



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Plan Commission

Donald F. Ryan, Chairperson
Commissioners: Ronald Olbrysh, Martin Burke,
Ruth Sweetser, Andrea Cooper, Stephen Flint and
John Mrofcza
Staff Liaison: William Heniff

Monday, December 17, 2012

7:30 PM

Village Hall - Board Room

Call to Order

Chairperson Ryan called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Chairperson Ryan led the Pledge of Allegiance.

Chairperson Ryan requested a moment of silence for the victims of the Connecticut shooting.

Roll Call of Members

Present 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

Also present: Christopher Stilling, AICP, Assistant Director of Community Development, and George Wagner, legal counsel to the Plan Commission.

Public Hearings

Chairperson Ryan called the order of the agenda.

[120377](#)

**PC 12-17: 2700-2860 S. Highland Avenue (Highlands of Lombard)
(Continued from November 19, 2012)(Request to Withdraw)**

The petitioner, the Village of Lombard, requests that the Village take the following actions for the subject properties located in the B3PD, Community Shopping District, Planned Development:

1. An amendment to the Second Amendment to the Pre-Development Agreement between the Village of Lombard and the owners of the property commonly known as The Highlands of Lombard and an amendment to Ordinance No. 4833 for an amendment to the conditional uses and variations approved by said Original Ordinance,

so as to clarify the principal uses that are permitted, conditional or prohibited on the Subject Property, and to grant a variation relative to the requirements applicable to accessory uses on the Subject Property. (DISTRICT #3)

Chairperson Ryan indicated that the petition was continued from the November 19, 2012 meeting and there is a request to have it withdrawn.

A motion was made by Stephen Flint, seconded by Ruth Sweetser, granting the request to withdraw. The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[120596](#)

PC 12-19: 300 W. 22nd Street (Covington/Cove Landing Planned Development) (Continued from November 19, 2012)(Hearing and Request to continue to January 28, 2013)

Requests the following actions be taken on the subject property, located within an R5 General Residence District Planned Development:

1. Pursuant to Section 155.504(A) (major changes in a planned development) and Section 155.511 (Site Plan Approvals for planned developments) of the Lombard Zoning Ordinance, amend the conditional use for the Covington/Cove Landing Planned Development, as established by Ordinance 1174 and as amended by Ordinances 1321, 1390, 2977 and 3183, to allow for the construction of an eighty (80) unit assisted living facility on the subject property, per the submitted plans.

2. Pursuant to Section 155.410 (C) of the Lombard Zoning Ordinance, grant a Conditional Use for an assisted living facility (convalescent and nursing home). (DISTRICT #3)

Chairperson Ryan indicated that the petition was continued from the November 19, 2012 meeting and there is a request that it be continued to the January 28, 2013 meeting. If the Commissioners make a motion for continuance, the motion must include a statement stating there is a waiver of the rule limiting the petition to one continuance.

A motion was made by Ruth Sweetser, seconded by Ronald Olbrysh, to continue this matter to the January 28, 2013 meeting with a waiver of the rule. The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[120489](#)

PC 12-18: Village Comprehensive Plan Amendment (1S535 Finley Road - Ken Loch Golf Course)(Continued from November 19, 2012)(Hearing and Request to continue to January 28, 2013)

Requests the approval of amendments to the Village Comprehensive Plan pertaining to the Land Use recommendation for the Ken Loch Golf Course. (UNINCORPORATED)

Christopher Stilling read the Rules of Procedures as written in the Plan Commission By-Laws.

He also announced that the public hearing for PC 12-18 (1S535 Finley, Ken Loch Golf Course) would be continued to the January 28, 2013 meeting. At that meeting, staff will request that the Commissioners make a land use recommendation to the Board of Trustees.

Chairperson Ryan suggested that anyone who wished to speak on this matter and whose opinions were previously stated by another audience member, could simply state that they agree with everything already said and this would suffice for having your comments noted on the public record.

Christopher Stilling noted that all pertinent links relative to any documents and videos regarding this Comprehensive Plan discussion from all the previous Plan Commission meetings were located on the Village's website under the Community Development Department, Planning Services, Comprehensive Plan page.

