

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission HEARING DATE: March 16, 2009

FROM: Department of PREPARED BY: Jennifer Henaghan, AICP
Community Development Senior Planner

TITLE

PC 09-02; 1420 S. Meyers Road and 919 E. 14th Street: Pursuant to Ordinance 6154 (relative to the annexation agreement for Fellowship Reformed Church), the petitioner requests that the Village take the following actions on the subject property:

1. For Lot 2:
 - a. Pursuant to Section 155.405(C), approve a conditional use for public and private utility and municipal service uses;
 - b. Grant a variation from Section 155.405(D) of the Zoning Ordinance to reduce the minimum lot area from 15,000 square feet to 7,828.71 square feet;
 - c. Grant a variation from Section 155.405(E) of the Zoning Ordinance to reduce the minimum lot width from 100 feet to 80 feet;
 - d. Grant a variation from Section 155.405(F)(4) of the Zoning Ordinance to reduce the minimum rear yard building setback from 50 feet to 2.5 feet;
 - e. Grant a variation from Section 155.405(H) of the Zoning Ordinance to reduce the minimum required open space from 67 percent to 52 percent; and
2. For Lot 1 and Lot 2, approve a major plat of resubdivision.

GENERAL INFORMATION

Petitioner: Village of Lombard

Property Owner: Fellowship Reformed Church
1420 S. Meyers Road
Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R0 Single-Family Residential

Existing Land Use: Religious Institution and Village booster station under construction

Size of Property: Approximately 157,118 Square Feet / 3.6 Acres

Comprehensive Plan: Recommends Public and Institutional land uses

Surrounding Zoning and Land Use:

North: Unincorporated DuPage County zoned R-3 Single-Family Residential; developed as Single-Family Residences

South: Unincorporated DuPage County zoned R-3 Single-Family Residential; developed as Knollcrest Funeral Home and York Township government offices

East: Unincorporated DuPage County zoned R-4 Single-Family Residential; developed as Single-Family Residences

West: Property zoning R0 Single-Family Residential; developed as York Center Elementary School and Unincorporated DuPage County zoned R-3 Single-Family Residential; developed as former Waste Management property to be redeveloped as an addition to Knoll Crest Park.

ANALYSIS

SUBMITTALS

This report is based on the following documents:

1. Petition for Public Hearing.
2. Fellowship Church Resubdivision Plat, prepared by Gentile & Associates, dated December 11, 2008.
3. Building elevations and site plan, prepared by Christopher B. Burke Engineering, Ltd., last revised April 7, 2008.

DESCRIPTION

PC 07-28 granted a conditional use for the existing religious institution located on the subject property, which was annexed to the Village of Lombard on October 20, 2008. The annexation agreement states that “Contemporaneous with the Owner’s petition for annexation, the Owner will petition the Village to subdivide the Vacant Property, so as to separate the Booster Station Easement Property into a separate tax lot of record. The Village shall be responsible for all costs to subdivide the Vacant Property, including the Owner’s reasonable legal expenses for review of the subdivision plat.” This petition fulfills the Village’s obligation to subdivide the plat and grants the relief necessary for the new lot to comply with the Zoning Ordinance.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The Private Engineering Services Division has no comments.

PUBLIC WORKS

The Engineering Division and Utilities Division of the Public Works Department have no comments at this time.

BUILDING AND FIRE

The Fire Department/Bureau of Inspectional Services has no comments.

PLANNING

Compliance with the Comprehensive Plan

The Comprehensive Plan recommends Public and Institutional uses at this location. The existing uses and proposed relief are consistent with the recommendations of the Comprehensive Plan.

Compliance with the Zoning Ordinance

As of October 2007, newly annexed properties are given R0 Single Family Residence zoning by default. The minimum required lot width for R0 properties is 100 feet and the minimum lot area is 15,000 square feet. Lot 1 will meet all width and area requirements. There are two structures located on Lot 1 which include the church building and pastor’s residence. Both structures meet the minimum setback requirements for the R0 Single Family Residence District.

