

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: December 16, 2004 **(B of T):** January 6, 2005

SUBJECT: PC 03-42: 110, 126 & 130 W. Maple Street

SUBMITTED BY: Department of Community Development *DuH*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance granting a time extension to ordinances 5420 and 5421 which granted conditional use approvals for a planned development and for a library addition on the property located at 110, 126 & 130 W. Maple Street. (DISTRICT #1)

Staff is requesting waiver of first reading.

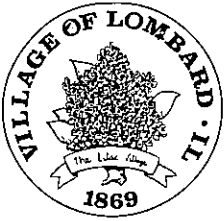
Please place this item on the January 6, 2005 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____
Village Manager *W. Vincent Lichter* _____ Date *12/17/04*

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 *DH*

DATE: January 6, 2005

SUBJECT: **Extension of Ordinances 5420 and 5421 (PC 03-42; 110, 126, & 130 W. Maple Street (Helen M. Plum Library Planned Development))**

The Board of Trustees approved Ordinances 5420 and 5421 (PC 03-42) on January 15, 2004 which granted conditional use approvals for a planned development and for a library addition on the property at 110, 126 & 130 West Maple Street. Per the conditional use provisions (Section 155.103(F)(11) of the Zoning Ordinance), if construction has not begun within one (1) year from the date of approval, the conditional use is null and void unless an extension is granted by the Board of Trustees. Companion Ordinances 5418 and 5419 pertained to amendments to the Comprehensive Plan and the underlying zoning of the property and are not subject to the same one-year time restriction.

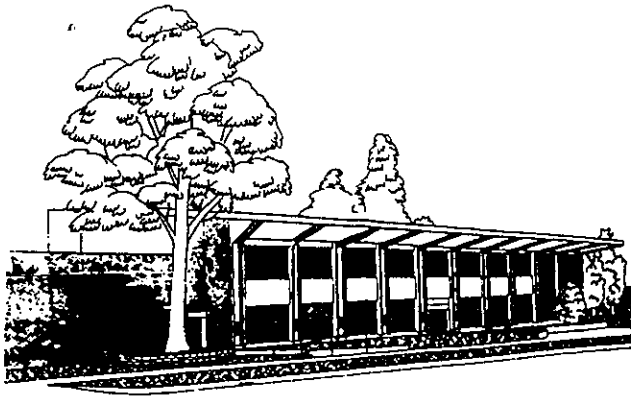
After being advised that the conditional uses were about to expire, the Library has submitted the attached letter requesting an extension of the conditional use approval granted by the Village Board. While the Library Board has not made a final decision as to whether they will proceed with any development activity on the subject property, they are requesting that the Village Board grant the extension in case they proceed with their original expansion plans.

Copies of the Ordinances 5420 and 5421 are attached for your reference.

Recommendation

Staff recommends that the Village Board approve an Ordinance extending the time period to start construction of the proposed library for an additional twelve-month period (i.e., until January 6, 2006).

Staff also requests a waiver of first reading of the Ordinance.



Helen M. Plum Memorial Library

110 W. Maple • Lombard, IL 60148
(630) 627-0316 • FAX (630) 627-0336
www.plum.lib.il.us

December 15, 2004

Honorable William Mueller
President, Village of Lombard
Lombard, Illinois

Dear Mr. Mueller:

The Library Board of Trustees would like to request a year's extension from the Village Board of Trustees of the Planned Unit Development, PC 03-42, for a library expansion at 110 W. Maple St., which was approved a year ago. We understand that this is due to expire January 15, 2005.

The Library Board has made no final decision on a site or plan for a new library building, but want permission to extend this approval in case we do proceed with our original expansion plans on this site.

Yours truly,

Robert A. Harris
Director

ORDINANCE NO. 5420
AN ORDINANCE GRANTING A CONDITIONAL USE FOR A
CULTURAL FACILITY/INSTITUTION (LIBRARY) IN A CR
CONSERVATION RECREATION DISTRICT

(PC 03-42; 110, 126, & 130 W. Maple Street)

(See also Ord. 5418, 5419 and 5422)

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, the subject property is zoned CR Conservation Recreation District; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a cultural facility/institution (library); and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on November 17, 2003 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 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 for a cultural facility/institution (library) is hereby granted for the Subject Property legally described in Section 2 below.

Ordinance No. 5420
Re: PC 03-42
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SECTION 2: That the ordinance is limited and restricted to the properties generally located 110, 126, and 130 W. Maple Street, Lombard, Illinois, and legally described as follows:

LOTS 1 AND 2 IN MUELLER'S DIVISION, BEING A SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 949142, IN DUPAGE COUNTY, ILLINOIS; AND

THAT PART LOT 1 APPROXIMATELY 10.69 FEET WIDE BY 145.12 LONG LYING WEST OF LOT 2 IN LILACIA RESUBDIVISION, AND THE ENTIRETY OF LOT 2 IN LILACIA RESUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT R1999-265299, IN DUPAGE COUNTY, ILLINOIS.

