

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

105 & 115 W. MAPLE STREET (CALVARY EPISCOPAL CHURCH)

December 18, 2023

Title

PC 23-25

Petitioner

James A. Filkins
PO Box 6237
Villa Park, IL 60681

Property Owner

Calvary Episcopal Church
105 W. Maple Street
Lombard, IL 60148

Property Location

105 W. Maple Street (Lot 1) and
115 W. Maple Street (Lot 2)
PIN: 06-07-217-002 and 06-07-
217-003

Zoning

R2PD – Single-Family Residence
District Planned Development

Existing Land Use

Church and associated rectory
building

Comprehensive Plan

Public and Institutional

Approval Sought

Amend a planned development to
change a land use within a planned
development, approve a deviation for
open space, and approve a minor plat
of subdivision.

Prepared By

Anna Papke, AICP
Planning and Zoning Manager



LOCATION MAP

PROJECT DESCRIPTION

Calvary Episcopal Church is the owner of the properties at 105 and 115 W. Maple Street. The church building is located at 105 W. Maple and a single-family home that has been used as a rectory is located at 115 W. Maple. A parking lot spans the rear of both pieces of property with driveway curb cuts located on both 105 and 115 W. Maple.

The petitioner proposes to subdivide the property in order to sell the single-family home, which is no longer in use by the Calvary Episcopal Church. The petitioner has submitted a draft plat of subdivision. Lot 1 in the proposed subdivision comprises the church sanctuary and the parking lot (105 W. Maple Street). Lot 2 comprises the single-family home and a portion of the driveway from the parking lot (115 W. Maple). Both proposed lots meet minimum lot width and lot area requirements of the underlying R2 District. The plat includes ingress and egress easements to preserve the existing traffic circulation pattern in the parking lot.

The property is a planned development. The petitioner is requesting approval of a major change to the planned development to change the use of the house from a building associated with church operations to a single-family residence. The plat also requires approval of a deviation for open space within the planned development.

PROJECT STATS

Lot Area

Lot 1 (105 W.
Maple): 30,334 SF

Lot 2 (115 W.
Maple): 10,608 SF

Submittals

1. Petition for a public hearing, dated 10/16/23;
2. Description of request, prepared by the petitioner;
3. Response to Standards, prepared by the petitioner;
4. Plat of Survey, prepared by Kabal Surveying Company, dated 12/27/2022; and
5. Draft Final Plat of Calvary Resubdivision, prepared by Kabal Surveying Company.

APPROVAL(S) REQUIRED

The petitioner requests that the Village take the following action on the subject property located within the R2PD Single-Family Residence District Planned Development (Calvary Church Planned Development):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Calvary Church Planned Development, as established by Ordinance No. 7627, to approve the following:
 - a. Approve a major change to the planned development to change the use of the property at 115 W. Maple Street from a single-family residential structure owned and used by Calvary Church to a single-family residence owned by a separate entity and maintained as a single-family residence; and
 - b. A deviation from Sections 155.510 and 155.407(H) of the Lombard Zoning Ordinance to allow the Calvary Church Planned Development to maintain 37% of the planned development as open space, and to allow the property at 105 W. Maple to maintain 33% of the property as open space, where a minimum of 50% open space is required; and
2. Approve a minor plat of subdivision.

EXISTING CONDITIONS

The subject property is developed with a church, a single-family house previously used as a rectory by Calvary Episcopal Church, and a surface parking lot.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comment on the petition. Additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department has no comment on the petition. Additional comments may be forthcoming during permit review.

Private Engineering Services:

Private Engineering Services has the following comment on the petition. Additional comments may be forthcoming during permit review.

1. PES will review future developments on the parcel at 115 W. Maple Street for compliance with the local stormwater management ordinances in the same manner as all other existing single-family residences.

Public Works:

The Department of Public Works has no comment on the petition. Additional comments may be forthcoming during permit review.

Planning Services Division:

The Planning Services Division (PSD) notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	CR	Former Helen Plum Public Library
South	R2 and R2PD	Single-family residence and St. John's Church
East	R2	Parking lot and Lombard Historical Society
West	R2PD	St. John's Church

The subject property is located along Maple Street in an area developed with a mixture of civic and institutional uses (churches, former public library, Lombard Historical Society), the Edward Elmhurst medical offices, and single-family homes. The proposed resubdivision and sale of the single-family home at 115 W. Maple is compatible with surrounding uses.

