

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

Apartment Building – 215 S. Westmore Meyers Road

March 15, 2021

Title

PC 21-11

Petitioner

A&E Luxury Apartments, LLC
Ardi Battiri
5s541 Radcliff Rd
Naperville IL 60563

Property Owner

Same

Property Location

215 S. Westmore Meyers Road
06-09-114-034
Trustee District 5

Zoning

R4

Existing Land Use

Vacant land

Comprehensive Plan

Low-Medium Density
Residential

Approval Sought

Variances

Prepared By

Jennifer Ganser, AICP
Assistant Director



PROJECT DESCRIPTION

The petitioner proposes to build a 15-unit apartment building on a vacant lot.

APPROVAL(S) REQUIRED

The petitioner is requesting the following for a property located within the R4 Limited General Residential District:

1. A variance for a transitional building setback of 15', where 50' is required, on the north side pursuant to Section 155.409(I)(2) of Village Code;
2. A variance for a transitional landscape yard of 15', where 30' is required, on the north side pursuant to Section 155.409(J) of Village Code;
3. A variance for perimeter yard landscaping of 0', where 5' is required on the south side at the parking lot, pursuant to Section 155.709(B) of Village Code; and
4. A variance for density to allow for 15 units, where 14 units are allowed, pursuant to Section 155.409(D)(4) of Village Code.

EXISTING CONDITIONS

The subject property is vacant land.

PROJECT STATS

Lot & Bulk

Parcel Size: 0.93 acres

Submittals

1. Petition for Public Hearing;
2. Response to Standards;
3. Plat of Survey, prepared by Gentile and Associates, Inc., dated October 26, 2020;
4. Plans, prepared by Engineering Resource Associates, dated January 4, 2021;
5. Site Plan, Floor Plan, and Elevations, prepared by Agama Designs, dated November 9, 2020;
6. Colored renderings; and
7. Letter of support signed by neighbors, dated February 8, 2021.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has the following comments:

1. The building is required to have a fire sprinkler system based on local ordinance as well as its distance to the property line on the south side (single-family home).
2. Based on the distance to the south property line, the exterior wall would not be allowed to have more than 25% of the wall be unprotected openings (windows and doors).
3. Additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department has the following comments:

1. The proposed hydrant location on plans was discussed with Public Works with the allowance of a greater distance than 75' for is new requested location.
2. Fire alarm and sprinkler plans will be required for review through the permit process.
3. Additional comments may be forthcoming during permit review.

Public Works:

The Department of Public Works has the following comments:

1. Use Village of Lombard standard specifications and general notes in the plan set.
2. Denote all roadway patches to be rectangular.
3. Show the existing streetlight and sidewalk bump-out on all plans.
4. Place the proposed fire hydrant 3-ft behind the back-of-curb of Westmore-Meyers Road, and bump the sidewalk into private property as necessary for a 5-ft walkway width and 1-ft horizontal clearance from the hydrant. (It is assumed that the FDC will be placed at the southwest corner of the building, and this distance being greater than the typical 75-ft from the hydrant is being allowed by the Fire Marshal.)
5. Provide an easement to the Village for any public sidewalk to be located on private property.
6. Three trees are required along the public right-of-way per §154.306. They may be located on the private property and planted by the owner. However, they may not be of species listed in §99.06, which includes spruce. The landscaping plan currently shows two spruce trees located over the dry well, where trees are unlikely to thrive. Also, although the trees may not grow to encroach within the actual 20-ft sight triangle of the driveway, species with dense foliage would undesirably reduce visibility for egress.

Public Works comments continued:

7. A submersible pump specification is included but its location has not been depicted. Assuming that it is intended to dewater the dry well, an inspection and maintenance schedule shall be included in the plan set to ensure that pump failures are detected and repaired in a timely manner. Also, show at least two independent and flood-resistant sources of electrical power per §15-73D of the DuPage Countywide Ordinance.

