

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

Site Plan Approval; 830 Foxworth Blvd.

November 20, 2017

Title

SPA 17-04

Petitioner

Dean Pozarzycki, R.A.
4728 Main Street
Downers Grove IL 60515

Property Owner

BRE Piper MF Clover Creek, LLC
11766 Willshire Blvd, Suite 1500
Los Angeles, CA 90025

Property Location

830 Foxworth Blvd
Trustee District #2
PIN 0619301006

Zoning

R5PD

Existing Land Use

Multi-family apartments and clubhouse

Comprehensive Plan

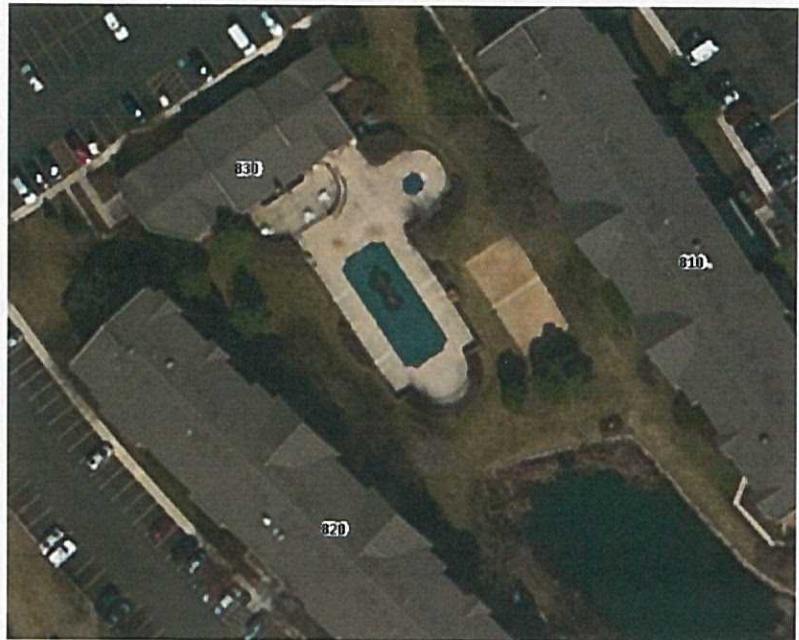
High Density Residential

Approval Sought

Site Plan Approval

Prepared By

Jennifer Ganser, AICP
Assistant Director



Location Map

PROJECT DESCRIPTION

The petitioner requests that the Village grant site plan approval for a minor change to the Oak Creek Planned Development to provide for an addition to the Clover Creek Apartment Clubhouse.

The proposed plans show an addition to the clubhouse and a new pool with beach and private pond. The addition consists primarily of two bowling lanes and will be 1,424 square feet. All setbacks and zoning requirements will be met.

EXISTING CONDITIONS

The subject property is currently improved with a multi-family apartment building and an associated clubhouse.

PROJECT STATS

Lot & Bulk

Parcel Size 11.15 acres

Submittals

1. Petition for Public Hearing;
2. Letter from Public Works, dated October 27, 2017; and
3. Architectural Plans, dated September 22, 2017, prepared by Dean M. Pozarzycki, R.A.

INTER-DEPARTMENTAL REVIEW

Building Division:

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

Fire Department:

The Fire Department has no comments. Should the petition be approved, additional comments may be forthcoming during permit review.

Private Engineering Services (PES):

PES notes the sanitary sewer main issue will need to be resolved and referenced a letter from Public Works dated 10/27/17. Should the petition be approved, additional comments may be forthcoming during permit review.

Public Works:

The Department of Public Works notes the building addition is proposed to be built over a Village-owned sanitary sewer. The Department had sent the attached letter dated 10/27/17 alerting the petitioner to the Village's objection to the plan as proposed but also provided two alternatives to resolve the issue to allow the building addition to be built as proposed. First, they could consent to take ownership of the on-site sanitary sewers, thereby making the sewers to be private service lines. Second, they could reroute that section of sanitary sewer to be at least ten feet horizontally from the buildings. To date, this issue has not been resolved. Therefore, the Department requests that the Plan Commission incorporate a condition in any vote of approval that this matter must be resolved in one of these two manners to the satisfaction of the Director of Community Development prior to issuance of a building permit. Should the petition be approved, additional comments may be forthcoming during permit review.

Depending on the proper course of action, the sanitary sewer matter may require further action by the Village Board of Trustees.

Planning Services Division:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	R5PD	Apartments and I-355
South	R5PD	Apartments and single-family homes
East	R5PD	Apartments and I-355
West	R5PD	Apartments and single-family homes

The subject property is located in the Oak Creek Planned Development. It is surrounded by the Planned Development and borders I-355. The Planned Development includes the Clover Creek Apartments and single-family homes. The associated club house, of the Clover Creek Apartments, is compatible with the surrounding uses and the planned development.

