

**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 Niehaus, Village Manager

**DATE :** November 30, 2018                      **(BOT) Date:** December 6, 2018

**SUBJECT:** PC 18-31: 105-115 W. Maple Street – Planned Development with a use exception

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

**BACKGROUND/POLICY IMPLICATIONS:**

The petitioner, Tri-Town YMCA, requests that the Village approve a conditional use for a planned development with a use exception for a day care center on the subject property located within the R2 Single-Family Residence District.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the December 6, 2018 Board of Trustees agenda with a waiver of first reading.

**Fiscal Impact/Funding Source:**

Review (as necessary):

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

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



## MEMORANDUM

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

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

**MEETING DATE:** December 6, 2018

**SUBJECT:** **PC 18-31; 105-115 W. Maple Street, Calvary Episcopal Church**

Please find the following items for Village Board consideration as part of the December 6, 2018 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 18-31; and
3. An Ordinance granting approval for a use exception within a Planned Development in the R2 Single-Family Residence District.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the December 6, 2018 Board of Trustees agenda with a waiver of first reading.





## VILLAGE OF LOMBARD

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Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
www.villageoflombard.org

December 6, 2018

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

**Trustees**  
Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Bill T. Johnston, Dist. 4  
Robyn Pike, Dist. 5  
William "Bill" Ware, 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 18-31; 105-115 W. Maple Street – Planned Development with a use exception**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Tri-Town YMCA, requests that the Village approve a conditional use for a planned development with a use exception for a day care center on the subject property located within the R2 Single-Family Residence District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on November 19, 2018. Sworn in to present the petition were Deb Allen, Maureen O'Connor the petitioners, and 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.

Ms. Allen presented the petition and said Tri-Town is a non-facility YMCA that has been operating for 57 years. They moved from offices and space at District 44. They also held day care at District 44. In June 2018 they moved to Calvary Church. The YMCA provides services to the community and teaches STEAM learning. They help close a gap in skill level, especially to the low income population and families rely on their services. Rev. O'Connor said the Church was established over 70 years ago and her family has been part of the Church for over 50 years. As the Church has been declining in membership size they started looking for partnerships to continue to do good work in the community.

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. Tri-Town YMCA is renting space from Calvary Episcopal Church for their offices and to run their before and after school programs. The office space is a permitted use, however, the zoning ordinance classifies the before and after school care as a day care center. As the property is zoned R2, the petitioner requests a planned development with a use exception.

Per Rev. Maureen O'Connor there are thirty-four (34) parking spaces. The church has seating for 175 people. Per Village Code, Religious Institutions require one space per three seats or 58 spaces. The church is legal nonconforming as the church has been operating at this site since 1942. The Church has three part-time employees, with minimal overlap of hours. Tri-Town YMCA has two full-time employees at this location and some part-time employees. At peak time, they estimated there could be up to nine employees.

The drop off and pick up times for the before and after school programs do not conflict with church programs. The Village is unaware of and found no recorded parking agreements between Calvary Church and other entities. There are also no past zoning actions on the Church property for off-site parking or other items.

Though the day care use is being operated by a separate entity, it is being operated in the same building. Staff finds that the parking is being met thru the conditions set forth in the staff report and this memo. As the uses operate at different times, the degree of the non-conformity is not being increased. There is a practical application to the parking, as the uses are at different times with little to no overlap. Staff also finds that day care is often an ancillary use of a church, much like office staff or counselling sessions. Staff discussed the operations with the Church and YMCA. Both are in agreement to the conditions noted in this supplemental memo and the concepts have been approved by our Village Counsel.

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 Giuliano, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 18-31, subject to the following four (4) conditions:

1. The petitioner shall be required to apply for and receive building permits for any improvements to the site;
2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. Day care student unloading and loading shall be on the subject property only; and
4. The day care operations shall not be in conflict with the religious institution activities or services.

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Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission



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

**AN ORDINANCE GRANTING APPROVAL OF A CONDITIONAL USE  
TO ESTABLISH THE SUBJECT PROPERTY AS A PLANNED  
DEVELOPMENT; A USE EXCEPTION FOR A DAY CARE CENTER  
LOCATED IN THE R2 ZONING DISTRICT**

**PC 18-31: 105-115 W. Maple Street**

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

WHEREAS, the Subject Property as defined below is zoned R2; and,

WHEREAS, an application requests approval for a conditional use for a planned development with a use exception for a day care center; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on November 19, 2018 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the conditional use and use exception described herein; and,

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

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

SECTION 1: That a conditional use is hereby granted for the Subject Property, as described in Section 3 below, pursuant to Title 15, Chapter 155, Section 155.407(C) of the Zoning Ordinance for a planned development; and

SECTION 2: That a use exception is hereby granted for a day care center, and

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Re: PC 18-31  
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SECTION 3: This ordinance is limited and restricted to the property generally located at 105-115 W. Maple Street, Lombard, Illinois, and legally described as follows:

PARCEL ONE

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 SAID PLAT OF RESUBDIVISION RECORDED AUGUST 29, 1919 AS DOCUMENT 138040 IN DUPAGE COUNTY, ILLINOIS.

PIN Number: 06-07-217-002

PARCEL TWO

LOT 7 AND THE EAST 17 FEET OF LOT 8 IN BLOCK 27 IN TOWN OF LOMBARD, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1968 AS DOCUMENT 9483 IN DUPAGE COUNTY, ILLINOIS.

PIN Number: 06-07-217-003

SECTION 4: The approvals set forth in SECTION 1 and SECTION 2 above shall be granted subject to compliance with the following conditions:

1. The petitioner shall be required to apply for and receive building permits for any improvements to the site;
2. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. Day care student unloading and loading shall be on the subject property only; and
4. The day care operations shall not be in conflict with the religious institution activities or services.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

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Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

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

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Keith Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk



November 20, 2018

Jennifer Ganser  
Assistant Director of Community Development  
Village of Lombard  
255 E. Wilson  
Lombard, IL 60148

Dear Jennifer,

I am requesting a Waiver of the First reading for PC 18-31:105-115 W. Maple Street-Calvary Episcopal Church-Conditional Use for Tri-Town YMCA Day Care Center. My request is based on the fact that there were no stated questions or concerns from either the Commission nor from Community Members at the meeting, and your office recommends to the Village Board that they approve the conditional use.

Thank you for your consideration.

Deb Allen  
CEO  
Tri-Town YMCA