

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


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

**TO :** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** Scott R. Niehaus, Village Manager

**DATE :** December 19, 2023                      **(BOT) Date:** January 4, 2023

**SUBJECT:** PC 23-25 105 & 115 W. Maple Street (Calvary Episcopal Church Planned Development)

**SUBMITTED BY:** William J Heniff, Director of Community Development 

**BACKGROUND/POLICY IMPLICATIONS:**

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take the following action on the subject property located within the R2PD Single-Family Residence District Planned Development (Calvary Church Planned Development):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Calvary Church Planned Development, as established by Ordinance No. 7627, to approve the following:
  - a. A major change to the planned development to change the use of the property at 115 W. Maple Street from a single-family residential structure owned and used by Calvary Church to a single-family residence owned by a separate entity and maintained as a single-family residence; and
  - b. A deviation from Sections 155.510 and 155.407(H) of the Lombard Zoning Ordinance to allow the Calvary Church Planned Development to maintain 37% of the planned development as open space, and to allow the property at 105 W. Maple to maintain 33% of the property as open space, where a minimum of 50% open space is required; and
2. Approve a minor plat of subdivision.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the January 4, 2024, Village Board of Trustees agenda for a first reading.

**Fiscal Impact/Funding Source:**


Review (as necessary)

Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ Date \_\_\_\_\_



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development 

**MEETING DATE:** January 4, 2024

**SUBJECT:** **PC 23-25: 105 & 115 W. Maple Street (Calvary Episcopal Church Planned Development)**

Please find the following items for Village Board consideration as part of the January 4, 2024, Village Board meeting:

1. Plan Commission referral letter
2. IDRC report for PC 23-25
3. An Ordinance granting a major change pursuant to Title 15, Chapter 155, Section 155.504 of the Lombard Zoning Ordinance for the Calvary Episcopal Church Planned Development, as established by Ordinance 7627, to allow for a change of use within a planned development, approval of an open space deviation, and approval of a minor plat of subdivision.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the January 4, 2024, Village Board of Trustees agenda for a first reading.



## VILLAGE OF LOMBARD

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Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
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January 4, 2024

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Liz Brezinski

**Trustees**  
Brian LaVaque, Dist. 1  
Anthony Puccio, Dist. 2  
Bernie Dudek, Dist. 3  
Andrew Honig, Dist. 4  
Dan Militello, Dist. 5  
Bob Bachner, Dist. 6

**Village Manager**  
Scott R. Niehaus

*"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. Keith T. Giagnorio,  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: PC 23-25: 105 & 115 W. Maple Street (Calvary Episcopal Church)**

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 action on the subject property located within the R2PD Single-Family Residence District Planned Development (Calvary Church Planned Development):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Calvary Church Planned Development, as established by Ordinance No. 7627, to approve the following:
  - a. Approve a major change to the planned development to change the use of the property at 115 W. Maple Street from a single-family residential structure owned and used by Calvary Church to a single-family residence owned by a separate entity and maintained as a single-family residence; and
  - b. A deviation from Sections 155.510 and 155.407(H) of the Lombard Zoning Ordinance to allow the Calvary Church Planned Development to maintain 37% of the planned development as open space, and to allow the property at 105 W. Maple to maintain 33% of the property as open space, where a minimum of 50% open space is required; and
2. Approve a minor plat of subdivision.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on December 18, 2023. Sworn in to present the petition was Anna Papke, Planning and Zoning Manager, and James Filkins, Senior Warden with Calvary Episcopal Church, representing the petitioner.

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

Mr. Filkins presented the petition. He said Calvary Episcopal Church owns a single-family home next to the church building. The Church purchased the home in 1958 and used it as a rectory until 1991. Since 1991 the home has been variously used as office and storage space and has fallen into disrepair. In 2022, Calvary had a professional evaluation conducted on the property that identified needed repairs. The Church does not have the funds to restore the building for use as a rectory. Furthermore, the building is not ADA compliant, which limits the possibilities for using it for Church functions.

Calvary Episcopal Church proposes to sell the house and has found a potential buyer. Currently, the church building encroaches onto the parcel with the single-family home and the property needs to be resubdivided to resolve this issue. Mr. Filkins said the potential buyer will use the house as a single-family home, though he was not sure whether it will be owner-occupied or a rental property. Mr. Filkins said the resubdivision requires a deviation for open space within the planned development. Currently, the planned development does not meet the required minimum 50% open space. After subdivision, the lot with the single-family home will have 60% open space and thus will be permitted by code to add additional lot coverage. The requested deviation accounts for this possibility. Mr. Filkins said it is not possible for the Church to add open space to the planned development. He also noted that the lot with the single-family home will include a portion of the driveway providing egress from the church parking lot to the rear of the lot. Finally, he noted that the plat of subdivision included cross-access easements to preserve the existing traffic circulation through the Church's parking lot. The Church will also seek to execute a separate agreement relative to cross-access with the potential buyer.

Mr. Filkins said that the sale of the house would benefit Calvary and will also benefit the Village by adding the property to the tax rolls and rehabilitating the structure. He noted that it is common to have large older houses interspersed with religious institutions.

