

**VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission HEARING DATE: April 19, 2004
FROM: Department of PREPARED BY: William J. Heniff, AICP
 Community Development Senior Planner

TITLE

PC 04-13; 208 to 230 S. Westmore-Meyers Road: The petitioner requests approval of the following actions:

1. For the property located at 208 S. Westmore-Meyers Road:
 - a. Approve a map amendment rezoning the property from the B2 General Neighborhood Shopping District to the R2 Single-Family Residential District.
 - b. Approve a 2-lot Minor Plat of Resubdivision with a variation to reduce the minimum lot width from 60 feet to 50 feet for each lot.
2. For the property located at 220 S. Westmore-Meyers Road, approve a map amendment rezoning the property from the B2 General Neighborhood Shopping District to the R2 Single-Family Residential District.

As a companion to this request, the Village also requests approval of the following actions:

3. For the properties at 214, 226 and 228 S. Westmore-Meyers Road, approve a map amendment rezoning the property from the B2 General Neighborhood Shopping District to the R2 Single-Family Residential District.
4. For the property located at 230 S. Westmore-Meyers Road:
 - a. Approve an amendment to the Village of Lombard Comprehensive Plan, designating the property for low density residential use
 - b. Approve a map amendment rezoning the property from the B2 General Neighborhood Shopping District to the R2 Single-Family Residential District.

GENERAL INFORMATION

Petitioners: James & Christine Stade
1141 Stoddard Av.
Wheaton, IL 60187

The other actions are being requested by the Village

Property Owners: See Appendix A for full listing

PROPERTY INFORMATION

Existing Zoning: B2 General Neighborhood Shopping District

Existing Land Use: 208 S. Westmore-Meyers – vacant lot
214 S. Westmore-Meyers – apartment building
220 S. Westmore-Meyers – single family residence
226 S. Westmore-Meyers – single family residence
228 S. Westmore-Meyers – single family residence
230 S. Westmore-Meyers – residence to office conversion

Size of Property: 2.59 acres in total

Comprehensive Plan: Recommends low density residential for 208 to 228;
commercial/office for 230.

Surrounding Zoning and Land Use (zoning designation refers to the area in its entirety):

North: R2 Single-Family Residence District and B2 General Neighborhood Shopping District; developed as a single-family residences and a cleaners establishment

South: B2 General Neighborhood Shopping District; developed as an insurance office

East: R3 Attached Single Family Residence District and R4 Limited General Residence District; developed as a mix of attached single family and multiple-family residences; one vacant lot

West: R2 Single-Family Residence District; developed as a single-family residences

ANALYSIS

SUBMITTALS

This report is based on the following documents filed on March 14, 2004 with the Department of Community Development:

1. Petition for Public Hearing, with narrative (a staff prepared response to standards is submitted as part of Appendix B).
2. Plat of Survey for 208 S. Westmore-Meyers property, prepared by Gentile & Associates, dated September 28, 2000.
3. Plat of Survey for 220 S. Westmore-Meyers property, prepared by Gentile & Associates, dated October 21, 1999.

DESCRIPTION

The subject properties are located along the west side of the 200 block of Westmore-Meyers Road. The properties have historically been used for residential purposes, but have been zoned with B business designations since at least the 1960s. The owner of the properties at 208 and 220 S. Westmore-Meyers are requesting a map amendment to rezone the properties from the existing B2 District to the R2 District. This action would remove the legal non-conforming status of the existing house at the 220 site. For the 208 site, the petitioner is also seeking approval of a two lot minor plat of subdivision, consisting of two 50-foot wide lots that would be used for single family residences.

In consideration of this request, staff has initiated companion map amendments for other properties on this block, which should be considered as part of the rezoning request. A detailed discussion of all the properties is included within the report.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Private Engineering Services (PES) Division has no comments on the petition. However, in consideration of pending zoning actions, PES notes that the subject properties are located in an area that is served by a combined sanitary/storm sewer system. Should any of these properties be developed with a non-single family residential structures, the respective property owner will need to apply for a variation from the Village to connect to the combined system. Additionally, they would need to provide on-site stormwater detention improvements to address the proposed stormwater runoff. Should the properties be rezoned to the R2 District and single-family

residences are constructed on each of the two proposed lots at 208 S. Westmore-Meyers Road, stormwater detention improvements would not be required.

