

March 18, 2019

Title

PC 19-03

Petitioner

Residences at Lakeside/Clover
Creek Apartments
11766 Wilshire Blvd., St. 1500
Los Angeles, CA 90025

Property Owner

JRK Residential
11766 Wilshire Blvd., St. 1500
Los Angeles, CA 90025

Property Location

830 Foxworth Boulevard

Zoning

R5PD – Oak Creek Planned
Development

Existing Land Use

Apartment Complex

Comprehensive Plan

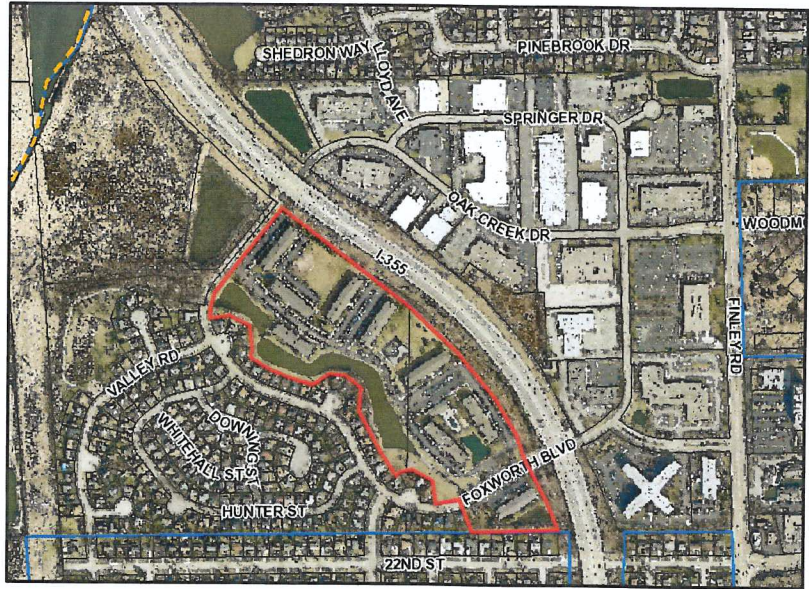
High Density Residential

Approval Sought

Amendment to the Oak Creek
Planned Development to approve
a deviation allowing an accessory
structure where vertical distance
from grade to highest point of the
roof is 20.5 feet where a
maximum of 17 feet is permitted.

Prepared By

Anna Papke, AICP
Senior Planner



LOCATION MAP

DESCRIPTION

The petitioner, Residences at Lakeside/Clover Creek Apartments, proposes to install a trash compactor at the Clover Creek Apartment complex in order to centralize waste collection and disposal on the site. The petitioner plans to construct a building containing the trash compactor and a waste collection area. The building will also provide an area to charge the carts used by maintenance personnel.

The trash compactor building is considered an accessory structure per the Lombard Zoning Ordinance. In order to accommodate the trash compactor, the tallest point of the proposed building will be 20' 3³/₄" above grade. Section 155.210(A)(3)(b) of the Zoning Ordinance permits a maximum of 17' between grade and the highest point of the building. An amendment to the Oak Creek Planned Development with deviation for the peak height of an accessory structure is required in order for the petitioner to construct the building as proposed.

EXISTING CONDITIONS

The subject property is developed with an apartment complex.

Requested Actions

1. Approve a deviation in the Oak Creek Planned Development to allow an accessory structure with a vertical distance from grade to highest point of the roof of 20.5 feet where a maximum of 17 feet is permitted.

Submittals

1. Petition for public hearing, dated February 8, 2019;
2. Response to standards for amendment to a planned development with exceptions, dated February 12, 2019;
3. ALTA survey, prepared by Xcel Consultants;
4. Topographic survey, prepared by Gentile and Associates, Inc., dated November 16, 2018;
5. Site plan and architectural plans, prepared by Dean M. Pozarzycki, R.A.;
6. Location maps submitted by applicant; and
7. Example images and compactor details.

APPROVAL(S) REQUIRED

The petitioner requests that the Village take the following action on the subject property located within the R5PD Planned Development District: Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the Oak Creek Planned Development to approve a deviation from Section 155.210(A)(3)(b) of the Lombard Zoning Ordinance to allow an accessory structure (trash compactor building) with a vertical distance from grade to the highest point of the roof of twenty and a half (20.5) feet where a maximum of seventeen (17) feet is permitted.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comment on this petition. Should the petition be approved, additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department will require access to the auxiliary building. Per the submitted plans, it appears there will be sufficient access. Additional comments may be forthcoming during permit review.

Private Engineering Services (PES):

PES has no comment on the petition regarding height of the accessory structure. PES notes that engineering calculations will be required during final engineering review. Additional comments may be forthcoming during permit review.

Public Works:

The Department of Public Works has no comment on this petition. Should the petition be approved, additional comments may be forthcoming during permit review.

Planning Services Division:

The Planning Services Division notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning	Land Use
North	R5PD	I-355 tollway
South	R5PD	Single-family residential
East	R5PD	I-355 tollway
West	R5PD	Single-family residential / Forest Preserve

The subject property is located in the Oak Creek Planned Development. The subject property is bounded on the north and east sides by the I-355 tollway, and to the south and west by single-family homes. The proposed accessory structure will be located on the north side of the property, near I-355 and well removed from the single-family residential neighborhood to the south of the apartment complex. The accessory structure will not be visible from Foxworth Boulevard or neighboring properties.

2. Comprehensive Plan Compatibility

The Comprehensive Plan designates this property as suitable for high density residential. An accessory building housing a trash compactor is consistent with high-density residential development.