2. Comprehensive Plan Compatibility

The Comprehensive Plan recommends public and institutional uses on the subject property. Single-family homes associated with churches and other institutional land uses are consistent with this designation. The nature of the land uses on the subject property will not change significantly with the subdivision and sale of the single-family to a party not affiliated with Calvary Episcopal Church.

3. Zoning Compatibility and Request to Change a Land Use within a Planned Development

Calvary Episcopal Church is located at 105 W. Maple Street. The Church purchased the house and property at 115 W. Maple Street in 1958 and used it as a rectory until 1991. In recent years the building has been used for Church offices and storage. The petitioner states that the building has fallen into disrepair and is no longer needed for Church purposes. The petitioner therefore proposes to subdivide the property and sell the house to a buyer who will use it as a single-family home.

The subject property is a planned development in the R2 Single-Family Residence District. Per Section 155.504 of Village Code, any change of use within a planned development is considered a major change that requires approval by the Village Board through the Plan Commission public hearing process. The petitioner's proposal to subdivide and sell the property at 115 W. Maple for use as a single-family home unassociated with the Church constitutes such a change of use.

Staff has reviewed the proposed subdivision and change of use for the house at 115 W. Maple. Both proposed lots meet minimum lot area and lot width requirements for the underlying R2 District. Staff finds that the change in ownership and conversion of the house from a Church-affiliated rectory/office to a single-family home is consistent with the standards for planned developments. Single-family homes are permitted uses in the underlying R2 District. The subject property is located within a neighborhood consisting of single-family residences and public/institutional uses. No adverse impacts to the neighborhood are anticipated.

Internal traffic circulation within the planned development (the church building and the single-family home) will not change following the subdivision and sale of 115 W. Maple. The existing parking lot located to the rear of the sanctuary and the house will remain in place. Traffic enters the parking lot via the driveway on the east side of the sanctuary building. Traffic flow is one-way in a westerly direction through the parking lot, with egress through the driveway located on the west side of the house at 115 W. Maple. A portion of the western egress driveway will be incorporated into Lot 2 of the subdivision and sold with the house. The proposed plat of subdivision includes ingress and egress easements for the benefit of both proposed lots that will ensure this traffic circulation pattern remains in place.

4. *Request for Deviation from Open Space Requirement*

Properties located in the R2 District are required to maintain 50% of the lot area as open space. Section 155.510 of Village Code further regulates open space in planned developments as follows:

- Open space in planned developments shall be calculated as the total area of open space provided on all parcels within the planned development, divided by the base area of the planned development, except as provided for below.
- Individual parcels in planned developments that are developed with detached single-family residences shall meet the open space requirement on a parcel-by-parcel basis.

At present, the Calvary Church Planned Development as a whole has 40% open space. The subdivision of the property will create a scenario in which Lot 2 can add lot coverage, thereby further decreasing the open space within the planned development. If the property is subdivided as proposed, Lot 1 (church building) will have 33% open space and Lot 2 (house) will have 60% open space. Because Sec. 155.510 provides for open space on single-family lots in planned developments to be calculated on a lot-by-lot basis, Lot 2 will be able to add up to 1,065 square feet of additional lot coverage and still meet the 50% open space minimum. Additional lot coverage on Lot 2 would reduce the open space in the Calvary Church Planned Development to 37%. A summary of the existing and potential open space/lot coverage calculations is shown below.

	LOT 1	LOT 2	PD total as-is with 40% open space on Lot 2	PD total with 50% open space on Lot 2
<i>Lot area (SF)</i>	30,334	10,608	40,942	40,942
<i>Lot coverage (SF)</i>	20,224	4,239	24,463	25,528
<i>Lot coverage %</i>	67%	40%	60%	63%
<i>Open space %</i>	33%	60%	40%	37%

Anticipating that a future owner of Lot 2 may seek to maximize lot coverage, the petitioner is requesting a deviation to allow for the further reduction in open space within the Calvary Church Planned Development. In consideration of the request, staff notes that the circumstances in the Calvary Church PD are unique among planned developments within the Village. Typically, planned developments are either predominately residential or predominately commercial/non-residential in nature. This reality is reflected in Section 155.510, which provides for open space to be calculated differently within planned developments based upon the character of the land uses.