2. Comprehensive Plan Compatibility

The use of an apartment club house is consistent with Comprehensive Plan of high density residential. The club house is not open to the public.

3. Oak Creek Planned Development

The Planned Development does not directly refer to the club house, however staff finds the club house to be an ancillary use to the apartments and compliant with the Planned Development. In 1997, an addition of approximately 3,000 square feet was completed for an exercise area.

Staff reviewed the 2017 plans and found the addition does not constitute a major change in a planned development, per Section 155.504. Therefore staff is taking the request as a Site Plan Approval to the Plan Commission. Per Section 155.511, larger planned developments can change over time with features that were not originally addressed. Site Plan Approval allows the Plan Commission to review and consider these requests.

FINDINGS & RECOMMENDATIONS

Staff finds SPA 17-04 to be consistent with the objectives of the Oak Creek Planned Development.

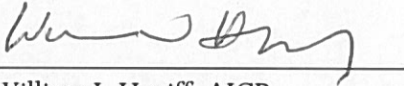
As such, the Inter-Department Review Committee recommends that the Plan Commission make the following motion for **approval** of SPA 17-04.

Based on the submitted petition and the testimony presented, the plans do comply with the standards required by the Village of Lombard Zoning and that granting said request is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and **approve** SPA 17-04, subject to the following condition:

1. That the petitioner shall develop the site in accordance with plans prepared by Dean M. Pozarzycki, R.A., dated September 22, 2017 submitted as part of this request;

2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including the sanitary sewer as referenced by Public Works and Private Engineering Services and sent to the petitioner via mailed dated October 27, 2017; and
3. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval, or this approval shall become null and void unless a time extension has been granted by the Village Board.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development
c. Petitioner



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

October 27, 2017

Village President
Keith T. Giagnorio

JRK Residential Properties
11766 Wilshire Blvd, 15th Floor
Los Angeles, CA 90025

Village Clerk
Sharon Kuderna

RE: Sanitary Sewers in Clover Creek Apartments, 801-890 Foxworth Blvd, Lombard

Dear Sir or Madam:

Trustees

Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware,
Dist. 6

As you may know, the Village of Lombard (the "Village") accepted ownership and maintenance of the sanitary sewers on the Clover Creek development property, as depicted on the enclosed map, after said sanitary sewers were constructed, pursuant to the enclosed Resolution No. 84-88, per the request of the property owner at that time. As such, the Village is unable to allow the proposed addition to the recreation center to be constructed over that portion of the sanitary sewer. The Village understands that a plat of easement was not found during the title search that you had conducted prior to purchasing the Clover Creek property. If necessary, the Village would seek a perpetual easement in order to carry out its legal obligation to access and maintain the sanitary sewer.

Village Manager
Scott R. Niehaus

Notwithstanding the foregoing, we would like to offer possible solutions to this matter. First, if you, as the current owner, agree in writing to accept ownership of the sanitary sewers on the property, then the sanitary sewers would just be considered private service lines since they only serve your buildings. The Village would then have no objection to you constructing the building over the sanitary sewer, nor would the sanitary sewer constitute a public concern throughout any other portion of the property. As a second alternative, you could relocate that portion of the sanitary sewer, which is of concern, to run around the building, providing at least ten (10) feet of horizontal clearance from the building. Please reply in writing if you concur with one of these alternatives, and Village Staff will then advise the Plan Commission that this issue has been resolved.

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

Please contact me at 630-620-5765 or gorman@villageoflombard.org if you have any questions.

