

May 5, 2005

Mr. William J. Mueller,  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: PC 05-09; 7, 11, and 105 East 17<sup>th</sup> Street, 19W723 17<sup>th</sup> Street, 6 and 10 East 20<sup>th</sup> Street and 1710 South Highland Avenue (Yorkshire Woods Subdivision)**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take the following actions on the subject property:

For the properties at 7, 11, and 105 East 17<sup>th</sup> Street, 19W723 17<sup>th</sup> Street, and the north 70 feet of 6 and 10 East 20<sup>th</sup> Street:

1. Approval of an Annexation Agreement; and
2. Annexation to the Village of Lombard.

For the properties at 7, 11, and 105 East 17<sup>th</sup> Street, 19W723 17<sup>th</sup> Street, the north 70 feet of 6 and 10 East 20<sup>th</sup> Street and the south 296 feet of 1710 South Highland Avenue:

1. Approval of a map amendment rezoning the property from the R1 to the R2 Single Family Residence District.
2. Approval of a conditional use for a planned development, with the following variations from the Subdivision and Development Ordinance as follows:
  - a. A variation from Section 154.503 (I) to allow for the maximum length of cul-de-sac streets serving a maximum of 25 dwelling units to be greater than 660 feet; and
  - b. A variation from Section 154.503 (J) (2) allowing for a street jog with a center-line offset of less than two-hundred (200) feet; and

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3. Approve a preliminary plat of subdivision for the subject property.

For the property located at 1710 South Highland Avenue only:

1. Approval of a map amendment rezoning the property from the R1 to the R2 Single Family Residence District (*this item has been withdrawn*);
2. Approval of an amendment to an existing Conditional Use (Ordinances 4358 and 4869) for a religious institution and its related accessory uses.
3. Approval of a variation from Section 155.406 (H) of the Zoning Ordinance requiring a minimum of 50% of the lot area as open space.
4. Approval of a plat of subdivision for the subject property.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on April 18, 2005. Ray Kacirek, petitioner, explained that his petition is the third development to try to develop the property. His project is a last chance effort. Their goal is to make the best possible subdivision in Lombard. They are looking for special variances. They are creating large lots and think they have accommodated this better than previous developers. He introduced the other members of the development team.

Richard Dunn, project consultant, presented a Powerpoint Presentation (attached). He noted their requested actions. The annexation and agreement will be topics for the Board of Trustees to consider. The zoning amendment is required as when property is annexed it is to be designed as R1 -they are requesting R2. They are seeking a conditional use for a planned development with two variations from the Subdivision and Development Ordinance. He referenced the proposed cul-de-sac length, noting that their subdivision will have a length of 1,000 feet. Regarding the street jog, he noted that this was a discussion of earlier Plan Commission meetings. They agree with the recommendation of KLOA and will comply with those findings to improve the line sight access on 17<sup>th</sup> Street. They submitted a preliminary plat and, upon their acceptance and recommendation, their engineering consultant will work with staff to go to the Board for final plat approval.

He mentioned that they are requesting a subdivision of land owned by Etz Chaim. This is requested for the purpose of allowing a portion of their property to have a shared detention facility. Due to the loss of open space on paper, they are requesting an open space variation. The stormwater area property transfer has value as it will continue to serve the congregation without giving them the expense of maintaining it.

Referencing existing conditions, there are 4 large homes on the south of 17<sup>th</sup> Street. The site is surrounded by single family residential. A wooded area exists to the south. New houses to the north are zoned R2. The last of the homes are being built at this time. They are attractive, but

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slightly smaller than the ones being proposed as part of this project. He then mentioned the plans they submitted showing their larger lots with larger lots on the west side of the development.

He mentioned four items noted in the IDRC report for Plan Commission consideration that they thought would add value to their project:

1. Not requiring a hammerhead at the end of Norbury.
2. Not requiring parallel watermains along Norbury.
3. Keeping the proposed storm drains as proposed on the concept plans.
4. Consideration regarding the fencing prohibition along 17<sup>th</sup> Street.