PUBLIC WORKS

Public Works Engineering and Utilities Divisions have no comments on the petition.

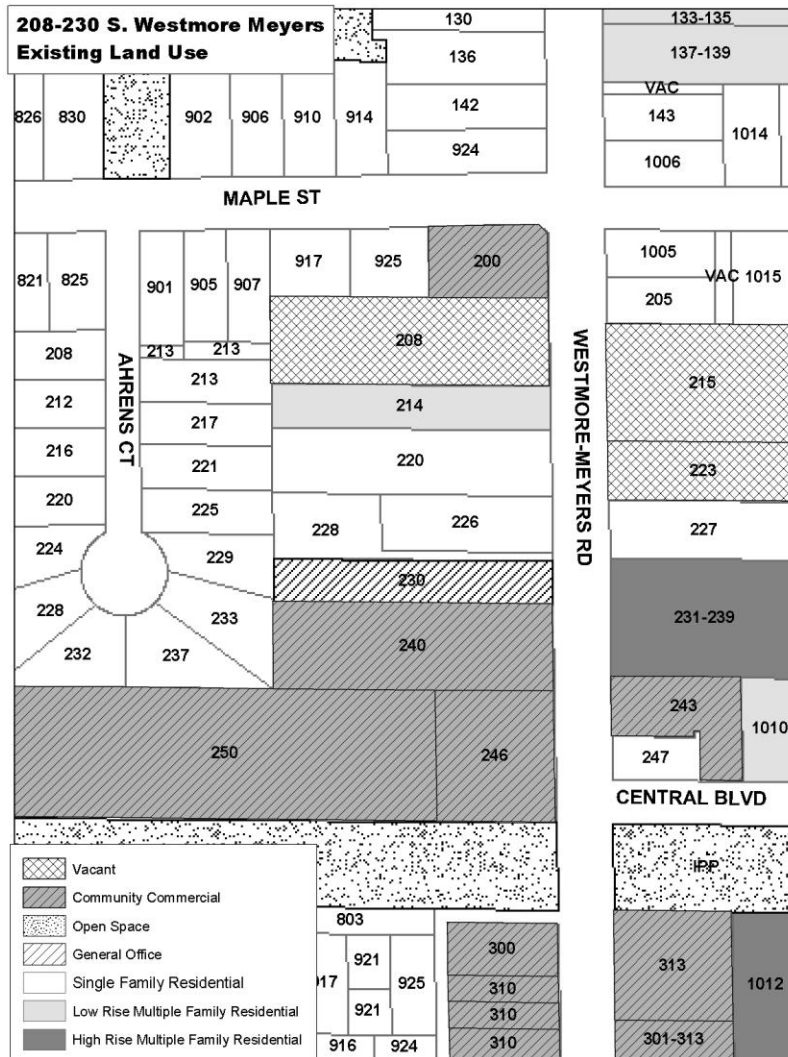
BUILDING AND FIRE

The Bureau of Inspectional Services has no comments regarding the petition.

