



Village of Lombard

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

Minutes

Plan Commission

Donald F. Ryan, Chairperson

Commissioners:

Ronald Olbrysh, Martin Burke,

Ruth Sweetser, Stephen Flint,

John Mrofcza and Leigh Giuliano

Staff Liaison: Jennifer Ganser

Monday, July 16, 2018

7:00 PM

Village Hall - Board Room

Call to Order

Chairperson Ryan called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Chairperson Ryan led the Pledge of Allegiance

Roll Call of Members

Present 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, and Leigh Giuliano

Also present: Jennifer Ganser, AICP, Assistant Director of Community Development; and Anna Papke, AICP, Senior Planner.

Chairperson Ryan called the order of the agenda.

Ms. Ganser read the Rules of Procedures as written in the Plan Commission By-Laws.

Swearing in of new member Leigh Giuliano

Ms. Ganser conducted the swearing in of the new Plan Commissioner Leigh Giuliano.

Public Hearings

[180293](#)

PC 18-15: 1000 N. Rohlwing Road (Brauer House) - Request to withdraw petition

The petitioner requests that the Village grant approval of an amendment to Ordinance 6619, which granted a conditional use, pursuant to Section 155.415 (C)(20) of the Village of Lombard Zoning Ordinance, to allow outside service areas for outdoor dining and entertainment for the subject property located within the B3PD Community Shopping District Planned Development. The petitioner requests this petition be withdrawn. (DISTRICT #1)

The Commissioners voted to withdraw the petition.

The motion carried by the following vote:

Aye: 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, and Leigh Giuliano

[180297](#)

PC 18-23: 850 N. DuPage Avenue - Axe Throwing Establishment

The petitioner requests that the Village grant approval of a conditional use, pursuant to Section 155.420(C)(40) of the Village of Lombard Zoning Ordinance, to allow for an axe throwing establishment for the subject property located within the I Limited Industrial District. (DISTRICT #1)

Sworn in to present the petition were Hashmath Hussaini and Aslam Mohammed, the petitioners, and Anna Papke, Senior Planner.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Mr. Mohammed presented the petition. He provided an overview of axe throwing as an activity and a business endeavor. He said the proposed axe throwing business will ensure customer safety by using construction-style fencing around the throwing lanes and providing coaching and training videos for customers. He said no alcohol will be allowed on the premises. Mr. Mohammed showed photos of typical axe throwing lanes and a proposed floor plan for the subject property .

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The petitioner proposes to operate an axe throwing establishment in a building in the North Avenue industrial park. The Zoning Ordinance does not list axe throwing as a use, but staff considers the use to be similar in nature to a shooting gallery, which is a conditional use in the I District. The Zoning Ordinance states that uses similar in nature to other conditional uses in the I District can locate in the I District with the appropriate conditional use approval.

Staff reviewed the petition and finds the business would be compatible with other uses in the immediate neighborhood. There is adequate parking on the subject property. The petitioner has stated the business will not seek a liquor license. Staff finds the petition meets the standards for conditional uses and recommends approval of the request.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Olbrysh commented that axe throwing was an intriguing business. He asked if there will be an age limit for participants. Mr. Mohammed said patrons will need to be 14 or over to participate.

Commissioner Olbrysh asked if the petitioners have any other locations. Mr. Mohammed said they do not.

Commissioner Sweetser asked if there will be lanes available for practicing. Mr. Mohammed said participants will be able to practice with a coach before engaging in axe throwing games.

On a motion by Commissioner Burke, and a second by Commissioner Olbrysh, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 18-23, subject to the following three (3) conditions:

- 1. That the petitioner shall develop the site in accordance with plans submitted as part of this request;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 3. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the axe throwing business is not established by said date, this relief shall be deemed null and void.**

The motion carried by the following vote:

Aye: 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, and Leigh Giuliano

[180294](#)

PC 18-19: Text Amendments to the Zoning Code - Outdoor Cafe

Requests text amendments to Section 155.802 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the definition of outdoor cafe as an accessory use to a restaurant. The amendments are intended to allow such activities within the buildable area of a lot. (DISTRICT ALL)

Sworn in to present the petition was Jennifer Ganser, Assistant Director.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The Village is requesting a text amendment to the zoning ordinance to change the definition of outdoor cafe as an accessory use to a restaurant. The amendments are intended to allow such activities within the buildable area of a lot. Currently, the Zoning Ordinance defines outdoor cafes as an accessory use to a restaurant when no more than six tables, with a maximum of 24 chairs, are located between the restaurant building and the public right-of-way, provided said area is either a front yard or a corner side yard. The definition of outdoor cafe is contradictory, whereas buildings located within the B5 and B5A Zoning Districts do not have setbacks and there is neither a front yard nor a corner side yard to accommodate an accessory use. Staff researched outdoor café requirements in other municipalities around the Village of Lombard. None of the municipalities required outdoor cafes to be located in a required yard. Therefore, the proposed change will make Lombard's outdoor cafe standard similar to that used by nearby communities. This would allow for outdoor cafes to be located within the buildable area of the lot and removes the yard requirements.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Sweetser, and a second by Commissioner Mrofcza, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 18-19.

The motion carried by the following vote:

Aye: 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, and Leigh Giuliano

[180295](#)

PC 18-20: Text Amendments to the Zoning Code - Massage References

Requests text amendments to Sections 155.415 (C)(23), 155.416 (C) (23), 155.417 (G)(2)(b)(xi), and 155.418 (C)(18) of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the text for consistency regarding massage establishments and correct the reference sections regarding massage establishments. (DISTRICT ALL)

Sworn in to present the petition was Jennifer Ganser, Assistant Director.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The Village is requesting a text amendment to the zoning ordinance to emend the text for consistency regarding massage establishments and correct the reference sections regarding massage establishments. Staff still supports massage establishments as a conditional use in the B3, B4, B4A, and B5 Districts with the below text amendments.