Michael Mondus of Spaceco, stated that they prepared the preliminary plat and engineering plans. The development is a 25-lot subdivision and they are proposing 66' rights of way with 28 foot roadways. All streets will have curb and gutter and storm sewers. All utilities and sanitary sewers will be connected at Main and 17<sup>th</sup> Street and will extend east to their site and then south to service the homes. Water is available from existing mains on 17<sup>th</sup> Street. All streets and lots will drain into the two on site detention facilities – one at the northeast corner of site and the other southern one between Etz Chaim and their subdivision.

Ben Kell, landscape architect noted the fencing along 17<sup>th</sup> Street. A stone monument is proposed at the entrance. Lots 15-22 will have a 6' board on board fence along the rear of the properties. They will provide ornamental trees and larger shrubs. Street trees will be provided per ordinance.

Chairperson Ryan then opened the meeting for public comment. There were no comments in favor or in opposition to the proposal. Chairperson Ryan then requested the staff report.

William Heniff, Senior Planner, reiterated the requested actions and summarized the project. Referencing the Comprehensive Plan, the petitioner's site plan proposes 25 single-family residential units on nine gross acres, which calculates to about 2.7 units per acre. The petitioner's average lot size is approximately 10,224 square feet, which computes to 4.26 net units per acre. In previous workshop sessions with the Plan Commission, the Commissioners noted that while R2 could be conceptually supported on the property, they wanted the lots to meet the intent of the Estate Residential Plan designation of 4 units per acre, or 10,000 square foot lots, but lot sizes of 9,000 square feet could be conceptually supported. In consideration of these densities and considering that inclusion of the two detention facilities totaling an additional 1.31 acres of open space, staff believes that the proposed land use and density complies with the recommended land use as stated in the Comprehensive Plan.

He noted that the proposed single-family subdivision is compatible with the existing single family residences surrounding the site. For comparative purposes, the eight single-family residences constructed north of 17<sup>th</sup> Street and abutting the project average 8,710 square feet in size. The lots along the west side of Main Street abutting the project average 16,684 square feet in size. These lots were platted prior to their annexation into the Village. The perimeter lots to the properties along Main Street average over 13,000 square feet in size are oriented away from the existing lots along Main Street. To the south of the proposed development are five single-family properties. The existing residences are situated along 20<sup>th</sup> Street and are subject to redevelopment in the future as new single family residences with development densities comparable to the densities proposed as part of this development proposal. Lastly, the property is bounded by on the east by non-residential uses. The proposed subdivision plan locates the detention facilities along the eastern side of the project to buffer the adjacent land uses. Staff finds that the proposed development is compatible with adjacent land uses.

He then discussed the specific zoning actions. Upon annexation to the Village, properties are automatically classified as R1 Single-Family Residential properties. The petitioner is requesting a map amendment to zone the properties into the R2 District. Staff finds that this amendment can be supported as the abutting residences to the north and west of the project are also zoned R2. The proposed lots meet the R2 minimum lot size width of 60 feet and 7,500 square feet in area - no additional relief is requested as part of the petition.

In order to address the site-specific constraints, the petitioner is requesting conditional use approval for a planned development for the subject property. Planned developments have been approved for other major single-family developments in the community in the recent past as these developments presented unique redevelopment challenges. Staff believes the proposed development also poses similar challenges and that a planned development is warranted. Moreover, a planned development also provides staff with a mechanism to regulate/control development attributes of the project to ensure that an enhanced development is constructed.

The proposed development is classified as a major development, and as such, full public improvements will be required for all streets within the development as well as 17<sup>th</sup> Street where it currently does not exist per the Village's specifications.

The petitioner has requested two variations from the Ordinance regulations, as follows:

*A variation from Section 154.503 (I) to allow for the maximum length of cul-de-sac streets serving a maximum of 25 dwelling units to be greater than 660 feet.*

As there is no proposed means of access other than by the main access roadway, the street must be considered a dead end street or a cul-de-sac. The submitted plan shows Street "A" to be 632.52 feet in length and Street "C" to be 215 feet in length. These lengths exceed the maximum allowed by right.

The variation request is being created in part by a request from the Village to ensure that the subdivision provides a means to eventually connect to the properties south of the subject properties. As a cul-de-sac bulb is being proposed for within the development, the Fire Department does not have any objection to the request. Moreover, as the proposed variation is short-term in nature (upon completion of the roadway extension south of the site) the relief will no longer be needed. In consideration of the planned development standards relative to this request, staff supports the variation request.