PLANNING

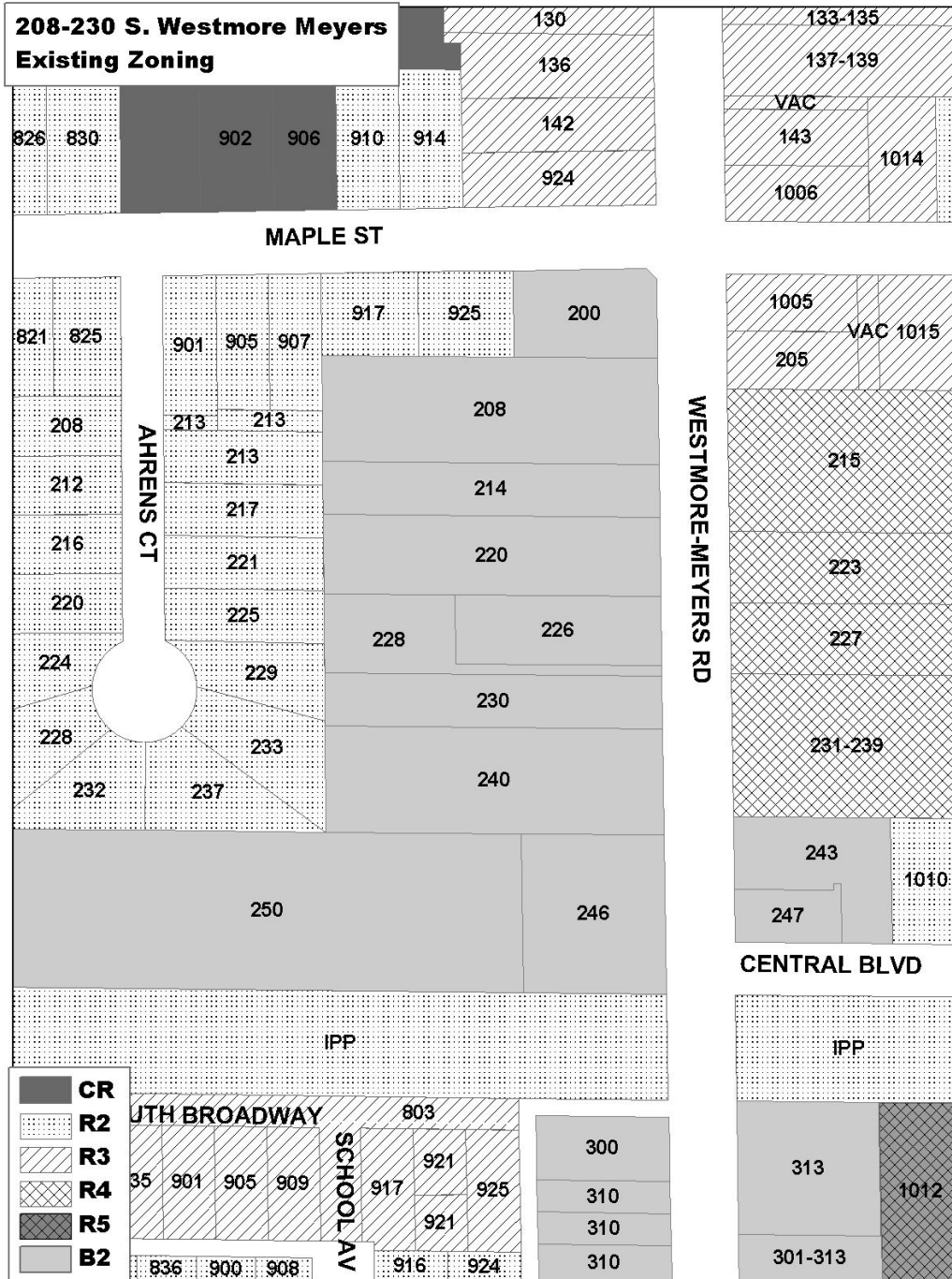
History of Properties & Neighborhood

The subject properties were developed as residences as shown on the existing land use map and aerial photo below.