In the case of the Calvary Church Planned Development, the proposed subdivision will create a two-lot planned development where one lot is a single-family residence and the other lot is a church and associated parking lot. When applied to the Calvary PD, the open space requirements for planned developments allow for a portion of the PD to add lot coverage even though doing so will increase the existing open

space deficiency across the planned development as a whole. This is a unique outcome created by the application of the open space regulations to the specific circumstances of the Calvary Planned Development. Staff supports the requested open space deviation.

SITE HISTORY

PC 18-31: Approval of a conditional use for a planned development with a use exception for a day care center.

FINDINGS & RECOMMENDATIONS

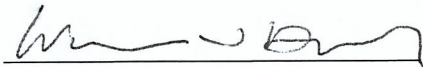
Staff finds that the proposed change to a use within a planned development, open space deviation, and minor plat of subdivision are consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested amendment to a planned development in the R2PD District and minor plat of subdivision and finds that the petition **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 23-25:

Based on the submitted petition and the testimony presented, the petition does comply with the standards required by the Village of Lombard Zoning Ordinance and approval of the petition is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Committee Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 23-25, subject to the following conditions:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
2. That the petitioner shall apply for and receive building permits for any future improvements to the subject property.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development
c. Petitioner

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Village of Lombard Plan Commission Petition for Public Hearing

Description of Request:

Calvary Episcopal Church seeks permission to re-subdivide the parcels located at 105 and 115 West Maple Street.

I. Background.

Calvary Episcopal Church (hereinafter “Calvary”), 105 West Maple Street, Lombard, Illinois is a parish in good standing of the Episcopal Diocese of Chicago and a religious corporation under the provisions of Religious Corporation Act of Illinois of 1872 (805 ILCS 110/0.01).

Calvary purchased the house (hereinafter “Rectory”) and the adjacent lot on which it stands at 115 West Maple Street, Lombard, Illinois in 1958 as a dwelling and place of residence for its Rector. The Rectory was used for this purpose until 1991. Since then, the offices of the Rector and Parish Administrator have been located on the ground floor and the remaining spaces used for miscellaneous storage or left vacant.

The Rectory was built in 1909. The age of the structure together with its under-utilization and neglect over the past 32 years has led to a state of substantial disrepair and deterioration such that it is currently unsuitable for occupancy or rental. Additionally, the Rectory is not handicapped accessible and lacks modern conveniences such as central air conditioning. Calvary lacks the financial resources to restore the Rectory to a condition of safety, comfort, and accessibility so that it can be rented or occupied.

In 2022 the Wardens¹, Vestry², and Members of Calvary after much prayer and reflection discerned the necessity of selling the Rectory and the adjacent lot on which it stands.

On October 13, 2022, Bishop Paula E. Clark granted James A. Filkins, Senior Warden, and Katherine Pierson, Junior Warden, permission to sell the Rectory on behalf of Calvary using the services of a licensed real estate broker.

Calvary, through its licensed real estate broker, J.W. Reedy, entered into a residential real estate contract with a prospective buyer on November 11, 2022.

¹ The Episcopal Church sometimes uses archaic language that may be unfamiliar to persons who are not members. “Wardens” are the lay executive officers of a given parish. Typically, there is a Senior Warden and a Junior Warden who correspond to the Chairperson and Vice-Chairperson of the Parish or Church Council in other denominations.

² “Vestry” in the Episcopal Church is the Parish or Church Council. The Wardens and the Vestry have the responsibility of managing the financial and business affairs of a parish on behalf of the congregation.

II. Proposed Re-Subdivision.

The most recent survey of the parcels at 105 and 115 West Maple completed on December 27, 2022, in preparation for the prospective sale determined that portions of the church building and parish hall at 105 West Maple encroach upon the Rectory parcel at 115 West Maple.

A condition precedent to the prospective sale or any sale of the Rectory is a re-subdivision of the two properties to eliminate the encroachment. The proposed re-subdivision would simply create a smaller parcel for the Rectory property, but well within the minimum requirements of the applicable zoning regulations (*See Draft Plat of Re-Subdivision, attached*).

Accordingly, Calvary respectfully petitions the Plan Commission to approve and to recommend that the Village of Lombard Board of Trustees approve the re-subdivision as set forth in the attached Draft Plat of Re-Subdivision.

IX. STANDARDS FOR PLANNED DEVELOPMENTS

A. General Standards

- 1. Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located.***

The proposed re-subdivision complies with the regulations of the district(s) within which it is located. The garage in its present location is a legal non-conforming structure.