Sincerely,

VILLAGE OF LOMBARD

David P. Gorman, P.E.
Asst. Director of Public Works

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

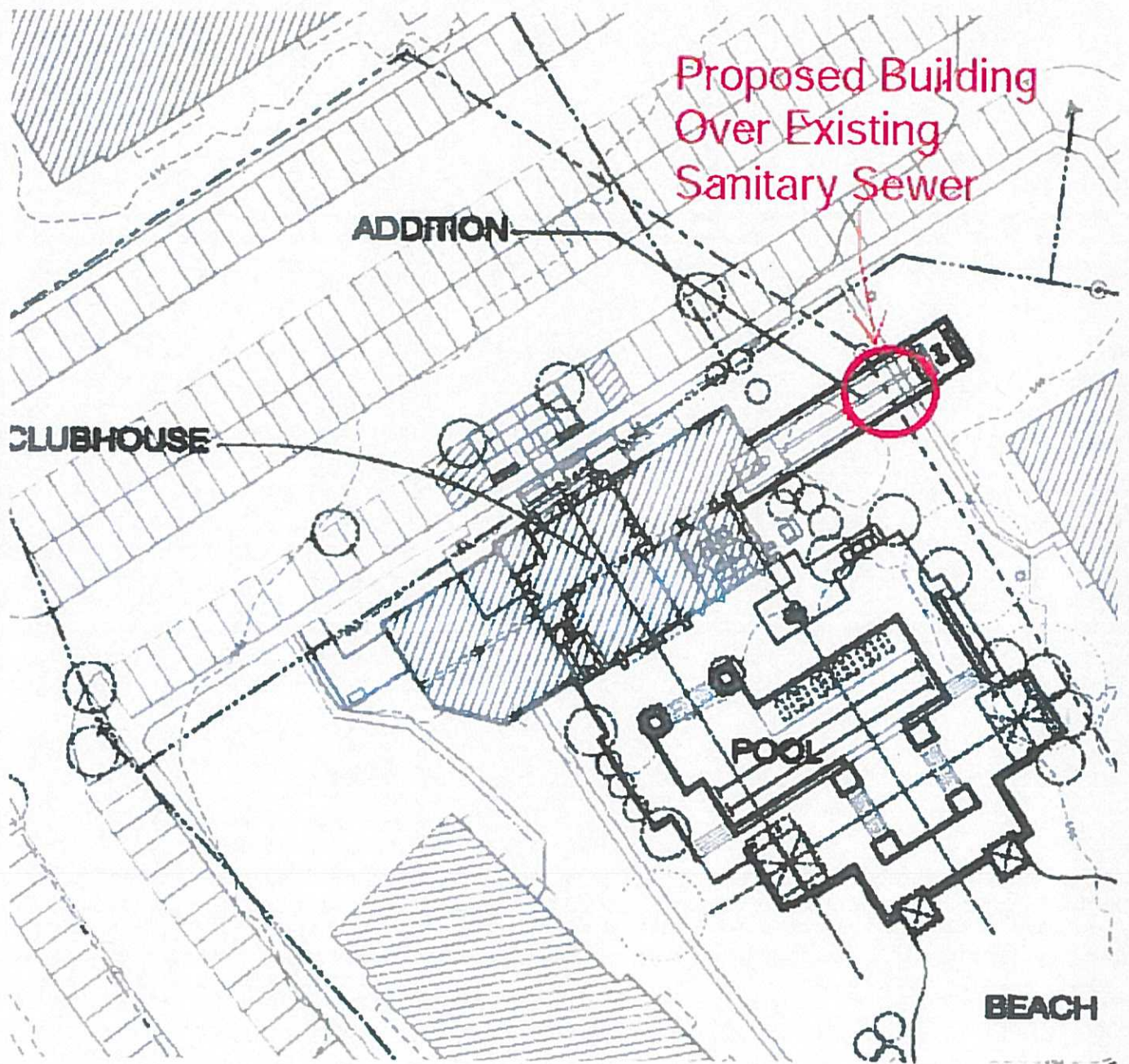
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enclosures: construction plan detail, Resolution No. 84-88 and sanitary sewer map

cc: William J. Heniff, AICP, Director of Community Development

Jana Bryant, P.E., Private Development Engineer

Dean Pozarzycki, architectdean@earthlink.net



R E S O L U T I O N
R 84 88

RESOLUTION ACCEPTING COMPLETION OF THE PUBLIC
IMPROVEMENTS - CERTIFICATE OF COMPLETION

WHEREAS, the Engineer for the Village of Lombard has certified completion of the public improvements for the Clover Creek Apartments and has recommended said improvements be accepted; and

WHEREAS, the Corporate Authorities concur with said recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

Section 1: That the public improvements certified by the Village Engineer in regards to the Clover Creek Apartments be and hereby are accepted and made part of the Village of Lombard.

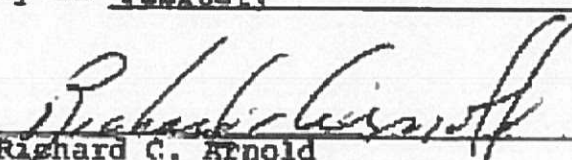
Adopted this 18th day of February, 1988.

Ayes: DAVIS, MANNA, TROSS, VAZQUEZ, TULLY, FRANCIS

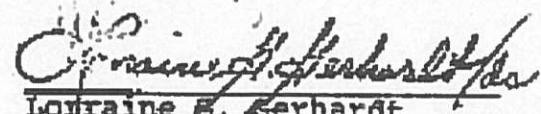
Nays: NONE

Absent: NONE

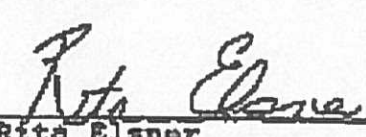
Approved this 18th day of February, 1988.


Richard C. Arnold
Village President

ATTEST:


Lorraine E. Gerhardt
Village Clerk

APPROVAL AS TO FORM:


Rita Elsner
Village Attorney