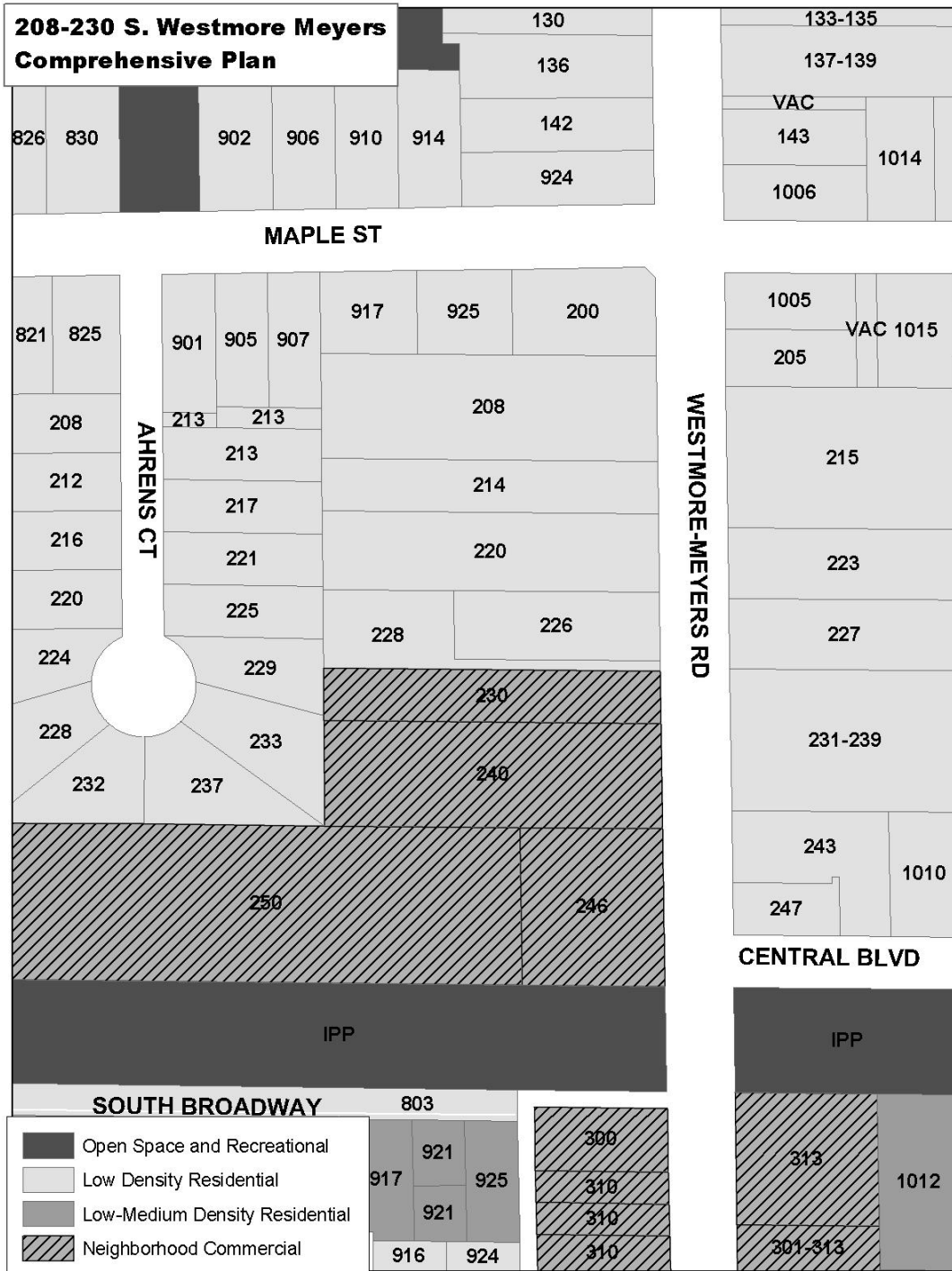


While the subject properties have been historically developed as residences, they have had commercial zoning since at east the 1960s.



Compliance with the Comprehensive Plan

The Long-Range Plan Map of the Comprehensive Plan recommends that except for the 230 property, the subject properties used as Low Density Residential uses.



Staff notes that the petitioner's map amendment request is consistent with the Comprehensive Plan designation. Further discussion regarding the 230 property is noted later in the report.

Compatibility with Surrounding Zoning

The rezoning request to R2 Single Family residential would be compatible with the established residential properties north of the subject properties on Maple Avenue and to the west on Ahrens Court. Immediately east of the subject properties are properties zoned in the Village's R3 and R4 General Residence Districts. The rezoning request would designate these properties to a zoning district more compatible with the adjacent residential properties, than the current B2 zoning district designation.

Compliance with the Zoning Ordinance

For clarity purposes, staff offers an individual discussion of the zoning actions as it relates to each individual lot within the each individual lot.

208 S. Westmore-Meyers Road

Actions requested: Petitioner request to rezone the property to the R2 District, approval of a two-lot minor plat of subdivision with a variation in lot width from 60 feet to 50 feet.

Photo of 208 S. Westmore-Meyers Property



The 208 property was previously improved with a single-family residence. In 1999 the home was razed and the property has sat vacant since that time. The property is 100 feet wide by 320.24 feet deep (32,024 sq. ft.) in size. The petitioner has sought interested parties to develop the site for business purposes. However, when the underlying B2 bulk and transitional requirements are applied to the property and when site development constraints are applied to the lot (e.g., stormwater detention improvements, Fire Department access/circulation and parking requirements), the development options for the site become limited. Recognizing these limitations, the petitioner is requesting the map amendment so that it can be developed consistent with the previous single family residential use of the property and consistent with the Comprehensive Plan.