- 2. Community sanitary sewage and potable water facilities connected to a central system are provided.***

All community sanitary sewage and potable water facilities are connected to a central system. The proposed re-subdivision will not affect existing sanitary sewage and potable water facilities. Each structure, that is, the Rectory and the Church/Parish Hall, is separately connected to the central system.

- 3. The dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.***

The purpose of the proposed re-subdivision is to cure an encroachment by the Church structure onto the parcel on which the Rectory is located so that the Rectory can be sold. The proposed re-subdivision will convert the Rectory from an underused and dilapidated residential structure into a usable single-family residence thereby enhancing the attractiveness and property values in the area. Accordingly, the dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.

- 4. That the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.***

For the reasons stated in the "Description of Request" attached to the application and in Section IX.A.3 above, the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.

5. *That the streets have been designed to avoid:*

- a. Inconvenient or unsafe access to the planned development;***
- b. Traffic congestion in the streets which adjoin the planned development;***
- c. An excessive burden on public parks, recreation areas, schools, and other public facilities which served or are proposed to service the planned development.***

No additional streets or roadways are proposed or necessary for the proposed re-subdivision.

As noted in the survey of re-subdivision a cross-access easement will provide ingress and egress to the respective properties.

The proposed re-subdivision will impose no burden on the public parks, recreation areas, schools, and other public facilities in the area.

C. Standards for Planned Developments with Other Exceptions

1. *Any reduction in the requirements of this Ordinance is in the public interest.*

The proposed re-subdivision of the properties located at 105 and 115 West Maple Street, Lombard, Illinois serves the public interest.

As noted in “Description of Request” attached to the application, the Rectory is in a substantial state of disrepair and deterioration such that its condition approaches that of a distressed property. Calvary lacks the financial resources to restore the Rectory. The proposed re-subdivision would permit a sale to go forward to a buyer with the financial resources to restore the Rectory to a condition consistent with many of the early 20th Century homes located along Maple Street between Main Street and South Finley Road making it once again suitable as a single-family dwelling for rent or sale. Restoration of the Rectory, therefore, could only help enhance property values along this area of Main Street.

Moreover, because the Rectory and the parcel on which it stands is owned by a church it is not subject to real estate taxes. The proposed re-subdivision would convert the Rectory parcel into a taxable property.

Accordingly, for these reasons – enhanced property values and the generation of additional tax revenue -- the proposed re-subdivision serves and advances the public interest of Lombard, Illinois. The proposed re-subdivision is the means by which this can happen.

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

The Rectory parcel is located between the church and parish hall of Calvary to the east and St. John’s Lutheran Church to the west. A parking lot is located to the south of Calvary and the Rectory.

The proposed re-subdivision will not affect the operations of Calvary. Under the proposed re-subdivision Calvary will retain the parking lot. Entrance to the parking lot will continue to be via the east driveway and exit from the parking lot will continue to be via the west driveway. Any sales agreement between Calvary and a prospective buyer will incorporate an easement or right of access permitting the purchaser or tenants to use the driveways and parking lot to access the Rectory parcel. The buyer will bear the full responsibility and expense of installing a 2-car parking pad on the Rectory parcel in conformity with Village regulations.

Nor will the proposed re-subdivision affect the operations of St. John’s Lutheran Church. The two properties are separated by a chain link fence and share no common areas.

The interspersed of older residential properties and churches is a charming and attractive feature of Maple Street between Main Street and South Finley Road. Sacred Heart Roman Catholic Church lies to the west and First Church of Lombard lies just to the east. The proposed re-subdivision, which will permit the sale and restoration of the Rectory will enhance the attractiveness and property values of this area of Lombard.

3. ***That such exceptions are solely for the purpose of promoting better development which will be beneficial to the residents or occupants of the planned development as well as those of surrounding properties.***

For the reasons stated in the responses to Standards 1 and 2 above the proposed re-subdivision is for the sole purpose of promoting better development beneficial to the planned development and surrounding properties.

Just as an ebbing tide lowers all boats so too does a deteriorating structure such as the Rectory decrease the values of the properties around it. The proposed re-subdivision is the means by which through sale the necessary rehabilitation and restoration of the Rectory can be achieved. As stated, the re-subdivision is a condition precedent to any sale.