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

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. Calvary Episcopal Church is the owner of the properties at 105 and 115 W. Maple Street. The church building is located at 105 W. Maple and a single-family home that has been used as a rectory is located at 115 W. Maple. A parking lot spans the rear of both pieces of property with driveway curb cuts located on both 105 and 115 W. Maple. The petitioner proposes to subdivide the property in order to sell the single-family home, which is no longer in use by Calvary Episcopal Church. The petitioner has submitted a draft plat of subdivision. Lot 1 in the proposed subdivision

comprises the church sanctuary and the parking lot (105 W. Maple Street). Lot 2 comprises the single-family home and a portion of the driveway from the parking lot (115 W. Maple). Both proposed lots meet minimum lot width and lot area requirements of the underlying R2 District. The plat includes ingress and egress easements to preserve the existing traffic circulation pattern in the parking lot.

The two properties are part of the Calvary Church Planned Development. The petitioner is requesting approval of an amendment to the planned development to change the use of the single-family home from a church-affiliated office or rectory to a single-family home unassociated with the Church. Staff has reviewed the change of use and finds the change of ownership and conversion of the house from a church-affiliated property to a single-family home is consistent with the standards for planned developments. Staff also notes single-family homes are permitted uses in the underlying R2 District. No adverse impacts are anticipated.

The petitioner is also requesting a deviation for open space. Presently, the planned development does not meet the 50% open space requirement in the R2 District. Village Code states single-family homes within planned developments must provide the required open space on a parcel-by-parcel basis, whereas open space on parcels with non-residential uses in planned developments is calculated across the entire planned development. If subdivided as proposed, the lot with the single-family home will be able to add 1,065 square feet of additional lot coverage and still meet the 50% open space minimum on that property. Anticipating that a future owner of the single-family home may seek to maximize lot coverage, the petitioner has requested a deviation to allow for the further reduction of open space within the planned development. In consideration of this request, staff notes that the planned development is unique in that it has both residential and non-residential uses. When applied to the Calvary PD, the open space requirements for planned developments allow for a portion of the PD to add lot coverage even though doing so will increase the existing open space deficiency across the planned development as a whole. This is a unique outcome created by the application of the open space regulations to the specific circumstances of the Calvary Planned Development. Staff supports the requested open space deviation.

Ms. Papke said staff recommends approval of the petition.

Ms. Papke said staff had received an email in support of the petition. This was read into the record and distributed to the Plan Commission.

Chairperson Giuliano asked if there were any questions or comments on the staff report.

Commissioner Spreenberg asked if the amount of open space referenced in the public notice accounted for the potential addition of lot coverage to the lot with the single-family home. Ms. Papke confirmed it did.

Chairperson Giuliano asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting to comments from the commissioners.

On a motion by Commissioner Verson, and a second by Commissioner Walker, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 23-25 subject to the two (2) conditions in the staff report:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
2. That the petitioner shall apply for and receive building permits for any future improvements to the subject property.

Respectfully,

**VILLAGE OF LOMBARD**

Leigh Giuliano, Chairperson  
Lombard Plan Commission

# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

### 105 & 115 W. MAPLE STREET (CALVARY EPISCOPAL CHURCH)

December 18, 2023

**Title**

PC 23-25

**Petitioner**

James A. Filkins  
PO Box 6237  
Villa Park, IL 60681

**Property Owner**

Calvary Episcopal Church  
105 W. Maple Street  
Lombard, IL 60148

**Property Location**

105 W. Maple Street (Lot 1) and  
115 W. Maple Street (Lot 2)  
PIN: 06-07-217-002 and 06-07-  
217-003

**Zoning**

R2PD – Single-Family Residence  
District Planned Development

**Existing Land Use**

Church and associated rectory  
building

**Comprehensive Plan**

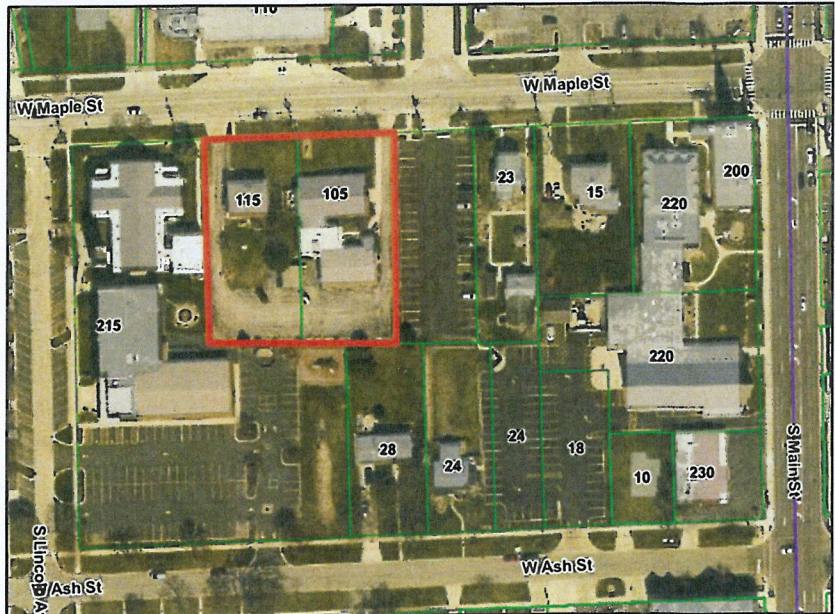
Public and Institutional

**Approval Sought**

Amend a planned development to  
change a land use within a planned  
development, approve a deviation for  
open space, and approve a minor plat  
of subdivision.

