



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

MEETING DATE: September 21, 2023

SUBJECT: **PC 23-13: 2001 S. Highland Avenue (Sonesta Suites/Churchwick Partners) – REVISED ORDINANCE**

At the September 7, 2023, Village Board meeting, the Board approved PC 23-13 on first reading. There are three ordinances associated with PC 23-13: an ordinance amending the Comp Plan; an ordinance approving a map amendment (rezoning); and an ordinance approving variances.

The petitioner's counsel reviewed the three proposed ordinances and requested a revision to the fifth condition of approval in the ordinance approving the variances. In the draft ordinance presented to the Board on September 7, Condition 5 stated that the site shall be developed in accordance with the plans submitted by the petitioner and followed with a list of the provided plans. The petitioner's counsel has requested Condition 5 be revised to describe the submitted plans in more specific terms, with a table including document titles and revision dates.

Village staff and Village counsel reviewed the requested change and determined that it is an insubstantial change, intended to clarify the controlling documents associated with approval of the ordinance. Village staff requests the revised ordinance be incorporated into the Board materials forwarded to the Board for final consideration of PC 23-13 on September 21, 2023.

ORDINANCE NO. _____

AN ORDINANCE GRANTING VARIANCES FOR A MULTIPLE-FAMILY HOUSING (APARTMENT) DEVELOPMENT IN THE R5 DISTRICT PURSUANT TO SECTION 155.410 OF THE LOMBARD VILLAGE CODE.

(PC 23-13: 2001 S. Highland Avenue, Sonesta Suites/Churchwick Partners)

(See also Ordinance No.(s) _____)

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 as defined below is zoned R5 General Residence District; and,

WHEREAS, an application has been filed requesting approval for variances pursuant to Section 155.410 of the Lombard Zoning Ordinance to allow for conversion of an existing hotel into a multiple-family housing (apartment) development; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on June 19, 2023, July 17, 2023, and August 21, 2023, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has recommended the granting of the requested variances, subject to certain terms and conditions; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions 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 approval of the following variations is hereby granted for the Subject Property legally described in Section 2 and subject to the conditions set forth in Section 3:

1. A variance for minimum lot area (density) for 29.57 dwelling units per acre, where 24.2 dwelling units per acre are required pursuant to Section 155.410(D)(4)(a); and
2. A variance for minimum open space of 35%, where 40% is required pursuant to Section 155.410(I)(4).

SECTION 2: That this Ordinance is limited and restricted to the property located at 2001 S. Highland Avenue, Lombard, Illinois and legally described as follows:

PARCEL 1:

THAT PART OF LOT 3 OF JAY C. BENNETT SR., COUNTY CLERK, ST. REGIS ASSESSMENT PLAT OF PART OF THE SOUTH 1/2 OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED R80-49897, WHICH LIES WEST OF A LINE DESCRIBED BY BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 3 WHICH IS 441.18 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT AND RUNNING THENCE NORTHERLY AT RIGHT ANGLES TO THE NORTH LINE OF SAID LOT, 566.97 FEET TO A POINT ON THE NORTH LINE OF SAID LOT WHICH IS 184.22 FEET WEST OF THE POINT OF CURVATURE, IN SAID NORTH LINE FOR THE PLACE OF TERMINATION, IN DUPAGE COUNTY, ILLINOIS. ALSO KNOWN AS LOT 1 IN JAY C. BENNETT SR., COUNTY CLERK ST. REGIS ASSESSMENT PLAT NO. 5 OF PART OF THE SOUTH HALF OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO PLAT THEREOF RECORDED AS DOCUMENT R86-18724, IN DUPAGE COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 3 WHICH IS 441.18 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 89 DEGREES 56 MINUTES 57 SECONDS WEST, A DISTANCE OF 57.05 FEET; THENCE NORTH 85 DEGREES 03 MINUTES 01 SECOND WEST, A DISTANCE OF 140.51 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 57 SECONDS WEST, A DISTANCE OF 85.60 FEET; THENCE NORTH 79 DEGREES 26 MINUTES 19 SECONDS WEST, A DISTANCE OF 54.82 FEET; THENCE NORTH 43 DEGREES 49 MINUTES 50 SECONDS WEST, A DISTANCE OF 46.90 FEET; THENCE NORTH 08 DEGREES 47 MINUTES 56 SECONDS WEST, A DISTANCE OF 52.60 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF HIGHLAND (VARIABLE WIDTH) AVENUE; THENCE NORTH 01 DEGREE 57 MINUTES 15 SECONDS EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 142.30 FEET; THENCE

NORTH 03 DEGREES 38 MINUTES 03 SECONDS WEST, A DISTANCE OF 219.45 FEET; THENCE NORTH 00 DEGREES 05 MINUTES 02 SECONDS WEST, A DISTANCE OF 118.42 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF ST. REGIS (50'W.) DRIVE AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 275.00 FEET AND A CHORD BEARING SOUTH 82 DEGREES 34 MINUTES 31 SECONDS EAST, AN ARC DISTANCE OF 72.06 FEET; THENCE ALONG A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 325.00 FEET AND A CHORD BEARING SOUTH 82 DEGREES 29 MINUTES 07 SECONDS EAST, AN ARC DISTANCE OF 84.16 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 13 SECONDS EAST, A DISTANCE OF 232.71 FEET; THENCE SOUTH 00 DEGREES 05 MINUTES 47 SECONDS WEST, A DISTANCE OF 566.97 FEET TO THE POINT OF BEGINNING.

PINs: 06-20-307-021

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, the Addendum Report, and as required by Village Code, prior to the occupancy of any units that would be subject to a lease. Such units will require a Certificate of Occupancy approved by the Lombard Community Development Department, Fire Department and any other applicable entities prior to occupancy.
2. A final parking plan, consistent with Village Code and Illinois Accessibility Code and Housing and Urban Development requirement must be submitted for review and approval and any such parking improvements or modifications must be addressed prior to issuance of any Final Certificates of Occupancy.
3. A Plat of Consolidation, making the property a lot of record, shall be submitted to the Village and recorded at DuPage County.
4. The petitioner shall be allowed to continue hotel operations for six (6) months after ordinance approval. After that time, they shall cease all hotel operations.
5. That the petitioner also shall improve the site in accordance with the six (6) plans prepared by Dynamic Engineering and listed below, except as such plans shall be modified in conjunction with complying with Conditions 1, 2, 3 and 6:

Plan Document Title	Number of Sheets	Latest Revision Date
Conceptual Site Plan 'A'	1	July 28, 2023
Conceptual Site Plan 'A' (depicting Parking Change Areas)	1	July 28, 2023
Open Space Exhibit	1	July 28, 2023
Vehicle Circulation Plan (Fire Truck)	1	August 7, 2023
Conceptual Site Plan 'A' Rendering	1	August 11, 2023
Landscape Plan	1	July 28, 2023

6. That the petitioner shall apply for and receive all required building permits from the Village for the proposed site and parking lot improvements, amended sign plan, building plan modifications as part of the hotel to multiple-family residential conversion process.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this _____ day of _____, 2023.

First reading waived by action of the Board of Trustees this _____ day of _____, 2023.

Passed on second reading this _____ day of _____, 2023.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2023.

 Keith Giagnorio, Village President

Ordinance No. _____
Re: PC 23-13
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ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this _____ day of _____, 2023.

Elizabeth Brezinski, Village Clerk