Mr. Stilling advised that the goal for the meeting tonight is to seek any additional testimony from the public, ask the Plan Commissioners if they have any questions or comments and request that they continue the public hearing to the January 28, 2013 Plan Commission meeting. At the January meeting, staff will recommend that the Plan Commissioners make a recommendation regarding the future land use of the Ken Loch site which will be forwarded to the Board of Trustees for consideration at its February meeting.

Mr. Stilling noted that there has not been any specific information received from the Park District since their previous letters which expressed support for maintaining the parcel as some type of open space. Staff also supports that concept and requests that additional testimony be taken tonight at the public hearing to be continued to the January meeting.

Chairperson Ryan suggested that the Commissioners view the meeting videos of any meetings that they missed, prior to the January meeting.

Chairperson Ryan then opened the meeting for public comment and testimony.

Carl Orr, 1899 S. Lincoln, Lombard, wanted to be on record that he agrees with keeping it open land and wants the Village to continue to do an exhaustive search to obtain the best use of the land and look at the possibility of alleviating some of the flooding.

Deanne Theodore, 810 Foxworth Boulevard, Apt. 101, Lombard, stated she chose to live in Lombard in an apartment complex that sits on 27 acres of what she considers a concrete jungle with a few trees. She stated she previously lived in Glendale Heights near a large parcel of open land that eventually was sold. As a result, the schools were negatively affected being stretched to capacity. She is concerned about the citizens and the possibility of losing this as open space so she is running for the office of Village Clerk. People need to be involved and have a voice and ask the Village Board to not let this happen here. More homes mean more people and she does not want to lose a sense of community.

Casey Roe, 201 W. 17th St., Lombard, stated he concurs with the land remaining open space.

Catherine Roe, 201 W. 17th St., Lombard, stated she has lived here for 17 years. She appeals to the Plan Commission that they keep the parcel zoned R4 and open space. Referring to Trustee Fitzpatrick, Ms. Roe stated that Trustee Fitzpatrick mentioned at one of the Board meetings that the owner has a right to sell. While this is true, it is not right for the owners to obtain another zoning designation in order to get a higher price. Any potential development would not be ideal for their neighborhood, would have a negative impact and rezoning would not be the best option for Ken Loch. She is pleased that the Park District is now involved which could result in an ideal situation. Open space is good for the residents and taxpayers of Lombard. She urged the Commissioners not to make a zoning change to delay the vote until the spring elections.

Kevin Roe, 201 W. 17th St., Lombard, concurred that Ken Loch should remain open space.

Chuck Mayer, 212 W. 18th St., Lombard, concurred that it should remain open space.

Samantha Mayer, 212 W. 18th St., Lombard, agreed it should be kept as open space.

Jessica Mayer, 212 W. 18th St., Lombard, stated it should be kept as open space.

Trish Mayer 212 W. 18th St., Lombard, stated it should stay as all open space.

Gerald Norton, 1617 Hillcrest Court, Lombard, stated he lives in the Manor Hill neighborhood which is located adjacent to Four Seasons Park. Not only is this park used by Lombard residents but it is shared with groups outside of Lombard. Ken Loch is an additional green space that acts as a buffer. It has rolling terrain and is picturesque and he would like the Park District to purchase the land and keep it as a golf course or an improvement to the park. The schools and road cannot accommodate a high density development. If the Park District cannot buy the land he would prefer that it be developed with single family homes nicely spaced in order to preserve the beauty of the land.

Muzammil Saeed, 230 W. 17th St., Lombard, stated he grew up in neighboring Lombard and is a Glenbard East alumnus. He currently lives in the Knolls of Lombard on 17th Street and it is a nice quiet neighborhood. This is a personal matter to him as he lives four houses down from the site and is also the father of three children. His concerns for this planned development include safety, flooding and overcrowding of the schools. He shares his neighbor's views and wants to make sure that their views are given serious consideration by the Board of Trustees who need to study the options further and consider alternatives, not ramrod this development through. He would like to defend the rights of the people in his neighborhood and has filed his petition for district trustee.

George Wagner, legal counsel to the Plan Commission, clarified that there is no public hearing for a development proposal at this time and that is not the purpose of this hearing. The purpose is to consider the land use designation under the Comprehensive Plan.

Dave Kaiser, 201 W. 17th Place, Lombard, concurred with keeping open land.