**Prepared By**

Anna Papke, AICP  
Planning and Zoning Manager



**LOCATION MAP**

**PROJECT DESCRIPTION**

Calvary Episcopal Church is the owner of the properties at 105 and 115 W. Maple Street. The church building is located at 105 W. Maple and a single-family home that has been used as a rectory is located at 115 W. Maple. A parking lot spans the rear of both pieces of property with driveway curb cuts located on both 105 and 115 W. Maple.

The petitioner proposes to subdivide the property in order to sell the single-family home, which is no longer in use by the Calvary Episcopal Church. The petitioner has submitted a draft plat of subdivision. Lot 1 in the proposed subdivision comprises the church sanctuary and the parking lot (105 W. Maple Street). Lot 2 comprises the single-family home and a portion of the driveway from the parking lot (115 W. Maple). Both proposed lots meet minimum lot width and lot area requirements of the underlying R2 District. The plat includes ingress and egress easements to preserve the existing traffic circulation pattern in the parking lot.

The property is a planned development. The petitioner is requesting approval of a major change to the planned development to change the use of the house from a building associated with church operations to a single-family residence. The plat also requires approval of a deviation for open space within the planned development.

**PROJECT STATS**

**Lot Area**

Lot 1 (105 W. Maple): 30,334 SF

Lot 2 (115 W. Maple): 10,608 SF

**Submittals**

1. Petition for a public hearing, dated 10/16/23;
2. Description of request, prepared by the petitioner;
3. Response to Standards, prepared by the petitioner;
4. Plat of Survey, prepared by Kabal Surveying Company, dated 12/27/2022; and
5. Draft Final Plat of Calvary Resubdivision, prepared by Kabal Surveying Company.

**APPROVAL(S) REQUIRED**

The petitioner requests that the Village take the following action on the subject property located within the R2PD Single-Family Residence District Planned Development (Calvary Church Planned Development):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Calvary Church Planned Development, as established by Ordinance No. 7627, to approve the following:
  - a. Approve a major change to the planned development to change the use of the property at 115 W. Maple Street from a single-family residential structure owned and used by Calvary Church to a single-family residence owned by a separate entity and maintained as a single-family residence; and
  - b. A deviation from Sections 155.510 and 155.407(H) of the Lombard Zoning Ordinance to allow the Calvary Church Planned Development to maintain 37% of the planned development as open space, and to allow the property at 105 W. Maple to maintain 33% of the property as open space, where a minimum of 50% open space is required; and
2. Approve a minor plat of subdivision.

**EXISTING CONDITIONS**

The subject property is developed with a church, a single-family house previously used as a rectory by Calvary Episcopal Church, and a surface parking lot.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has no comment on the petition. Additional comments may be forthcoming during permit review.

**Fire Department:**

The Fire Department has no comment on the petition. Additional comments may be forthcoming during permit review.

**Private Engineering Services:**

Private Engineering Services has the following comment on the petition. Additional comments may be forthcoming during permit review.

1. PES will review future developments on the parcel at 115 W. Maple Street for compliance with the local stormwater management ordinances in the same manner as all other existing single-family residences.



**Public Works:**

The Department of Public Works has no comment on the petition. Additional comments may be forthcoming during permit review.

**Planning Services Division:**

The Planning Services Division (PSD) notes the following:

*1. Surrounding Zoning & Land Use Compatibility*

	Zoning Districts	Land Use
North	CR	Former Helen Plum Public Library
South	R2 and R2PD	Single-family residence and St. John’s Church
East	R2	Parking lot and Lombard Historical Society
West	R2PD	St. John’s Church

The subject property is located along Maple Street in an area developed with a mixture of civic and institutional uses (churches, former public library, Lombard Historical Society), the Edward Elmhurst medical offices, and single-family homes. The proposed resubdivision and sale of the single-family home at 115 W. Maple is compatible with surrounding uses.

*2. Comprehensive Plan Compatibility*

The Comprehensive Plan recommends public and institutional uses on the subject property. Single-family homes associated with churches and other institutional land uses are consistent with this designation. The nature of the land uses on the subject property will not change significantly with the subdivision and sale of the single-family to a party not affiliated with Calvary Episcopal Church.

*3. Zoning Compatibility and Request to Change a Land Use within a Planned Development*

Calvary Episcopal Church is located at 105 W. Maple Street. The Church purchased the house and property at 115 W. Maple Street in 1958 and used it as a rectory until 1991. In recent years the building has been used for Church offices and storage. The petitioner states that the building has fallen into disrepair and is no longer needed for Church purposes. The petitioner therefore proposes to subdivide the property and sell the house to a buyer who will use it as a single-family home.

The subject property is a planned development in the R2 Single-Family Residence District. Per Section 155.504 of Village Code, any change of use within a planned development is considered a major change that requires approval by the Village Board through the Plan Commission public hearing process. The petitioner’s proposal to subdivide and sell the property at 115 W. Maple for use as a single-family home unassociated with the Church constitutes such a change of use.

Staff has reviewed the proposed subdivision and change of use for the house at 115 W. Maple. Both proposed lots meet minimum lot area and lot width requirements for the underlying R2 District. Staff finds that the change in ownership and conversion of the house from a Church-affiliated rectory/office to a single-family home is consistent with the standards for planned developments. Single-family homes are permitted uses in the underlying R2 District. The subject property is located within a neighborhood consisting of single-family residences and public/institutional uses. No adverse impacts to the neighborhood are anticipated.

Internal traffic circulation within the planned development (the church building and the single-family home) will not change following the subdivision and sale of 115 W. Maple. The existing parking lot located to the rear of the sanctuary and the house will remain in place. Traffic enters the parking lot via the driveway on the east side of the sanctuary building. Traffic flow is one-way in a westerly direction through the parking lot, with egress through the driveway located on the west side of the house at 115 W. Maple. A portion of the western egress driveway will be incorporated into Lot 2 of the subdivision and sold with the house. The proposed plat of subdivision includes ingress and egress easements for the benefit of both proposed lots that will ensure this traffic circulation pattern remains in place.

**4. Request for Deviation from Open Space Requirement**

Properties located in the R2 District are required to maintain 50% of the lot area as open space. Section 155.510 of Village Code further regulates open space in planned developments as follows:

- Open space in planned developments shall be calculated as the total area of open space provided on all parcels within the planned development, divided by the base area of the planned development, except as provided for below.
- Individual parcels in planned developments that are developed with detached single-family residences shall meet the open space requirement on a parcel-by-parcel basis.

At present, the Calvary Church Planned Development as a whole has 40% open space. The subdivision of the property will create a scenario in which Lot 2 can add lot coverage, thereby further decreasing the open space within the planned development. If the property is subdivided as proposed, Lot 1 (church building) will have 33% open space and Lot 2 (house) will have 60% open space. Because Sec. 155.510 provides for open space on single-family lots in planned developments to be calculated on a lot-by-lot basis, Lot 2 will be able to add up to 1,065 square feet of additional lot coverage and still meet the 50% open space minimum. Additional lot coverage on Lot 2 would reduce the open space in the Calvary Church Planned Development to 37%. A summary of the existing and potential open space/lot coverage calculations is shown below.

	LOT 1	LOT 2	PD total as-is with 40% open space on Lot 2	PD total with 50% open space on Lot 2
<i>Lot area (SF)</i>	30,334	10,608	40,942	40,942
<i>Lot coverage (SF)</i>	20,224	4,239	24,463	25,528
<i>Lot coverage %</i>	67%	40%	60%	63%
<i>Open space %</i>	33%	60%	40%	37%

Anticipating that a future owner of Lot 2 may seek to maximize lot coverage, the petitioner is requesting a deviation to allow for the further reduction in open space within the Calvary Church Planned Development. In consideration of the request, staff notes that the circumstances in the Calvary Church PD are unique among planned developments within the Village. Typically, planned developments are either predominately residential or predominately commercial/non-residential in nature. This reality is reflected in Section 155.510, which provides for open space to be calculated differently within planned developments based upon the character of the land uses.

In the case of the Calvary Church Planned Development, the proposed subdivision will create a two-lot planned development where one lot is a single-family residence and the other lot is a church and associated parking lot. When applied to the Calvary PD, the open space requirements for planned developments allow for a portion of the PD to add lot coverage even though doing so will increase the existing open

space deficiency across the planned development as a whole. This is a unique outcome created by the application of the open space regulations to the specific circumstances of the Calvary Planned Development. Staff supports the requested open space deviation.

### **SITE HISTORY**

**PC 18-31:** Approval of a conditional use for a planned development with a use exception for a day care center.

### **FINDINGS & RECOMMENDATIONS**

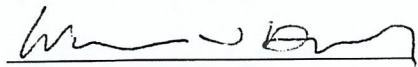
Staff finds that the proposed change to a use within a planned development, open space deviation, and minor plat of subdivision are consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested amendment to a planned development in the R2PD District and minor plat of subdivision and finds that the petition **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 23-25:

Based on the submitted petition and the testimony presented, the petition does comply with the standards required by the Village of Lombard Zoning Ordinance and approval of the petition is 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 23-25, subject to the following conditions:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
2. That the petitioner shall apply for and receive building permits for any future improvements to the subject property.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP  
Director of Community Development  
c. Petitioner

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# Village of Lombard Plan Commission Petition for Public Hearing

## *Description of Request:*

Calvary Episcopal Church seeks permission to re-subdivide the parcels located at 105 and 115 West Maple Street.

### *I. Background.*

Calvary Episcopal Church (hereinafter “Calvary”), 105 West Maple Street, Lombard, Illinois is a parish in good standing of the Episcopal Diocese of Chicago and a religious corporation under the provisions of Religious Corporation Act of Illinois of 1872 (805 ILCS 110/0.01).

Calvary purchased the house (hereinafter “Rectory”) and the adjacent lot on which it stands at 115 West Maple Street, Lombard, Illinois in 1958 as a dwelling and place of residence for its Rector. The Rectory was used for this purpose until 1991. Since then, the offices of the Rector and Parish Administrator have been located on the ground floor and the remaining spaces used for miscellaneous storage or left vacant.

