

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: March 24, 2004 (BOT) Date: April 1, 2004

TITLE: PC 04-12: 229 S. Main Street

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation requesting approval of a major change to the approved planned development to allow for the construction of an accessory structure, approval of a deviation from Section 155.602 (C) to reduce the number of required parking spaces from 42 to 40 and approve an amendment to the elevations associated with the proposed plan. (DISTRICT # 4)

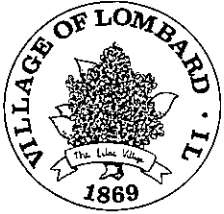
The Plan Commission recommended approval of this petition with conditions.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X William T. Lichter Date 3/24/04

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:** William T. Lichter, Village Manager

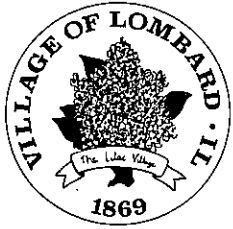
**FROM:** David A. Hulseberg, AICP, Director of Community Development *De H*

**DATE:** March 23, 2004

**SUBJECT: PC 04-12: 229 S. Main**

Attached please find the following items for Village Board consideration as part of the April 1, 2004 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 04-12;
3. A draft Ordinance granting approval of a major change to a planned development with a deviation to reduce the number of required parking spaces.
4. Plans associated with the petition.



## VILLAGE OF LOMBARD

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Lombard, Illinois 60148  
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**Village President**  
William J. Mueller

**Trustees**  
Joan DeStephano, Dist. 1  
Richard J. Tross, Dist. 2  
Karen S. Koenig, Dist. 3  
Steven D. Sebby, Dist. 4  
Kenneth M. Florey, Dist. 5  
Rick Soderstrom, Dist. 6

**Village Manager**  
William T. Lichter

April 1, 2004

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

**Subject: PC 04-12; 229 S. Main Street**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Cesario Builders, requests that the Village take the following actions on the subject property located within the B5A Downtown Perimeter Zoning District:

1. Approval of a major change to the approved planned development (Ordinance 5355) to allow for the construction of an accessory structure.
2. Approval of a deviation from Section 155.602 (C) to reduce the number of required parking spaces from 42 to 40.
3. Approve an amendment to the elevations associated with the proposed plan.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 15, 2004.

Gary Taylor, attorney for the owner and developer, presented the petition. He stated that the site is the location of the vacant Blake Lamb funeral home. Mr. Taylor stated the previous Plan Commission request and approvals from 2003 and referenced the approved site plan. He stated the present request for a major change to the planned development and showed the new site plan. Mr. Taylor pointed out the one story, eleven space garage structure on the north side of the property. He stated that the garage is surrounded by B5A property with the exception of the residence to the east.

He then showed the revised main building elevation and stated that balconies would be added to the residential units. Mr. Taylor noted that as a result of the parking garage, one required parking space would be lost. He stated that the changes will be an enhancement to the site. He also noted that it is unlikely that business and commercial clients will overlap residential property usage.

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business 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."

Chairperson Ryan opened the meeting for public comment.

Kathy McCabe, 20 E. Ash, noted a previous petition a couple of years ago in which the Plan Commission recommended denial because the building was too high. She thanked the Plan Commission for that. Ms. McCabe asked about the height of the proposed building.

Chairperson Ryan stated that the building was approved a year ago and noted that this meeting was to review the proposed changes to the previously approved plan.

Mr. Taylor stated that the building would be forty-one feet (41') to the top of the parapet. He stated that the garage is one story.

William Heniff, Senior Planner, stated that the building would be taller than Blake Lamb, but comparable in height to the building to the north.

Chairperson Ryan requested the staff report.

Mr. Heniff presented the staff report. He noted that the petitioner was granted a conditional use in 2003 for a three-story multi tenant office and residential building and now appears before the Plan Commission with a few modifications. He stated that the petitioner could still use the alternate plan if the petition is denied. He stated that the proposed one story garage requires approval as an amendment to a conditional use. He also noted that balconies are proposed for the residential units. He stated that the proposed garage would result in the loss of one parking space. Referencing the Inter-Departmental Review Report, he stated that previous notations from the other disciplines still apply. He noted that the proposed construction must meet current building codes and there is a possibility that the building codes may be amended. He stated that if the petitioner applied for permits prior to the change the current codes could be observed. He encouraged the petitioner to work closely with the building department.