The proposed text amendments will allow for modification to the wording of massage businesses regulated by the Village Zoning Code for further clarification. Staff notes that this text amendment will not affect the definition and requirements of massage establishments.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Flint, and a second by Commissioner Burke, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 18-20.

The motion carried by the following vote:

Aye: 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, and Leigh Giuliano

[180290](#)

PC 18-21: Text Amendments to the Zoning Code - Accessory Structures

Requests text amendments to Section 155.212 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the text regarding the percentage of a required yard that may be occupied by a permitted obstruction. (DISTRICT ALL)

Sworn in to present the petition was Anna Papke, Senior Planner.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The Village is requesting a text amendment to the zoning ordinance to amend standards related to the percentage of a required yard that can be occupied by a permitted obstruction. Currently, the Zoning Ordinance allows certain improvements to cover up to 30% of a required yard. This standard applies to all yards in all districts. During permit review, staff has found that this standard creates unrealistic limits for property owners and does not accurately reflect common patterns of development in many districts.

Staff proposes to eliminate the yard coverage limitation for commercial and multi-family development, with the understanding that parking areas and accessory uses often occupy significant portions of the yards on these properties. Staff also proposes eliminating the coverage requirement in rear and interior side yards for single-family development. Staff proposes amending the yard coverage standard to allow driveways, parking surfaces and patios to occupy up to 40% of front and corner side yards in single-family residential lots. Other permitted encroachments, such as front porches and sidewalks, would not count toward the 40% limit. This change will provide some flexibility to homeowners while maintaining a reasonable coverage limit in single-family neighborhoods. Staff notes that open space requirements will still apply to properties as a whole.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Burke asked if the Village had previously denied Plan Commission petitions based on the existing standards. Ms. Papke said she was not aware of any past petitions that had been denied for that reason.

Commission Mrofcza asked if the proposed amendment would impact the amount of open space required on properties. Ms. Papke said the open space standards would not be amended.

On a motion by Commissioner Mrofcza, and a second by Commissioner Guiliano, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 18-21.

The motion carried by the following vote:

Aye: 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, and Leigh Giuliano

[180296](#)

PC 18-22: Text Amendments to the Zoning Code - Parkway Improvements

Requests text amendments to Section 154.302 through 154.306 of the Subdivision and Development Ordinance and Section 155.705 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the text regarding parkway trees on dedicated right of way. The amendments are intended to remove discrepancies between the Subdivision and Development Ordinance, Zoning Ordinance and Chapter 99 of the Village Code (Trees and Shrubs). (DISTRICT ALL)

Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner, the Village is requesting a text amendment to the subdivision and development ordinance and zoning ordinance to amend to amend the text regarding parkway trees on

dedicated right of way.

The amendments are intended to remove discrepancies between the Subdivision and Development Ordinance, Zoning Ordinance and Chapter 99 of the Village Code (Trees and Shrubs). The proposed text amendments to the Subdivision and Development Ordinance are minor. Currently, the Zoning Ordinance lists spacing, size and species for parkway trees. Staff proposes to remove these specifications as they are addressed in Chapter 99. It was found that some of the recommendations listed in the Zoning Code were not consistent with Chapter 99. Staff finds that the specifics of the parkway trees on dedicated right of way are more appropriately reviewed by the Village's Forester, a Certified Arborist, as opposed to under the Zoning Code purview. However, the quantity of parkway trees is proposed to be retained in the Zoning Code. The intent is to remove the inconsistencies, duplicated items and clean up the code for clarity.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Olbrysh, and a second by Commissioner Sweetser, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 18-22.

The motion carried by the following vote:

Aye: 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, and Leigh Giuliano

Business Meeting

The business meeting convened at 7:35 p.m

Approval Of Minutes for May 21, 2018

A motion was made by Martin Burke, seconded by John Mrofcza, that this be approved. The motion carried by the following vote:

Aye: 5 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, and John Mrofcza

Abstain: 2 - Stephen Flint, and Leigh Giuliano

Approval of Minutes for June 4, 2018

A motion was made by Ruth Sweetser, seconded by Ronald Olbrysh, that this be approved. The motion carried by the following vote:

Aye: 5 - Donald F. Ryan, Ronald Olbrysh, Ruth Sweetser, John Mrofcza, and Stephen Flint

Abstain: 2 - Martin Burke, and Leigh Giuliano

Approval of Minutes for June 11, 2018

A motion was made by John Mrofcza, seconded by Ronald Olbrysh, that this be approved. The motion carried by the following vote:

Aye: 5 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, and John Mrofcza

Abstain: 2 - Stephen Flint, and Leigh Giuliano

Public Participation

There was no public participation

DuPage County Hearings

There were no DuPage County hearings

Chairperson's Report

The Chairperson deferred to the Assistant Director of Community Development

Planner's Report

Ms. Ganser provided the Commissioners a notification of the Landmark Site Designation of 134 W. St. Charles Road.

Unfinished Business

There was no unfinished business

New Business

There was no new business

Subdivision Reports

There were no subdivision reports

Site Plan Approvals

There are no site plan approvals

Workshops

There were no workshops

Adjournment

A motion was made by Commissioner Flint, seconded by Commissioner Sweetser, to adjourn the meeting at 7:41 p.m. The motion passed by a unanimous vote.

*Donald F. Ryan, Chairperson
Lombard Plan Commission*

*Jennifer Ganser, Secretary
Lombard Plan Commission*