As far as the lot width request is concerned, the petitioner is requesting relief to allow the property to be evenly subdivided into two fifty-foot wide lots. Each of these lots would retain their existing depth of 320.24 feet, thereby making each lot about 16,012 square feet in size, or more than twice the are required by the R2 provisions.

In consideration of the lot width relief, staff reviewed the lot width dimensions of other neighboring residential lots and finds that the abutting properties along Ahrens Court and three of the lots along Maple Avenue are 50 feet in width. Additionally staff notes that the abutting lots at 214 and 230 S. Westmore-Meyers Road are 50 feet in width (the lots were created via a deed division). Therefore, the 50-foot lot width in this area is not without precedent.

Should the relief be granted, staff will require the petitioner to prepare a final plat of resubdivision for Village signature and recording that subdivides the lot into two lots of record, with each lot meeting the provisions of the Subdivision and Development Ordinance.

214 S. Westmore-Meyers Road

Actions requested: Village request to rezone the property to the R2 District.

This property is sandwiched between the two properties owned by the petitioner. It is 50 feet wide by 320 feet deep and is improved with a one-story, four-unit apartment building. The apartment building is already legal non-conforming as apartments are not permitted uses when located on the first floor in the B2 District. From a practical perspective, staff notes that it would be very difficult to erect a commercial structure on the property without additional zoning relief.

The map amendment is being requested by the Village in order to establish the property for residential purposes. Should the map amendment be approved, the apartment can still remain as a legal non-conforming use. However if the building was damaged or destroyed, the permitted use (i.e., a single-family residence) and the provisions of the R2 District would apply.

Photo of 214 S. Westmore-Meyers Property



Staff also notes that the apartment building is about two feet off of the north property line at its closest point. No companion relief is being considered at this time – the location of the structure on the property will remain legal non-conforming.

With respect to the existing lot width, should the building be razed, Section 155.209 of the Zoning Ordinance would allow for a new single family residence to be erected on the lot as the lot width is at least 80 percent of the proposed R2 District requirements. However, the Ordinance would restrict the construct a new multiple-family residential structure.

220 S. Westmore-Meyers Road

Actions requested: Petitioner request to rezone the property to the R2 District.

This property is currently used as a single-family residence. Should the map amendment request be approved, the use of the property would become legal conforming use. Staff notes that based

upon the petitioner's submitted Plat of Survey, the property would meet all bulk requirements of the R2 District.

Photo of 220 S. Westmore-Meyers Property



226 S. Westmore-Meyers Road

Actions requested: Village request to rezone the property to the R2 District.

This property is 65 feet wide and 229 feet deep (14,919 sq. ft.). This property is currently used as a single-family residence. Should the map amendment request be approved, the use of the property would become a legal conforming use. Staff notes that the property would meet the bulk requirements of the R2 District.

The lot was created through an assessment division. Should a new residence be constructed on the premises, the Village would require an administrative plat to be created for the property, making the parcel a lot of record.

Photo of 226 S. Westmore-Meyers Property



228 S. Westmore-Meyers Road

Actions requested: Village request to rezone the property to the R2 District.

This property is a flag or reserve lot. At the right-of-way, the parcel is ten feet in width. This portion of the property is improved with a driveway that serves as public access to the single-family residence to the rear of the property. At the rear of the property, the tract is 75 feet in width.

This property is currently improved with a single-family residence which is out of view from Westmore-Meyers Road. Should the map amendment request be approved, the use of the property would become a legal conforming.

Reserve lots are not permitted in the Zoning and Subdivision and Development Ordinances. However, given the nature of the property, rezoning the property to the R2 District would create less of an impact on neighboring properties than if the property retained its B2 designation. In

that instance, the property owner could assert their rights to construct a commercial establishment with access only on a ten foot strip of land, which would be quite undesirable.

Photo of 228 S. Westmore-Meyers Property (taken from adjacent property)



230 S. Westmore-Meyers Road

Actions requested: Village request to amend the Comprehensive Plan to depict the property for Low- Density Residential and to rezone the property to the R2 District.

This property is improved with a single-family residence. Earlier in 2004, the property owner applied for and received building permit approval to modify the building to accommodate an engineering office in the former residence. As the conversion met the B2 requirements, staff approved the permit. However, in light of the other pending actions for this block, staff is recommending that a similar map amendment should also occur on this property as well.

The Comprehensive Plan identified this parcel for Commercial and Office use. However, there is nothing unique about this property that makes this parcel different than the other residential properties on this block. While south of this site is an insurance office building, when one reviews the entire block face, the 230 property has more in common from a design standpoint

than the insurance office (i.e, residential structures, no parking in front of structures, access driveways to side of structures, etc.).

Should a map amendment be approved for this site, the owner would have the ability to continue using the property as a legal non-conforming office use. He could also sell the property as a permitted single-family residence.

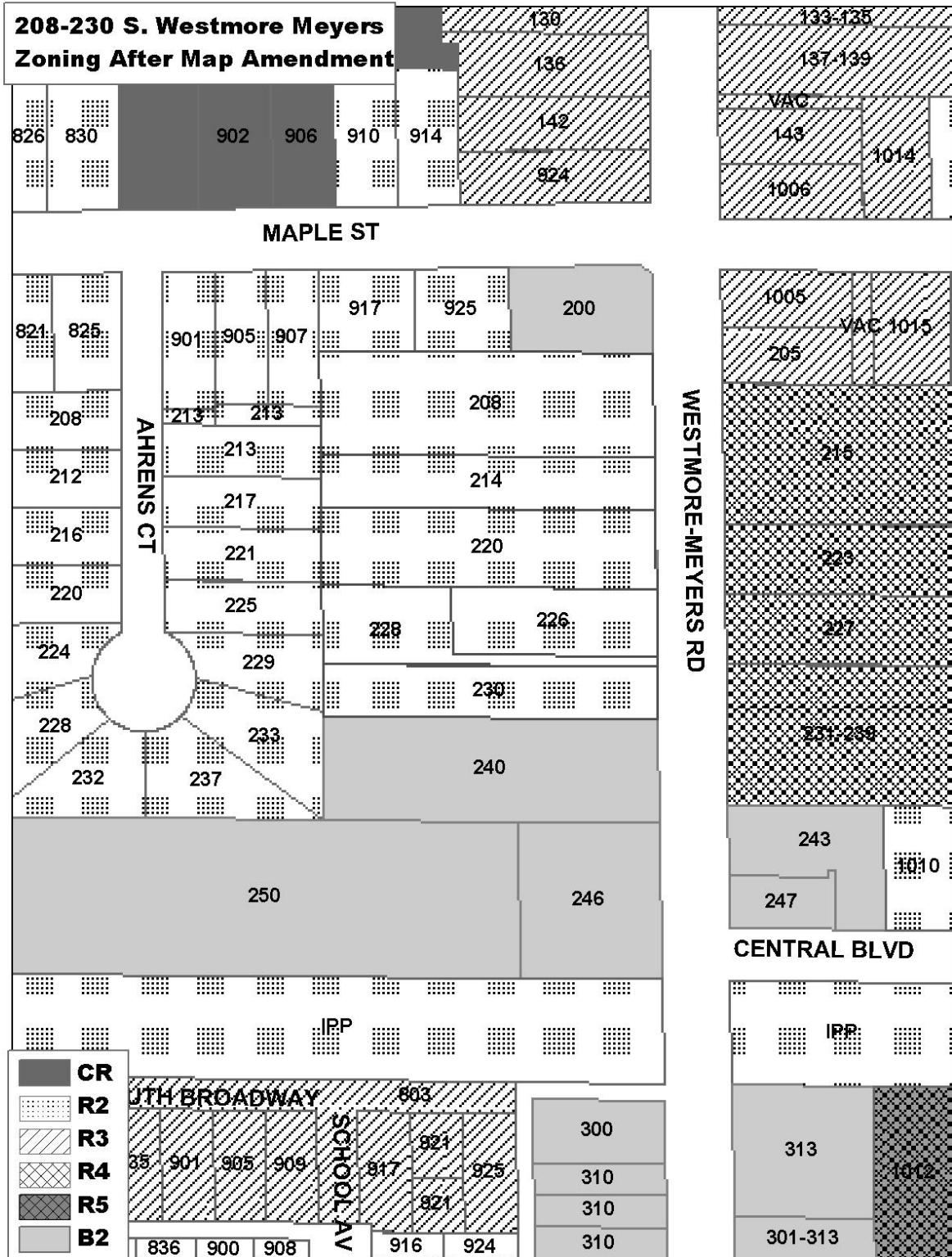
Photo of 230 S. Westmore-Meyers Property