Mr. Heniff stated that one balcony is proposed for each residential unit - this is typical of other residential units in Lombard and adds an attractive aesthetic component to the building. Staff supports the addition to the site plan with the condition that curb stops be added for two of the parking spaces upon approval. He stated that the garage would be on north property line, containing 11 stalls, and would be approximately fourteen feet (14') in height. The garage would be constructed of a brick veneer and shingled roof. He stated that the proposed additions must meet all other requirements as dictated by the building code. He noted concerns regarding the residential property adjacent to the east property line. Staff believes that placement of the garage to the north would be more harmonious for the eastern property owner. He stated that staff believes the garage will provide an additional amenity and the impact of a loss of a parking space will be minimal as the combined overlap of residential and commercial uses will be infrequent. Mr. Heniff said that there are perpendicular parking stalls on Ash Street in front of the building.

Chairperson Ryan opened the meeting for discussion among the Commissioners.

Commissioner Burke asked if the cross access easement could still be accommodated. Mr. Heniff replied that the easement is still provided for east of the garages.

Commissioner Burke asked how the balcony storage would be enforced.

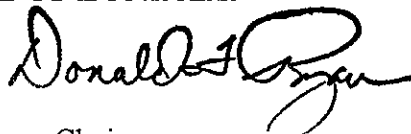
Mr. Heniff stated that the property owners of other buildings such as 105 and 123 W. St. Charles were asked to include provisions within their covenants and bylaws to prevent outdoor storage. City View Apartments were asked to do so as well. Mr. Heniff stated that staff wants this noted in the approval so that action can be taken in the event that problems occur.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed variations comply with the standards of the Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities, **approval** of the petition associated with PC 04-12, subject to following conditions:

1. That the petitioner shall develop the site in accordance with the site plans prepared by Balsamo, Olson, & Lewis, Ltd., dated February 19, 2004 and submitted as part of this request.
2. No outdoor storage shall be allowed on the balconies
3. That the petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
4. All previous conditions of approval for PC 03-25 must be met.

Respectfully,

**VILLAGE OF LOMBARD**



Donald Ryan, Chairperson  
Lombard Plan Commission

att-

c. Petitioner  
Lombard Plan Commission

**VILLAGE OF LOMBARD**  
**INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission      HEARING DATE: March 15, 2004  
FROM: Department of Community      PREPARED BY: Angela Clark, AICP  
Development      Planner I

**TITLE**

**PC 04-12; 229 S. Main:** The petitioner requests that the Village take the following actions for the subject property located within the B5A Downtown Perimeter Zoning District:

1. Approval of a major change to the approved planned development (Ordinance 5355) to allow for the construction of an accessory structure.
2. Approval of a deviation from Section 155.602 (C) to reduce the number of required parking spaces from 42 to 40.
3. Approve an amendment to the elevations associated with the proposed plan.

**GENERAL INFORMATION**

Petitioner:      Cesario Builders, Inc.  
29W170 Butterfield Rd., Suite 201  
Warrenville, IL 60555

Property Owner:      Villa Park Trust and Savings Bank  
Trust Number 2959  
10 S. Villa Avenue  
Villa Park, IL 60181

**PROPERTY INFORMATION**

Existing Land Use:      Funeral Home (Vacant)

Size of Property:      0.613 Acres

Comprehensive Plan:      Recommends Community Commercial

Existing Zoning:      B5A Downtown Perimeter Zoning District

Surrounding Zoning and Land Use:

North:	B5A Downtown Perimeter Zoning District; developed as mixed-use commercial/residential building
South:	B5A Downtown Perimeter Zoning District; developed as a mixed-use commercial/residential building
East:	R2 Single Family Residential District; developed as Single Family Residences
West:	B5A Downtown Perimeter Zoning District; developed as a martial arts center and First Church of Lombard

## ANALYSIS

### SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development:

1. Petition for Public Hearing, received February 17, 2004
2. Trust Beneficiary Disclosure Form
3. Proposed Floor Plan, prepared by Balsamo, Olson, & Lewis, Ltd., dated February 19, 2004
4. Proposed Garage Elevations, prepared by Balsamo, Olson, & Lewis, Ltd., dated February 19, 2004
5. Proposed Site Plan, prepared by Balsamo, Olson, & Lewis, Ltd., dated February 19, 2004
6. Proposed Building Elevation, prepared by Balsamo, Olson, & Lewis, Ltd., dated February 19, 2004
7. Response to Standards for Conditional Uses

### DESCRIPTION

The property was formerly operated as Blake Lamb funeral home, which is presently vacant. The petitioner was granted approval of a conditional use for a planned development in July 2003 (PC 03-25) for the subject property. The proposed development will consist of a three story multi-tenant office space on the ground level with residential condominiums on the second and third levels.