Additionally, the sale of the Rectory and parcel on which it stands will create a taxable property. The restoration of the Rectory and its reconversion back to a single-family dwelling will enhance surrounding property values and the charm and attractiveness of the surrounding area, which in turn will promote better development. The sale of the Rectory will also enable Calvary to direct more of its resources into the maintenance and care of its church, parish hall, and campus thereby preserving their attractiveness and further enhancing property values in the area.

4. ***That the overall floor area of the planned development shall not exceed by more than 40% the maximum floor area permitted for the individual uses in each applicable district.***

The proposed re-subdivision is for the purpose of adjusting the property lines between the Rectory parcel and the Church parcel to eliminate an encroachment and to permit the sale of the Rectory to proceed. No additional building construction is proposed.

5. ***That in residential planned developments the maximum number of dwelling units allowed shall not exceed by more than 40% the number of dwelling units permitted in the underlying district.***

See response to Standard 4 above. No additional building construction or dwelling units are proposed.

6. *That all buildings are located within the planned development in such a way as to dissipate any adverse impact on adjoining buildings and shall not invade the privacy of the occupants of such buildings and shall conform to the following:*

a. *The front, side or rear yard setbacks on the perimeter of the development shall not be less than that required in the abutting zoning district(s) or the zoning district underlying the subject site, whichever is greater.*

The proposed re-subdivision complies with all applicable setback requirements (See Draft Plat of Re-Subdivision, attached).

b. *All transitional yards and transitional landscape yards for the underlying zoning district are complied with.*

Repair and restoration of the Rectory will not require any new or additional construction apart from the installation of a 2-car parking pad. Accordingly, no transitional yards or transitional landscape yards are required.

c. *If required transitional yards and transitional landscape yards are not adequate to protect the privacy and enjoyment of property adjacent to the development, the Plan Commission shall recommend either or both of the following requirements:*

- 1) *All structures located on the perimeter of the planned development must set back by a distance sufficient to protect the privacy and amenity of adjacent uses;*
- 2) *All structures located along the entire perimeter of the planned development must be permanently screened with sight-proof screening in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.*

Should the Plan Commission determine that transitional yards and transitional landscape yards are required, but inadequate to protect the privacy and enjoyment of property adjacent to the development the purchaser of the Rectory shall bear the responsibility and expense of complying with either or both requirements as set forth in Standard 6.C. 1 & 2.

7. *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.*

We are requesting an open space variance for the property located at 105 West Maple, that is, Parcel 1 or the Church property, as well as for the Planned Development which consists of both properties. The proposed re-subdivision will give the property at 115 West Maple, that is, Parcel 2 or the Rectory Property 60% open space, but leaves Parcel 1 with only 33% open space. As noted, however, both Parcels comprise a Planned Development per Ordinance 7627. Although the proposed re-subdivision will provide 37% open space coverage for the planned

development, *the proposed re-subdivision will also allow the owner of Parcel 2 to add approximately 1,065 square feet of open space thereby bringing the total open space for the planned development to 50%.*

Accordingly, we respectfully request an open space variance for the property at 105 West Maple Street, Parcel 1 or the Church Property and for the Planned Development consisting of both 105 West Maple Street and 115 West Maple Street, Parcel 2, or the Rectory Property.



(assumed)

KABAL SURVEYING COMPANY

Land Surveying Services

Plat of Survey

10407 West Cermak Road
Westchester, Illinois 60154
(708) 562-2852
Fax (708) 562-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061

