

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) _____
Recommendations of Boards, Commissions & Committees (Green) _____
Other Business (Pink) _____
Waiver of First Requested

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: December 20, 2005 (B of T) Date: January 5, 2006

TITLE: BOT 06-01: 525 West St. Charles Road & 42 South Glenview Avenue,
Stormwater Detention Variation

SUBMITTED BY: Department of Community Development *DLT*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development staff transmits for your consideration its recommendation regarding the above-referenced petition. This petitioner has requested a variation to grant relief from the Lombard Code of Ordinances Chapter 151: "Flood Control"; Subsections 151.55 "Retention/Detention Basins" and 151.57 "Detention Variance Fee Program" to waive the requirements for on-site detention and any fee in lieu of detention. (DISTRICT #1)

Staff recommends approval of the variation with conditions.

Fiscal Impact/Funding Source: None required.

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *W. T. Lichter* Date *12/28/05*

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

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

TO: Board of Trustees
FROM: Department of Community Development
PREPARED BY: David P. Gorman, PE
Development Engineer

TITLE

BOT 06-01: 525 West St. Charles Road & 42 South Glenview Avenue (Stormwater Detention Variation)

GENERAL INFORMATION

Petitioner: Lincoln Maple Partners, Inc.
400 East 22nd Street, Suite 400A
Lombard, IL 60148

Property Owners: For 525 W. St. Charles Road
Lincoln Maple Partners, Inc.
400 East 22nd Street, Suite 400A
Lombard, IL 60148

For 42 S. Glenview Avenue
Robert W. & Janet M. Kenny
42 S. Glenview Avenue
Lombard, IL 60148

Size of Property: 1.52 acres

Comprehensive Plan: Recommends Single-Family Residential

Existing Zoning: R2 Single-Family Residences

Surrounding Zoning and Land Use:

- North:** R2 Single-Family Residence District; developed as single family residences
- South:** R2 Single-Family Residence District; developed as single family residences
- East:** R2 Single-Family Residence District; developed as single family residences
- West:** R2 Single-Family Residence District; developed as single family residences

ANALYSIS

SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development on November 28, 2005:

1. Letter dated November 28, 2005 from Lincoln & Maple Partners, Inc. requesting a variation from stormwater detention requirements.
2. Plat of Resubdivision, prepared by Gentile & Associates, dated November 22, 2005.

DESCRIPTION

The petitioner, Lincoln Maple Partners, Inc., has requested a variation from Chapter 151: "Flood Control"; Subsections 151.55 "Retention/Detention Basins" and 151.57 "Detention Variance Fee Program" to waive the requirements for on-site detention and any fee in lieu of detention. This petition is proceeding concurrently with another petition to resubdivide the parcels to create a third buildable lot on St. Charles Road. This would be a major subdivision as defined by Village Code since the area is over one acre. Stormwater detention is normally required by Village Code for major subdivisions. Furthermore, a fee in lieu of detention is normally required if a variation is sought to waive the requirement for on-site detention. Such detention is not required per the Countywide Ordinance since the area is less than three acres.

INTER-DEPARTMENTAL REVIEW COMMENTS

Public Works and Community Development Departments

There are currently two houses on the parcels to be resubdivided. The construction of a third house would not add much more runoff since the house would be designed, as is typical, to drain the driveway and front half of the roof to the St. Charles Road right-of-way. However, the lot on Glenview Avenue would have sufficient area in an R2 District to be subdivided in the future into two lots if the Village were to grant a future variation for frontage width, as has been done recently for other lots that are on a curving right-of-way.

The Private Engineering Services and Public Works Engineering Divisions both support the requested variation so that no detention shall be required to resubdivide the lots as proposed in this petition or to build a third house within the boundaries of the resubdivision. However, if a fourth house is proposed in the future by subdividing Lot 3 (42 S. Glenview), then detention shall be provided at that time for all development, existing and proposed, within the boundaries of the SUB 05-07 resubdivision. That detention volume would be 0.5016 acre-ft, based on a detention

rate of 0.33 acre-ft/acre per DuPage County's "Figure 3" for 28% impervious area. As an alternative to providing the detention on-site, a fee in the amount of \$81,259 could be paid, based on \$162,000/acre-ft per Section 151.57. The Directors of Community Development and Public Works both concur with this recommendation from the engineers.

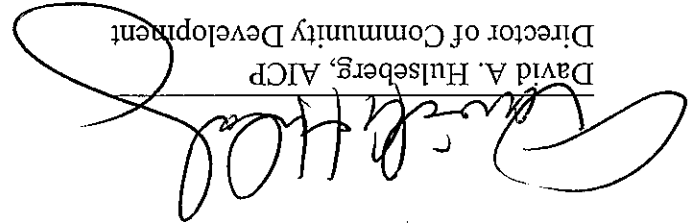
The petitioner has been advised that the latest Flood Insurance Rate Map dated 12/16/04 identifies 100-yr floodplain on Lot 3 (42 S. Glenview). This floodplain is due to a flat backwater from the East Branch of the DuPage River, rather than a restriction of storm sewer capacity. Therefore, there is no concern regarding the minor amount of runoff that may be generated solely by a third house on St. Charles, particularly since most of the proposed impervious area would drain to the storm sewer on St. Charles Road.