3. Request for Major Change to a Planned Development

- A. Major Change: Approve a deviation from Section 155.210(A)(3)(b) of the Lombard Zoning Ordinance to allow an accessory structure (trash compactor building) with a vertical distance from grade to the highest point of the roof of twenty and a half (20.5) feet where a maximum of seventeen (17) feet is permitted.*

The petitioner requests a deviation for the peak roof height of the accessory structure in order to accommodate the space needs of the trash compactor to be located within. The additional height will allow for operation of the vertical lift functions of the compactor. The petitioner states the trash compactor will facilitate centralized waste removal operations for the apartment complex.

Staff notes the proposed accessory structure will be screened from adjacent properties by the existing apartment buildings on the site. With a peak height of 20.5 feet, the accessory structure will be significantly shorter than the existing three- and four-story apartment buildings. Further, the accessory structure will allow the petitioner to screen the trash compactor, which itself will provide an overall benefit to the existing apartment development. Staff supports this deviation.

RECENT SITE HISTORY

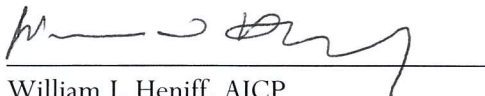
SPA 17-04: Site plan approval granted for expansion of the club house.

FINDINGS & RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards for a major change to a planned development, as established by the Lombard Zoning Ordinance. As such, 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 testimony presented, the proposed major change to a planned development **complies** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Committee Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 19-03, subject to the following conditions:

1. That the petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code;
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
3. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, or this approval shall become null and void unless a time extension has been granted by the Village Board.



William J. Heniff, AICP
Director of Community Development

c. Petitioner

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Residence at Lakeside (a.k.a. Clover Creek) Trash Compactor Building
RESPONSE to APPLICABLE STANDARDS
12 February 2019

The property Owner has been evaluating many functions natural to management activity of the property. The collection of, handling and removal of refuse is in need of improvement.

Each building has a trash chute that dumps into a ground floor refuse room modified 2 yard container.



There are two additional 'non-modified' 2 yard containers in these rooms where residents can place objects that are unable to go down the chute. Each of the three 2 yard containers per building need to be individually rolled out to an area that the waste handlers can pick up and empty them. Unfortunately this "container pick-up and emptying" activity are actually consuming required components of ADA parking stalls at the entrances to the buildings, until they are collected, emptied, and returned to the refuse rooms.



In addition: unwanted furniture, product delivery packaging, and odd sized "waste furniture" and rubbish becomes dumped adjacent to the exterior trash containers which are located at the necessary "T" end vehicle

The Owner believes their request for height valiance of 155.210(A)(3)(b) of the Zoning Ordinance is consistent with the intent of Variations as identified in 155.103.C.1 for relief of a physical need of the proposed equipment in order for it to properly (and safely) function.

The purpose of the Variance requested is not based upon the desire to increase financial gain. (In fact, the added height is much more costly than if the structure was within the Zoning height restrictions).

The alleged difficulty or hardship of 155.210(A)(3)(b) of the Zoning Ordinance is believed by the Owner to be the specific reason the 17' height limitation was established, due in part for accessory building controls in non-P.U.D. (single family neighborhoods) resultant to a vocalization of neighbor complaints.

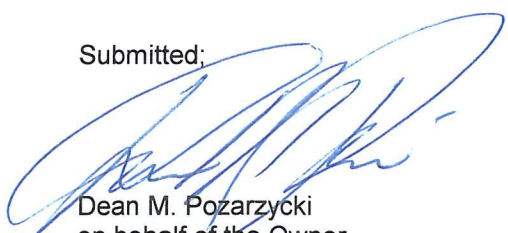
The Petitioner's location of the trash compactor building is surrounded by the owner's own buildings on 3 sides, (from which one side is additionally segregated from contiguous single family properties to the southwest by a large pond) and separated by a highway on the northeast side. We believe the location is obscure from other properties thus will not be detrimental to the public welfare, nor injurious to other property or improvements in the neighborhood in which this property is located for which the Ordinance Section was created.

Further, the Owner believe that relief from this Zoning limitation (of height), it will not alter the essential character of the neighbor hood, nor increase congestion of the public streets (with real possibility of reduction of visits of standard dump trucks) and will reduce the danger of parking lot fires via reduction of open waste placed at current collection dumpsters.

There was an initial concern the location of the building with required truck maneuvering area might adversely impact the required rain water storage volume or what the original civil engineers designed for the property (in the late 1980's and modified in the mid 1990's) for what is known as "Pond #4" in the storm water system, which is a dry detention area of required 1.340 Acre Feet, however, actual current (February 2019) "preconstruction" storage volume of Pond 4 has been verified by the surveyors as currently 1.582 Acre Feet (0.242 Acre Feet greater than required). The plans before the Plan Commission show a post-construction loss of approximately 0.016 Acre Feet due to necessary fill below the 690.3 High Water Line of storm storage. This causes a pre-impervious storage needs in excess of 0.226 Acre Feet greater than is actually required; resulting in no impairment to the natural drainage both within and down stream of this property. (The "post impervious storage" needs are insignificant to the total Parcel #2, and will be documented in final engineering submission Revision 1 to be verified following outcome of this Plan Commission Request).

The Owners sincerely feel their request fits the intent of Planned Developments as defined in 155.502(A), 155.502(B), 155.502(D).1, 155.502(D).4, and 155.502(D).7 of the Zoning Ordinance, and respectfully seek you approval,

Submitted;



Dean M. Pozarzycki
on behalf of the Owner.