Roberto Decarmente, 221 W. 17th St., Lombard, stated he concurred that Ken Loch should be kept as open space.

David Czaplicki, 131 W. 17th St., Lombard, concurred with the previous speakers and preferred that it stay open space.

Scott Schwefel, 221 W. 17th Place, Lombard, strongly recommended that the Plan Commission defer their decision until the Board of

Trustees is fully functional. He questioned whether there would be enough time for the Park District to complete their studies if a recommendation is to be made by the Commissioners in January.

Mr. Stilling clarified that this hearing is not related to any specific development - just future land use which is whether or not to maintain an open space designation currently identified in the Comprehensive Plan. Staff performed an analysis and created various development scenarios to determine future land use. Should that result in the land use designation being changed, it would allow any developer the option of submitting a plan that would be consistent with the chosen Comprehensive Plan designation. If the Plan Commission concurs with an open space designation, they will be reaffirming what staff is saying.

Mr. Schwefel asked if the recommendation by the Commissioners would then go before the Village Board in February and if so, what their option would be. Mr. Stilling answered yes. At that time, the Village Board could concur with the Plan Commission's recommendation, continue it, or make their own recommendation. It is their discretion to make the final determination.

Mr. Schwefel asked if the Village will be having an election in April to determine the various positions on the Board. Mr. Stilling answered yes. Mr. Schwefel commented that it would make sense to postpone this decision until the Board is fully functional. Mr. Stilling answered he could not get into the specifics of that and reiterated the Plan Commission's role in this process is to give a recommendation of land use.

Tim Cody, 315 Collen Drive, Lombard, stated that he spoke at last meeting and hoped that it would be kept as open space and maintained as a golf course. He questioned what the Park District's intent might be and asked if it was forthcoming in the future. Mr. Stilling answered yes. Chairperson Ryan added that once the Plan Commission makes a recommendation and if the Board concurs, nothing may happen for years because it will then be up to a developer to come back with a development proposal using the approved land use designation. We would then begin the public hearing process again for that particular proposed development. Mr. Cody asked for confirmation that the property is already designated as open space. Chairperson Ryan answered yes but the Village Board has asked us to take another look at it.

Mr. Cody asked what the process would be since it seems that the Commissioners want to keep it open space. Mr. Stilling answered that we are looking to get a clear idea of what the land use designation

should be. As an example, if open space were to be approved, the property owner would then engage discussion with other parties that are involved in that type of land use in order to get ideas and find out what their options could be. From a staff perspective, if a developer came in with a high density plan, our position would then be clear whether or not that high density plan is consistent and agrees with what the Village Board decided for that parcel. Mr. Cody asked for confirmation that open space is currently designated for the parcel. Mr. Stilling answered yes but the Village Board directed staff to take a look at other land use alternatives.

Richard Mike Mikulecky, 127 W. 18th St., Lombard, stated he has spoken before and concurs with the previous speakers. He stated that he has multiple pictures of geese that use the park every day. He brought them as evidence about how wildlife habitat would be disrupted.

Jeff Crown, 2015 S. Finley in Cove Landing, Lombard, expressed his pleasure of having all the Commissioners present. He mentioned how the association previously submitted a letter on behalf of the residents expressing their desire to keep it open space. He asked the Commissioners to consider notifying more people especially the seniors, like those residing at Lexington and Beacon Hill, who live in close proximity to the golf course and could be affected by the additional traffic as it relates to ambulance times.

Joan Nurczyk, 349 W. Taylor, Lombard, stated she has lived in Lombard since 1969 and has watched the green space disappear. She finds that very sad and concurs that Ken Loch should be kept as open space.

Rose Roth, 129 W. Potomac, Lombard, stated she lives on the north end of town and is in favor of open space.

Marymae Meyer, 414 W. Windsor, Lombard, stated she lives on the north side of town and was thankful for the opportunity to voice her concerns. She stated she is a preservationist and the decision made for this parcel will affect all of us throughout the Village. She spoke about a conservation science at Miami University and a term called "nature deficit disorder". Research has shown that children are losing interest and being disconnected from nature and that there are resulting tangible effects. We need to reinforce the idea that this is not a NIMBY issue but it is about preserving the space in the same way that our founding forefathers had the foresight to do so we can stay connected with nature .