8. Additional comments may be forthcoming during permit review.

Private Engineering Services:

The Private Engineering Services Division has the following comments:

1. Connect downspouts/roof drains and sump pump to the BMP where possible.
2. Use Village of Lombard details whenever applicable.
3. The sidewalk through the driveway is different from the current detail. The sidewalk will be required to be poured separately from the driveway.
4. Geotech report will be required to determine the depth for the BMP.
5. Pressure connection valve vault is required to be a 5' Dia.
6. Maintenance plan for the BMP will be required.
7. Place a sanitary cleanout 1' off the property line.
8. Ensure that the tideflex backflow prevention device will fit in the proposed structure, and indicate which structure it will be installed in.
9. Provide storm sewer calculations/HGL to verify that the 10-yr 24-hour capacity will not surcharge the system.
10. Over 5,000 square feet of new impervious will require detention per Village ordinance.
11. Further comments may be provided upon receipt of final engineering and a complete building permit application.

Planning Services Division:

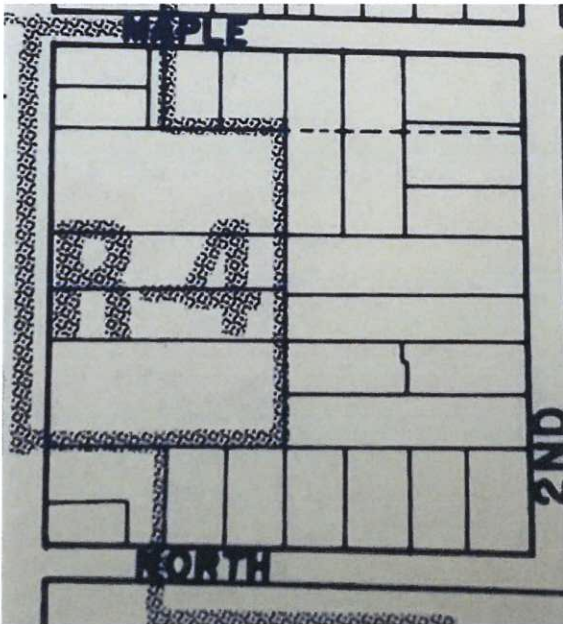
Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	R3 and R2	Attached single-family and single-family homes
South	R4	Single-family home
East	R2	Single-family home
West	R2	Single-family home

The property is zoned R4. Apartment buildings are permitted by right. Westmore-Meyers Road is a minor arterial roadway. An apartment building would be compatible with the surrounding neighborhood. The neighborhood is a mix of single-family, attached single-family, and multi-family.

The property has zoned R4 since at least 1978, per a 1978 Zoning Map. The property to east and west were zoned as single-family R2 in 1978. The properties to the south were zoned R4 in 1978 with the corner property at North Broadway being zoned commercial B2 in 1978. Per the maps, 1015 E Maple Street was zoned R2 in 1978 and is currently zoned R3.

1978 Zoning Map



2021 Zoning Map



Comprehensive Plan Compatibility

The 2014 Comprehensive Plan designates this property as low-medium density residential. Multi-family is consistent with this designation. The Comprehensive Plan is the Village's official policy guide for future growth and development. The 1998 Comprehensive did show this block as low density residential, even though the property was zoned R4. The below picture from the 2014 Westmore Meyers Plan shows the comprehensive plan designation was changed to low-medium density residential. "The Comprehensive Plan recommendation for this area is to designate the highlighted properties as Low-Medium Density Residential to better reflect the existing land uses and surrounding development patterns." The property at 215 S. Westmore Meyers Road is not specially mentioned in the Comprehensive Plan or the Westmore Meyers Plan.



Zoning Compliance

The property is currently vacant and proposed at a 15-unit apartment building. Parking exceeds Code and would be both at surface level and underground. Open space is shown at 53.16%, exceeding Code. The building would take access from Westmore Meyers Road.

The property is requesting the following variances:

1. A variance for a transitional building setback of 15', where 50' is required, on the north side pursuant to Section 155.409(I)(2) of Village Code;

The building is shown at 19.61 feet with the stairs at 15 feet, from the north property line. As the property abuts property that is zoned R2, and zoned R3 but used as single-family, the transitional building setback shall be in place. The building would meet Code on the east side.

