

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

 X Resolution or Ordinance (Blue) *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: February 8, 2006 (B of T) Date: February 16, 2006

TITLE: BOT 06-06: 7-37 E. St. Charles Road Stormwater Variation

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development staff transmits for your consideration its recommendation regarding the above-referenced petition. This petitioner has requested a variation to grant relief from the Lombard Code of Ordinances Chapter 50 "Combined Water and Sewer System", Section 50.026 "Prohibited Connections". (DISTRICT #4)

Staff recommends approval of the variation.

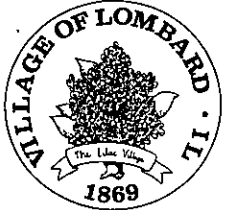
Please place this item on the February 16, 2006 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *W. T. Lichter* _____ Date *2/9/06*

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 P. Gorman, P.E., Development Engineer *DPG*

DATE: February 8, 2006

SUBJECT: **BOT 06-06: Stormwater Variation for 7-37 E. St. Charles Road**

Please present the attached items to the Board of Trustees for their review and approval at their February 16, 2006 meeting. The petitioner, New Urban Lombard, LLC, has requested a variation from Chapter 50 "Combined Water and Sewer System", Section 50.026 "Prohibited Connections" in order to discharge stormwater runoff into a combined sewer.

Background:

The proposed project is a condominium/retail building on 0.91 acres of previously developed property. The site had been 81% impervious so Village Code will require 2-yr detention for the development. There had been no detention previously. Therefore, the proposed conditions will release runoff at a more controlled rate than before. Also, the proposed underground detention vault will hold runoff on-site when the combined sewer is flowing full.

Water quality improvements will also be required, such as prefabricated unit or filter baskets in each of the catch basins, to remove 80% of total suspended solids. Such measures are expected as part of our NPDES II permit, regardless of the fact that the runoff will currently enter a combined sewer.

The DuPage Countywide Stormwater and Floodplain Ordinance does not apply to this project since the property is less than one acre.

Recommendation:

The Director of Community Development and the Director of Public Works recommend that the Board of Trustees approve the variation to Section 50.026 with the condition that stormwater quality measures, as approved by the Director of Community Development, shall be required to remove 80% of total suspended solids.

DG:dg H:\CD\WORDUSER\BOT\06\06-06\bot-memo.doc

cc: David A. Hulseberg, AICP, Director of Community Development

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO:	Board of Trustees	HEARING DATE:	February 18, 2006
FROM:	Department of Community Development	PREPARED BY:	David P. Gorman, PE Development Engineer

TITLE

BOT 06-06: 7-37 E. St. Charles Road: Request for a variation to provide relief from Chapter 50: “Combined Water and Sewer System”; Section 50.026 “Prohibited Connections”

GENERAL INFORMATION

Petitioner:	New Urban Lombard LLC 99 South Villa Avenue Villa Park, IL 60181
Property Owners:	For 37 E. St. Charles Road: Village of Lombard (Petitioner is the future property owner under a development agreement approved by the Village Board For 7 E. St. Charles Road: Robert L. & Marie E. Bartel Bartel Enterprises P.O. Box 1328 Wheaton, IL 60189-1328

PROPERTY INFORMATION

Existing Land Use:	One vacant lot and one lot improved with a vacant accessory garage (both lots had been previously developed)
Parcel Numbers:	06-08-108-005, 008, 009 & 011
Size of Property:	Approximately 0.91 acres total
Comprehensive Plan:	Recommends Community Commercial, within the Central Business District – Mixed Use Area
Existing Zoning:	B5 Central Business District

Surrounding Zoning and Land Use:

- North: B5 Central Business District and B2 General Neighborhood Shopping District (various uses including office, service and retail commercial uses as well as the Lombard Fire Station #1 and a commuter parking lot)
- South: R2 Single-Family Residence District (Union Pacific railroad tracks)
- East: B5 Central Business District; developed as the Hammerschmidt commuter parking lot
- West: B5 Central Business District; developed as a gas/service station (Marathon) with a fast-food restaurant (Dunkin Donuts)

ANALYSIS

SUBMITTALS

This report is based on the following documents:

1. Undated letter from New Urban Communities received on January 31, 2006 requesting a variation to allow stormwater runoff to discharge into Village's the combined sewer.
2. ALTA/ACSM Land Title Survey dated September 9, 2005 by Gentile and Associates, Inc.
3. Preliminary Site Plan dated December 27, 2005 by Sullivan Goulette Architects.

DESCRIPTION

The project is a condominium/retail building on 0.91 acres of previously developed property. The petitioner has requested a variation to allow the on-site storm sewer to connect to the Village's combined sewer.

ENGINEERING

The sewer directly in front of the property is combined. The nearest separated storm sewer is sixty feet west of the property, near the Main Street intersection. Constructing a parallel storm sewer to connect to the separated storm sewer is not deemed to be an efficient use of construction monies or right of way space.