At this time, the petitioner proposes to construct a one story, eleven car garage as well as add balconies to the residential condominium units. The addition of the garage requires an amendment to the conditional use. Also, the addition of the garages will result in a loss of one

parking space. Therefore, the petitioner also requests a deviation to reduce the number of required parking spaces.

## **ENGINEERING**

From a construction or engineering perspective, Private Engineering Services has the following comments:

- 1) Add sidewalk ramps at the intersection if they are not present.
- 2) Parkway trees shall be provided as outlined in the original case (PC 03-25).
- 3) All Engineering comments from the original case (PC 03-25) remain in effect.

## **PUBLIC WORKS**

The Department of Public Works, Engineering Division has the following comments regarding the petition:

A full review is required once engineering plans become available. A thirty foot easement may be required if a watermain is proposed for the drive aisle between the parking garage and building.

## **FIRE AND BUILDING**

The Fire Department/Bureau of Inspectional Services has the following comments regarding the petition:

- 1) The construction of the garage shall meet the new 2000 International Codes for building construction.
- 2) The garage must be constructed of non-combustible materials due to its close proximity to the structure next door. The use of factory fire retardant lumber must be researched further before any final decisions can be forthcoming.
- 3) Research will be conducted to determine if the garage needs to be sprinklered.



**PLANNING**  
**Compliance with the Zoning Ordinance**

**Balconies**

The petitioner proposes to add one balcony per each residential condominium unit on the second and third floors of the building. Staff believes that the balconies will add an attractive, aesthetic component to the building and is supportive of the addition to the site plan. Staff has requested that in the event that the balconies are approved, the petitioner add curb stops to the northern parking spaces adjacent to the building in order to prevent damage to the balconies or building façade by moving or delivery vehicles. Furthermore, staff also requests that no outdoor storage be permitted on the balconies.

**Conditional Use – Accessory Structure**

The proposed garage will be located along the north property line directly adjacent to the neighboring building and will accommodate eleven individual stalls. The proposed garage is approximately fourteen feet in height and will consist of a brick veneer and shingled roof. The proposed garage meets the overall height requirements of accessory structures and must meet all other requirements as dictated by the building code.

The original plan specified that fifteen spaces would be reserved for resident parking while, the remaining spaces would be available for the commercial tenants. The residential condominium owners will utilize the parking garages as well as four of the remaining parking spaces. The addition of the parking garages to the site plan resulted in a loss of one parking space. This brings the number of total parking spaces, including the garages and two handicap accessible spaces to forty (40). Forty-one (41) parking spaces are required for the proposed uses. Staff is supportive of the addition of the garages. Staff believes that the loss of the one parking space will have a minimal impact on the function of the site considering the simultaneous use of both commercial and residential users will likely be infrequent. Staff believes that the nature of the intended use has not changed, therefore the structures remain compatible with the proposed development and surrounding uses.

**FINDINGS AND RECOMMENDATIONS**

Staff believes that the proposed structures are appropriate at the subject location and are compatible with surrounding uses.

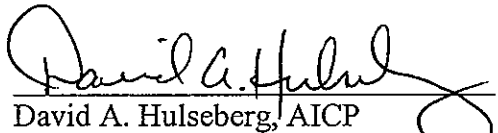
Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move

that the Plan Commission recommend to the Corporate Authorities **approval** of the conditional uses associated with PC 04-12, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the site plans prepared by Balsamo, Olson, & Lewis, Ltd., dated February 19, 2004 and submitted as part of this request.
2. No outdoor storage shall be allowed on the balconies
3. That the petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
4. All previous conditions of approval for PC 03-25 must be met.

Inter-Departmental Review Group Report Approved By:

  
David A. Hulseberg, AICP  
Director of Community Development

DAH/ADC:

att

c. Petitioner



**STANDARDS  
FOR CONDITIONAL USES**

The following is an excerpt from the Lombard Zoning Ordinance. A **detailed response** to all of these standards should be provided for all conditional uses of the Lombard Zoning Ordinance.

SECTION 155.103 (F)(8) OF THE LOMBARD ZONING ORDINANCE:

No conditional use shall be recommended by the Plan Commission unless it finds:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;

The conditional use consists of a 1-story garage building, which would replace the open off-street parking spaces already approved for this site. By providing a covered, secure, as well as aesthetically pleasing place for building residents to park, this building use would actually enhance the public safety, comfort, and general welfare of both the occupants of the proposed office/condominium building, as well as the surrounding area.

2. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located;

The proposed location for the garage building is at the north property line of the site, against the essentially unattractive blank masonry wall of the adjacent building. The first story of this existing wall is especially plain and unappealing, since it contains no fenestration, or other architectural features. The proposed garage building, with its decorative brick veneer, and shingled roof will provide an appealing screen to the adjacent building wall. The pedestrian scale, height, and style of the proposed garage building will improve the streetscape, as well as rendering the office/condominium building property more valuable.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

The proposed location for the garage building does not impede either physically or aesthetically on the adjacent property to the north, as it exists now. Because of the small scale, and self-containment of the proposed garage building, future development or improvement of the adjacent property will not be hindered.

4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;

Access to the site is provided by an already approved access aisle at the north side of the Main Street property line.

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;

Ingress and egress for this site has already been approved, and is not affected by the addition of the garage building.

6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,

7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission

All applicable regulations, such as building and zoning codes and ordinances will be followed in the design and construction of the garage building.

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

**AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 5355  
APPROVING A MAJOR CHANGE TO A PLANNED DEVELOPMENT,  
PROVIDING FOR THE CONSTRUCTION OF AN ACCESSORY STRUCTURE  
AND WITH A DEVIATION TO  
REDUCE THE NUMBER OF REQUIRED PARKING SPACES  
IN THE B5A DOWNTOWN PERIMETER ZONING DISTRICT**

(PC 04-12: 229 S. Main)

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; and,

WHEREAS, an application has heretofore been filed requesting approval of a major change to the approved planned development (Ordinance 5355) to allow for the construction of an accessory structure) in a B5A Downtown Perimeter Zoning District; and,

WHEREAS, said application also requests a deviation from Section 155.602 (C) to reduce the number of required parking spaces from 42 to 40 in a B5A Downtown Perimeter Zoning District; and

WHEREAS, said application also requests an amendment to the elevations associated with the proposed plan in a B5A Downtown Perimeter Zoning District; and

WHEREAS, said application requests approval of a aforementioned actions on the property described in Section 2 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on March 15, 2004 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation with the President and Board of Trustees recommending approval of the conditional use amendment with a parking deviation as described herein; and,

Ordinance No. \_\_\_\_\_  
Re: PC 04-12  
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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 major change to the approved planned development (Ordinance 5355) to allow for the construction of an accessory structure in a B5A Downtown Perimeter Zoning District; a deviation from Section 155.602 (C) to reduce the number of required parking spaces from 42 to 40 in a B5A Downtown Perimeter Zoning District; and an amendment to the elevations associated with the proposed plan is hereby granted for the Subject Property legally described in Section 2, subject to compliance with the conditions enumerated in Section 3.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 229 S. Main Street, Lombard, Illinois and legally described as follows:

LOTS 21, 22, 23, 24, 25, 26, AND 27 (EXCEPT THE NORTH 50 FEET OF EACH OF SAID LOTS) IN BLOCK 26 OF RESUBDIVISION BY N. MATSON AND OTHERS, OF BLOCKS, 21, 22, 23, 24, 25, 26, 32, 33, 34, 35, AND 37 AND LOTS 16 TO 28 INCLUSIVE IN BLOCK 36, ALL IN THE ORIGINAL 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 THEREOF RECORDED OCTOBER 13, 1873 AS DOCUMENT 16948 IN DU PAGE COUNTY, ILLINOIS.

Parcel No. 06-08-121-011

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

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

Re: PC 04-12

Page 3

1. That the petitioner shall develop the site in accordance with the site plans prepared by Balsamo, Olson, & Lewis, Ltd., dated February 19, 2004 and submitted as part of this request.
2. No outdoor storage shall be allowed on the balconies.
3. That the petitioner's building improvements shall be designed and constructed consistent with Village Code and shall also address the comments included within the IDRC report.
4. All previous conditions of approval for PC 03-25 must be met

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 \_\_\_\_\_, 2004.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2004.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2004.

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

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

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

Approved this \_\_\_\_\_, day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk