of thirty (30) feet; however, the 50% minimum open space requirement would still need to be addressed. When combined with the coverage of the existing property improvements, the proposed property improvements would bring the total amount of open space on the subject property to 46.85%. This equates to roughly 5,793 square feet in open space deficiency based on the 50% requirement and 28,768 square feet on the 62.5% requirement.

Ninety-nine (99) parking spaces are proposed on site. Pursuant to the Zoning Ordinance, 80 spaces are required. The additional 19 spaces can be considered to be a preferential request made by the petitioner, which represents roughly 3,078 square feet of impervious surface that could be dedicated as open space. Also, during the neighborhood meeting conducted by the petitioner, one of the issues brought up by neighbors was the aesthetic view of the front of the property, more specifically the addition of parking spaces in front of the building. As the northernmost row of parking consists of 24 parking spaces, eliminating some of those parking spaces could allow for additional open space and provide additional landscape buffering. Staff will only support a minimum of 50% open space, which meets the underlying R2 zoning district requirement.

The property is currently zoned CR Conservation Recreation District. The CR District, by definition, is intended to provide for the location of public parks, forest preserves, wildlife reservations and ecological sanctuaries and other open-space uses or resources to serve the needs of the citizens of the Village of Lombard. Again, emphasis on public usage.

Staff believes that the CPSA property is more consistent with the R2 Single-Family Residence District requirements. The R2 District is intended to accommodate existing single-family neighborhoods in the core of the Village. This zoning designation is consistent with the surrounding neighborhoods. In addition, similar requests have been granted to other private educational institutions located in the Village such as St. Pius X, St. John's, and Sacred Heart. Staff finds that the CPSA property meets the standards for rezoning.

An educational institution is listed as a conditional use in the R2 Single-Family Residence District. This request is to provide conforming use status for the school, as it pertains to the Lombard Zoning Ordinance. The operations of the school are typical of most educational institutions. Staff finds that CPSA meets the standards for a conditional use to allow for an educational institution in the

R2 District.

Establishing a planned development for the CPSA campus is consistent with other private school uses in the Village. The Village previously established planned developments for Christ the King in 2004, St. John's in 2005 and St. Pius X in 2007. As a Planned Development, the site can be brought into closer compliance with current Zoning Ordinance by allowing greater flexibility in site development. It is noted; however, that the planned development is specifically required in this case as the petitioner wishes to keep both principal structures on the property physically separate of one another. Per Section 155.208(B) of the Zoning Ordinance, more than one (1) principal structure on one (1) lot-of-record is not permitted in the R2 - Single Family Residential District, except as part of a planned development. As the subject property is to be used as a master planned campus for a use other than single-family residential, the establishment of a planned development is deemed appropriate to allow the Plan Commission to have the opportunity to approve any future modifications and/or additions to the subject property.

Pursuant to the Zoning Ordinance a total of 80 parking spaces are required. The proposed plans indicate a total of 99 parking spaces, which exceeds the amount of parking required by Code by 19 parking spaces. The petitioner has indicated that the additional parking spaces are needed to accommodate any overflow parking situations and prevent spillover parking onto the adjacent neighborhood streets. The petitioner has indicated that high school students do not drive to school. Staff believes that the minimum amount of parking spaces required by the Zoning Ordinance is sufficient. In order to ensure that the amount of parking is sufficient in the future, the number of high school students allowed to attend the CPSA will be capped at 240 students, which is the total number of high school students indicated on the plan.

Staff has relayed their concern to the petitioner that the increased number of parking spaces is considered to be one of the factors leading to the deficiency in open space. As such, staff presented a parking versus open space scenario to the Plan Commissioners through a Plan Commission workshop on December 15, 2008. During the workshop, a number of the Plan Commission members had indicated that they favored the extra parking spaces in order to prevent the spillover parking onto adjacent residential properties. However, other members stated that they favored the idea of reducing the amount of proposed parking to meet the open space requirement for the underlying zoning district.

The Village's traffic consultant KLOA reviewed the proposed development and conducted traffic counts on the adjacent neighborhood intersections to determine the impacts of the proposed development. They have completed a report which is also transmitted with the staff report. See traffic study.

Based on KLOA's observations, the peak time period for drop-off was between 8:00 and 8:30 A.M. During this half hour, KLOA observed a few back-ups extending onto Madison Street with approximately five to six vehicles temporarily waiting to turn left and access the school driveway thus blocking westbound through traffic on Madison Street.

The peak time period for pickups occurred between 3:15 and 3:45 P.M. The queues at times extended all the way back around the west end of the building. It should be noted that for a few minutes, the backup spilled onto Madison Street and three to four vehicles were temporarily waiting to get in thus blocking Madison Street. The school contracts a Lombard Police Officer to assist in

traffic control. The police officer arrived just before 3:15 P.M. to direct approaching vehicle pickups at the back doorway entrance and to safely allow children and adults to use the walkway. Between 3:30 and 4:00 P.M. as many as five vehicles were queuing outside onto Madison Street. It should be noted that pickups were also occurring along the access drives on the west and east side of the building.

CPSA's hours of operation are 8:00 a.m. to 3:30 p.m. The drop off/pick up functions would occur in an area between the new and existing buildings (central to the subject property) through the use of a twenty-two (22) foot drive aisle. As the student population will be increasing from 450 to 785 students (max), the proposed twenty-two (22) foot drive aisle would be wide enough to accommodate a drop off/ pick up lane with adequate space to allow cars to pass one another, which should increase traffic flow. KLOA recommended in the traffic study that strong consideration should be given to internal staggering of classroom starting and ending times, which would alleviate drop-off and pick-up parking, queuing, vehicular/pedestrian conflicts, etc. As mentioned below, CPSA does not plan to stagger school hours unless necessary; however, they have made representation that they plan to stagger start/end times in conjunction with the Madison School, which is east of the subject property on Madison Street.

Based upon the above observations and review of the petitioner's proposed site plan, KLOA made several recommendations in their study. Staff would like to focus on four major internal site considerations addressed in the traffic study.

1) Student Enrollment - Staff worked with the petitioner and KLOA to remediate some of the internal site issues. As the student population affects the amount of vehicular traffic to and from the subject property, CPSA has agreed to cap the number of students. The current student population of CPSA is 450 students. With the addition of the new classrooms, future enrollment is expected to reach 785 students. As such, there will be 335 additional students on the subject property during peak enrollment. CPSA has agreed to place a cap on the number of students enrolled in the school at 785.

2) Staggering of School Hours - As previously mentioned, the peak time period for drop-off was between 8:00 and 8:30 a.m. and the peak time period for pickups occurred between 3:15 and 3:45 p.m. To minimize existing and future potential congestion, KLOA recommended in the traffic study that strong consideration should be given to internal staggering of classroom starting and ending times, which would alleviate drop-off and pick-up parking, queuing, vehicular/pedestrian conflicts, etc. CPSA responded by stating, "If future enrollment dictates a need for CPSA to stagger their school start and end times at the different levels of the school (grade, middle, and high school), then CPSA will do so to alleviate traffic congestion". As such, the petitioner has not provided a detailed plan outlining their proposed staggered start/end times.

3) Drive Aisle Width - On the original site plan submitted by the petitioner, the internal drive aisles were proposed to be eighteen (18) feet wide. According to KLOA, the proposed drop-off lane needs to be at a minimum twenty-two (22) feet wide. When used for pickup in the afternoon, the additional four (4) foot width will provide a passing lane when vehicles are parked waiting for the students. CPSA complied with this recommendation and widened the proposed drive aisles to a width of twenty-two (22) feet to provide the passing lane that would allow for an increase in traffic flow on the subject property.

4) Cul-de-Sac Bulb - According to the originally submitted site plan, two-way

traffic in the proposed parking lot on the southeast portion of the property would have no way of turning around. In the traffic study, KLOA recommended that a cul-de-sac bulb should be designed to provide turnaround at the south end. CPSA complied with this recommendation and added the cul-de-sac to the proposed plans as a means of allowing an increase in traffic flow on the southeastern portion of the subject property.

As previously mentioned, the petitioner held two neighborhood meetings last year to discuss the proposed plans with adjacent property owners. During the meeting, neighbors had the opportunity to comment on the plans and address their concerns with the proposed project. Some of the specific comments made by the neighboring properties included; the impact of more students at CPSA and traffic on Madison Street, the impact of more students on CPSA on parking on neighboring side streets (since there is no parking allowed on Madison Street, the only public access to the site), the aesthetic view of the front of the property (especially with the addition of parking spaces in front of the building) and concerns regarding the impact of construction of the new building (noise, safety, and parking issues) on the neighboring properties.

While staff finds the use to be compatible with adjacent properties and consistent with the locations of other residentially-located private schools throughout the Village, the plan, as proposed with deviations is not compatible with adjacent properties. The petitioner has worked closely with staff in an attempt to address the provisions of the Zoning Ordinance, but staff believes that the proposed project could still be completed without obtaining the building height and open space variations.

The Comprehensive Plan recommends Public and Institutional uses for the subject property. As the principal use of the property is an educational facility, the use of the property adheres to the recommendation of the Comprehensive Plan as an institutional use. The petitioner's site modifications are also consistent with the existing institutional nature of the property.

Staff finds that there are no conditions related to the property that prevent compliance with the established regulations. The property does not have physical surroundings, shape, or topographical features that differ substantially from other lots in the neighborhood. It is solely the demands of the petitioner that have warranted the requested relief.

The number of students enrolled in any school directly affects the amount of space needed on the property for classrooms and other ancillary amenities. As the subject school is a private school, the amount of revenue received by the school is dependant upon the number of students enrolled in the school. Under this principle, revenue would be higher with a higher student population

Staff finds that the difficulties have been created by the petitioner as a result of a preference towards keeping the proposed building separate from the existing building, a desire to exceed the amount of required parking, and an architectural preference that does not allow the proposed building to meet the minimum building height requirement

Staff finds that these variations will alter the essential character of the neighborhood by allowing excessive bulk and impervious surfaces on the subject property. Staff has identified ways that the building height and open space could be achieved to meet code.

Standards Not Complied With

1) *Any reduction in the requirements of this Ordinance is in the public interest. The R2 - Single Family Residential District permits structures up to 30 feet. The proposed building would have a peak roof height of 35 feet above grade. The proposed deviation is requested to accommodate an access stairway. The petitioner has represented in their response to standards that the deviation would allow access to the rooftop for maintenance, repair and emergency purposes. However, the petitioner has also stated that the proposed building can be designed without the projecting stairway and still properly function. As such, staff finds that the roof height deviation is a result of an unnecessary desire.*

The underlying R2 - Single Family Residence District regulations require a minimum of 50% open space for each property. Section 155.508(C)(7) requires that open space in a planned development must be at least 25% more than is required in the underlying district if a deviation is associated with the petition. As such, the additional 25% of open space would not be required if the proposed building were to meet the maximum height requirement of thirty (30) feet; however, the 50% minimum open space requirement would still need to be addressed. The petitioner has represented in their response to standards that the reduction in open space would allow reduce the amount of on-site parking. Pursuant to the Zoning Ordinance a total of 80 parking spaces are required. The proposed plans indicate a total of 99 parking spaces, which exceeds the amount of parking required by Code by 19 parking spaces. The petitioner has indicated that the additional parking spaces are needed to accommodate any overflow parking situations and prevent spillover parking onto the adjacent neighborhood streets. The petitioner has indicated that high school students do not drive to school. Staff believes that the minimum amount of parking spaces required by the Zoning Ordinance is sufficient.

