

Village of Lombard

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



Meeting Minutes

Wednesday, June 2, 2010

7:00 PM

COMMUNITY ROOM

Village Hall

Economic & Community Development Committee

*Trustee Bill Ware, Chairperson
Trustee Greg Gron- Co-Chairperson
Dennis McNicholas, Martin Carroll,
Garrick Nielsen, Jon Grant, Brenda Gannon
David Irion & James Hogan
Staff Liaison: Bill Heniff*

1.0 Call to Order and Pledge of Allegiance

The meeting was called to order by Co-Chairperson Gron at 7:03 p.m.

Co-Chairperson Gron led the Pledge of Allegiance.

2.0 Roll Call

Present: Greg Gron, Dennis McNicholas, Brenda Gannon, James W. Hogan, Keith Giagnorio and Garrick Nielsen

Absent: Bill Ware, Jon Grant, David Irion and Martin Carroll

Also present: William Heniff, AICP, Director of Community Development, and Christopher Stilling, AICP, Assistant Director of Community Development.

3.0 Public Participation

Kim Cotton of the Lombard Towne Centre (LTC) was present to provide an update on LTC activities.

4.0 Approval of Minutes

The minutes of the April 7, 2010 meeting were revised and unanimously approved by the members present.

5.0 Unfinished Business

100163

Proposed Fee Schedule Changes

Request to review and discuss the existing development fee schedule and provide a recommendation with regard to creating a new planning review fee schedule for projects categorized as major plats of subdivision and development. (DISTRICTS - ALL)

Mr. Stilling provided background stating that at the April 7, 2010 ECDC meeting, staff provided a review of Lombard's development fees for larger planned developments compared to surrounding communities. Specifically, staff provided a comparison of 15 surrounding municipalities' fee schedules as they relate to planned developments, map amendments, subdivisions, annexations and conditional uses. Although staff felt our public hearing fees were appropriate, staff recommended creating a new planning review fee that only applies to projects that would be categorized as major plats of subdivision and major developments, as defined in the Subdivision and Development Ordinance. The Committee continued this item to the next meeting to allow staff time to compare our fees to the six (6) surrounding communities.

Mr. Stilling stated that our findings showed that the Village of Lombard offers the lowest overall review fees. He also noted that Downers Grove, Glen Ellyn, Elmhurst and Oakbrook Terrace also collect Park District and School District impact fees. These fees are only applied to residential projects and they can add an additional \$1,000-\$6,000 per

unit cost to the permit fees. Although the municipality is not directly benefiting from these fees, they still can add a significant cost to a residential project.

Mr. Stilling provided staff's recommendation. He said that Lombard's public hearing fee schedule is appropriate for new developments, map amendments, subdivisions, annexations and conditional uses, however; staff recommends that additional compensation should be provided for planning review time during the building permit and final engineering review process. In particular, staff recommends a new planning review fee that only applies to projects that would be categorized as major plats of subdivision and major developments, as defined in the Subdivision and Development Ordinance.

Mr. Stilling provided the committee with the following four (4) options to consider:

1. An additional 1% fee based on an engineer's opinion of probable cost. Applying this fee to the Lombard Crossing development, a planning review fee of \$9,270 would be generated. This option appears to be most inline with us breaking even for our time. However, it will not cover our planning time accurately if the project has very little site improvements.
2. 0.25% of total development costs for a project. Using the Lombard Crossing development, a planning review fee of \$8,642.50 would be generated. At the last meeting, the Committee expressed an interest of capping this fee. Staff would recommend that the cap be a minimum of \$10,000.
3. A flat rate based on a sliding scale of total improvement costs.
4. A flat hourly rate for planning review time. Staff supports this option the least due to the logistics of calculating and collecting this fee.

Mr. McNicholas asked if we were to adopt a new fee, would we still be in line with the other communities. Mr. Heniff replied yes and also stated that the new fee would only apply to major developments and that currently we collect no fee if a project has no zoning actions associated with it.

Mr. Hogan stated that the new fee should be a maximum not minimum.

Ms. Gannon supported the idea of creating a new planning fee and asked when this would go the Board of Trustees. Mr. Heniff stated that staff would prepare a draft ordinance for the Board to consider at their August 19, 2010 meeting.

Mr. McNicholas suggested that the fee be 0.25% of the total development costs for the first \$4,000,000 and 1/8 of 1% or 0.13% for costs above \$4,000,000 with no cap.

It was moved by McNicholas, seconded by Giagnorio, that this matter be recommended to the Board of Trustees for approval relative to creating a new planning review fee for new projects that are categorized as major plats of subdivision and major developments and that the fee be 0.25% of the total developments costs for the first \$4,000,000 and 1/8 of 1% or 0.13% for total development costs above \$4,000,000 with no cap. The motion carried by a voice vote

[100052](#)

Lombard Town Centre - Executive Director Position

Discussion and recommendation as to the dispersal of approved funds (in an amount not to exceed \$35,000) to Lombard Town Centre for a part-time Executive Director.

Mr. Heniff stated that at the February 3, 2010 Economic and Community Development

Committee (ECDC) meeting, the ECDC recommended that the Village Board approve future funding to the Lombard Town Centre (LTC) in an amount not to exceed \$35,000 for a part-time Lombard Town Centre Executive Director (ED). On February 4, 2010 the Village Board approved this recommendation. Mr. Heniff said that subsequent to those meetings, staff has been working with LTC President Dan Whittington and its Board to develop a job description and begin the process of interviewing candidates. To date, they are still reviewing candidates and expect to make a decision the week of June 7, 2010.

Mr. Heniff outlined the terms for funding and asked the ECDC to make a recommendation to the Village Board for consideration at their June 17, 2010 meeting.

Mr. Nielsen asked about the audit and whether or not it could be waived. Mr. Heniff stated that this was a requirement from the previous funding approvals.

Mr. McNicholas suggested that the LTC provide a plan for future funding requests no later than March 1, 2011.

It was moved by McNicholas, seconded by Nielsen, that this matter be recommended to the Board of Trustees for approval relative to the funding request for the LTC in an amount not to exceed \$35,000 for a part-time Executive Director and that the LTC provide a plan for their 2011 funding request no later than March 1, 2011. The motion carried by a voice vote

6.0 New Business

100286

Downtown Improvement and Renovation Grant - 128 W. St. Charles Rd.

Request to approve a Downtown Improvement and Renovation Grant for the property located at 128 W. St. Charles Road in the amount of \$728.00. (DISTRICT #1)

Mr. Stilling provided background stating that the Community Development Department has received an application for the Downtown Improvement and Renovation Grant Program for Thomas J. Masterson and Company, located at 128 W. St. Charles Road. The completed improvements include purchase and installation of a replacement awning across the front of the tenant space.

Mr. Stilling said the proposed replacement awning would be similar to the existing awning and would display the name of the business on the front valance as shown on the photo he provided. The applicant is eligible to receive up to \$728 from the Improvement and Renovation Grant program. Because the request is under \$10,000, it does not require approval from the Board of Trustees.

It was moved by Giagnorio, seconded by Gannon, that this matter be approved in an amount not to exceed \$728.00. The motion carried by a voice vote

100287

Downtown Retail Business Grant - 212-216 E. St. Charles Rd.

Request to approve a Downtown Retail Business Grant for the property located at 212-216 E. St. Charles Road in the amount of \$4,682.15. (DISTRICT #4)

Mr. Stilling provided background on the request stating that Wiggles-n-Wags has been in operation at 216 E. St. Charles Road since August 2007 in a 2,854 square foot tenant space. In March of 2008, the business owner submitted for a building permit to expand their operations into the adjacent tenant space at 212 E. St. Charles Road. Based on

their application for a Certificate of Occupancy/Zoning Certificate, the applicant indicated that the expansion was necessary to accommodate their dog training business, additional office space, storage and small retail. Improvements were completed and the applicant occupied the additional space in January of 2009.

Mr. Stilling went on to say that the business owner is now seeking a DRBG for some additional renovations to only the 212 E St Charles Road space. Renovations to the space will include refinishing the concrete floor, interior painting & staining, and new tenant signage on both the existing wall sign cabinet and freestanding sign. No signage drawings have been submitted for the proposed wall sign or freestanding sign panels. It should be noted that the Sign Ordinance prohibits more than 1 wall sign per frontage for an individual business. Although the applicant is leasing both tenant spaces separately, Wiggles-n-Wags still functions as 1 business. Therefore the additional wall sign is not permitted. Mr. Stilling said that since the program is a 50% matching grant for eligible expenditures, the total eligible costs they could receive is up to \$4,560.65 (does not include the \$243 sign) from the Downtown Retail Business Grant program. Because the request is under \$10,000, it would not require approval from the Board of Trustees. If the application is approved, Wiggles-n-Wags will need to provide all necessary paid invoices, receipts, and waivers of lien from all contractors prior to any reimbursement.

Mr. Stilling provided the committee with background about the eligibility requirements for the grant program. He said that Wiggles-n-Wags is considered a service business. The DRBG Program Policy states that service businesses with a substantial retail component, as defined by having 25 percent of their gross income or gross floor area dedicated to retail sales activity, are potentially eligible for the Program. Service businesses with less than 25 of their gross income or gross floor area dedicated to retail sales activity are ineligible for the Program. Mr. Stilling provided the following analysis of the program:

Gross Floor Area

According to the submitted building plans the retail space occupies a 39-foot by 12-foot area, or roughly 13 percent of the total floor area of the business (468 of 3,531 square feet). Including the 198-square foot inventory room as retail space would bring the total retail area to 19 percent (666 square feet) of the total.

Gross Income

The business plan projects retail sales of \$150 per day or \$36,000 per year. The business owner has provided documentation indicating that their total gross revenue for 2009 was \$75,893.60 before any expenses. Total gross revenues for all operations would be \$111,893.60, with retail sales accounting for 32%.

Summary of Findings

The purpose of the DRBG program is to increase the economic viability of Downtown Lombard by attracting targeted retail businesses and assisting existing businesses. The grant monies are to be spent on expenditures associated with helping the start-up of new businesses or the expansion of existing businesses. Although Wiggles-n-Wags may have retail sales exceeding the minimum 25%, staff finds that the existing business is not expanding their operations and therefore not eligible for the grants. The Certificate of Occupancy/Zoning Certificate was issued for their move into the new space at 212 E. St Charles over 15 months ago. Although new improvements are taking place, there is no expansion of floor area.

According to the applicant's profit and loss statement, total retail sales for 2009 accounted for 2% of gross revenue. It should be noted that staff does not know when the applicant began selling the retail items in 2009.

Staff also finds that the proposed improvements are not directly associated with the retail operations and are deemed "general maintenance" improvements.

Representatives for the applicant have indicated that the 667 square foot tenant space at 212 E. St Charles will now be solely dedicated to retail as a separate business from the dog training. Staff does not concur with this representation. As the previous photos have shown, the spaces function as 1 large tenant space with the retail component representing 19% of the overall space.

Mr. Stilling concluded by saying that staff finds that the business does not meet the minimum eligibility requirements and recommends that the Economic and Community Development Committee deny the request for a Downtown Retail Business Grant for the property located at 212-216 E St Charles Road.

Susan Eastwood, owner of Wiggles-n-Wags and Michael Carnahan, Redbrick Property Mgt (representative of property owner) spoke in favor of the request. They stated that they feel they meet the program eligibility. Ms. Eastwood said that the retail area was just put up the day before staff took the photos.

Mr. Carnahan stated that this is a new business because her old lease is expiring and she plans to sign a new lease for just the retail area.

Ms. Eastwood said that with the expansion, more people will be coming to the downtown area because of her business.

Mr. Nielsen stated this request is very similar to the recently approved "Sky Center" grant request. He said both businesses bring people to the downtown. He asked what the space had been previously used for. Ms. Eastwood said it was used as storage.

Kim Cotton, owner of Feel Good Hair, expressed a concern about granting the request. She said that her business wanted to apply for a grant however she did not proceed because she was told that she did not meet the eligibility requirements. Mr. Stilling clarified by stating that Feel Good Hair did not proceed because the improvements had already been made and that the grant program specifically states that the grant dollars cannot be spent on retroactive improvements.

Co-Chairperson Gron stated that he felt the improvements should be the responsibility of the property owner and that he felt the proposed costs seem too high. Mr. Hogan concurred and felt that the flooring should be done by the property owner.

Mr. Carnahan stated that he felt all the improvements meet the criteria because the business is expanding. Ms. Gannon questioned what the term "expansion" meant in the program criteria.

Mr. McNicholas stated that there needs to be more consistency and that the program criteria should not have any discretion. He also said that historical sales data should be provided to support the projections.

Mr. Nielsen suggested that the grant should be based on the improvements for the retail area only (approx. 468 square feet). Based on his calculations, the improvements taking place in that area total \$6,020.05. Therefore he suggested that the total grant be in an amount not to exceed \$3,010.03.

It was moved by Nielsen, seconded by Gannon, that this matter be approved in an amount not to exceed \$3,010.03. The motion carried by the following vote:

Aye: 4 - Gannon, Hogan, Giagnorio and Nielsen

Nay: 1 - McNicholas

Absent: 4 - Bill Ware, Grant, Irion and Carroll

Mr. McNicholas stated the reason for his vote was that he felt a bad precedent was being set.

7.0 Other Business

There was no other business.

8.0 Information Only

9.0 Adjournment

The meeting adjourned at 8:56 p.m.