As noted earlier, the proposed development will likely be extended to the south at some point in the future. Typically, we have required the installation of a temporary cul-de-sac bulb where such extensions are to occur (as was done with Columbine Glen Townhomes and is contemplated with the Buckingham Orchard development). However, in review of this plan, staff supports the submitted plan for the following reasons:

1. Only one lot would be affected (Lot 19);
2. A cul-de-sac will be provided and constructed immediately west of the dead end (fire equipment and vehicles will be able to turn-around without having to do a three-point turn); and
3. The detention facility could be fully constructed based upon the concept plans. The developer will not have to modify the detention pond at a later date.

Specific comments regarding the terminus are included in the IDRC engineering comments section.

*A variation from Section 154.503 (J) (2) allowing for a street jog with a center-line offset of less than two-hundred (200) feet.*

The proposed subdivision would create a street jog of approximately 130 feet between the existing Norbury Avenue and the new street. The jog was created in order to have a row of residences on the east side of the development backing up to the synagogue parking lot as well as the Outlot "B" detention basin. If Norbury was extended straight south from its current terminus, the reconfigured subdivision would lose two buildable lots. Also the street would be aligned in a manner that would result in proposed residences in phase two to the south of the subject property to have rear yards immediately abutting the adjacent office properties. The petitioner's plan could provide for cul-de-sac lots off the main roadway. Moreover, as Norbury itself is only a one-block street, the street jog will prevent additional traffic generated by the proposed development – trips would be directed to Main Street or Highland Avenue.

The Plan Commission requested additional engineering review of this issue. KLOA does not foresee a problem with the proposed street jog, provided that a stop sign be installed at the Norbury Avenue and Street "A" legs of the intersection and that parking should be prohibited for the portion of 17<sup>th</sup> Street between the two street segments. Should this development be approved, staff will forward the traffic signage recommendations to the Village's Traffic and Safety Committee for consideration.

The Subdivision and Development Ordinance states that through lots should be avoided where possible. While this is not an absolute requirement of the Ordinance, through lots have been minimized where possible. Lots 1 through 4 are considered through lots. The petitioner is proposing to construct a berm with dense vegetation along 17<sup>th</sup> Street to the rear (i.e., the north side) of these properties. Staff recommends as a condition of approval that the developer shall record covenants on Lot 1 through 4 restricting the use of the properties as follows:

1. That driveway access to 17<sup>th</sup> Street shall be prohibited;
2. That the proposed berm along the north side of the properties shall not be altered, modified or removed without approval of the Village of Lombard;
3. That any landscape plantings proposed for the landscape berm shall not be relocated or removed. In the event that any plant materials die, the property owner shall replace the dead materials with new plant materials of a similar species; and
4. Any fencing erected on the site shall be located outside of the landscape easement area.

Detention facilities will be provided per the Ordinance. As the subject properties straddle a ridge line, stormwater detention would be provided in two outlots. One facility will be located along 17<sup>th</sup> Street. The second facility would be integrated into the existing Etz Chaim Synagogue facility east of the site. The two facilities will be wet-bottom facilities with sloped perimeters. Small retaining walls of less than three feet in height will also be added to the facilities to provide for additional stormwater storage capacity. A subdivision entrance sign will be erected on Outlot A. Staff also notes that the Ordinance will require additional perimeter landscape trees around the facility.

Staff will be creating an annexation and development agreement for review and consideration by the Village Board. The agreement will incorporate the plans and recommendations of the Plan Commission accordingly.

Referencing the Etz Chaim Property, he noted they received conditional use approval (Ordinance 4358) for a religious institution on the subject property. The existing synagogue was developed in compliance with the approvals in 1998. In 2000, an amendment to an existing conditional use (Ordinance 4358) to allow for the expansion of their parking lot at the synagogue was approved. This request provided for an additional 112 off-street parking spaces. To address stormwater issues, a detention facility was constructed south of the new lot.

The subdivision petitioner is seeking to incorporate the Etz Chaim detention facility into their subdivision plans. To facilitate this request, Etz Chaim is proposing to sell the land that is improved with the detention facility. It will then be redesigned to provide for a shared stormwater facility for the subdivision as well as Etz Chaim. The facility would be established as a separate lot within the subdivision. As a result, Etz Chaim would no longer meet the fifty percent open space requirement in the underlying R1 District (the property would only have 44 percent open space). As such, an amendment to the previous conditional uses is requested with relief from the open space requirements.