The Rectory was built in 1909. The age of the structure together with its under-utilization and neglect over the past 32 years has led to a state of substantial disrepair and deterioration such that it is currently unsuitable for occupancy or rental. Additionally, the Rectory is not handicapped accessible and lacks modern conveniences such as central air conditioning. Calvary lacks the financial resources to restore the Rectory to a condition of safety, comfort, and accessibility so that it can be rented or occupied.

In 2022 the Wardens<sup>1</sup>, Vestry<sup>2</sup>, and Members of Calvary after much prayer and reflection discerned the necessity of selling the Rectory and the adjacent lot on which it stands.

On October 13, 2022, Bishop Paula E. Clark granted James A. Filkins, Senior Warden, and Katherine Pierson, Junior Warden, permission to sell the Rectory on behalf of Calvary using the services of a licensed real estate broker.

Calvary, through its licensed real estate broker, J.W. Reedy, entered into a residential real estate contract with a prospective buyer on November 11, 2022.

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<sup>1</sup> The Episcopal Church sometimes uses archaic language that may be unfamiliar to persons who are not members. “Wardens” are the lay executive officers of a given parish. Typically, there is a Senior Warden and a Junior Warden who correspond to the Chairperson and Vice-Chairperson of the Parish or Church Council in other denominations.

<sup>2</sup> “Vestry” in the Episcopal Church is the Parish or Church Council. The Wardens and the Vestry have the responsibility of managing the financial and business affairs of a parish on behalf of the congregation.

## ***II. Proposed Re-Subdivision.***

The most recent survey of the parcels at 105 and 115 West Maple completed on December 27, 2022, in preparation for the prospective sale determined that portions of the church building and parish hall at 105 West Maple encroach upon the Rectory parcel at 115 West Maple.

A condition precedent to the prospective sale or any sale of the Rectory is a re-subdivision of the two properties to eliminate the encroachment. The proposed re-subdivision would simply create a smaller parcel for the Rectory property, but well within the minimum requirements of the applicable zoning regulations (*See Draft Plat of Re-Subdivision, attached*).

*Accordingly, Calvary respectfully petitions the Plan Commission to approve and to recommend that the Village of Lombard Board of Trustees approve the re-subdivision as set forth in the attached Draft Plat of Re-Subdivision.*

## IX. STANDARDS FOR PLANNED DEVELOPMENTS

### A. General Standards

1. *Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located.*

The proposed re-subdivision complies with the regulations of the district(s) within which it is located. The garage in its present location is a legal non-conforming structure.

2. *Community sanitary sewage and potable water facilities connected to a central system are provided.*

All community sanitary sewage and potable water facilities are connected to a central system. The proposed re-subdivision will not affect existing sanitary sewage and potable water facilities. Each structure, that is, the Rectory and the Church/Parish Hall, is separately connected to the central system.

3. *The dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.*

The purpose of the proposed re-subdivision is to cure an encroachment by the Church structure onto the parcel on which the Rectory is located so that the Rectory can be sold. The proposed re-subdivision will convert the Rectory from an underused and dilapidated residential structure into a usable single-family residence thereby enhancing the attractiveness and property values in the area. Accordingly, the dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.

4. *That the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.*

For the reasons stated in the "Description of Request" attached to the application and in Section IX.A.3 above, the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.

**5. That the streets have been designed to avoid:**

- a. Inconvenient or unsafe access to the planned development;**
- b. Traffic congestion in the streets which adjoin the planned development;**
- c. An excessive burden on public parks, recreation areas, schools, and other public facilities which served or are proposed to service the planned development.**

No additional streets or roadways are proposed or necessary for the proposed re-subdivision.

As noted in the survey of re-subdivision a cross-access easement will provide ingress and egress to the respective properties.

The proposed re-subdivision will impose no burden on the public parks, recreation areas, schools, and other public facilities in the area.

## **C. Standards for Planned Developments with Other Exceptions**

### ***1. Any reduction in the requirements of this Ordinance is in the public interest.***

The proposed re-subdivision of the properties located at 105 and 115 West Maple Street, Lombard, Illinois serves the public interest.

As noted in “Description of Request” attached to the application, the Rectory is in a substantial state of disrepair and deterioration such that its condition approaches that of a distressed property. Calvary lacks the financial resources to restore the Rectory. The proposed re-subdivision would permit a sale to go forward to a buyer with the financial resources to restore the Rectory to a condition consistent with many of the early 20<sup>th</sup> Century homes located along Maple Street between Main Street and South Finley Road making it once again suitable as a single-family dwelling for rent or sale. Restoration of the Rectory, therefore, could only help enhance property values along this area of Main Street.

Moreover, because the Rectory and the parcel on which it stands is owned by a church it is not subject to real estate taxes. The proposed re-subdivision would convert the Rectory parcel into a taxable property.

Accordingly, for these reasons – enhanced property values and the generation of additional tax revenue -- the proposed re-subdivision serves and advances the public interest of Lombard, Illinois. The proposed re-subdivision is the means by which this can happen.

### ***2. The proposed exceptions would not adversely impact the value or use of any other property.***

The Rectory parcel is located between the church and parish hall of Calvary to the east and St. John’s Lutheran Church to the west. A parking lot is located to the south of Calvary and the Rectory.