2) *The proposed deviations would not adversely impact the value or use of any other property.*

Staff finds that these deviations will alter the essential character of the neighborhood by allowing excessive bulk and impervious surfaces on the subject property. Staff has identified ways that the building height and open space could be achieved to meet code.

3) *That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district.*

When combined with the coverage of the existing property improvements, the proposed property improvements would bring the total amount of open space on the subject property to 46.85%. This equates to roughly 5,793 square feet in open space deficiency based on the 50% requirement and 28,768 square feet on the 62.5% requirement. The petitioner stated in their response to standards that they would be unable to meet the 62.5% open space requirement. Although the proposed plans cannot meet the 62.5% open space requirement, staff believes that the petitioner is able to meet the underlying zoning district requirement of 50% open space.

Staff recommends denial of the variation for open space and building height and approval of the planned development, conditional use and rezoning with conditions. He noted that condition #1 should be changed to read:

1. The site shall be developed substantially in accordance with the CPSA elevation, site, landscaping and floor plans package, prepared by Dome Structural Engineers, dated December 1, 2008, except as they shall be changed to meet Village Codes and the 50% open space and thirty (30) foot building

height requirements and shall be subject to the review and approval of the Director of Community Development.

Attorney Draus commented on the staff report stating that the petitioner has worked closely with staff for over two years. Those two variations have been part of the plan since that time and they only found out Thursday that the petition would be approved without the variations. He exemplified the St. John's building, which was a similar situation in which there was a new building with a private school being proposed and staff, the Plan Commission and the Board approved the height and open space variation. Their open space was 30 percent and he asks for equitable treatment today. He reiterated that the request for the height variation only applies to a small portion of the building, 300 square feet, which will be contained to the middle of the property and have minimal effect on surrounding properties. This is important because it is an aesthetically better building which would allow stairwell access to the roof for repairs and maintenance and is more practical than a hatch option.

He then commented on the open space variation. This issue came up several times - the open space has been reduced as a result of a request by the Village to install a cul-de-sac bulb, expanding the entryway to 22' and the requirements by the Fire Department to have a full access around the building. All these requests have reduced the open space percentage. In the cost/benefit analysis, CPSA feels that the more parking spaces that are on the property the better it will be for traffic in the neighborhood. They raised this issue the most and they are trying to minimize traffic on the neighborhood. When there is a need for parking spaces they can be used. They believe that the benefit outweighs the 3% percent open space variation.

Lastly, he commented on the issue that came up in the public comment portion about additional traffic on the south side of the building. The area around the new building to the south is only for Fire Department access. If you are a neighbor on the backside you won't have to worry about cars there.

Concluding, Attorney Draus asked the Plan Commission to consider the plan with the two variations as it would be a better contained site.

Mr. Stilling responded to Attorney Draus by stating that the goal of staff is achieve conformance to Village Code. With regard to the requested expansion of the drive aisles and the fire department access, these are things that are part of a functioning site plan.

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

Commissioner Burke asked staff to confirm the 30% open space variation that Attorney Draus mentioned in regard to other developments in town like St. John's. Mr. Stilling stated he was not sure of the exact number, but there have been more recent petitions that met the open space requirement. Staff tries to see opportunities and if close would help them achieve it. Commissioner Burke stated that the petitioner makes a compelling argument about the roadway surrounding the building as well as the cul-de-sac. The Village's demands have caused them to require the open space request and has exacerbated the project. Mr. Stilling stated that the Fire Department access roadway is directly related to fire codes and this request is made no matter what. Mr. Toth stated that the petitioner's requests warranted the variations. The petitioner's desire to separate the buildings and add the height variation kicked in the 62.5% open

space requirement. It had a trickle effect.

Commissioner Burke commented that the request for the 35' height variation only applies to a 300 square foot portion of building which is insignificant and in line with things we have provided variances for in the past. He asked what the distance is from the location of where the height variation would be on the building to the nearest property line. Mr. Jahedi stated it was approximately 150 feet from the 35 height to the nearest property line.

Commissioner Sweetser agreed with Commissioner Burke's comments relative to the height variation being a relatively small part of the building and she does not find it objectionable. She does however take exception to the open space. With regard to the petitioner's comments about how the Village's requirements contributed to them not meeting the open space requirement, she believed that you don't start a design until you find out the Village's requirements rather than the other way around. Open space could be met by removing a couple of parking spaces. She referred to KLOA's traffic report about the queuing issues and how adding parking spaces won't help the situation. The increased enrollment will also make it worse. During special events the school might need to have extra parking on the streets but this happens often with most schools. She favored the petitioner meeting the open space and was not concerned about the height requirement.

Commissioner Cooper stated she was concerned about the Village's response about the porous pavement. Mr. Stilling indicated that we have spoken with the Fire Marshall and they discourage that kind of application. If a large tower truck was called to the scene and had to extend its outriggers, there could be a pressure point issue and the outriggers could sink into the pavers. Since the building is a multi-story facility they want to err on the side of caution with the use of pervious pavers. He noted that pursuant to the Zoning Ordinance those pavers, though perceived as open space, would not count toward open space calculations.

Commissioner Burke asked what the cul-de-sac was needed for. Mr. Stilling indicated that it would be used as a turn around. If all the parking spaces are occupied in that area, there would be no way for a vehicle to turn around. This came to be the most reasonable solution. Commissioner Burke asked if this was a Fire Department requirement. Mr. Stilling answered no and that it doesn't meet the radius for that.

Commissioner Burke referenced the issue of queuing in the KLOA traffic report. He stated that he is familiar with the routes taken to get to the school and if there is a backup in front of the school it would be similar to any other parochial school in town. As a neighbor you either wait your turn or you take a different route. He doesn't see this as being too much of an issue.

Commissioner Sweetser confirmed that her previous comment was not tied to the queuing even though it might have sounded like it did.

Chairperson Ryan asked if the parking in the front of the building would be used as a drop off. Mr. Stilling stated it could be and suggested that closing off and designating a couple of parking spaces only for drop off and pick up, similar to what Creative Day did, might help. KLOA reviewed all these issues and made the recommendation of widening the drive aisle and staggering school hours. If the petitioner does stagger the school hours, queuing should be minimized.

Commissioner Sweetser asked if the Village has incorporated LEED standards into Village Code. Mr. Stilling stated that the Village does not have anything specific to that and are not well versed in their building codes or giving bonuses. Commissioner Sweetser commented that LEED standards should be incorporated into Village Code as it is important.

Chairperson Ryan referenced the parking in front of the building and how the queuing could go to the front and that could eliminate one issue. If there is no parking in the front, it can be a hazard. As far as the height issue, if the petitioner eliminated the extra height and went with a trap, the open space percentage could drop to 50%. Mr. Stilling stated that if they meet the height and 50% open space, the variation would not be applicable.

Commissioner Sweetser asked for clarification on the use of pervious pavers and the objection by the Fire Department. She questioned if their objection was based on possible damage to the Fire Department vehicle or to the surface of the pavers. If it's based on damage to the surface of the pavers, the petitioner would know that going in so if it had to be replaced it could. Mr. Stilling responded that there were a number of factors. Commissioner Sweetser asked if there were any projections about whether the amount of pervious pavement would cause an inability to use the equipment or be a hazard to the firefighters. Mr. Stilling stated they needed 18' for the outriggers. If the parking spaces are all occupied and they have to use the access drive, they preferred to err on the side of caution.

Commissioner Sweetser questioned that if the drive along the west and south side is not used by anyone other than the Fire Department and that area was designated pervious pavement is there any way the Fire Department would be in danger. Mr. Stilling stated that the Fire Department was adamant to have it all pavement. Commissioner Sweetser confirmed that staff didn't know the specific reason why. If it's just a matter of the surface being damaged, then it might be worth it to gain the extra area.

Commissioner Cooper asked for clarification on the refuse location being in the southeast corner of the building. Mr. Jahedi stated it was to be located in the southwest corner of the building in the middle. Chairperson Ryan indicated it was right before the baseball field. Commissioner Cooper stated her concern for choosing this location due to its close proximity to adjacent properties. She also stated that this location would be in the emergency zone so the Fire Department access driveway would be used on a weekly or biweekly basis. Mr. Jahedi indicated that this road would be chain linked and would have to be opened for trash pickup. Mr. Stilling indicated that this issue was discussed with the Fire Department who indicated that refuse pickup would be okay, but it could not be used for student drop off. Mr. Jahedi stated that the reason that this location was chosen was because of its closeness to the kitchen exit, which would have the most waste.

Commissioner Burke also pointed out that the Fire Department access drive would have to be used for deliveries. Mr. Stilling stated that portion of it would be.

Commissioner Burke questioned condition number 4 and how the numbers shown did not add up to the cap of 785 students. He asked if staff was adding in the daycare facility. Mr. Toth stated that the numbers were taken off the submitted plan, which is on the cover of the site plan. Mr. Jahedi stated that the cap is 785 students including the preschool. Commissioner Burke questioned

the cap and indicated that it could be any number on the preschool. Mr. Toth stated that the condition could be changed to clarify.

Commissioner Cooper commented that there is a 5' setback along the site and she questioned the choice of vegetation along the perimeter, which was to act as a buffer. Being that the building is a large structure, it didn't seem that the choice of vegetation would suffice. Mr. Stilling answered that one of our conditions indicates that it be in conformance with the Zoning Ordinance especially along Madison, which has to be screened.

Mr. Jahedi stated that the east and south property lines are higher than the property so the slope is from the southeast to the northwest. In those two areas you have an advantage with the topography. He offered to install a fence, if needed. Chairperson Ryan commented that it would be up to the discretion of the Community Development Director.

Commissioner Sweetser asked if the screening as it relates to trees on the south and west side would be one every 40 feet. Mr. Stilling explained the Zoning Ordinance requirement as it relates to trees and indicated that the intent is that it be fully screened. If the plant is transparent they will be diligent that the intent of the code is met.

Commissioner Sweetser commented on the issue of the fence. She stated she is not insisting that a fence be the solution, but could be an option. Also, as far as the atrium and the neighbor's privacy being compromised, there could be ways to make the lower level windows opaque.

Commissioner Cooper asked if the perimeter of the detention pit would have to be fenced. Mr. Jahedi answered that it is a shallow slope 3:1 and does not need a fence. It's a workable slope, looks pleasant, and doesn't need a fence.