FINDINGS AND RECOMMENDATIONS

Based on the above considerations, staff recommends approval of the variation with the following conditions:

1. The \$150 administrative fee for variation shall be remitted for deposit into the Village's stormwater detention fund for the East Branch DuPage River Watershed.
2. If a fourth house is proposed in the future by subdividing Lot 3, then either 0.5016 acre-ft of detention shall be provided on-site or a payment of \$81,259 shall be paid into the Village's stormwater detention fund for the East Branch DuPage River Watershed.

Inter-Departmental Review Group Report Approved By:


David A. Hulseberg, AICP
Director of Community Development



MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David P. Gorman, P.E., Development Engineer *DPG*

DATE: December 28, 2005

SUBJECT: BOT 06-01: 525 West St. Charles Road & 42 South Glenview Avenue, Stormwater Detention Variation

Please present the attached items to the Board of Trustees for their review at their January 5, 2006 meeting. The petitioner, Lincoln Maple Partners, Inc., has requested a variation from Chapter 151: "Flood Control", Subsections 151.55 "Retention/Detention Basins" and 151.57 "Detention Variance Fee Program" to waive the requirements for on-site detention and any fee in lieu of detention.

The subject petition is proceeding concurrently with another petition to resubdivide two existing parcels to create a third buildable lot on St. Charles Road. This would be a major subdivision as defined by Village Code since the area is 1.52 acres. Stormwater detention is normally required by Village Code for major subdivisions. Furthermore, a fee in lieu of detention is normally required to waive the requirement for on-site detention. Detention is not required per the Countywide Ordinance since the area is less than three acres.

There are currently two houses on the parcels to be resubdivided. The construction of a third house would not add much more runoff since the house would be designed, as is typical, to drain the driveway and the front half of the roof to the St. Charles Road right-of-way. However, the lot on Glenview Avenue will have sufficient area to be subdivided in the future into two lots if the Village were to grant a future variation for frontage width, as has been done recently for other lots on a curving right-of-way.

There is mapped floodplain on the lot on Glenview Avenue. This floodplain is due to a flat backwater from the East Branch of the DuPage River, rather than a restriction of storm sewer capacity. Therefore, there is no concern regarding the minor amount of runoff that may be generated solely by a third house on St. Charles, particularly since most of the proposed impervious area would drain to the storm sewer on St. Charles Road.

Recommendation:

Staff recommends that the Board of Trustees approve the variation request to Subsections 151.55 and 151.57 to waive the requirements for on-site detention and any fee in lieu of detention. However, the approval should be conditioned as follows:

1. The \$150 administrative fee for variation shall be remitted for deposit into the Village's stormwater detention fund for the East Branch DuPage River watershed.
2. If a fourth house is proposed in the future by subdividing Lot 3, then either 0.5016 acre-ft of detention shall be provided on-site or a payment of \$81,259 shall be paid into the Village's stormwater detention fund for the East Branch DuPage River Watershed.

Please call me at x-5973 if you have any questions.

DG:dg H:\CD\WORK\BUSER\BOT106\05-01\bot-memo.doc

cc: David A. Hulseberg, AICP, Director of Community Development

November 28, 2005

Mr. William Heniff
Department of Community Development
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148

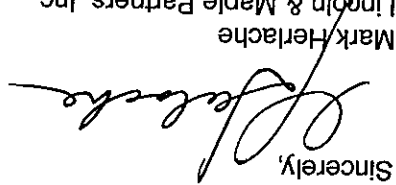
Dear Mr. Heniff,

Our company, which owns a large residential lot at 525 W. St. Charles Road, and our neighbors to the southeast, Mr. and Mrs. Robert Kenny are jointly applying for a Plat of Re-subdivision. We are exchanging a 65' x 65' portion of our lot for a 20' x 83' section of the Kenny's existing lot, then we are dividing our lot into two separate lots. The end result being three large residential lots; two of which have existing homes, with one unimproved lot for future construction of a new single family residence. Included with this letter is a Plat of Survey for our lot, a Plat of Survey of the Kenny's lot and the proposed Plat of Re-subdivision.

This is a Major Plat of Subdivision and therefore, we are required to provide storm water detention out-lots as part of our plan. However, we are asking for a rather simple re-configuration of two existing lots and the result of this reconfiguration is only one additional lot. In light of this, we are asking the Department of Community Development to support our request for a variance which will waive the water detention out-lot requirement.

If you have any questions regarding this request, please contact me at 630-916-1177.

Sincerely,



Mark Herlache
Lincoln & Maple Partners, Inc.