Board of Trustees
Re: BOT 06-06
Page 3 of 3

The site had been 81% impervious so Village Code will require 2-yr detention for the development. The DuPage Countywide Ordinance does not apply since the property is less than one acre. There had been no detention previously. Therefore, the proposed conditions will release runoff at a more controlled rate than before. Also, the proposed underground detention vault will hold runoff on-site when the combined sewer is flowing full.

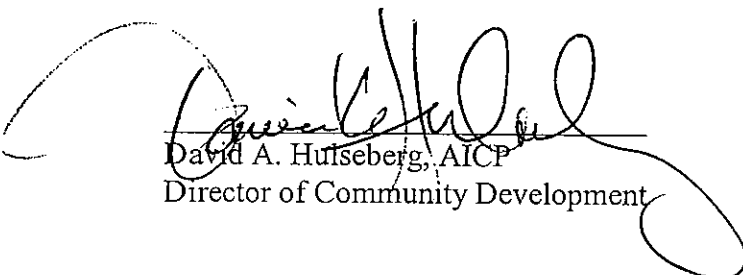
Water quality improvements to remove 80% of total suspended solids from the runoff will be required. Such measures are expected as part of our NPDES II permit, regardless of the fact that the runoff will enter a combined sewer.

As required by Village Code, the Director of Public Works has reviewed the petition and has concurred with the following recommendation.

FINDINGS AND RECOMMENDATIONS

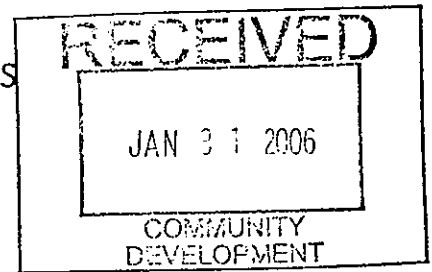
Staff recommends that the Board of Trustees approve the variation to Section 50.026 with the condition that stormwater quality measures, as approved by the Director of Community Development, shall be required to remove 80% of total suspended solids.

Inter-Departmental Review Group Report approved by:



David A. Hulseberg, AICP
Director of Community Development

DAH/DG:dg h:\cd\worduser\bot\06\06-06\staff report.doc
c. Petitioner



Mr. David Gorman, P.E.
Development Engineer
VILLAGE OF LOMBARD
255 E. Wilson Avenue
Lombard, IL 60148-3931

Re: 7-37 E. St. Charles Road

Dear Mr. Gorman:

This letter serves as our request for a variation allowing New Urban Lombard, L.L.C. to discharge stormwater from its St. Charles Road condominium project into the Village of Lombard combined sewer.

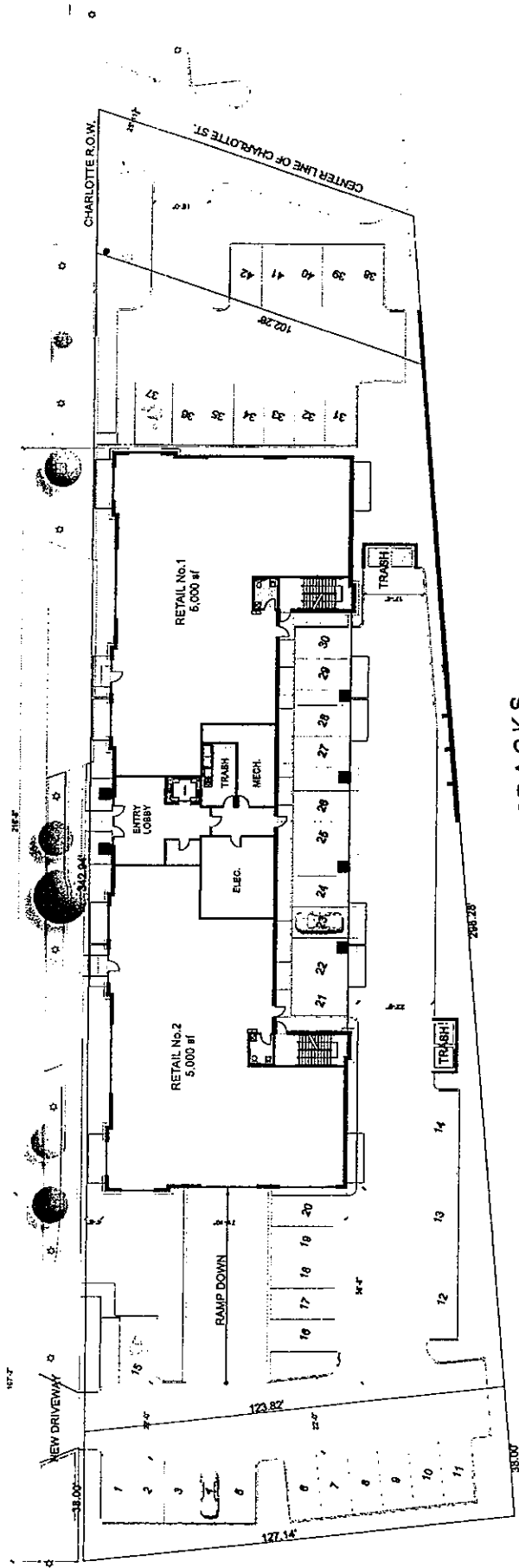
Please contact me if you have any questions or require further information.