2. A variance for a transitional landscape yard of 15', where 30' is required, on the north side pursuant to Section 155.409(J) of Village Code;

Likewise, a transitional landscape yard is required on the north and east side. A variance is requested to reduce the transitional landscape yard on the north side to 15'. The transitional landscape yard would meet Code on the east side. For both this variance, and the transitional building setback, the property owner noted this was the best location for the building on the site and provided for the most aesthetic building. The 15' on the north side will consist of landscaping.

Per Code, a transitional landscape yard shall consist of:

"(a) Shade trees shall be required in conformance with section 155.705(C)(4), above, with one tree every 25 feet along the entire length of the landscape yard. Shade trees may be clustered subject to the approval of the Director of Community Development.

(b) Shrub masses, at least two rows deep and with shrubs alternately spaced, shall be provided along 75 percent of the length of the landscape yard. Shrubs shall be installed at a height of three feet and shall reach a mature height of not less than six feet. Shrub masses may be curvilinear in shape.

(c) Areas not planted with trees or shrubs shall be maintained as lawn."

3. A variance for perimeter yard landscaping of 0', where 5' is required on the south side at the parking lot, pursuant to Section 155.709(B) of Village Code

This is only for a portion of the south property line, where the parking lot comes in. A turnaround area needed in case all the parking spaces are occupied. Therefore, the parking lot extends to the south and a variance is needed. Landscaping will otherwise be provided for on the south property line.

Per Code, a perimeter yard shall consist of:

"(1) Shade trees. Shade trees, conforming to the provisions of subsection 155.705(C)(4), above, shall be provided along the abutting property line. The number of trees required shall be equivalent to one tree for every 75 feet of lot line length. Such trees may be clustered or spaced linearly as determined appropriate by the Director of Community Development.

(2) Other plant material. Other landscaping materials including berms, ornamental trees, evergreens, shrubbery, hedges, and/or other planting material, as determined necessary by the Director of Community Development, shall be provided at appropriate locations along the abutting property line.

(3) Ground cover. Except where occupied by planting beds, all perimeter landscape areas shall be sodded, seeded, or planted with another comparable ground cover, as determined appropriate by the Director of Community Development."

4. A variance for density to allow for 15 units, where 14 units are allowed, pursuant to Section 155.409(D)(4) of Village Code.

The R4 District allows for 15.5 units per acre. The site is 0.93 acres; therefore 14.4 or 14 units would be allowed by right. There is no guidance on a provision to round up on density. Code does allow for rounding for parkway trees and parking spaces. However, in Section 155.801(E), it states "All "measured distances" shall be to the nearest foot. If a fraction is one-half foot or more, the full number next above shall be taken." An acre is a unit of measurement, therefore the rounding provision in Section 155.801(E) could be applied here.

Staff notes that one additional unit will likely not have an adverse impact. One additional unit should not cause a substantial increase in traffic generation. The building footprint could remain the same, even if one unit was omitted from the plan. The surrounding properties are mostly single-family or two-family units. 231-239 S. Westmore Meyers Road is also 0.93 acres and has 24 units (two buildings, each with 12 units). Staff supports the request for a variance of 15 units, where 14 units would be allowed.

Building design and materials

The building is a mix of brick, stone, and EIFS. Elevations are included in the packet. Sample interiors are included, as well as floor plans.

Stormwater

The property will be required to meet the provisions of local codes and the DuPage County Stormwater Ordinance. Best Management Practices (BMPs) and detention will be required as there is over 5,000 of new impervious surface proposed to be added. Drainage will run towards Westmore Meyers Road. Final engineering will be reviewed by Village staff during permitting, should the project be approved by the Village Board.

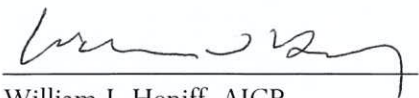
FINDINGS & RECOMMENDATIONS

However, the Inter-Departmental Review Committee has reviewed the standards for the variances and finds that the proposed use **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to the conditions of approval based on the above consideration. As such the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of the variances associated with PC 21-11:

Based on the submitted petition and the testimony presented, the proposed variances do comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the variances are 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 21-11, subject to the following conditions:

1. That the petitioner shall be required to apply for and receive building permits prior to construction;
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. This relief shall be valid pursuant to timing in Section 155.103(C)(10);
4. Landscaping materials shall meet Village Code per Section 155.707.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

Response to Standards for Variations

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.

Set-Back Variance

A set-back variance is respectfully requested due to the particular configuration of the subject property. If the strict transitional setback variance is followed it would result in many unfortunate outcomes regardless of who owns the property. The primary negative impacts would be 1. North neighbors losing privacy due to a new configuration that would have the balconies and windows facing their backyard (hence the neighbors support for the variance). 2. Poor traffic flow on site and fire-truck access 3. Aesthetic design would lose symmetry 4. The setback would create a "bump-out" in the hallway that makes escape paths in the event of emergency more confusing.

The proposed design which requires a setback variance still maintains nearly 20' of green space. To compensate for the reduced setback the proposal incorporates heavy (and fast-growing) evergreen screening to further enhance privacy. Additionally the proposal eliminates north balconies and windows. The stream-lined site layout improves traffic flow and safety. Further, it creates design symmetry which not only enhances exterior neighborhood appearance, but also improves interior flow with direct access to emergency exits. Ultimately, the proposed design although requiring a minor setback variance, it dramatically improves the aesthetics of the neighborhood, privacy to all the surrounding neighbors, traffic flow, and safety.

Density Variance

The property lines being at a minor angle, the subdivision inadvertently created a property (the subject property) just under one acre at 0.93 acres. As the regulations are written the amount of dwelling units allow for 15-units per acre. Consequently, resulting in fractional allowable dwelling units. The petitioner is respectfully requesting a rounding of the fractional unit to 15 total units. By granting the variance, it follows the intent of the regulations and the subdivision. However, more importantly, by allowing 0.5 additional fractional unit it allows the design to maintain symmetry that enhances the exterior aesthetics of the building and its fit in the community. The dwelling units are exceptionally large, the property will have a large lobby lounge, exercise gym, coffee bar, and on-site office in addition to underground parking.

Response to Standards for Variations

2. The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.

Set-Back Variance

The conditions presented at this property are unique to this property given its neighborhood surroundings and property access, among other unique factors.

Density Variance

The conditions presented at this property are unique to this property and the proposed development, surroundings, and other unique factors.

3. The purpose of the variation is not based primarily upon a desire to increase financial gain.

Set-Back Variance

The proposal does not increase financial gain. The request is based solely upon improving privacy, fitting the neighborhood and surroundings, improving safety.

Density Variance

The purpose of the variation is not to increase financial gain.

4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.

Set-Back Variance

The request is based solely on the hardship created by the ordinance and has not been created by any person presently having an interest in the property.

Density Variance

The request is based solely on the hardship created by the ordinance and has not been created by any person presently having an interest in the property.

Response to Standards for Variations

5. The granting of The request is based solely on the hardship created by the ordinance and has not been created by any person presently having an interest in the property. the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

Set-Back Variance

The granting of the variation will have a significant positive impact and improve the impact to surrounding properties. The variation will allow the proposed improvements to further enhance its fit in the neighborhood.

Density Variance

The granting of the variation will have a significant positive impact and improve the impact to surrounding properties. The variation will allow the proposed improvements to further enhance its fit in the neighborhood.

6. The granting of the variation will not alter the essential character of the neighborhood; and,

Set-Back Variance

By granting the variance it will allow the proposed development to in fact be a better fit in the neighborhood with a east-west facing property. Westmore-Meyers road will be the primary access point and other new developments in the surrounding area have a east-west facing primary structure, hence by granting this variance it allows the proposed project to maintain the character of the area with modern planning standards.

Density Variance

By granting the variance it will enhance the impact on the neighborhood by creating a more symmetrical design, offering large spacious and luxurious units, and significantly more parking that what is required.

7. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent

Response to Standards for Variations

properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Set-Back Variance

Granting the proposed variation will improve the impact on the neighborhood. By granting the variation it allows for improved access to underground parking which increases green space, increases light, reduces drainage flow, it increases the privacy of north neighbors, increases the distance from neighbors on the east, it improves traffic flow, and safety by eliminating “bump-outs.”

Density Variance

The proposed variation will retain the design and not have any impact on the air or light supply to adjacent properties and will not increase congestion nor impact drainage of the property.