Etz Chaim is not proposing any additional improvements for their property. However, they do recommend as a condition of approval that the minimum open space provisions provide them with a small amount of flexibility to allow for minor improvements to their property (such as additional sidewalks or an expanded concrete play area), without having to through the public hearing process in the future. He noted the open space square footage for several other religious institutions in the Village for reference purposes. From staff's standpoint, this request can be supported as the open space will still be provided – the variation is largely a paper variation and no physical changes are proposed for the site.

He referenced an error in the staff recommendations for approval.

He then offered comments regarding the petitioner's remarks:

1. Regarding the hammerhead turn around, staff did not want to create a situation where traffic would utilize adjacent residential properties to maneuver.
2. Regarding the looped watermain, this is an IEPA requirement. The stormsewer comment was provided in order to ensure that the line would not interfere with the proposed watermain.
3. Regarding landscape island in cul-de-sacs - Fire and PW staff do not support their inclusions into bulbs.
4. Regarding storm drain issues – the comments was offered so as to not create conflicts with the proposed berm and to ensure proper drainage.
5. Fencing – he gave the reasons for wanting the fencing limitations.

Chairperson Ryan opened the public hearing for discussion and questions by the Plan Commission.

Mr. Dunn had questions of staff – he requested that if the Commissioners follow staff's recommendations, he requests that removal of the hammerhead not be at their expense. Staff concurred. He then mentioned the fence on Lot 1 to 4 – they believed that the fencing on the north side would add ambiance and they were desirous of a wrought iron fence. Mr. Heniff stated that staff does not have a problem to incorporate their amended fence concept.

Commissioner Burke inquired about the hammerhead - where will it be installed? Mr. Heniff indicated that the pavement width would be extended to provide for the hammerhead within the proposed 66' right-of-way and would not impact Lots 18 & 19.

Commissioner Flint commended the petitioner for incorporating the items the Commissioners previously discussed.

Commissioner Olbrysh concurred. He would prefer R1 over R2, but the average lot size is well over 10,000 square feet. He is pleased how this has turned out.

Commissioner Zorn noted that she liked the revisions to the plans to create more uniform lot sizes.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 5-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 05-09 subject to the following conditions as amended:

1. That the petitioner shall develop the facility essentially in accordance with the plans prepared by Spaceco, Inc., dated March 8, 2005 and revised April 11, 2005; the Preliminary Engineering Plan, prepared by Spaceco, Inc., dated March 16, 2005 and the Preliminary Landscape Plan, prepared by Gary R. Weber Associates, Inc., dated March 16, 2005, except as amended by the conditions of approval.
2. That the petitioner shall satisfactorily address the IDRC comments included within the IDRC staff report.
3. That all relief associated with this petition shall be contingent upon the Village Board approving the annexation/development agreement for the proposed property.
4. That final engineering shall be approved prior to consideration of the Final Plat of Subdivision by the Board of Trustees.
5. That the petitioner/developer shall place the following covenants on proposed Lots 1 through 4.
  - a. That driveway access to 17th Street shall be prohibited;
  - b. That the proposed berm along the north side of the properties shall not be altered, modified or removed without approval of the Village of Lombard;
  - c. That any landscape plantings proposed for the landscape berm shall not be relocated or removed. In the event that any plant materials die, the property owner shall replace the dead materials with new plant materials of a similar species; and
  - d. Any fencing erected within the landscape berm area shall be constructed of wrought iron and shall not exceed four feet (4') in height.
6. That the development shall be developed consistent with all Codes of the Village.

The Plan Commission also recommends approval of an amendment to Ordinances 4358 and 4869, to incorporate the variation request included within the petitioner's request, subject to the following condition:

1. That the petitioner/property owner shall preserve a minimum of 40% of the lot area as open space.



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The Commissioner's also noted their support of provisions for the eventual removal of a requested temporary hammerhead within the annexation/development agreement.

Respectfully,

**VILLAGE OF LOMBARD**

Donald F. Ryan  
Lombard Plan Commission

att-  
c. Petitioner  
Lombard Plan Commission

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