Sincerely,
NEW URBAN COMMUNITIES

Robert A. O'Neill
Director of Acquisition & Development

RAO/

ST. CHARLES ROAD



R. R. TRACKS

DEVELOPER:
 New Urban Communities
 25

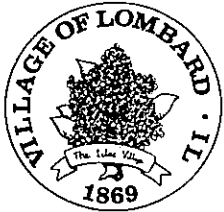


PRELIMINARY SITE PLAN
 ST. CHARLES RD. MIXED-USE BUILDING
 LOMBARD, ILLINOIS

SCALE:
 0 5' 10' 20'

SULLIVAN
 GOULLETTE
 ARCHITECTS

DECEMBER 27, 2005



MEMORANDUM

TO: Wesley B. Anderson, PE, Director of Public Works
FROM: David P. Gorman, PE, Development Engineer
DATE: February 8, 2006
SUBJECT: BOT 06-06: Stormwater Variation for 7-37 E. St. Charles Road

The petitioner, New Urban Lombard, LLC, has requested a variation from Chapter 50 "Combined Water and Sewer System", Section 50.026 "Prohibited Connections". Village Code requires that the Director of Public Works review and provide comments on such petitions.

Background:

The proposed project is a condominium/retail building on 0.91 acres of previously developed property. The site had been 81% impervious so Village Code will require 2-yr detention for the development. There had been no detention previously. Therefore, the proposed conditions will release runoff at a more controlled rate than before. Also, the proposed underground detention vault will hold runoff on-site when the combined sewer is flowing full.

The sewer in front of the property is combined. The nearest separated storm sewer is sixty feet west of the property, near the Main Street intersection. Constructing a parallel storm sewer to connect to the separated storm sewer is not deemed to be an efficient use of construction monies or right of way space.

Water quality improvements will also be required, such as a prefabricated unit or filter baskets in each of the catch basins. I have instructed the design engineer that 80% of total suspended solids shall be removed. Such measures are expected as part of our NPDES II permit, regardless of the fact that the runoff will currently enter a combined sewer.

The DuPage Countywide Stormwater and Floodplain Ordinance does not apply to this project since the property is less than one acre.

Recommendation:

I recommend that the Board of Trustees approve the variation to Section 50.026 with the condition that stormwater quality measures, as approved by the Director of Community Development, shall be required to remove 80% of total suspended solids.

Please call me at x-5973 if you have any questions.

The petition is: [X] Approved Conditions:
[] Denied

Handwritten signature of Wesley B. Anderson

Wesley B. Anderson, PE
Director of Public Works

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A VARIATION OF THE LOMBARD CODE OF
ORDINANCES CHAPTER 50; SECTION 50.026**

(BOT 06-06: 7-37 E. St. Charles Road, Lombard, IL)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Code of Lombard, Illinois, and;

WHEREAS, a request has been made for the Village of Lombard to grant a variation from Chapter 50 "Combined Water and Sewer System"; Section 50.026 "Prohibited Connections", and;

WHEREAS, a public hearing has been conducted by the Board of Trustees on February 16, 2006 pursuant to appropriate and legal notice; and

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of staff 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 variation is hereby granted from the provisions of Chapter 50 "Combined Water and Sewer System", Section 50.026 "Prohibited Connections", of the Code of Lombard, Illinois, for the property described in Section 3 below, as to allow connection of the proposed storm sewer to the combined sewer system.

Section 2: That this ordinance is limited and restricted to the properties located at 7-37 E. St. Charles Road, Lombard, IL and legally described as follows:

LOT 2 OF THE ST. CHARLES CORRIDOR REDEVELOPMENT PLAT OF RESUBDIVISION, BEING A RESUBDIVISION OF BLOCK 15 AND BLOCK 16 OF THE ORIGINAL TOWN OF LOMBARD, A SUBDIVISION OF SECTION 5, 6, 7, AND 18 IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 2005 AS DOCUMENT NUMBER R2005-083483, IN DU PAGE COUNTY, ILLINOIS; ALSO

LOT 11 AND LOT 12 (EXCEPT THE WEST 28 FEET OF LOT 12) IN BLOCK 17 OF THE ORIGINAL TOWN OF LOMBARD, A SUBDIVISION OF SECTION 5, 6, 7, AND 18 IN TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NUMBER 9483, IN DU PAGE COUNTY, ILLINOIS.

Parcel Numbers: 06-08-108-005, 06-08-108-008, 06-08-108-009 & 06-08-108-011

Section 3: That this ordinance shall be subject to the following condition:

Stormwater quality measures, as approved by the Director of Community Development, shall be required to remove 80% of total suspended solids.

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 _____, 2006.

First reading waived by action of the Board of Trustees this ____ day of _____, 2006.

Passed on second reading this ____ day of _____, 2006.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2006.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk