

MEMORANDUM

TO: LOMBARD PLAN COMMISSION
Donald Ryan, Chairperson

FROM: William Heniff, AICP, Senior Planner

DATE: May 24, 2005

SUBJECT: PC 05-06: St. John's Church and School

At the May 19, 2005 Village Board meeting, the Village Board remanded PC 05-06 back to the Plan Commission for further consideration based upon information submitted after the close of the public hearing. This memorandum outlines the process and steps associated with this action and provides direction to the Commissioners relative to this petition.

BACKGROUND

In a presentation to the Plan Commission at the April 18, 2005 meeting, an objector (John DeSalvo) presented evidence and testimony relative the proposed height and mass of the proposed St. John's school building. His presentation depicted the proposed building height to be a uniform 35 feet in height. This information was included and considered as part of the public record. Mr. DeSalvo has since submitted additional slides to the file that show the same building footprint but with a proposed 28 foot building height.

The petitioners have submitted correspondence to the file that states that Mr. DeSalvo's exhibits shown at the Plan Commission meeting overstate the building height by 20 percent. They note that the proposed classroom area is proposed to be up to 28 feet in height and the gymnasium will be up to 32 feet in height as depicted on their April submittal to the Plan Commission.

Staff has reviewed this issue with Village Counsel. As both the petitioner and an objector have submitted new information to the record after the public hearing process was closed and that the information relied on by the Plan Commissioners in making their recommendation may not have been correct, Counsel recommended that the petition should be remanded back to the Plan Commission and that this new information should be reviewed with the Commissioners as part of the public hearing process. This action ensures that the public hearing record has been perfected and that the public hearing provisions established in *Klaeren v. Lisle* are satisfactorily addressed.

In the Village Board's remand back to the Plan Commission, the Board specifically directed the Plan Commissioners to review only the following items:

1. The building elevations and massing represented in the petitioner's and the objector's presentations;
2. The exterior building materials and exterior wall treatments for the proposed school; and
3. The proposed location of the school relative to the Zoning Ordinance bulk requirements.

The Plan Commissioners are asked to review this information and offer a recommendation back to the Village Board accordingly.

MEETING FORMAT

The format of the Plan Commission meeting will be as follows:

1. Staff Presentation – staff will outline the reason for the Special Meeting and will note the actions to be considered as part of the meeting. Staff will provide a very brief history of the petition and will summarize the zoning actions and development regulations associated with the petition. Once completed, an opportunity to cross-examine staff by anyone in the public will be provided. The cross-examination will be limited to the items as set forth by the Village Board.
2. Upon completion of staff cross-examination, an objector (John DeSalvo) will be offered the opportunity to present his presentation depicting the building height and massing. Once completed, an opportunity to cross-examine the objector by anyone in the public will be provided. The cross-examination will be limited to the items as set forth by the Village Board and shall relate specifically to his presentation.
3. Upon completion of the objector's cross-examination, the petitioner (St. John's) will be given an opportunity to review their petition to the Village as it specifically relates to the Village Board remand. Once completed, an opportunity to cross-examine the petitioner by anyone in the public will be provided. The cross-examination will be limited to the items as set forth by the Village Board and shall relate specifically to the petitioner's presentation.
4. After completion of the cross-examination, the public participation period will be closed. The Plan Commissioner's shall then be given an opportunity to discuss the petition. Questions may be asked to staff, the objector or the petitioner.

5. The Plan Commissioners shall then vote to deny, approve or approve the petition subject to conditions. The Commissioners do have the ability to add any conditions they deem appropriate (regardless of whether they relate to bulk and mass issues) should they recommend approval.
6. The recommendation will be forwarded to the Village Board for consideration at their June 2, 2005 meeting.

REFERENCE MATERIALS

For the Commissioner's reference, staff is providing a copy of the following information:

1. Copies of the IDRC staff reports as previously presented to the Commissioners;
2. Minutes of the March and April Plan Commission meetings;
3. Copies of past PowerPoint presentations made to the Commissioners;
4. A copy of the amended slides submitted to the file after the close of the public hearing;
and
5. Correspondence submitted by the petitioner with a building elevation plan showing the relationship of their proposed school building to adjacent properties.

ACTION TO BE TAKEN

At such time that the Plan Commission is ready to make a motion, the Commissioners have the following options:

1. If the motion is to approve the petition, the language included within the April 18, 2005 IDRC staff report can be used. The Plan Commission does have the ability to add or strike any conditions as they deem appropriate.
2. If the motion is for denial, the language included on Pages 18 and 19 of the April 18, 2005 approved Plan Commission minutes served as the basis of the original denial. The Commissioners could reiterate this motion or amend it as they deem appropriate, provided that the reasons for denial are tied to the standards for planned development.