The proposed re-subdivision will not affect the operations of Calvary. Under the proposed re-subdivision Calvary will retain the parking lot. Entrance to the parking lot will continue to be via the east driveway and exit from the parking lot will continue to be via the west driveway. Any sales agreement between Calvary and a prospective buyer will incorporate an easement or right of access permitting the purchaser or tenants to use the driveways and parking lot to access the Rectory parcel. The buyer will bear the full responsibility and expense of installing a 2-car parking pad on the Rectory parcel in conformity with Village regulations.

Nor will the proposed re-subdivision affect the operations of St. John’s Lutheran Church. The two properties are separated by a chain link fence and share no common areas.



The interspersed of older residential properties and churches is a charming and attractive feature of Maple Street between Main Street and South Finley Road. Sacred Heart Roman Catholic Church lies to the west and First Church of Lombard lies just to the east. The proposed re-subdivision, which will permit the sale and restoration of the Rectory will enhance the attractiveness and property values of this area of Lombard.

3. ***That such exceptions are solely for the purpose of promoting better development which will be beneficial to the residents or occupants of the planned development as well as those of surrounding properties.***

For the reasons stated in the responses to Standards 1 and 2 above the proposed re-subdivision is for the sole purpose of promoting better development beneficial to the planned development and surrounding properties.

Just as an ebbing tide lowers all boats so too does a deteriorating structure such as the Rectory decrease the values of the properties around it. The proposed re-subdivision is the means by which through sale the necessary rehabilitation and restoration of the Rectory can be achieved. As stated, the re-subdivision is a condition precedent to any sale.

Additionally, the sale of the Rectory and parcel on which it stands will create a taxable property. The restoration of the Rectory and its reversion back to a single-family dwelling will enhance surrounding property values and the charm and attractiveness of the surrounding area, which in turn will promote better development. The sale of the Rectory will also enable Calvary to direct more of its resources into the maintenance and care of its church, parish hall, and campus thereby preserving their attractiveness and further enhancing property values in the area.

4. ***That the overall floor area of the planned development shall not exceed by more than 40% the maximum floor area permitted for the individual uses in each applicable district.***

The proposed re-subdivision is for the purpose of adjusting the property lines between the Rectory parcel and the Church parcel to eliminate an encroachment and to permit the sale of the Rectory to proceed. No additional building construction is proposed.

5. ***That in residential planned developments the maximum number of dwelling units allowed shall not exceed by more than 40% the number of dwelling units permitted in the underlying district.***

See response to Standard 4 above. No additional building construction or dwelling units are proposed.

6. *That all buildings are located within the planned development in such a way as to dissipate any adverse impact on adjoining buildings and shall not invade the privacy of the occupants of such buildings and shall conform to the following:*

a. *The front, side or rear yard setbacks on the perimeter of the development shall not be less than that required in the abutting zoning district(s) or the zoning district underlying the subject site, whichever is greater.*

The proposed re-subdivision complies with all applicable setback requirements (See Draft Plat of Re-Subdivision, attached).

b. *All transitional yards and transitional landscape yards for the underlying zoning district are complied with.*

Repair and restoration of the Rectory will not require any new or additional construction apart from the installation of a 2-car parking pad. Accordingly, no transitional yards or transitional landscape yards are required.

c. *If required transitional yards and transitional landscape yards are not adequate to protect the privacy and enjoyment of property adjacent to the development, the Plan Commission shall recommend either or both of the following requirements:*

1) *All structures located on the perimeter of the planned development must set back by a distance sufficient to protect the privacy and amenity of adjacent uses;*

2) *All structures located along the entire perimeter of the planned development must be permanently screened with sight-proof screening in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.*

Should the Plan Commission determine that transitional yards and transitional landscape yards are required, but inadequate to protect the privacy and enjoyment of property adjacent to the development the purchaser of the Rectory shall bear the responsibility and expense of complying with either or both requirements as set forth in Standard 6.C. 1 & 2.

7. *That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district.*

We are requesting an open space variance for the property located at 105 West Maple, that is, Parcel 1 or the Church property, as well as for the Planned Development which consists of both properties. The proposed re-subdivision will give the property at 115 West Maple, that is, Parcel 2 or the Rectory Property 60% open space, but leaves Parcel 1 with only 33% open space. As noted, however, both Parcels comprise a Planned Development per Ordinance 7627. Although the proposed re-subdivision will provide 37% open space coverage for the planned

development, *the proposed re-subdivision will also allow the owner of Parcel 2 to add approximately 1,065 square feet of open space thereby bringing the total open space for the planned development to 50%.*

Accordingly, we respectfully request an open space variance for the property at 105 West Maple Street, Parcel 1 or the Church Property and for the Planned Development consisting of both 105 West Maple Street and 115 West Maple Street, Parcel 2, or the Rectory Property.