The Commissioners and legal counsel then discussed how the motion and the conditions should be worded or amended if they wanted to approve the rezoning and conditional use as well as the 35' height variation, but require the petitioner meet 50% open space.

Chairperson Ryan asked Commissioners Olbrysh and Flint if they reviewed the tape and looked at the petition information that was presented during the May 4, 2009 Plan Commission meeting as they were absent during that meeting. Both Commissioners stated that they had reviewed the information.

Michael Toth, Planner I, presented the case background. At the May 4, 2009 Plan Commission meeting, the Plan Commission held a public hearing to consider zoning actions for the CPSA proposed school expansion project. The Plan Commission considered the petition and public testimony raised at the meeting and through its deliberations recommended approval of the petition, in substantial part, subject to conditions.

Subsequent to the Plan Commission and prior to the Village Board meeting, a neighborhood meeting was held with surrounding property owners where some additional comments and concerns regarding the development proposal and its potential impacts on adjacent properties were generated. The nature of the comments and concerns varied; but seemed to focus on adjacent neighbor impacts such as buffering/screening, traffic, building height and operational activities.

The Village Board, at their May 21, 2009 meeting remanded this item back to

the Plan Commission in its entirety, to allow an opportunity for the issues raised in subsequent discussions to be considered by the Plan Commission in a public hearing format. This action ensures that the public hearing record has been perfected and that the public hearing provisions established in Klaeren v. Lisle are satisfactorily addressed. It is noted that all testimony presented at the May 4 meeting is applicable to tonight's hearing. He then discussed the meeting format.

Mr. Toth then read the meeting format. Staff will outline the reason for the Special Meeting and will note the actions to be considered as part of the meeting. Staff will provide a brief history of the petition and will summarize the zoning actions and development regulations associated with the petition, which he stated that he had already done.

1) The petitioner (CPSA) will be given an opportunity to present their petition and offer additional testimony regarding their use and operation. Once completed, an opportunity to cross-

examine the petitioner by anyone in the public will be provided and shall relate specifically to the petitioner's presentation and the submitted materials.

2) Upon completion of petitioner's cross-examination, if any, any objector will be offered the opportunity to speak. Once completed, an opportunity to cross-examine the objector by anyone in the public will be provided and shall relate specifically to the objector's presentation.

3) Staff will present the remand memorandum. Once completed, an opportunity to cross-examine staff by the petitioner and anyone in the public will be provided.

4) After completion of the cross-examination, if any, the public participation period will be closed. The Plan Commissioners shall then be given an opportunity to discuss the petition. Questions may be asked to staff, objectors or the petitioner. The Plan Commission should provide a response to each of the issues raised by the petitioner and/or objectors.

5) The Plan Commissioners shall then vote to uphold their original recommendation or amend their recommendation as deemed necessary. The Commissioners could amend the language as they deem appropriate, provided that the reasons for approval or denial are tied to the standards for conditional uses, variations, map amendments and planned developments. The Commissioners do have the ability to add any additional conditions they deem appropriate should they recommend approval.

6) The recommendation will be forwarded to the Village Board for consideration at their June 18, 2009 meeting.

Andy Draus, 350 S. Fairfield, Lombard indicated he is the attorney representing CPSA and presented the petition. He stated that all issues at the May 4, 2009 Plan Commission meeting and the presentations is part of the public record for today so he won't go through all those items, but will highlight some of the major issues and address concerns they received from the neighbors living near the school. The subject building has been a school building since 1930 and was purchased by CPSA in 1994 when they opened 15 years ago. The school is successful, producing many scholars. At the last meeting 11 Lombard residents spoke in favor including former students and parents who moved so their

children could attend the school. He stated that the architect and engineer for the school presented the plan for the school, which is a similar request to that of St. John's School and Sacred Heart, private schools approved by the Plan Commission and Village Board for both open space and building height. At the May 4, 2009 Plan Commission meeting the proposed plans were approved and the petition was sent to May 21, 2009 Village Board meeting where it was remanded back to the Plan Commission with no comments. Since that time, the petitioner has received letters from neighbors, including Mr. Glazier and Mr. Doles. CPSA met with staff and Mr. Glazier to address those concerns that weren't explained sufficiently earlier. Tonight CPSA will go through those concerns in greater detail. He introduced Jamshid Jahedi who will give a brief presentation.

Jamshid Jahedi, 105 Ogden Ave., Clarendon Hills, architect and engineer on the project, gave a Power Point presentation.

Mr. Jahedi gave the Power Point presentation as a follow up to the public hearing on May 4, 2009. The presentation is meant to be a continuation of their original presentation.

The first slide addressed some of the issues that were received through letters and complaints from neighbors. Those issues are as follows:

- 1) Refuse enclosure located to south of property.
- 2) Noise from garbage truck and smell of dumpster enclosure.
- 3) Visual screening - privacy for neighbors.
- 4) Traffic - no truck traffic on the southeast portion of the subject property.
- 5) Upper windows - open to neighbors, which creates a lack of privacy for property owners and creates distraction for students.
- 6) Loading dock, which is not needed for the facility, but is a zoning requirement.
- 7) Building height of over 30'. The height of building is counted from the grade to the top of the roof and not to top of the parapet. All the drawings are given to the top of parapet. Parapet is 3-10" so the building has maximum height of 26'.
- 8) Roof top units - noise and view.
- 9) Construction - phases and how long it will take.
- 10) Parking/lights - will light shine onto neighbors and create nuisance. 0.0 foot candles at the property line.
- 11) Parking and open space, which was left unresolved by the Plan Commission.

The second slide addressed the revised site plan. The first item to be noted is the new location of the dumpster. Mr. Jahedi stated that this is a good location as it is the existing location of the trash bins. Also, by relocating the dumpsters they are eliminating the truck traffic that would have used the roadway near the adjacent property. He added that only the Fire Department will access that drive aisle. Also, the loading dock was a concern as it was thought that semi trailer trucks would be unloading at that location. As the architect, he has to put a loading dock in to satisfy a Zoning Ordinance requirement. They are putting it in just for satisfying the Zoning Ordinance. There are no trucks coming to the facility to unload. They use catering trucks, vans or smaller trucks that don't require a loading dock. He talked to CPSA and they told him that the loading dock will stay empty forever.

The next item was the screening from the neighbors. Mr. Jahedi added that on

the south and east property lines they will have large trees. They plan to use some type of tree that grows over 5-6 feet with would grow high enough and have a large enough canopy to screen the entire length of the property essentially creating a wall. Staff will be diligent to ensure the right tree species is used.

The next item was the southeast corner of the site. Mr. Jahedi stated that he created a view of the southeast corner of the cul-de-sac looking south. The fence will be 6' high all around the south side along the property line. If it makes the neighbors happy, they can go all the way to the end. The larger trees and fence will also be used on the east side. He mentioned the swale and stated that they will eliminate it and put in an underground pipe so the trees will be able to grow.

Mr. Jahedi then discussed the second floor windows of the proposed building. They will be made of a semi-translucent material, which transmits light, but cannot be seen through. As an example, he referred to frosted glass in older bathrooms, which are a translucent material. Previously he used the word "opaque" glass in front of the neighbors and admits to his error. Opaque does not transmit light or view. Gypsum board is opaque. For the record, he wanted to correct himself by stating that the material would be translucent, but it will not be see through. They suggest these windows so there is no way of seeing outside or inside. This is also to the benefit of the school so students won't be distracted in the library and other classrooms. This is a mutual benefit.

Mr. Jahedi then discussed more of the neighborhood concerns such as questions about sunlight and the building being so high as to create a shadow onto neighbor's yard and blocking the sun. He discussed the shadow effect in the winter months and the angle projected and noted that on the south side you will never have a shadow because the sun comes from the south.

Mr. Jahedi then discussed the roof top units and the noise radii and showed how much noise would be generated from various points to the property line.

Mr. Jahedi stated that construction will be completed in one phase. His guess is construction will be less than 18 months and not more than 24 months. He added that the Village will bug the owners when the permit is set to expire.

Jamshid Jahedi discussed parking lot lighting. He stated that there is concern about spreading the light onto adjacent property, creating a nuisance. He then showed the lighting illustration and explained that it meets Village Code.

Jamshid Jahedi addressed the parking/open space issues to the Plan Commission. He stated that he teaches courses at IIT. He mentioned that one of the lessons he teaches deals with zoning ordinance and building codes. This petition is related to the zoning and how the zoning will become a determinant factor in design. He added that zoning was created to preserve the value of the properties in the neighborhood, but it is not a perfect design determinant. That's why they have the conditional use and variation processes. They wish to provide 99 parking spaces because they think it is crucial in order to prevent spillover onto surrounding streets.

He then discussed the KLOA traffic study. He added that they strongly believe the 19 additional parking spaces are needed for this operation and want the members of the Plan Commission to consider the matter.

Mr. Jahedi then ran through the parking slides. He discussed how the parking situation won't be much different from what they have now.

Mr Jahedi then addressed the open space issue. He pleaded that the Plan Commission members act favorably upon the open space variation. He added that the Village requirements do not allow them to meet the open space.

Referring to the greenish blue box in the presentation, the Village did not give CPSA credit for pervious pavement in the parking lot, which is according to the green building and LEED certification. He added that it helps to create a better environment and they are being punished for only 3% open space.

He concluded his talk and opened the discussion for questions.

Attorney Draus addressed other concerns brought up.

1) Building height and view of building on surrounding streets - the height of building is 30' and is the normal height of a house. CPSA flew balloons on Saturday and Sunday at the southeast corner to a height of 30' high to get a visual of the height.

2) Other activities at the CPSA building - this is a school building and not a church or mosque, which applies to both buildings. There are normal school hours, but students and teachers stay later. It's a religious based school so there are prayers as part of the Muslin religion in which they pray five times a day based on the position of the sun. They conduct prayers at the school, which are not open to public, however, some parents do come in evening. He's been there at night when there are 10-12 people in the classrooms. There are extra curricular activities such as fundraisers and athletic activities.

3) Open space - it is their desire that the Plan Commission consider the original plan for 46.85% open space. At the last meeting they approved 50 percent open space, which is a difference of 3.15%. The difference is CPSA would get 99 parking spaces versus 80 parking spaces. Those extra spaces will be needed for extra curricular activities. They believe it is more advantageous to have them on site. Their desire is to get the plan approved with the building height and open space variations.

To speak in favor of the petition:

Fazal Ahmed, 200 W. 17th Street, Lombard, stated he is a child psychiatrist who moved from Des Plaines so his children could attend CPSA. He has since established his practice in Lombard. His son graduated from CPSA. Their current school is a 1930's building. The learning environment has to be nice so the people can grow and nurture.

Rashid Zaffer, 1719 Porter Court, Lombard, moved from Indiana. His taxes here in Illinois are ten times more so from a business perspective it was not a good decision, but when he sees his kids in this school, it was a good decision. The students are second to none. There should be no reservation to favor this decision to allow children the proper environment needed for the citizens of tomorrow.