Additional Discussion

Staff notes that the proposed companion map amendments are being presented in consideration of the petitioner's request for a map amendment. Staff believes that the entire block face should have a unified zoning classification, and the requests being brought forward here are intended to create greater consistency between the Zoning Ordinance and the Comprehensive Plan.

Ultimately, if approved, the intent of these actions is to have the Zoning Map reflect the designations as shown on the map below.



FINDINGS AND RECOMMENDATIONS

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

Based on the submitted petition and the testimony presented, the proposed map amendment, Comprehensive Plan amendment, and variation requests comply with the standards required by the Lombard Zoning Ordinance, the Subdivision and Development Ordinance and is consistent with the objectives of the Comprehensive Plan; and, therefore, I move that the Plan Commission recommend to the Corporate Authorities **approval** of PC 04-13. Furthermore, the lot width variation request included within this petition shall be subject to the following condition:

1. That the petitioner shall submit to the Village for Village Board review and approval, a final plat of resubdivision for the 208 S. Westmore-Meyers Road property dividing the property into two parcels of fifty-feet in width. Said plat of resubdivision shall meet all provisions of the Zoning and Subdivision and Development Ordinances.

Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

DAH/WJH:
att-

c. Petitioner

Appendix A
Property Ownership Listing

06 09 113 038
LA ROSE, AL
1209 GREENFIELD DR
NAPERVILLE IL 60563

06 09 113 039 (208 and 220 S. Westmore-Meyers Properties)
STADE, JAMES
P O BOX 88581
CAROL STREAM IL 60188

06 09 113 040
HOWARD, RONALD
228 S WESTMORE
LOMBARD ILL 60148

06 09 113 041
GREEN, GEORGE S
226 S WESTMORE AVE
LOMBARD IL 60148

06 09 113 042
SHAKEEL, HANEEF
230 S WESTMORE AVE
LOMBARD IL 60148

Appendix B
Standards for Map Amendments

1. *Compatibility with existing uses of property within the general area of the property in question;*

The proposed rezoning will maintain the established single-family nature of the properties consistent with the existing uses of the abutting and neighboring properties.

2. *Compatibility with the zoning classification of property within the general area of the property in question;*

The properties proposed to be rezoned are all currently located within the B2 General Neighborhood Shopping District. However this designation is inconsistent with the existing use of the properties and the abutting residential properties. The rezoning request is intended to make the zoning consistent with the existing uses found on the property or on neighboring properties.

3. *The suitability of the property in question to the uses permitted under the existing zoning classification;*

The single-family and multiple-family residential uses of the subject properties is not consistent with the B2 designations. However, the R2 designation more appropriately relates to the existing development patterns of the subject properties and of the neighborhood.

4. *Consistency with the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification;*

The subject area has been improved with residential structures. While the history of commercial zoning on the property goes back to the 1960s, the trend of development in the area has not been for local commercial use – the properties have been legal non-conforming for over 40 years. Therefore, staff believes that the B2 zoning designation accurately reflects the appropriate land use designation for the area.

5. *The compatibility of the surrounding property with the permitted uses listed in the proposed zoning classification;*

Applying the R2 District regulations over the entire neighborhood would make the zoning consistent with the abutting single-family residences.

6. *The objectives of the current Comprehensive Plan for the Village of Lombard and the impact of the proposed amendment on the said objectives;*

The primary justification of the proposed rezoning is intended to match the Comprehensive Plan Map.

7. *The suitability of the property in question for permitted uses listed in the proposed zoning classification.*

The rezoning would establish the continued single-family residential purposes.