(assumed)

**KABAL SURVEYING COMPANY**  
*Land Surveying Services*  
**Plat of Survey**

10407 West Cermak Road  
 Westchester, Illinois 60154  
 (708) 562-2652  
 Fax (708) 562-7314  
 email: kabal-surveying@comcast.net  
 website: KabalSurveyingCompany.com  
 Registration No. 184-003061

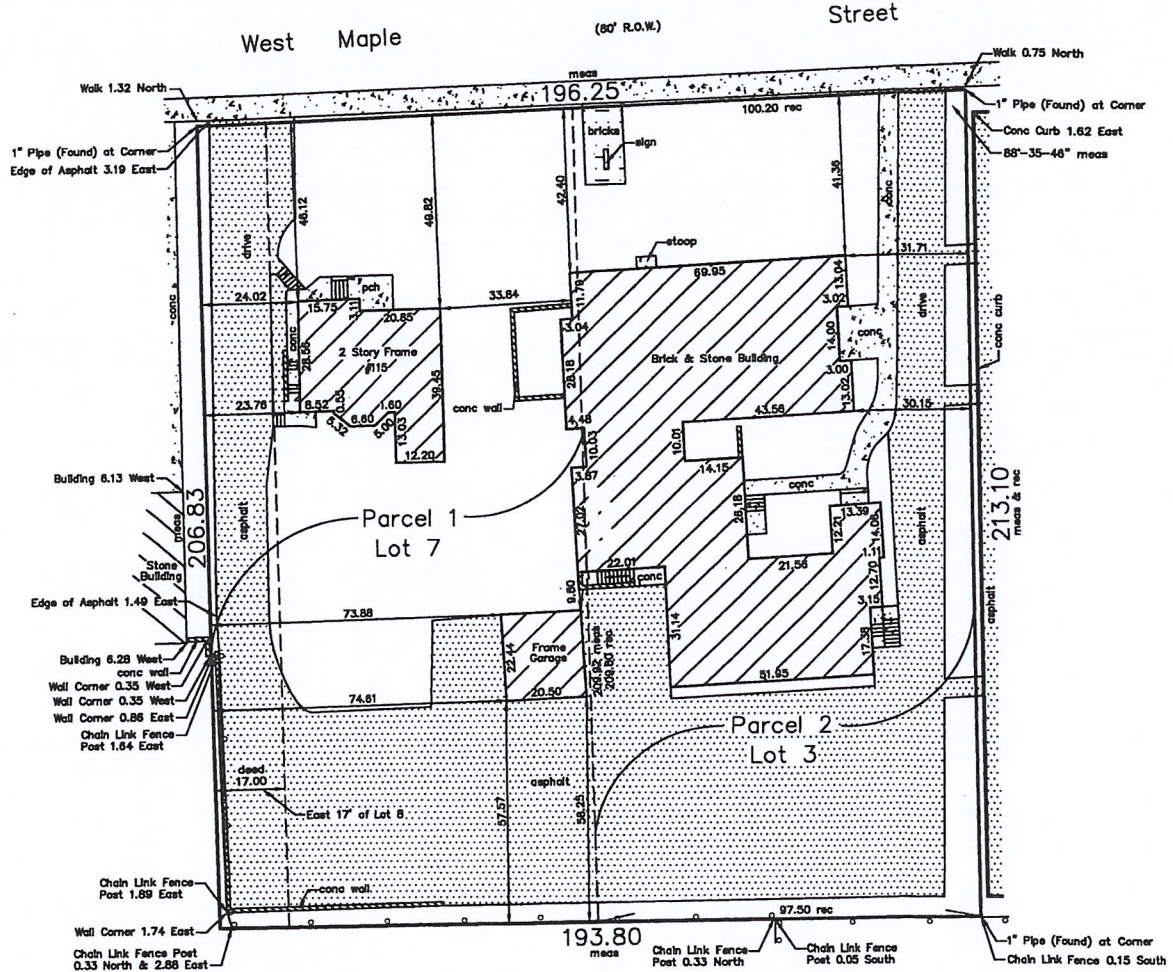
Parcel 1:

Lot 7 and the East 17 feet of Lot 8 in Block 27 Town of "Lombard", being a Subdivision in Sections 5, 6, 7, 8 and 18, Township 39 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded April 23, 1868 as Document 9483, in DuPage County, Illinois.

Parcel 2:

Lot 3 of the Resubdivision of Lot 6 in Block 27 of the Town of Lombard, a Subdivision in Sections 5, 6, 7, 8 and 18, Township 39 North, Range 11, East of the Third Principal Meridian, according to the Plat of said Resubdivision recorded August 29, 1919 as Document 138040, in DuPage County, Illinois.

Address: 115 West Maple Street, Lombard



**LEGEND**

R.O.W. = right-of-way, E = East  
 rec = record, N = North, W = West  
 meas = measured, S = South  
 pch = porch, conc = concrete

Area of property is approximately 40,942 square feet

"X" in box indicates that hereon drawn plat was ordered as a non-monumented survey

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed December 27, 2022

Scale: 1 Inch = <u>30</u> ft.
Order No. <u>222144</u>
Ordered By: <u>Shawn M. Bolger</u>

This professional service conforms to the current Illinois minimum standards for a boundary survey

STATE OF ILLINOIS }  
 COUNTY OF COOK } s.s.

I, MITCHELL P. BALEX, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

*Mitchell P. Balch*

Illinois Professional Land Surveyor No. 035-003250  
 My license expires on November 30, 2024

ORIGINAL SEAL IN RED

## Papke, Anna

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**From:** Brian Molley ·  
**Sent:** Sunday, December 17, 2023 7:55 PM  
**To:** Community Development  
**Subject:** Statement to Planning Commission Regarding PC 23-25

To the Lombard Planning Commission,

In regards to PC 23-25 the resubdivision of the Calvary Church property at 105 and 115 W. Maple Street. I ask that the Planning Commission approve this plat of resubdivision for the sale of the 115 W. Maple St. property.