Mohammad Azharuddin, 1069 Westmore-Meyers, Lombard, moved from Texas to Lombard because of the school. He mentioned that he doesn't enjoy the smell of skunk or the winters, but he stays because of school. He has two kids that go there. The school is popular so please help it to expand.

Shoeb Jethro Kahn, 414 Harding, Lombard, stated that everyone needs to loosen up and talk to their neighbors. This school has been their for 18 years and graduated over 800 students. He mentioned that the university graduation rate is 100 percent. He had two houses in Oak Brook, but he sold them and moved to Lombard for the school. He has 4 children. He thinks CPSA is a great school. He asked everyone to think outside of the box. They are only doing an addition to accommodate a few more kids. If you take the school out, 300 families would move out. They have highly educated people who live here and improve the quality of life and neighborhood. The school has a zero crime, drug, and alcohol record. He felt that it was important that the neighbors and the school work together and get to know each other. He exemplified how the school offered a free medical clinic and only two neighbors showed up. They want to open their doors. They should be proud of this school for what it is doing to the community and nation. He asked for the Commissioners' support.

M. Javeed Ansari, 114 Oakton Drive, Lombard, moved here from Massachusetts for the school. He is currently a faculty member at Northwestern University and the sole reason he moved to Lombard was for the school. They waited for two years because there was a waiting list. You've heard how good school is and the reputation of school. At the last public hearing there was a unanimous decision to expand the daycare facility for dogs which is a good thing to take care of animals. At the same time, we should be equally or more generous and welcome people that are trying to be good citizens. He hopes the Commissioners arrive at a favorable decision.

Mohammed Kothawala, 213 W. Harding, Lombard, lives two blocks from the school. All the neighbors have been good to him. He has no complaints. He moved to Lombard not only for the school but also for the Village. At 7:57 a.m. the students arrive and by 8 a.m. most of the traffic will be gone so it won't clash with the other schools. In the afternoon CPSA will close earlier than those schools.

Abdul Majeed, 509 W. Wilson, Lombard, stated that Naperville was named the best city in entire country to raise a family. Ironically he lived there, but moved here because of the school so his children can come to the school and grow. CPSA had two neighborhood meetings before the petition was even filed and afterward they had two more meetings. They are asking for a simple variation for 35 feet instead of 30 feet. He used St. Johns and Sacred Heart as examples and stated that both are private schools and St. Johns has high towers beyond 35'. He stated without the 19 additional parking spaces on the premises will result in 19 cars that will have to park on the street. The neighbors won't want the cars parked in front of their houses. He asked the height variation, which is one percent of the entire building be approved. They have got on the south side of property 4,000 square feet, which does not belong to anyone, but does contribute to the open space in the area. It is a no man's land. CPSA is ready to withdraw its claim to the neighbors so that the 4,000 square feet could be considered as part of the petition.

Sayeed Zaffer, 119 Collen Drive, Lombard, moved to Lombard 2001. His business practice is located in Elmhurst Memorial and he is a member of the Chamber of Commerce. He has three children that attend CPSA. He believes the zoning can be discussed, but at end of day, it's the conscience of all those benefitting from the school and it's the right thing to do.

Dr. M.T. Alilviazec, 5382 Galloway Drive, Hoffman Estates, is from the west coast. He stated that the school is known throughout the country and some

people oversees. This school has put the Village of Lombard on the map.

M. Mukarram Sheikh, 1328 S. Rebecca, Lombard, moved to Lombard from Memphis, TN. He is a physician and is for the school. He came for the school and fell in love with the Village. He has invested in the community and brought financial investments and talent here. He added that people affiliated with CPSA are acquiring new houses in Lombard and they have contributed to this community in different aspects. As the school building has been there since 1930, it is not like CPSA is trying to sneak in a building. They are just asking for help to upgrade the building to a level encompassing modern education. He mentioned how he covers trauma at Loyola and how he sees the results of street crime on a daily basis. We are being trusted in the emergency room to treat you and your families and now we are asking you to help us. He understands the neighbor's concerns and those issues have been addressed. They feel it's their right and their civil right but maybe it's just a personal thing that they do not want to help us build.

Speaking against the petition were:

Dan Smothers, 560 Green Valley, Lombard, stated that this is not a referendum on CPSA, the school is already there. Local residents do not want the expansion of the school as it will change the face of the neighborhood permanently.

Bill Raysby, 580 S. Edson, Lombard, stated that he has four kids that attended the Green Valley School. Referring to page seven of the staff memo regarding phasing, it mentions two items that he had an objection to - the cost to upgrade Green Valley to keep it as a public school and the asbestos abatement. He has never seen or heard that the Village has issued a permit to remove asbestos tile. He is not aware of anything they plan to do with the windows, air conditioners, or asbestos. Right now with the existing building he said that they may or may not upgrade it. It's been an eyesore for some time. They should take care of what they have right now. He said that there is the possibility of tearing the existing building down after the new building goes up, but what about asbestos abatement. He's not sure if they are aware of it. He would like to see that taken care of before the petition is granted.

Ed Pszanka, 615 S. Edson, Lombard, stated his property joins the school's property. He has never heard of any incidents. He questioned the expansion and believed it will not stop there. Intelligence is the power to reason. Green Valley School was obsolete and they are still using it. Why waste that money there. He stated that the Commissioners are not doing their job. He asked what each of the Commissioners think about the school. He stated that education is the most important thing. He suggested that they take the school and put it on North Avenue and then you can build another College of DuPage or Harper.

Fran Pszanka, 615 S. Edson, Lombard, stated she had issues going back to when the property Joe Schmidt owned, was up for sale. The contractor was going to take the school down and build a few nice houses there, which would bring in tax money for the Village. That project was turned down due to the zoning code. Now we are asking for the Zoning Ordinance to be changed for the school, which doesn't seem right. There are flooding issues in the yards and the retention pond may overflow, which she has seen happen in other places. Is there a guarantee that a child might not fall into it or attract mosquitoes. For the people that have lived here for all these years and all the taxes we have paid for the school, a park should be considered.

Joe Glazier Jr., 304 W. Harding, Lombard, thanked the Plan Commission for reviewing this matter, thanked the staff and CPSA for the opportunity sit down and address their concerns. A number of ideas have come out of this meeting. I feel the school should be commended for their success, but should not negatively impact the neighbors. He wanted clarification on staggered hours of drop off and pick up, the length of school year, how the school will increase the property value, religious based school with prayers and times and dates of prayers. Please take these into consideration and ask yourself, would you want a 61,000 square foot building in your backyard.

Holly Brazleton, 141 W. Park, Lombard, stated that her biggest concern was the nature and care of the present building. Will the new building be cared for when the old building is not cared for. When activities are occurring at the school, paper plates and other junk can be found on the property to the west of the school. She added that the parking seems to be solved.

Carl Schwebl, 614 S. Elizabeth, Lombard, stated that his house backs up directly to school. CPSA paints a nice picture of being wonderful to the community. If you lived in his backyard you would think different. He stated that there are car alarms that go off at 2 a.m. The snow removal comes at 4 a.m. during the winter. His children are not able to walk up and down the street due to the four schools in the area and adding 600 cars so every school being dropped off will be by vehicles at drop off and pick up. The Village of Lombard cannot put a police officer by Madison, now they want to add another 600 cars. He asked how the school benefits Lombard. Construction will go on for more than two years. When he moved to their house in 2001, CPSA refused to mow their lawn and their crews were there at 6 a.m. They are trying to appease their neighbors by dropping off Christmas gifts at Christmas time. He questioned the traffic study. Referring to the traffic study he added that on January 7 and 8 there is no school. A traffic study in May or June would be more accurate. The reality is this will cause more noise, pollution and traffic in Lombard.

Jerry Debokisky, 598 S Elizabeth, Lombard, stated that he lives across the street from the school. He moved to the neighborhood in 1992 and observed the school for a long time. If they are remodeling, expanding upon that small property is a waste. He also moved from somewhere, but for some reason for those beautiful properties, spaces, peace of life, slow traffic and now we are doing more of what we don't like. He wishes success for them, but not on that property.

Ken Doles, 623 S. Elizabeth, Lombard, has been a resident of Lombard for 39 years. Many of issues have been raised in past and were adequately addressed by the engineer. This is more than a bricks or mortar issue. We are talking about significant skin in this game, more specifically the property investments in the Green Valley area. CPSA's website shows that the school has outstanding credentials and a very successful operation, but it is not meant for that location. Its own success will become its worst enemy. The 785 student cap and open space issues have to be addressed. Progress is necessary, but cannot be made on the backs of the people who have established the neighborhood. He mentioned the Driscoll School. What are the next steps because if they are as successful as they claim, then what about growth, value and quality of life. These are considerations that go beyond zoning, right location, right time and long term consequences.

Candice Rizzo, 308 W. Harding, Lombard, lives directly behind the school. She

had three concerns that need to be clarified:

- 1) The "no mans land" - CPSA mentioned they don't want to take it, but they will if they have to. Has that been addressed, is that an issue right now.
- 2) Parking - 99 spaces will help overflow. As it is now, the students and staff cannot park on streets, the same goes for the residents if they parked on the streets. Not even Lombard residents can park on the streets.
- 3) Building size - it will impact the residents all the way around. We know the school has been there and there was no infringement. The air conditioning unit will be close to their backyard and she hopes it will be as quiet as they say. She is concerned.

Ed Pszanka asked when the Plan Commissioners will tell their point of view. Chairperson Ryan said they will voice their concerns at the appropriate time similar to the last meeting.

Ken Doles had a question for the architect/engineer. He asked if the utility lines will have the proper clearance from the proposed landscaping.

John Harley, 585 S. Elizabeth, Lombard, asked if there will be security cameras like their school in Villa Park. He personally doesn't like them and feels that is an intrusion into his freedom

Attorney Draus made the following comments in regard to the neighbors concerns:

- 1) He stated that it is nice to speculate on the Driscoll building or North Avenue, but they own this property and they have a right to build on it. It's also their backyard. The plan in front of us today is for this property.
- 2) CPSA is not affiliated with the school in Villa Park, nor are there are plans for security cameras at CPSA.
- 3) Drop off/pick up times - will be specifically staggered to avoid the times of Madison School. They will not be set in the plan itself because they need flexibility to determine year to year. Their intention is to alleviate traffic on Madison and to account for their hours and Madison School hours.
- 4) Length of school year - 168 days long from August or September and ending in June, similar to other schools.
- 5) Property values - interesting argument, it's all relative and very arguable.
- 6) Present building - there is a fundraising plan to build this building, which is a modern building. Fundraising will continue to increase the value of the present building including new windows air conditioning and the like.
- 7) 600 cars - the total increase of students would be 380 over what they have now. It may never happen. They will be capped at 785. There are 400 students now, many of which carpool. There were usually 4-5 students to a car or van that are dropped off and picked up together.
- 8) The "no mans land" - the 3,400 square foot strip of land between the CPSA property and the neighbors. If you surveyed the two properties, no one party owns that property. We don't know why that is and dates way back. Mr. Sayeed stated that he would like the Plan Commission to take into account the land when considering the open space requirement. CPSA is not making a claim on that land, they will release that claim to the neighbors behind there if they could figure it out.
- 9) Only two roof top units on top. The rest of HVAC system is based on different systems, which doesn't require a rooftop unit. He then explained the issue in further detail. The decibels are to the best of his knowledge and he stands behind it. He has enough qualification and has a PhD in engineering.
- 10) The development of the property as single family residences. Jamshid

Jahedi explained that the situation would be different if the property was developed with a certain amount of houses. What would happen if the same amount of houses along the east line of his property building were built closer to your property and being at higher elevation because it is not a flat roof. The pitched roof would be higher and the volume of the houses would be much larger and taller than what the CPISA has here farther away from the property line.