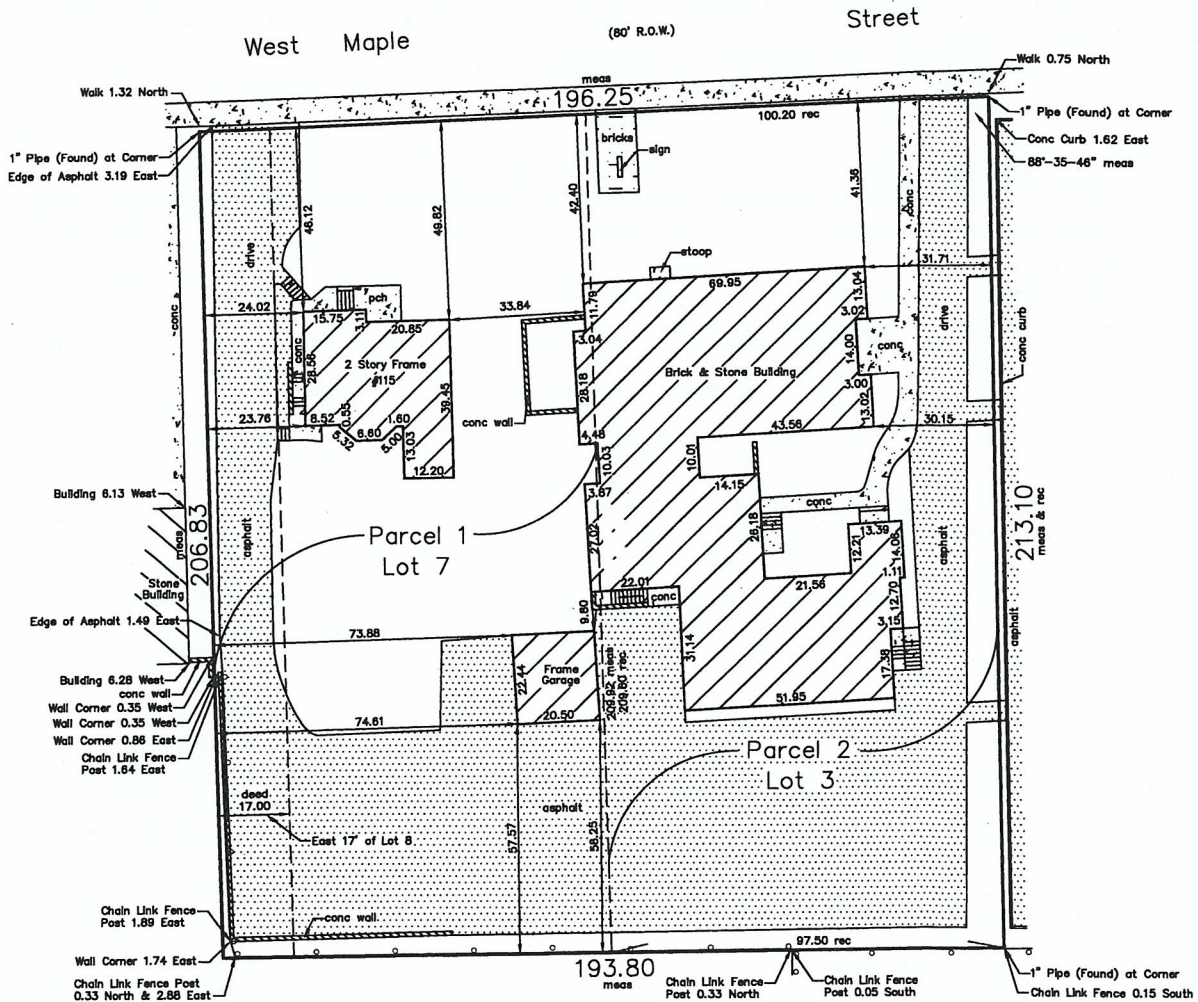
Parcel 1:

Lot 7 and the East 17 feet of Lot 8 in Block 27 Town of "Lombard", being a Subdivision in Sections 5, 6, 7, 8 and 18, Township 39 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded April 23, 1868 as Document 9483, in DuPage County, Illinois.

Parcel 2:

Lot 3 of the Resubdivision of Lot 6 in Block 27 of the Town of Lombard, a Subdivision in Sections 5, 6, 7, 8 and 18, Township 39 North, Range 11, East of the Third Principal Meridian, according to the Plat of said Resubdivision recorded August 29, 1919 as Document 138040, in DuPage County, Illinois.

Address: 115 West Maple Street, Lombard



LEGEND

R.O.W. = right-of-way, E = East
rec = record, N = North, W = West
meas = measured, S = South
pch = porch, conc = concrete

Area of property is approximately 40,942 square feet

☐ "X" in box indicates that hereon drawn plat was ordered as a non-monumented survey

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed December 27, 2022

Scale: 1 inch =	30	ft.
Order No.	222144	
Ordered By:	Shawn M. Bolger	

This professional service conforms to the current Illinois minimum standards for a boundary survey

STATE OF ILLINOIS } ss.
COUNTY OF COOK }

I, MITCHELL P. BALEK, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Mitchell P. Balek

Illinois Professional Land Surveyor No. 035-003250
My license expires on November 30, 2024

ORIGINAL SEAL IN RED