The requested zoning actions are intended to mirror the rights previously granted to the property by DuPage County and/or to remove their legal nonconforming status. The proposed Lot 2 is 80 feet wide and 7,828.71 square feet. To be consistent with the Village's Zoning Ordinance, the booster station on Lot 2 requires a conditional use for public and private utility and municipal service uses as well as variations to the rear yard building setback and minimum required open space. The southwest corner of the building is approximately 7.5 feet from the rear lot line and the stoop is approximately 3.5 feet from the rear lot line. The R0 District requires a minimum rear yard setback of 50 feet. Open space on the lot is 52 percent where a minimum of 67 percent is required. (The existing access drive for Fellowship Church accounts for just over 12 percent of the total lot area. If not for the access drive, the booster station lot would have 64 percent open space.)

Approval of the conditional use and variations is consistent with the Village's approval of PC 07-28 and the associated annexation agreement, which allowed for the construction of the booster station. This relief is essentially a clean-up issue created by the required subdivision, not by the use, and it serves to allow the provision of an essential Village service. The Subdivision and Development Ordinance requires new subdivisions to meet the requirements of the underlying zoning district. As we have required for other projects, if a subdivision plat is submitted to the Village for consideration, any existing structures on the property must meet the setback and bulk requirements based upon the new lot configurations.

The nature of the site is unique and not generally applicable to other properties in the R0 District. As detailed in the attached Response to Standards for Conditional Uses and Response to Standards for Variations, the requested relief is consistent with both the Comprehensive Plan and the surrounding properties and it will not cause any negative impact on the neighborhood nor set an undesirable precedent.

Compatibility with Surrounding Land Uses

Single family residences are located to the north and east of the subject property. Immediately south of the subject property is Knollcrest Funeral Home. There are also several institutional uses in the vicinity which include York Center School, York Township government offices, and Knoll Crest Park. The existing religious institution is compatible with the surrounding land uses.

With respect to the proposed booster station, the annexation agreement stipulates that the Village install landscape plant materials around the perimeter of the booster station easement for screening purposes. Moreover, the facility will not be regularly staffed or emanate noise.

Compatibility with the Subdivision and Development Ordinance

As part of the annexation agreement, Fellowship Reformed Church granted an eighty foot (80') by eighty foot (80') easement to construct a booster pump station. This subdivision will allow the Village to purchase fee simple title to the booster station easement property.

FINDINGS AND RECOMMENDATIONS

The proposed subdivision, conditional use and companion variations are compatible with the surrounding land uses and zoning. Based on the above, 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 **complies** with the standards required by the Lombard Zoning and Subdivision and Development Ordinances; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of the zoning actions associated with PC 09-02 for the subject properties.

Report Approved By:

William J. Heniff, AICP
Director of Community Development

JBH:
att-

c. Petitioner

Response to Standards for Conditional Uses

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 proposed conditional use benefits public welfare by providing an essential public service.
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 booster station will be screened by landscaping on all sides and the facility will not be regularly staffed or emanate noise.
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 booster station will not have any negative impact on the development of surrounding property.
4. That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;
The booster station is part of the Village's public utilities system.
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;
There will be minimal traffic generated by the facility.
6. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,
The use is consistent with the Comprehensive Plan recommendations.
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
The booster station shall meet all requirements of the R0 District with the exception of those regulations varied as part of this petition.

Response to Standards for Variations

The regulations of this ordinance shall not be varied unless findings based on the evidence presented are made in each specific case that affirms each of the following standards:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.
The proposed lot dimensions reflect the minimum space needs of the booster station. If the lot dimensions were increased to meet the R0 District requirements, this would decrease the property available for the use and benefit of Fellowship Church.
2. The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.
The proposed variations are specific to the use and function of the booster station and would not be applicable to other land uses in the R0 District.
3. The purpose of the variation is not based primarily upon a desire to increase financial gain.
Granting the variation would provide neither the Village nor the church with any financial gain.
4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.
The requested variations for lot width, lot area, rear yard setback, and open space are necessary solely because the property is being subdivided. The development as it exists requires no zoning relief.
5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
No detriment or injury will be caused by the proposed variations. The booster station benefits public welfare by providing an essential public service.
6. The granting of the variation will not alter the essential character of the neighborhood; and,
The proposed variations reflect the proposed lot lines and will not affect the existing conditions. Also, the proposed landscaping will screen the booster station so as to minimize its visual impact on the neighborhood.
7. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, increase the danger of fire, impair natural drainage or create drainage problems on adjacent properties, endanger the public safety, or substantially diminish or impair property values within the neighborhood.
The proposed variations will not negatively impact the adjacent properties.