11) Green space - was not your property to start with and was granted to the previous owner.

12) Utility lines - They have not designed the detailed engineering plans yet, but they are committed to good screening with a set number of trees to create privacy. Preserving the utility lines is also crucial.

Attorney Draus stated that he is disappointed by some of the comments from the neighbors tonight. He moved to Lombard because of diversity in this town. He always found people to be friendly and down to earth. He added that CPISA held two neighborhood meetings, a Plan Commission hearing and additional talks with neighbors. They remained civil up to tonight and he is saddened by some of their comments.

Chairperson Ryan asked for a response to the tearing down of the existing building. Andy Draus replied that there are no plans to tear down existing building. Mr. Draus added that this is their plan for expansion. If there were additional plans for expansion, it would have to come back before the Plan Commission. Referring to the flooding concern, Jamshid Jahedi stated that under the new plan they guarantee that the existing problem will go away and they will handle the run off better than what it is now.

Chairperson Ryan asked about the care of old building, cleaning up after events as being a good neighbors is an important thing. He also asked about the grass cutting. Andy Draus stated that it goes back to 2001. CPISA cuts the grass and maintained the trees and cleans up after themselves. I'm sure there's no garbage out there now.

Chairperson Ryan asked the petitioner to address the issue of activities occurring at 2-3 a.m. Andy Draus stated that he is not familiar with it. Chairperson Ryan asked if late activities are common. Mohammed Syaheed, 1154 Brighton Place, Glen Ellyn, has been involved with the CPISA Board since day one and is responsible to take care of problems. There are no activities at 2 a.m. or 3 a.m. Once in a while if the Village calls us for the alarm, they will go to fix the problem. There is no activity and no contractor comes before school starts before 7 a.m. The garbage comes on Thursday morning around 6:30 once a week, which is a standard time. Referring to lawn mowing, they have a contractor that comes and mows the lawn. They have gone 8-9 years with no problem because since 2001 they have a contractor for snow and grass.

Commissioner Sweetser mentioned some of the other conditions proposed for this petition, which includes trash collection prior to 8 a.m. and other noise-making operations. She asked the petitioner if they were aware that this condition was added. Mohammed Syaheed stated that he was not aware, but the snow cleaning and other such activities begin before school starts, which is 7:30. Attorney Draus stated that trash removal is through the Village and doesn't believe they start before 8 a.m.

Chairperson Ryan stated that they can restrict the time of trash removal similar to St. John's. Commissioner Sweetser asked if lawn mowing and snow removal

should be also conditioned.

Chairperson Ryan mentioned the asbestos issue brought up. Mohammed Syaheed stated that because the building built in 1930, the situation was common back then. When they purchased the school, they had an inspector inspect it and so far the state has never told us any complaint.

Village Attorney George Wagner stated that with asbestos, if it's not touched, it doesn't need to be removed. If there is remodeling occurring then it needs to be abated. As long as it's not touched then it's not an issue.

Chairperson Ryan deferred the flooding issue to staff. Chris Stilling asked the petitioner to address the design of the pond. Mr. Jahedi stated that the system for stormwater management includes a detention pond. It appears on the plans to be a wet area, but the slope of the sides is very gentle so children can play in it without danger. When there is a storm event greater than a 100-year event, we still have a safety feature that controls water toward the Village stormwater system. It is a dry detention pond that will have short grass in the bottom of it, which makes it a pleasant view. There is no accumulation of standing water on the bottom so mosquitoes being able to breed in the water is not possible.

Chairperson Ryan mentioned construction time. He added that the petitioner mentioned 18-24 months. Mr. Stilling stated that the Zoning Ordinance requires that a conditional use be substantially completed within 18 months of approval.

Chairperson Ryan mentioned the traffic study. Mr. Stilling stated that the Village hired a third party consultant, KLOA, to prepare and present a traffic study. Those findings and the study are included in the staff report and one of the suggestions was staggering hours of operation. One of the findings of the report indicate that if they address the staggering issue, there should be no impacts to the surrounding properties.

Mr. Jahedi wanted the record corrected. The one page he referred to in his presentation was just one page that had particular information he was noting. The traffic consultant's full report is 30-40 pages and is available to the public.

Commissioner Sweetser asked Attorney Draus to give the IRS tax status of the school. Attorney Draus stated that CPSA is a not for profit - it's a 501 C3 corporation.

Chairperson Ryan wanted to address the number of activities and prayer times as it relates to after hours. Mr. Jahedi stated that the Muslim religion requires everybody to pray 5 times a day. These are based on sun positions or natural appearances. Before sunrise there is a prayer, which will be done at home. The second prayer is at noon which is usually done at work or students perform at school. The third prayer is toward the evening. Some students may or may not be in school. The next two prayers occur in the evening and at night. The night prayer is performed at home, the evening prayer might occur on the school. Mohammed Syaheed stated that there is no prayer that occurs around 2 a.m. or 3 a.m. Chairperson Ryan asked if the students are there at 11 p.m. Mr. Syaheed stated that they may not be there for prayer, but peer tutoring can occur at that time.

Chairperson Ryan then requested the staff report.

Mike Toth, Planner I, presented the staff report. He stated that staff has prepared a list of items with responses for the Plan Commission to consider for this petition. These represent some of the various concerns raised by the surrounding residents. He stated that the information is redundant based upon the testimony already provided, but he wanted to read it into the public record.

1. Traffic

A. Increased traffic, particularly at the southeast corner of the site.

CPSA indicated that most of the drop off & pick up for the K-12 classes would occur in the middle of the site (in between the two buildings and in the new parking area north of the existing building). CPSA also stated that the preschool drop off & pick up would occur at the southeast corner of the site.

B. Traffic backup onto Madison.

A detailed traffic study was completed by the Village's consultant (KLOA), which highlights recommendations that are to be incorporated into CPSA's site plan. Staff gave a copy of the traffic study to some of the adjacent property owners to share with neighbors. The petitioner's current plan does incorporate most of the recommendations; however, the Village still recommends a staggered drop off & pick up schedule as a condition of approval. Per the

Village's consultant, this should eliminate any stacking onto Madison. CPSA has indicated they prefer not to publish a set class schedule at this time. CPSA has agreed to stagger start and end times from those of Madison School. The petitioner has indicated that they would like to retain the flexibility to adjust class schedules and start and end times of different ages based on need, as determined by increased enrollment and/or increased traffic issues. Staff would still recommend that as a condition of approval, the petitioner provide a detailed drop off/pick up schedule based upon the recommendations in the KLOA report and based upon the proposed traffic flow conditions along Madison Street and upon the subject property.

2. Screening

A. Not enough screening/landscaping along the eastern and southern property lines.

CPSA has submitted a revised landscape and site plan showing a new six foot (6') solid fence along the eastern portions of the site. The fence would also be located on the along southern lot line, however it would stop at the midpoint. In addition, the revised landscape does show some additional plantings, however details of the type and size of plantings has not been provided. The petitioner has indicated that they are not sure yet if all the neighbors on the south and east want the fence and/or landscaped screening. The petitioner has indicated a willingness to work with the neighbors to provide screening that meets the desires of the neighbors on those sides. Staff recommends that as a condition of approval, all plantings along the parking lot and drive aisles that directly abuts residentially zoned properties be screened with evergreen and/or dense deciduous shrubs across the entire frontage at a planting height of a minimum of 4 feet. This is consistent with the requirements of the Zoning Ordinance. In addition, staff recommends that the type of evergreens and/or shrubs shall have the ability to grow to a minimum height of 15 feet.

B. Landscaping shall be dense trees/shrubs that can grow higher than a fence. The proposed drainage swale along the east property line will impede the growth of any landscaping.

The revised site plan submitted by the petitioner does show the addition of a storm sewer with several inlets along the east property line. In addition, staff recommends that the plant material shall meet the provisions outlined above. Please note that additional comments may be generated during final engineering review regarding the use of a storm sewer in lieu of only a swale. In the event the petition is approved with a condition requiring landscape screening that conflicts with the final engineering plans, the petitioner would still be required to provide the necessary screening. It would be up to the petitioner to revise their plan to meet all conditions of approvals and final engineering requirements.

3. Loading Dock

A. Residents along the southern and eastern property lines are concerned about truck traffic and the utilization of the loading dock.

CPSA indicated that they will sparingly use the loading dock and that most of their supplies are provided in vans or small trucks only. Please note that the loading dock is a zoning requirement; however, the location of the loading dock was proposed by the petitioner.

4. Garbage Dumpster

A. Location of the garage dumpster.

CPSA has revised their plans to reflect a new dumpster location. The new dumpster location will be located directly off of the western drive aisle, adjacent to the detention pond. The new location is more centralized on the site, which would place it further away from the residential properties. The Zoning Ordinance requires the dumpster to be fully screened on all four (4) sides. The relocation should mitigate many of the concerns raised by residents. Also, a condition of approval for St. Johns School (PC 05-06) was that trash collection shall not occur on the school property prior to 8:00 a.m. Staff recommends that the same condition of approval required of St. John's will be added as part of this petition.

5. After School Activities

A. CPSA has nighttime activities.

CPSA has indicated that there will be afterschool activities that would be ancillary to the school, which includes: student projects, sports and awards ceremonies. They do indicate that since it is a religious based school, there are prayer services offered five times a day. However, those participating in prayers are generally students, teachers, administrators, and a few parents who live in the neighborhood. Staff notes that it is the petitioner's intent is to utilize the property as a parochial school as its principal use, similar to other schools in the community. However, if the petitioner were to modify their operations to provide for public assembly for worship purposes, a conditional use for a religious institution would be required. The petitioner has stated that is not the intent of the school addition.

6. Building Height

A. Proposed building height will be higher than the surrounding residences and block sunlight.

CPSA has provided a detailed illustration of how the building height will not cast a shadow on the surrounding properties. The illustration demonstrates that even when the sun is at its lowest point, a shadow would be cast at a maximum of fifty-two feet (52') away from the building, which would still be seventeen feet (17) from the nearest property line. It is noted that a building height variation is still needed for the building height as it relates to the access stairway.

7. HVAC System

A. HVAC units will be loud and they will be visible to the neighbors.

CPSA indicated that the biggest HVAC unit will be located on the ground floor at the northeast corner of the new building. They also stated that two (2) units will be located on the roof of the new building; however, they will be screened per Section 155.221 of the Zoning Ordinance.

8. Atrium Window

A. Residents along the eastern and southern property lines are concerned about the large windows overlooking their homes.

On the newly-submitted elevation plans, CPSA is now proposing semi-translucent windows to block the views onto adjacent properties. The plans now show semi-translucent glass panels on the lower- half of the second story windows and atrium. The petitioner's architect has indicated that this semi-translucent glass will still allow for light to enter the building but will prevent the occupant of the building from looking out onto the adjacent properties.

9. Capped Student Population

A. How will the capping of students be monitored.

As a condition of approval, staff recommends that grade school students shall be capped at 450 students and the number of high school students shall be capped at 240 students. The total student population, including the pre-school, shall not exceed 785 students. To monitor this condition, staff can obtain student population numbers through the Illinois State Board of Education and pre-school numbers through DCFS.

10. Parking Lot Lighting

A. Residents are concerned about parking lot lighting spilling over onto the adjacent properties.

CPSA will be required to meet the full provisions of Section 155.602(A)(10)(d) of the Zoning Ordinance, which pertain to parking lot lighting standards. Section 155.602(A)(10)(d) specifically states that in no case shall parking lot lighting exceed 0.5 foot-candles at any property line which is shared by a residentially-zoned property. As such, the Ordinance does not allow for

excessive light spillover onto residential properties. Furthermore, CPSA will be required to submit a photometric plan, for Village review, as part of their permit submittal.

11. Phasing & Construction

A. Residents were concerned that the project was going to be built in phases over the years.

CPSA indicated that the entire project would be built in one (1) phase. Any improvements to the existing building (windows and air-conditioning) may come at a later date, after they are done with the project.

B. Construction Hours.

Village Code restricts construction activity Monday-Sunday 7 a.m. to 8 p.m.

12. Surveyor's Gap

A question was raised regarding the surveying gap located south of the subject property. The plans show that the proposed use will not include the gap area and the petitioner does not intend on including this area as part of their petition.

13. Fire Access

On all new buildings the Fire Department requires at least three sided access. In addition, the Fire Chief may require 'continuous access around a building' or four (4) sided access. Fire Lanes must be a minimum of 18' wide and must be set back 15' from the structure. At times parking lots can meet these two requirements such as St. Johns School did (PC 05-06). In the case of CPSA, the area between the proposed new building and the existing building could not be utilized as fire access land since there is not enough building separation and there are overhead obstructions which would prevent fire apparatus from maneuvering aerial ladders.

Chairperson Ryan then opened the meeting for comments among the Commissioners

Commissioner Sweetser stated that before we start, it may not be clear to whoever may be listening that we take all the Commissioners take an oath and that oath prevents us from accepting outside issues of the other parties involved. Mr. Stilling stated that when a petition comes forward they have to meet certain standards and criteria, the petitioner and the Plan Commission has to find that they meet those standards.

Commissioner Sweetser mentioned several things - the height of building at 26 feet and she asked if that means that the height of the extra piece is still considered 35 feet. Mr. Toth stated that the access stairway is in excess of 30 feet. Mr. Stilling stated that the stairway has always been the same height.

Commissioner Olbrysh referred to the large trees on south and east side. He asked if the petitioner was going to bring in mature trees.

Mr. Jahedi replied that he is not the Landscape Architect, but there are certain ages of trees you can bring in. The more mature the tree the less of a survival rate it has at planting time; as such, they will bring in the species of trees

considered and will not be a mature height but will grow within a few years from planting. It will take 4-5 years before we get the desired screening that the trees will provide.

Referring to the illustration, Commissioner Olbrysh implied that those size trees will not be brought in. Mr. Jahedi stated that is his is best guess.

Referring to the landscape plan, Commissioner Olbrysh asked if there is landscaping and a berm in front of the building.

Mr. Stilling replied, yes. Based upon the submitted plans a 2' berm is provided along with landscaping that meets the requirements of the Zoning Ordinance.

Mr. Jahedi stated that's exactly correct and mentioned the cross section. The same cross section shows a 2' berm and 4' of plantings, which makes 6' on the Madison side.

Commissioner Sweetser referred to the assertions in the neighborhood correspondence that they received as part of the record stating that CPSA is a "business". She noted that they are inaccurate.

Village Attorney Wagner replied that CPSA is a tax-exempt organization, which you might equate as a business function, but is a school and is tax exempt.

Commissioner Flint stated that he wasn't at the previous public hearing, but he did view the tape, read the minutes and looked over all the correspondence. He added that by coming back here there was a lot of input from the residents to the betterment of the project. One of the improvements to the plan is the moving of the dumpster from the back to the west.

Commissioner Burke asked if we are going to move forward with condition #9.

Commissioner Sweetser asked if the Commissioners should indicate hours of operation. She added that she didn't think it was necessary but would like to speak to one of the concerns raised by the residents. She wanted to make sure the Commissioners were not perceived as not addressing their concerns. Chairperson Ryan stated that the late night issue has been clarified.

Commissioner Olbrysh mentioned the open space issue. He asked if St. Johns was approved for an open space variation. Mr. Stilling stated that it was short on open space. He added that he can't say for certain what that was but mentioned that there were more recent projects that met the open space requirement. In regard to open space deviation, these requests also included parking deviations, but this is a different situation and a balance needs to be maintained. It is staff's goal to achieve conformance in meeting code. The Zoning Ordinance doesn't restrict parking maximums only a minimum. We want compliance with open space.

Referring to the open space, Commissioner Sweetser asked about the 3,400 square feet of "no man's land". Since it doesn't belong to anyone and the petitioner wouldn't seek any claim to it, it is there. She asked staff is they saw this area as a way to provide them with any sort of resolution. Mr. Stilling replied that we don't have to address that area and are confined to the property's boundaries.

Commissioner Sweetser stated that the subject property is in a residential zoned

area which is one of the reasons why staff wanted to limit parking in front and increase open space. Mr. Stilling stated that staff has no preference to where they should remove the parking. He added that the neighbors had concerns about parking in front of the existing building and the appearance it would give so if they removed the parking, it would be good to do it there. Commissioner Sweetser stated that it seems the neighbors would prefer to have the extra parking. Chairperson Ryan stated that they should uphold the open space. From his point of view, he would like it kept at 50 percent.

Chairperson Ryan asked who maintains the "no man's land". Mr. Jahedi stated that the land has maintained by the neighbors. He added that they are grateful to them as it is part of their yard as well.

Commissioner Sweetser stated that last time there were two motions.

Village Attorney Wagner clarified that the recommendation is to provide the variation for the height and then to approve the variation for the open space as to the 25 percent.

Chris Stilling explained how they arrived at 62.5 percent open space. He added that condition #1 should reflect the date of the latest plans.

Commissioner Burke moved to amend the recommendation to adopt Village Attorney Wagner's conditions.

K. [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](#)

Resolutions

- L. [110320](#) Agreement with Central DuPage Hospital
Approval of an Agreement between the Village of Lombard and Central DuPage Hospital for an Employee Assistance Program.
Attachments: [ResolutionEAP.doc](#)
[Board Approval Memo.doc](#)
[Blank Form Request for Board Action.doc](#)
[R 1-12.pdf](#)
[110320.pdf](#)
[Eap.pdf](#)
- M. [110321](#) Annual Geotechnical Engineering and Construction Material Testing, Contract Amendment No. 4
Authorizing a decrease to the contract with Testing Services Corporation in the amount of \$10,000 and an increase to the contract with Seeco in the amount of \$25,000.00 to perform geotechnical engineering and construction testing services.
Attachments: [R 2-12.pdf](#)
[R 3-12.pdf](#)
[110321.pdf](#)
[110321 BOT 6-2-11.pdf](#)
- N. [110324](#) Maintenance of Traffic Control Devices
Authorizing the Village President and Clerk to sign an Intergovernmental Agreement for Local Agency Maintenance of Traffic Control Devices.
Attachments: [110324 BOT 6-2-11.pdf](#)
[R 4-12.pdf](#)
[Signal Maintenance IDOT.pdf](#)
- Other Matters**
- O. [110319](#) 2012 Sewer Televising and Cleaning
Award of a contract to Pirtano Construction Company, the lowest responsible bid of four bidders, in the amount of \$86,375.00. Bid in compliance with Public Act 85-1295.
Attachments: [110319 BOT 6-2-11.pdf](#)
[Contract M 12-01.pdf](#)
[PO #068102 Pirtano CO.pdf](#)
[PO #068102 Pirtano CO#2.pdf](#)
- P. [110327](#) Water & Sewer System Supplies
Award of a contract to Ziebell Water Service Products, the lowest responsible bid of three bidders, in an amount not to exceed

\$50,000.00. Bid in compliance with Public Act 85-1295.

Attachments: [Contract PWU-1219.pdf](#)
[110327.pdf](#)

Q. [110328](#)

Coarse Aggregate (CA-6)

Award of a contract to Nagel Trucking & Materials, the lowest responsible bid of four bidders, in an amount not to exceed \$36,470.00. Bid in compliance with Public Act 85-1295.

Attachments: [Contract PWO-1202.pdf](#)
[110328.pdf](#)

R. [110275](#)

SUB 11-01: 355 Eisenhower Lane South
Requests approval of a one-lot major plat of subdivision. (DISTRICT #3)

Attachments: [APO Letter SPA 11-02ph.doc](#)
[publichearingnot.doc](#)
[SUB 11-01.pdf](#)
[referral letter.doc](#)
[Cover Sheet.doc](#)
[DAH referral memo.doc](#)
[110275.pdf](#)

Christopher Stilling, Assistant Community Development Director, referenced the companion staff report. The petitioner is requesting approval of a plat of consolidation for a 2.1 acre tract of land located at 355 Eisenhower Lane South, entitled "355 Eisenhower Resubdivision". The plat proposes to make the tract of land a lot of record, as defined by the Zoning Ordinance. Ultimately this division is being requested in order to facilitate the construction of a building addition (greater than 350 square feet) to the existing building on the subject property. Most of these types of consolidations can be approved administratively; however, the subject property is greater than one acre in area, which would classify it as a major plat of consolidation. Pursuant to the Zoning Ordinance, all major plats of subdivision must be reviewed and approved by the Plan Commission and Board of Trustees.

The subject property is currently improved with an existing industrial warehouse use. The petitioner one day plans to construct a dock enclosure (building addition) greater than 350 square feet, therefore, a plat of consolidation is required.

Pursuant to the Zoning Ordinance, any building addition greater than 350 square feet must be constructed on a lot of record. The lots will exceed the 80-foot minimum lot width and 20,000 square foot area requirements of the underlying I Limited Industrial District. Twenty (20) foot public utility and drainage easements already exist along the western and southern property line while a ten (10) foot public utility and drainage easement exists along the northern property line. Under the proposed consolidation, the lot would now also include a five-foot public utility and drainage easement along the eastern property line, as depicted on the plat. Furthermore, this consolidation meets all of the other requirements of the Zoning Ordinance and Subdivision and

Development Ordinance.

No one in the audience had comments about the proposed plat.

Chairperson Ryan opened the meeting for discussion and questions by the Plan Commission. The Commissioners had no comments.

- S. [110314](#) Agreement with Third Millennium Associates, Inc.
Motion authorizing the renewal of an Agreement with Third Millennium Associates, Inc. for vehicle sticker printing, mailing and processing services.

Attachments: [Vehicle Sticker Contract Renewal 2011.doc](#)
[VS EPay Software Agreement.pdf](#)
[VS TMA Contract 2007.pdf](#)
[Vehicle Sticker Printing 2011.DOC](#)
[110314.pdf](#)
[110314 BOT January 19.pdf](#)
[Agreement with Third Millennium](#)

***T- Appointments and Re-appointments - Various Committees (Moved to IX B)**

IX. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

- A. [110230](#) ZBA 11-02: 403 W. Ethel Ave.
Requests that the Village take the following actions for the subject property located within the R2 Single-Family Residence District:
1. A variation from Section 155.205(A)(1)(c)(2) of the Lombard Zoning Ordinance to increase the maximum allowable fence height in a corner side yard from four feet (4') to six feet (6').
 2. A variation from Section 155.205(A)(1)(e) of the Lombard Zoning Ordinance to allow a solid wood fence six feet (6') in height in the clear line of sight area. (DISTRICT #2)

Attachments: [apoletter 11-02.doc](#)
[Cover Sheet.doc](#)
[DAH referral memo.doc](#)
[PUBLICNOTICE 11-02.doc](#)
[Referral Let.doc](#)
[Report 11-02.doc](#)
[110230.pdf](#)
[Ordinance 6628.pdf](#)

Chairperson DeFalco opened the meeting for public comment.

Eric Nofziger, 403 W. Ethel Ave., presented the petition. Mr. Nofziger stated that there was a six (6) foot fence previously located in the corner side yard of his property. He added that a portion of the fence was destroyed in a recent storm incident. He then stated that they are looking to replace the fence to its original height of six (6) feet. Mr. Nofziger stated that they would like the additional fence height for added privacy and security for his family. He then stated that there are a number of bus routes that circulate through his neighborhood and there are high school students who park and drive through his area. He added that the family has a dog and the additional fence height would prevent the dog from possibly harming a pedestrian.

Referring to the clear line of sight variation, Mr. Nofziger prepared a model of the property, which he shared with the ZBA members. He stated that if he were required to meet the clear line of sight requirements, there would not be adequate clearance between the fence and garage. He also stated that there is a plum tree located in the clear line of sight area and if he had to meet the requirement, the tree would be on the outside of the fence. Lastly, Mr. Nofziger stated that he spoke with a number of the neighbors and none of them had an issue with the proposed fence location.

Chairperson DeFalco asked if there was anyone present to speak in favor or against the petition.

James and Linda Sochnuk, 403 W. Ethel, stated that they submitted a letter in support of the petition, which Michael Toth, Planner I, had distributed to the ZBA members prior to the meeting.

Chairperson DeFalco then requested the staff report.

Mr. Toth then presented the staff report. The subject property is located at the southwest corner of Ethel Avenue and Edson Street. The petitioner is requesting a variation to allow for the replacement of an existing solid wood fence six feet (6') in height in the corner side yard where a maximum height of four feet (4') is permitted. The fence is located along the Edson Street side of the property and conflicts with the clear line of sight area where the driveway meets the public right of way. The previously existing non-conforming fence was destroyed by a storm incident. The new fence would be required to meet the current zoning ordinance provisions, unless a variation is granted by the Village.

The subject property once contained a solid wood fence six feet (6') in height within the corner side yard and within the clear line of sight area. As the petitioner has indicated, a portion of the previous fence was blown down in a recent storm event. The Zoning Ordinance allows non-conforming fences to remain in existence provided that once a non-conforming fence reaches the end of its useful life any replacement fence will meet current code requirements. In time, this allows for full compliance with the Zoning Ordinance.

Six foot high fences are not permitted within corner side yards due to the visual obstruction they create. As such, the petitioner's replacement of the fence requires that the new fence meet the four-foot height restriction or that a variation be granted. A variation may only be granted if there is a demonstrated hardship that distinguishes the subject property from all other properties in the area.

Within the response to standards, the petitioner has raised concerns regarding

safety on the property due to the presence of a canine and safety of their child. Specifically, the petitioner states that the canine would be required to be chained up if they only had a four (4) foot fence and such chain could clothesline their child. While staff recognizes that some of these concerns are reasonable, staff does not believe these concerns are demonstrative of a hardship associated with the geographic state of the property. A clear line of sight area is required when a driveway and the public right-of-way intersect. A triangle is formed with legs extending twenty feet (20') along the property line and twenty feet (20') along the driveway. Within a clear line of sight area fences shall not be greater than two (2) feet in height or of at least 75% open construction. The clear line of sight provisions exist specifically for public safety purposes.

The subject property contains two clear line of sight areas - one north and one south of the existing driveway. The petitioner plans to construct a new fence at six (6) feet in height in both of the required clear line of sight areas. Diagram 1 in the staff report shows the proposed fence indicated by the red line. The clear line of sight triangle is shown in green. A portion of the existing fence still stands to north of the driveway, within the clear line of sight triangle. The petitioner plans to remove that portion of fence and install a new portion of six (6) foot fence on a slight angle; however, the fence would still not meet the clear line of sight area requirements as proposed. The portion of fence that was leveled in the storm incident was located in the clear line of sight area south of the driveway. The petitioner plans to replace that portion of fence with a six (6) foot fence on a slight angle. Conversely, similar to the fence to the north of the driveway, the fence would still not meet the clear line of sight area requirements as proposed.

Concluding, Mr. Toth stated that staff is recommending denial of both variations associated with ZBA 11-02.

Chairperson DeFalco then opened the meeting for discussion by the ZBA members.

Ray Bartels stated that there are a number of buses that go through the petitioner's neighborhood and there is a lot of traffic in that area. He then stated that he is okay with the corner side yard fence height variation, but the petitioner should meet the clear line of sight regulations.

Chairperson DeFalco discussed the dog issue. He mentioned that the property owner is responsible for the behavior of their pets and owning a dog does not constitute a hardship associated with the property. He then stated that the Village does allow fences of open construction to be placed in a clear line of sight area. He added that an open style fence, such as wrought iron, is also permitted at six (6) feet in the corner side yard.

Mr. Nofziger stated that visibility of the dog is an issue; more specifically, if the dog can physically see someone walking by the dog is more apt to try and jump over the fence.

Mr. Tap asked the petitioner why he is unable to meet the clear line of sight requirement.

Mr. Nofziger stated that there is a nice plum tree located in the clear line of sight to the south of the driveway. He stated that if the fence were to be angled to meet the clear line of sight, the plum tree would be on the outside of the fence.

Dr. Corrado questioned the six (6) foot height restriction in the corner side yard.

Chairperson DeFalco stated that the old ordinance only allowed fencing to go no higher than three (3) in the corner side yard. He then stated that it was later changed to four (4) feet. He added that the idea behind the height restriction is that tall fences in the corner side and front yard can create a fortress effect. He then stated that the clear line of sight issue is a safety concern and there have been children hit by cars when someone backs out of their driveway and can't see the sidewalk.

Dr. Corrado stated that the answer would be for the petitioner to construct an ornamental fence that is of open construction.

Mr. Toth stated that fences of open construction can be placed in a clear line of sight area and are also permitted at six (6) feet in the corner side yard; however, the petitioner desires to construct a privacy fence for reasons previously discussed.

Mr. Young asked the petitioner if they plan to remove the existing fence in the clear line of sight area to the north of the driveway.

Mr. Toth stated that the submitted plans indicate that the fence is to be removed and replaced. He added the proposed fence would also be located in the clear line of sight to the north of the driveway.

Mr. Young asked if there are two clear line of sight areas next to the driveway.

Mr. Toth stated that there is a clear line of sight area to the north and south of the driveway, as outlined in the staff report.

Mr. Young stated that the clear line of sight distance is more crucial to pedestrians on the sidewalk than it is to cars on the road.

Mr. Nofziger stated that all cars will be required to have back up cameras in the future for this reason.

Chairperson DeFalco stated that there are a number of properties in the immediate neighborhood that meet the corner side yard and clear line sight fence provisions.

Mrs. Newman asked if the petitioner would be required to alter the existing deck to meet the clear line of sight provision.

Mr. Toth stated that if the existing deck were to be removed, it would then have to meet all clear line of sight provisions.

Chairperson DeFalco asked the Board Members if they wanted to vote on the petition as a whole or on each variation separately. The ZBA members all agreed to vote on each variation separately.

Michael Toth stated that if the clear line of sight variation is to be denied, the petitioner will have to meet the full provisions of the clear line of sight. Moreover, any fencing in the clear line of sight will have to be either two (2) feet or less in height or 75% open construction. He added that if the corner side

yard fence height variation were to be approved, that fence would need to be located outside of any clear line of sight areas.

***A-2.** [110274](#)

PC 11-13: 889 W. St. Charles Road

Requests that the Village take the following actions on the subject property located within the CR Conservation Recreation District:

1. A conditional use, per Section 155.404 (C) (5) of the Village of Lombard Zoning Ordinance, for a municipal facility. (DISTRICT #1)

Attachments: [APO Letter.doc](#)

[PUBLIC NOTICE.doc](#)

[PC 11-13.pdf](#)

[Referral Letter.doc](#)

[DAH referral memo.doc](#)

[Cover Sheet.doc](#)

[110274.pdf](#)

[Ordinance 6629](#)

Justin Frederick, Director of Land Management for the DuPage County Forest Preserve, 3S580 Naperville Rd, Wheaton was the first to speak on the petition. He stated that he has two representatives with him to assist on the petition - one from Gas Technology Institute (GTI) and another from Engineering Resource Associates (ERA). Mr. Frederick began by providing a brief overview of the project. He stated that the Forest Preserve District made a commitment to alternative fuel vehicles, which will generate savings and reduce tailpipe emissions. He added that this would not be possible without grants and intergovernmental agreements. He stated that that the Forest Preserve District is requesting the installation of a Compressed Natural Gas (CNG) fueling station as an addition to their existing fuel station at the Churchill Woods Forest Preserve. He added that the site currently offers propane and E85 ethanol fuel. He then stated that the new CNG fuel station is a small pad site that operates in a similar manner as the existing fuel station. Mr. Frederick stated that they have met with staff. He added that everyone visited the Blackwell Forest Preserve to observe the CNG at that location. Mr. Frederick then turned the discussion over to Tony Lindsay from GTI.

Tony Lindsay, Director of Research and Development for GTI, 1700 S. Mt. Prospect Road, Des Plaines then discussed Compressed Natural Gas. Mr. Lindsay provided a brief background on CNG. He stated that CNG is the same natural gas piped into your home, which is supplied through Nicor Gas. He added that natural gas is methane with a high octane level (130) and makes an excellent fuel source. He stated that CNG is non-toxic, not corrosive and doesn't pose a threat to groundwater or soil contamination. He added that it has much lower ozone greenhouse gas emissions than other forms of fuel, such as diesel. He stated that it is distributed throughout the suburbs through an underground piping distribution network. He stated that CNG provides a similar fuel economy as gasoline.

Mr. Lindsay then presented a Power Point presentation on CNG.

Slide #1 provided basic information on natural gas.

Slide #2 described the different vehicles available using natural gas - light,

medium and heavy duty. Mr. Lindsay added CNG is a popular fuel for transit and waste hauling.

Slide #3 discussed the benefits and considerations of using CNG. Mr. Lindsay stated that some of the benefits include lower greenhouse gas emissions, lower particulate pollution and lower carcinogens. He added that there is enough natural gas to sustain the U.S. for 200 years. He added that when using CNG, the driving difference has shorter range than gas, but it is comparable in power and speed. He then stated that the U.S. is behind the rest of the world with regard to the number of vehicles using CNG.

Slide #4 discussed the project objectives. Mr. Lindsay stated that \$15 million in 2009 stimulus funding was earmarked for 25 cities selected for funding. He added that this is one of those projects that were funded.

Slide #5 discussed additional project objectives. Mr. Lindsay stated that one objective is to increase the number of alternative fuel vehicles and hybrids, which would include 260 gasoline hybrids, 230 CNG vehicles and 10 heavy duty diesel hybrids. He stated that another objective would be to develop fueling and changing infrastructure to support growth of alternative fuel. He then discussed the combined benefits of the project and used data, relative to the emissions displacement, to discuss the environmental benefits.

Slide #6 outlined the Project Partners which included the City of Chicago taking the lead, as well as the 16 projects. He added that GTI will be providing the infrastructure.

Mr. Frederick spoke again about the overall benefits of the project. He added that this project will help them meet their infrastructure needs for potential intergovernmental agreements to provide a fuel that only costs \$1.40 per gallon. He added that this project will be a cost savings that will also improve air quality.

One stipulation of the report that he addressed was condition #3 regarding the sign to be installed near this location. He stated that he does not have the authority (at this point) to authorize the approval of the Village sign. He then mentioned that he will be taking the sign issue to the Forest Preserve Board tomorrow morning (5/17/2011) where he will get direction to see where to take it from there.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

Karen Oldfield, 1050 Crescent Blvd., Glen Ellyn, stated that she lives on the north side of Crescent Blvd. and her backyard backs up to Churchill Woods. She added that she is the seventh house on right side of Crescent, west of I-355. She stated that her neighbors contacted her about the Forest Preserve project. She stated that the fuel pumps have been there in the past and this sounds like a housekeeping issue. She is concerned about opening Pandora's Box as to what kind of vehicles will be brought to the site. She mentioned the intergovernmental agreements and then made reference to the City of Wheaton using the pumps. She stated they would be using a small area of a large parcel, but what if they wanted to further expand the use. She referenced the categories of vehicles and was concerned about the industrial-sized vehicles being brought to the site. She then asked about ingress/egress on St. Charles. She asked how many vehicles

would be brought to the site. She added that this could be the start of something bigger and wanted something in writing before she could go along with this. She then stated that this could be very industrial in a Forest Preserve area.

Mr. Frederick stated that the Forest Preserve did look at that issue. He added that the Churchill Fleet Maintenance Facility was constructed in the 1960's and has been the repair facility for all that time. He added that 80 percent of the fleet is stored at Blackwell. He stated that 70-75 vehicles come in and out of Churchill right now, which would actually lessen once the fleet building goes away.

Ms. Oldfield rebutted. She asked if Churchill Woods is the only site where the fuel will be offered.

Mr. Frederick stated that Blackwell, Churchill Woods and the Danada headquarters in Wheaton will all have fueling stations. He added they have an agreement with DuPage County and Wheaton and they will use the facilities in a manner that is most effective and efficient.

Ms. Oldfield asked if the Forest Preserve will have to come back to the public for approval.

Chairperson Ryan stated that this petition is just for the Lombard facility. How they deal with the other sites in the future is up to those other cities.

Ms. Oldfield stated that she is concerned about the pumps and how the Forest Preserve all of a sudden needs approval to operate.

Christopher Stilling, Assistant Community Development Director, stated that the existing fueling station has been operating in this capacity since the 1960's when the property was annexed into the Village. As the existing facility did not receive approval in the past the expansion requires conditional use approval. In the future should they want to do anything different they would have to come back to the Plan Commission for an amendment to the conditional use. This petition is for a 468 square foot pad with a filling station.

Chairperson Ryan then requested the staff report.

The subject property is owned and maintained by the Forest Preserve District of DuPage County and is known as the Churchill Woods Forest Preserve. A portion of the Churchill Woods Forest Preserve is utilized as a fleet maintenance facility. The petitioner plans to modify their vehicle fueling capabilities of the fleet maintenance facility by adding a compressed natural gas (CNG) fueling station, which will supplement the existing gasoline fueling facility already located on the premises. The Zoning Ordinance classifies 'municipal facilities' as a conditional use in the underlying CR - Conservation Recreation District. The existing facility did not receive approval in the past; therefore, the expansion of the municipal facility requires conditional use approval.

The District received a U.S. Department of Energy grant to initiate a CNG program in the Chicago area. The overall grant recipient was the City of Chicago, but the plan and program is to locate about 12 such facilities, strategically placed through the metropolitan area and the district, which their large fuel size and operations was identified as a key beneficiary of the effort. The initial focus was to place the facilities for the use and benefit of entities with

large pools of vehicles.

The Churchill Woods Forest Preserve is located on West St Charles Road, directly west of I-355. A portion of the Churchill Woods Forest Preserve is utilized as a fleet maintenance facility. The fleet currently utilizes a gasoline fuel pump island, which is located in close proximity to the fleet maintenance building. The existing facilities would be considered legal non-conforming and any expansion to the facility would require conditional use approval.

The petitioner is proposing to create a new fueling pad site for compressed natural gas (CNG) fueling directly south of the existing fuel pump island. The proposed fueling station will contain the proper electrical and mechanical components to provide the petitioner the ability to provide natural gas to their vehicles. The actual service pump for the natural gas will be located within seven (7) feet to the north of the existing fuel station to allow for ease of use. The existing fuel station is to remain on the property. The proposed CNG facility will not include an overhead canopy. The facility will operate similarly to a recently constructed CNG facility in the Blackwell Forest Preserve in Warrenville. The Churchill Woods facility is intended to provide a fueling center for vehicles in eastern DuPage County.

The petitioner has indicated that the proposed use will not increase the fleet's size or level of traffic activity to/from the site. The CNG fueling station will only be made available to Forest Preserve District fleet and any other fleets that enter into a use agreement with the district. As of this date, only DuPage County government has entered into such an agreement. The facility will be open for use on a 24/7 basis (as the current fueling center), it will not be open to the public. Access to the facility will remain unchanged. In discussion regarding this matter, the District did note that the existing District fleet garage is slated to be relocated to Warrenville and the existing garage will be razed in the next few years. However, the fueling center would remain.

The fuel pumps and other appurtenances associated with the proposed fueling station will not exceed eight (8) feet in height. The proposed fueling station meets all other requirements of the Zoning Ordinance.

The subject property is approximately 56.52 acres. When combined with the surrounding parcels that make up the Churchill Woods Forest Preserve, the total land area is 254 acres. The proposed fueling station is centrally located within the Forest Preserve property and will therefore be screened from surrounding properties by acres of land. The actual pad site, which would contain the fuel pumps and other appurtenances, would be 468 square feet. As the subject parcel of land is 56.52 acres, the amount of land being improved as part of the proposed project would only be 0.0002% of the total parcel. The CNG fueling center would operate no differently than the existing center, so the impacts on adjacent properties would not be significant. Natural gas fuel would be delivered to the site via an existing gas line within the St. Charles road right of way, thereby minimizing truck deliveries of fuel product.

The Comprehensive Plan recommends open space and recreational uses for the subject property. The current open space and recreational use of the property is compatible with the recommendations of the Comprehensive Plan. The proposed use would serve as a supplemental function of the current use. As such, staff believes that the proposed use is also compatible with the recommendations of the Comprehensive Plan.

As part of past intergovernmental considerations pertaining to the site, the Village has been seeking approval of an agreement to provide for an entryway sign immediately adjacent to the subject property. The proposed location of the signage would not be impacted by the CNG facility. However, in consideration of this request, the Village requests that as a condition of approval, the District make accommodation for the Village entrance sign to be placed on or abutting the subject property. This can be addressed by providing an approximate 5' by 10' area for the sign along St. Charles Road, through an easement or an intergovernmental agreement. The Village would be responsible for providing and installing the sign itself.

Staff believes the standards have been met and therefore staff recommends approval of the conditional use subject to the conditions noted in the staff report.

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

Commissioner Sweester referred to condition #3 listed in the staff report. She questioned whether or not the Forest Preserve still needs to gain some approval in order to place the sign on the property.

Mr. Stilling stated that the Forest District Board meets tomorrow. He stated that by the time the petition goes to the Board of Trustees, they could ask for the condition to be removed or if they agree, then it's a non-issue (if the condition where to remain). If not, they might have to come back through the process. He added that the petition will be forwarded to the Board of Trustees based on what happens at the Forest District Board tomorrow.

Ordinances on Second Reading

Resolutions

Other Matters

- *B. [110332](#) Appointments and Re-appointments - Various Committees
Request for concurrence in the appointments and re-appointment of members to the Community Relations Committee, Economic and Community Development Committee, Environmental Concerns Committee, Finance Committee, Public Works Committee, Transportation and Safety Committee, Board of Building Appeals, Board of Fire and Police Commissioners, Board of Local Improvements, Plan Commission, Police Pension Fund Board of Trustees and Zoning Board of Appeals, as submitted.

Attachments: [appointmentmemwjmvarious5262011.doc](#)
[submit appointmentsvariousmay2011.DOC](#)
[BRDSCOMS.doc](#)
[110332 appointment and re-appointment letters.pdf](#)

X. Agenda Items for Discussion

XI. Executive Session

XII. Reconvene

XIII Roll Call

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XIV Ordinances on First Reading (Waiver of First Requested)

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- A. [110281](#) Salary Ordinance
Approving rates of pay for Village employees.

Attachments: [Revised Sal Ordinance 2011final.doc](#)
[SalaryIncrOrdinanceCoverSheet20112012.doc](#)

XV. Executive Session

XVI Reconvene

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XVI Roll Call

I.

XVI Adjournment

II.