Vic Grandenitto declined to speak.

Dawn Dudek, 270 W. 17th St., Lombard, stated she spoke last month. Before coming here tonight, she was studying with her children and they were learning about the environment. She thought how ironic it is that school curriculum is teaching us to be conscious of the trees and the environment, and how we need to stay green and healthy but yet we are having to defend to keep it open space.

Hayden Dudek, 270 W. 17th, Lombard, stated he lives next to Ken Loch and to put homes or buildings on the open land would be a big mistake. He has seen coyotes, skunks and various animals on the golf course. If we destroy their home, they will have nowhere to go. Once we ruin the open land it will be gone forever. He suggested a wildlife preserve which would be good for the earth. If the Village wants to put in apartments, why not put them where the K-Mart is located as it is closing. Let's make a positive addition to our community.

Nancy Shukat, 1801 S. Elizabeth St., Lombard, stated she lives across from Ken Loch and has spoken each time. As numerous meetings have passed and not one person has spoken against open space, she questioned why the process is taking so long. The most important issue is our children. We have to leave them open space and you have to vote for the right thing for our childrens' future.

Emina Hamzic, 36 W. 18th St., Lombard, concurred to keep it open space.

Moon Khan, 562 Stewart Ave., Lombard, stated he does not live around the golf course. The issue of open space is not limited to District 3 whose residents have come here to raise their voices and fight for the soul of Lombard. He commends them as they are doing extraordinary things.

Mr. Khan stated that municipal officials fall into a trap set by developers who tell them that these types of properties provide a high assessed value and can balance budgets when in fact, they are a burden to the municipality and residential property owners. The economic impact reports are an advertisement for the commercial developer. The projections presented to the Planning board are not coming true as the owners of the commercial properties will submit legal appeals for tax reductions. The law firm that represents the development is widely known for winning tax reduction lawsuits. He talked about how businesses are sharing less and less of the tax burden and how studies show that for every dollar contributed by the developer, the local municipality must spend \$2.05 in services. There is also a study that shows that for every dollar collected in taxes,

residential development costs are between \$1.04 to \$1.67 in services and these costs continue forever and increase over time.

He mentioned that certain politicians are friends of the developer and their campaign contributions portray their political alliances. He mentioned that he announced his candidacy for the office of Village President and that he will work with the public and fight for the soul of the Village of Lombard. He stated that the Village of Lombard is not up for sale to the highest bidder and that the residents are all equal stockholders.

Mr. Stilling summarized that staff is asking the Plan Commissioners to continue the public hearing to the January 28, 2013 Plan Commission meeting unless the Commissioners have any questions of staff or need additional information that can be provided at the January meeting. At the January meeting, staff will ask the Commissioners to make a recommendation to the Village Board on the preferred land use designation.

Chairperson Ryan opened the meeting to the Commissioners for comments and questions.

Commissioner Sweetser stated that the Commissioners have a practice whereby they like to respond to items that come up in public discussion. She feels that there are two issues that need to be addressed which can be useful in understanding this process.

- 1. Why are we having these hearings?*
- 2. Why look at the Comprehensive Plan land use when it was recently approved and designated as open space.*

Mr. Stilling answered that we are having these hearings not because we are not being asked to review a specific plan but to review the Comprehensive Plan as a whole which is the Village's visioning document for future land uses. This parcel, along with other parcels, is being looked at with sufficient time and effort in order to have testimony introduced. He exemplified how this process was used with the Downtown planning process where there were a series of six public hearings and six to ten subsequent meetings on the topic. This enabled all interested parties to be involved and heard.

Mr. Stilling also stated that a developer reached out to the Village in April. It had the property under contract and wanted to develop the parcel with multi-family housing. Our Comprehensive Plan at that time stated that the parcel was designated as open space and they were informed that their plan was not consistent with the Comprehensive Plan. The developer then requested a workshop session with the

Board of Trustees to see if there was any interest in their plan which would require an amendment to the Comprehensive Plan. The Board of Trustees did not give any indication of their level of support but requested staff to begin this process and look at all possible development scenario options. Back in 2010, when open space was approved for the parcel as the preferred land use designation, staff compared this parcel with estate single family residential only. Now staff is being asked to look at every possible development option. Staff came up with twelve different development scenarios including everything from single-family residential, medium-density residential, high-density residential, commercial and industrial together with the fiscal impacts associated with each. He noted that these different development scenarios can be accessed on the Village's website and he encouraged the public to review them. The findings of that report has been presented to the Plan Commissioners. Staff maintains a recommendation of open space and the Commissioners are being asked to make a recommendation to the Board of Trustees as to what they see as being the preferred land use designation.