As congregations continue to become smaller and churches continue to need more funds or even become financially unable to continue on with their missions, the sale of land on which their buildings sit becomes not only a resource for their congregations but for the community as a whole. Many of these churches sit on valuable and key parcels for continuing to develop Lombard into an active, walkable, growing, thriving, and interconnected community.

The Village of Lombard should not only provide for the means of sale of these properties, when it becomes necessary, but should seek opportunities to ensure that their purchase and redevelopment serves for the betterment of the community as a whole. Many of these parcels are located near the downtown and their redevelopment should be considered an opportunity to expand the downtown and further serve those communities that surround the downtown area. Rezoning of these parcels is key to providing flexibility of uses that can activate the blocks on which these parcels sit by allowing for varied uses, not a singular static zone. The focus should be on mixed use and walkable projects that provide flexibility and allow for changes, with time, to keep this land actively serving the community for many more generations.

This Commission, along with the Village Board of Trustees, and the Planning Services department will play a key role in making the redevelopment of these properties easy or difficult for potential developers. These entities also have a key role to play in how Lombard's Comprehensive Plan and Zoning Rules will guide the redevelopment of these critical pieces of land.

Thank you,

+ Brian Molley

Resident of Lombard for the last 8-years, interested citizen, and registered architect in Illinois.

Email | [bmolley@gmail.com](mailto:bmolley@gmail.com)

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING A MAJOR CHANGE PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.504 OF THE LOMBARD ZONING ORDINANCE FOR THE CALVARY EPISCOPAL CHURCH PLANNED DEVELOPMENT, AS ESTABLISHED BY ORDINANCE 7627, TO ALLOW FOR A CHANGE OF USE WITHIN THE PLANNED DEVELOPMENT, APPROVAL OF AN OPEN SPACE DEVIATION, AND APPROVAL OF A MINOR PLAT OF SUBDIVISION**

(PC 23-25: 105 & 115 W. Maple Street – Calvary Episcopal Church Planned Development)

WHEREAS, the President and Board of Trustees of the Village of Lombard (“Village”) have heretofore adopted the Lombard Zoning Ordinance otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois (“Lombard Zoning Ordinance”); and

WHEREAS, the Subject Property, as described in Section 2 below, is zoned R2 Single-Family Residence District Planned Development; and

WHEREAS, an application has heretofore been filed by James Filkins/Calvary Episcopal Church (“Petitioner”) requiring approval, pursuant to the Lombard Zoning Ordinance, of a major change to a planned development to change a use in a planned development, approval of an open space deviation, and approval of a minor plat of subdivision for the Subject Property, as described in Section 2 below; and

WHEREAS, a public hearing on the aforesaid application has been conducted by the Village of Lombard Plan Commission (“Plan Commission”) on December 18, 2023, pursuant to appropriate and legally required notice; and

WHEREAS, the Plan Commission has filed its findings and recommendations with the President and Board of Trustees recommending approval of the aforementioned change of use, open space deviation, and minor plat of subdivision (“Findings and Recommendations”); and

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village to approve and adopt the Findings and Recommendations, which are hereby incorporated herein by reference as if 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 approval of the aforesaid change of use, open space deviation, and minor plat of subdivision, all more fully as set forth below, are hereby granted for the Subject Property, subject to the conditions set forth in Section 3 below:

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Calvary Church Planned Development, as established by Ordinance No. 7627, to approve the following:
  - a. Approve a major change to the planned development to change the use of the property at 115 W. Maple Street from a single-family residential structure owned and used by Calvary Church to a single-family residence owned by a separate entity and maintained as a single-family residence; and
  - b. A deviation from Sections 155.510 and 155.407(H) of the Lombard Zoning Ordinance to allow the Calvary Church Planned Development to maintain 37% of the planned development as open space, and to allow the property at 105 W. Maple to maintain 33% of the property as open space, where a minimum of 50% open space is required; and
2. Approve a minor plat of subdivision.

**SECTION 2:** That this ordinance is limited and restricted to the subject property generally located at 105 & 115 W. Maple Street, Lombard, Illinois, and more specifically legally described as set forth below (“Subject Property”):

**PARCEL 1:**

LOT 7 AND THE EAST 17 FEET OF LOT 8 IN BLOCK 27 TOWN OF “LOMBARD”, BEING A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1868 AS DOCUMENT 9483, IN DUPAGE COUNTY, ILLINOIS.

**PARCEL 2:**

LOT 3 IN THE RESUBDIVISION OF LOT 6 IN BLOCK 27 OF THE TOWN OF LOMBARD, A SUBDIVISION IN SECTION 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED AUGUST 29, 1919 AS DOCUMENT 138040, IN DUPAGE COUNTY, ILLINOIS.

PIN: 06-07-217-002 and 06-07-217-003

COMMON ADDRESS AND LOCATION: 105 & 115 W. Maple Street, Lombard, IL

Ordinance No. \_\_\_\_\_

Re: PC 23-25

Page 3

**SECTION 3:** This ordinance shall be granted subject to compliance with the following conditions:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
2. That the petitioner shall apply for and receive building permits for any future improvements to the subject property.

**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 \_\_\_\_\_, 2024.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2024, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Elizabeth Brezinski, Village Clerk