Parcel Nos. 06-07-212-024, -029, -034, -040

SECTION 3: 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 4th day of December, 2003.

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

Passed on second reading this 15th day of January, 2004.

Ayes: Trustees DeStephano, Tross, Koenig, Sebby, Florey, Soderstrom

Nays: None

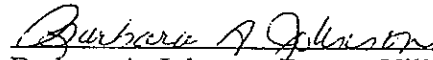
Absent: None

Approved this 15th day of January, 2004.

Ordinance No. 5420
Re: PC 03-42
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William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk

ORDINANCE NO. 5421
AN ORDINANCE GRANTING A CONDITIONAL USE
FOR A PLANNED DEVELOPMENT WITH DEVIATIONS AND VARIATIONS
IN A CR CONSERVATION RECREATION DISTRICT

(PC 03-42; 110, 126, & 130 W. Maple Street)

(See also Ordinance No.(s) 5418, 5419 and 5421)

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, the subject property is zoned CR Conservation Recreation District; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a planned development in a CR Conservation Recreation District; and

WHEREAS, said planned development includes a deviation from Section 155.404 (D) of the Lombard Zoning Ordinance reducing the minimum required lot area from 2 acres (87,120 square feet) to 1.23 acres (53,417 square feet); and

WHEREAS, said planned development includes a deviation from Section 155.404(E) of the Lombard Zoning Ordinance reducing the minimum required lot width; and

WHEREAS, said planned development includes a variation from Section 155.404 (F) (1) and Section 155.508 (C) (6) of the Lombard Zoning Ordinance to reduce the minimum required front yard setback from 50 feet to 15.98 feet; and

WHEREAS, said planned development includes a variation from Section 155.404 (F) (3) and Section 155.508 (C) (6) of the Lombard Zoning Ordinance to reduce the minimum required interior side yard setback from 50 feet to 5 feet; and

WHEREAS, said planned development includes a variation from Section 155.404 (F) (4) and Section 155.508 (C) (6) of the Lombard Zoning Ordinance to reduce the minimum required rear yard setback from 50 feet to 21 feet; and

Ordinance No. 5421
Re: PC 03-42
Page 2

WHEREAS, said planned development includes a variation from Section 155.404 (H) (1) and Section 155.508 (C) (7) of the Lombard Zoning Ordinance to reduce the minimum required open space from 93.75 percent to 27 percent; and

WHEREAS, said planned development includes a variation from Section 155.705 of the Lombard Zoning Ordinance to reduce the required number of parkway trees from 8 trees to 5 trees; and

WHEREAS, said planned development includes a variation from Section 155.706 (B) of the Lombard Zoning Ordinance to reduce the required interior parking lot landscaping; and

WHEREAS, said planned development includes a variation from Section 155.706 (C) of the Lombard Zoning Ordinance to reduce the required perimeter parking lot landscaping; and

WHEREAS, said planned development includes a variation from Section 155.602 (C), Table 6.3 of the Lombard Zoning Ordinance to reduce the number of requisite parking spaces; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on November 17, 2003 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, deviations, and variations 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 for a planned development with the following deviations and variations is hereby granted for the Subject Property legally described in Section 2 below, subject to the conditions set forth in Section 3 below:

- a. A deviation from Section 155.404 (D), reducing the minimum required lot area from 2 acres (87,120 square feet) to 1.23 acres (53,417 square feet);
- b. A deviation from Section 155.404 (E), reducing the minimum required lot width;
- c. A variation from Section 155.404 (F) (1) and Section 155.508 (C) (6), reducing the minimum required front yard setback from 50 feet to 15.98 feet;
- d. A variation from Section 155.404 (F) (3) and Section 155.508 (C) (6), reducing the minimum required interior side yard setback from 50 feet to 15 feet for the west side yard;
- e. A variation from Section 155.404 (F) (3) and Section 155.508 (C) (6), reducing the minimum required interior side yard setback from 50 feet to 5 feet for the east side yard;
- f. A variation from Section 155.404 (F) (4) and Section 155.508 (C) (6), reducing the minimum required rear yard setback from 50 feet to 21 feet;
- g. A variation from Section 155.404 (H) and Section 155.508 (C) (7), reducing the minimum required open space from 93.75 percent to 27 percent;
- h. A variation from Section 155.705, reducing the required number of parkway trees from 8 trees to 5 trees;
- i. A variation from Section 155.706 (B), reducing the required interior parking lot landscaping;
- j. A variation from Section 155.706 (C), reducing the required perimeter parking lot landscaping; and
- k. A variation from Section 155.602 (C), Table 6.3 reducing the number of requisite parking spaces to 138 spaces.

SECTION 2: That the ordinance is limited and restricted to the properties generally located 110, 126, and 130 W. Maple Street, Lombard, Illinois, and legally described as follows:

LOTS 1 AND 2 IN MUELLER'S DIVISION, BEING A SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 949142, IN DUPAGE COUNTY, ILLINOIS; AND

THAT PART LOT 1 APPROXIMATELY 10.69 FEET WIDE BY 145.12 LONG LYING WEST OF LOT 2 IN LILACIA RESUBDIVISION, AND THE ENTIRETY OF LOT 2 IN LILACIA RESUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT R1999-265299, IN DUPAGE COUNTY, ILLINOIS.

Parcel Nos. 06-07-212-024, -029, -034, -040

SECTION 3: The conditional use set forth in Section 1 above shall be granted subject to compliance with the following conditions:

1. That the exterior building elevations for the proposed library shall be submitted to the Lombard Plan Commission and then forwarded to the Lombard Board of Trustees for consideration.
2. The site shall be developed substantially in accordance with the site plans prepared by Burnidge Cassell Associates, dated October 10, 2003.
3. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.
4. The parking lot shall be designed in accordance with Village Code.
5. Accessible parking spaces shall be provided in compliance with the provisions of the Illinois Accessibility Code.
6. Refuse disposal areas shall be screened in accordance with Section 155.710 of the Lombard Zoning Ordinance.
7. That the petitioner shall provide a photometric plan to the Village showing compliance with Village Code.
8. That the petitioner shall provide the Village with an updated landscape plan showing the following improvements:
 - a. Three additional parkway trees located per Village Code; and
 - b. Transitional landscape plant materials along the western property line consistent with those transitional landscape yard improvements required when business districts abut

single-family residence districts, with the review of the types and location of the plant materials as determined by the Director of Community Development.

9. That the library shall provide for signage for the designated parking spaces within the parking lot located at the northeast corner of Park Avenue and Main Street, with said signs denoting that the spaces are for library patrons.
10. That the west interior side yard setback variation shall be reduced from fifty feet to fifteen feet. No buildings shall be placed closer than fifteen feet from the west interior side lot line.

SECTION 4: The Village Board, after review by the Plan Commission, shall have Site Plan Approval authority relative to this Planned Development.

SECTION 5: 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 4th day of December, 2003.

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

Passed on second reading this 15th day of January, 2004.

Ayes: Trustees DeStephano, Tross, Koenig, Sebby, Florey, Soderstrom

Nays: None

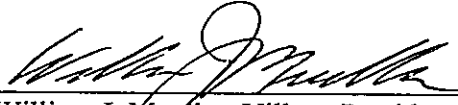
Absent: None

Approved this 15th day of January, 2004.

Ordinance No. 5421

Re: PC 03-42

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William J. Mueller, Village President

ATTEST:



Barbara A. Johnson, Deputy Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE GRANTING
A TIME EXTENSION TO ORDINANCES 5420 AND 5421,
RELATIVE TO THE HELEN M. PLUM MEMORIAL LIBRARY**

(PC 03-42: 110, 126 & 130 W. Maple Street -
Helen M. Plum Library Planned Development)

WHEREAS, on January 15, 2004, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5420, which granted conditional use approval for a cultural facility/institution (library) in a CR Conservation/Recreation District; and

WHEREAS, on January 15, 2004, the President and Board of Trustees of the Village of Lombard also adopted Ordinance 5421, which granted conditional use approval for a planned development in a CR Conservation/Recreation District to facilitate said improvements; and

WHEREAS, pursuant to Section 155.103 (F)(11) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, conditional uses are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, construction has not commenced and no building permit has been issued for the development granted by Ordinances 5420 and 5421; and,

WHEREAS, the Village has received a letter requesting a time extension of said Ordinances; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinances 5420 and 5421 are hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months of the date of adoption of this Ordinance.

SECTION 2: That all other provisions associated with Ordinances 5420 and 5421, not amended by this Ordinance, shall remain in full force and effect.

SECTION 3: 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 _____, 2005.

First reading waived by action of the Board of Trustees this ____ day of _____, 2005.

Passed on second reading this ____ day of _____, 2005.

Ayes: _____

Nayes: _____

Absent: _____

Approved this ____, day of _____, 2005.

William J. Mueller
Village President

ATTEST:

Barbara A. Johnson
Deputy Village Clerk