Commissioners Burke indicated that there is another issue that should also be addressed. He referred to previous statements as to why the Commissioners do not postpone their recommendation until a new Village Board is elected. In response to that statement, he responded that it is not the Commission's job to postpone a recommendation. The Commissioners are being asked to make a recommendation to the Village Board as to whether they agree or disagree with the current Comprehensive Plan designation of open space. It is not our job to talk about taxes versus costs analysis and the like. He also stated that the Village cannot act on anything else at this point in time except for the Comprehensive Plan land use designation due to the property being unincorporated. The County currently has the ability to develop the property and avoid the Village completely, if they chose to do so, so there is a certain strategy involved on the part of the Village. The Village has to ensure it gets developed, if it must be developed, in the manner it sees fit and at the same time have influence over the process. The current land owner would like to have something bigger and better because the value would be higher, but this process is in the preliminary stages. The Village can only act on the Comprehensive Plan land use designation at this time.

Commissioner Sweetser then addressed the issue of zoning which the public had previously brought up. She clarified that since the property is unincorporated, there is no Village zoning associated with it.

An unknown female audience member asked what County department would handle this and have a say in the process. Mr. Stilling answered the DuPage County Planning and Zoning Department.

Chairperson Ryan asked staff to revisit the development issues. Mr. Stilling again directed any interested parties to reference the Village's website to access the property analysis report which outlines each possible development scenario. In summary, the property is currently unincorporated and zoned R4. This could result in 19 single family lots each approximately 40,000 square feet if utilities were not provided. The site currently does not have utilities available and is on well and septic. The Village has the only public utilities in the area. If utilities were to be provided through an agreement with the Village, the site could result in approximately 61 single family lots each approximately 10,000 square feet. Both scenarios would be under County control.

Chairperson Ryan asked the audience if there were any questions for the Commissioners.

Hearing none, he reminded the Commissioners to watch the meeting videos of any of the meetings.

A motion was made by Martin Burke, seconded by Andrea Cooper, to continue this matter to the January 28, 2013 meeting. The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

Business Meeting

The business meeting convened at 8:27 p.m.

Approval of Minutes

On a motion by Commissioner Burke and seconded by Commissionr Sweetser the minutes of the November 19, 2012 meeting were unanimously approved by the members present.

Public Participation

There was no public participation.

DuPage County Hearings

There were no DuPage County hearings.

Chairperson's Report

The Chairperson deferred to the Assistant Director of Community Development.

Planner's Report

Mr. Stilling announced that Michael Toth would be leaving the Village of Lombard to accept a position in another community. Mr. Stilling confirmed that the next Plan Commission meeting was being rescheduled to January 28, 2013 from January 21, 2013 due to Village offices being closed for the Martin Luther King holiday. Lastly, Mr. Stilling asked the Commissioners to contact staff if they would be interested in receiving the publication "Planning Commissioners Journal".

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Subdivision Reports

There were no subdivision reports.

Site Plan Approvals

There were no site plan approvals.

Workshops

There were no workshops.

Commissioner Cooper referenced the 2013 calendar which shows that there is a meeting on President's Day, February 18, and asked if that was accurate. Mr. Stilling answered yes, a meeting is scheduled for that day as Village offices are open.

Commissioner Olbrysh asked about the prospective tenant for the Great Indoors building. Mr. Stilling answered that nothing has been formalized yet but it will be a furniture user with a unique business model.

Adjournment

Prior to adjourning the meeting, Chairperson Ryan wished everyone Happy Holidays and New Year.

The meeting adjourned at 8:30 p.m.

*Donald F. Ryan, Chairperson
Lombard Plan Commission*

*Christopher Stilling, Secretary
Lombard Plan Commission*