MEMORANDUM

TO: Wesley B. Anderson, PE, Director of Public Works

FROM: David P. Gorman, PE, Development Engineer *DPG*

DATE: December 20, 2005

SUBJECT: BOT 06-01: 525 West St. Charles Road & 42 South Glenview Avenue, Stormwater Detention Variation

The petitioner, Lincoln Maple Partners, Inc., has requested a variation from Chapter 151: "Flood Control"; Subsections 151.55 "Retention/Detention Basins" and 151.57 "Detention Variance Fee Program" to waive the requirements for on-site detention and any fee in lieu of detention.

The subject petition is proceeding concurrently with another petition to resubdivide the parcels to create a third buildable lot on St. Charles Road. This would be a major subdivision as defined by Village Code since the area is 1.52 acres. Stormwater detention is normally required by Village Code for major subdivisions. Furthermore, a fee in lieu of detention is normally required if a variation is sought to waive the requirement for on-site detention. Such detention is not required per the Countywide Ordinance since the area is less than three acres.

There are currently two houses on the parcels to be resubdivided. The construction of a third house would not add much more runoff since the house would be designed, as is typical, to drain the driveway and front half of the roof to the St. Charles Road right-of-way. However, the lot on Glenview Avenue will have sufficient area in an R2 District to be subdivided in the future into two lots if the Village were to grant a future variation for frontage width, as has been done recently for other lots that are on a curving right-of-way.

There is mapped floodplain on the lot on Glenview Avenue. This floodplain is due to a flat backwater from the East Branch of the DuPage River, rather than a restriction of storm sewer capacity. Therefore, there is no concern regarding the minor amount of runoff that may be generated solely by a third house on St. Charles, particularly since most of the proposed impervious area would drain to the storm sewer on St. Charles Road.

Recommendation:
I recommend that the Board of Trustees approve the variation request to Subsections 151.55 and 151.57 to waive the requirements for on-site detention and any fee in lieu of detention. The Village Engineer concurs with my recommendation. However, the approval should be conditioned as follows:

1. The \$150 administrative fee for variation shall be remitted for deposit into the Village's stormwater detention fund for the East Branch DuPage River watershed.
2. If a fourth house is proposed in the future, then detention shall be provided at that time for all development, existing and proposed, within the boundaries of the parcels in this resubdivision.

Please call me at x-5973 if you have any questions.

The petition is: Approved Denied

Conditions:

Wesley B. Anderson, PE
Director of Public Works

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A VARIATION OF THE LOMBARD CODE OF
ORDINANCES CHAPTER 151 "FLOOD CONTROL";
SUBSECTIONS 151.55 "RETENTION/DETENTION BASINS" AND
151.57 "DETENTION VARIANCE FEE PROGRAM"**

(BOT 06-01: 525 WEST ST. CHARLES ROAD & 42 SOUTH GLENVIEW AVENUE)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Code of Lombard, Illinois, and;

WHEREAS, a request has been made for the Village of Lombard to grant a variation from Chapter 151 "Flood Control"; Subsections 151.55 "Retention/Detention Basins" and 151.57 "Detention Variance Fee Program", and;

WHEREAS, a public hearing has been conducted by the Board of Trustees on January 5, 2006 pursuant to appropriate and legal notice; and

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of staff and incorporate such findings and recommendations herein by reference as if they were fully set forth herein:

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: That a variation is hereby granted from the provisions of Chapter 151 of the Code of Lombard, Illinois, for the property described in Section 2 below to waive the requirements to provide stormwater detention on the subject property and to pay any fee in lieu of such detention.

Section 2: That this Ordinance is limited and restricted to the properties located at 525 W. St. Charles Road and 42 S. Glenview Avenue, Lombard, Illinois and legally described as follows:

THE WESTERLY 145.70 FEET (EXCEPT THE SOUTHERLY 20 FEET AND EXCEPT THAT PART DEDED FOR ROADWAY PURPOSES BY DOCUMENT NO. R86-81725) OF LOT 10 IN E. W. ZANDER AND COMPANY'S ADDITION TO LOMBARD A SUBDIVISION OF PARTS OF SECTIONS 1 AND 12, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PARTS OF SECTIONS 6 AND 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 20, 1906 AS DOCUMENT NO. 88217, IN DUPAGE COUNTY, ILLINOIS

AND

LOT 2 IN JORGENSEN'S SUBDIVISION, BEING A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 7 TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.
CONTAINING TOTAL AREA 66,385.78 SQ. FT. (1.52 ACRES)

PN'S: 06-07-103-014 & -018

Section 3: That this ordinance shall be subject to the following conditions:

1. The \$150 administrative fee for the variation shall be remitted for deposit into the Village's detention fund for the East Branch DuPage River watershed.

2. If a fourth house is proposed in the future by subdividing Lot 3, then either 0.5016 acre-ft of detention shall be provided on-site or a payment of \$81,259 shall be paid into the Village's stormwater detention fund for the East Branch DuPage River Watershed.

Section 4: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2006.

First reading waived by action of the Board of Trustees this _____ day of _____, 2006.

Passed on second reading this _____ day of _____, 2006.

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2006.

William J. Mueller, Village President

ATTEST:

Ordinance No. _____
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Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2006.

Brigitte O'Brien, Village Clerk