


VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) _____ X _____ *Waiver of First Requested*
X _____ *Recommendations of Boards, Commissions & Committees (Green)*
_____ *Other Business (Pink)*

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager
DATE: December 7, 2011 (BOT) Date: December 27, 2011
TITLE: PC 11-24: 2100 S. Finley Road and 555 Foxworth Boulevard (Lexington Health Care/Lexington Square)
SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests that the Village approve amendments to Ordinances 1351, 2615, 2655, and 4361 as they relate to the Lexington Health Care Planned Development, located within the R5PD General Residence District Planned Development, and consisting of a planned development amendment to increase the number of senior citizen housing units from 271 to 300.

The Plan Commission recommended approval of this request with an amended condition.

The petitioner has requested a waiver of first reading.

Please place this item on the December 27, 2011 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP
Director of Community Development

DATE: December 27, 2011

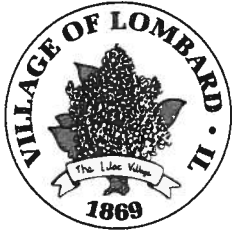
SUBJECT: **PC 11-24: 2100 S. Finley Road and 555 Foxworth Boulevard (Lexington Health Care/Lexington Square)**

Attached please find the following items for Village Board consideration as part of the December 27, 2011 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 11-24;
3. An Ordinance Granting an Amendment to Ordinances 1351, 2615, 2655, and 4497, Granting an Amendment to a Planned Development,
4. Letter from Anita Quaid dated October 31, 2011 stating no objection to the petition;
5. Letter from the petitioner dated November 22, 2011 requesting a waiver of first reading; and
6. Plans associated with the petition.

The Plan Commission recommended approval of the petition subject to one condition.

The petitioner has requested a waiver of first reading.



VILLAGE OF LOMBARD

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

December 27, 2011

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Trustees

Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Peter Breen, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
David A. Hulseberg

"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."

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

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

**Subject: PC 11-24: 2100 S. Finley Road and 555 Foxworth Boulevard
(Lexington Health Care/Lexington Square)**

Dear President and Trustees:

The petitioner requests that the Village approve amendments to Ordinances 1351, 2615, 2655, and 4361 as they relate to the Lexington Health Care Planned Development, located within the R5PD General Residence District Planned Development, and consisting of a planned development amendment to increase the number of senior citizen housing units from 271 to 300.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on November 21, 2011.

Mike Mallon, President of Mallon & Associates, 1755 S. Naperville Road, Wheaton, presented the petition. He stated he was here as a professional planner and to present the application on behalf of Sambell of Lombard LLC for an amendment to an existing planned development. He introduced their project team which consisted of Larry Bell, owner of Sambell of Lombard LLC, Sherry Kizer, and Clyde Hughes.

Mr. Mallon stated that Lexington operates 10 skilled nursing facilities and has been a fine addition to Lombard since 1983. Referring to a site plan, he noted the property is currently located at the southeast corner of Finley and Foxworth Boulevard. It consists of 6-1/2 acres and has frontage on Finley Road and along Foxworth Boulevard. Lexington was developed by a 1983 planned development consisting of a skilled nursing facility together with an approval for a second phase which would consist of a mixed use development or possible residential. One year later there was an amendment to Phase 2 to allow a 230 unit senior housing development which is what currently exists today. In 1997 an amendment to the planned development was approved to increase the number of units from 230 to 271. There is a mixture of surface parking spaces and an additional 49 underground parking spaces for a total of 338 spaces with the requirement being 289 spaces.

Mr. Mallon displayed an underlying zoning map and noted the surrounding land uses and their current zoning. He stated that their request is to increase their bed count by 28 units or 10.7 percent to allow either additional independent or assisted living units. They would be converting the 2-person units into 1-person units on the third floor. Lastly, he stated that the proposed conversion would not have any impact on the surrounding properties or parking.

Clyde Hughes, 665 W. North Avenue, Lombard, stated that they just wrapped up the remodeling of the first and second levels. As the second floor was being completed, they realized that there was additional demand to increase the number of single units up to the 3rd level. He described the conversion and how they would split the units in half, move the kitchens and replace bathrooms. He noted that 87 is the average age of their residents and this conversion will make their surroundings smaller and more manageable. The assisted living units will have a nurses' station with personnel available 24/7, a dining room on each floor, activities on each floor and the common areas will be located in the middle of the buildings. All existing utilities and services will remain.

Concluding, Mr. Mallon indicated that they are requesting this amendment because the planned development as it currently exists is capped at 271 units. The Comprehensive Plan is consistent with the proposed use. He referenced their submitted responses to the 5 standards for a modification to the planned development and mentioned that while he wouldn't read them, he wanted them noted for the record. Lastly, he referred to the condition in the staff report. He requested that it be modified so that they are not limiting this to the third floor but could be open to any floor in the building as long as the unit number stayed under the 300 units being requested.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one to speak in favor or against the petition.

Chairperson Ryan then requested the staff report.

Jennifer Henaghan, Senior Planner, presented the staff report indicating that it was being submitted into the record in its entirety.

The petitioner wishes to increase the number of units within the Lexington Square building from 271 to 300. A planned development amendment is required because previous planned development approvals for this building have capped the maximum number of units at 271. The increased number of units would be achieved through the reconfiguration of units by converting existing double occupancy units into two single occupancy units. This will allow Lexington to provide additional assisted living units. No exterior changes are proposed. She noted the Fire Department comment that the plan reconfiguration must be consistent with the current use and occupancy classification. No additional zoning relief is necessary, and the development will continue to provide parking in excess of the number of spaces required by the Zoning Ordinance.

Staff finds that all of the Standards for Planned Developments, as submitted by the petitioner, have been met, in that no expansion or change in use is proposed, and the existing buildings are

compatible with the surrounding development. The proposed uses and relief are consistent with the Comprehensive Plan and the surrounding land uses.

Ms. Henaghan stated that staff recommended approval subject to the one condition in the staff report. She clarified the condition in that staff recognizes the plans are conceptual in nature and the condition should not be construed as to limit their ability to do other improvements on other floors so long as the number of units is capped at 300.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweetser asked for clarification on the condition in the staff report wanting to know how many actual units they will have by the time they complete the conversion of the existing units. Ms. Henaghan answered 300 – currently they have near 271 so they will add approximately 30 more units.

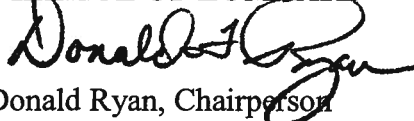
Commissioner Burke asked the petitioner if they were asking for the ability to do this plan on any of the floors or if they were looking to do some improvements to each of the 3 floors. Mr. Mallon answered that the plan is to focus on the 3rd floor. They are asking for the modification to the condition so it provides the applicant flexibility in the future. If there are less than 300 units done after the 3rd floor, then they could convert some on the 4th or 5th floor. He commented that it has been a while since the last time they made a request to increase the number of units. So by providing flexibility and not limiting it to the 3rd floor, this would allow them to make changes over time but not exceed the 300 unit cap.

On a motion by Commissioner Sweetser and a second by Commissioner Flint, the Plan Commission voted 6 to 0 that the Village Board **approve** the requested relief, subject to the following amended condition:

1. The subject property shall be developed in substantial compliance with the submitted materials prepared by Corporate Design and Development Group, LLC, dated October 19, 2011. Said improvements may be on any floor provided that the overall unit count not exceed 300.

Respectfully,

VILLAGE OF LOMBARD



Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

**VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission HEARING DATE: November 21, 2011
FROM: Department of PREPARED BY: Jennifer Henaghan, AICP
 Community Development Senior Planner

TITLE

PC 11-24; 2100 S. Finley Road and 555 Foxworth Boulevard (Lexington Health Care/Lexington Square): The petitioner requests that the Village approve amendments to Ordinances 1351, 2615, 2655, and 4361 as they relate to the Lexington Health Care Planned Development, located within the R5PD General Residence District Planned Development, and consisting of a planned development amendment to increase the number of senior citizen housing units from 271 to 300.

GENERAL INFORMATION

Petitioner/Property Owner: John Samatas/Sambell of Lombard, LLC
665 W. North Ave., #500
Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R5 General Residence District/Lexington Health Care Planned Development

Existing Land Use: Two senior housing buildings

Size of Property: 6.507 acres

Comprehensive Plan: Recommends Public, Semi-Public, or Multi-Family Uses

Surrounding Zoning and Land Use:

North: R5PD – General Residence District/Oak Creek Planned Development; developed as office/industrial buildings
South: R-4 Single-Family Residential in Unincorporated Du Page County
East: R5PD – General Residence District/Oak Creek Planned Development; developed as Avalon Apartments
West: I-355 Tollway

ANALYSIS

SUBMITTALS

This report is based on the following documentation:

1. Petition for Public Hearing.
2. Response to Standards for Planned Developments.
3. Project Narrative Statement.
4. ALTA/ASCM Land Title Survey, prepared by W-T Land Surveying, LLC, dated December 31, 2008.
5. Plat of Survey, prepared by Glen D. Krisch, dated March 28, 1985.
6. Site Plan, prepared by W-T Engineering, Inc., dated November 12, 1986.
7. Third Floor Plan, prepared by Corporate Design and Development Group, LLC, dated October 19, 2011.
8. Aerial views and photographs of property.

DESCRIPTION

The petitioner wishes to increase the number of units within the Lexington Square building from 271 to 300. A planned development amendment is required because previous planned development approvals for this building have capped the number of units at 271. The increased number of units would be achieved through the reconfiguration of units on the third floor of the building by converting existing double occupancy units into two single occupancy units. This remodeling will allow Lexington to provide additional assisted living units. No exterior changes are proposed.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Private Engineering Services has no comments.

PUBLIC WORKS

The Engineering Division of the Public Works Department has no comments on the petition.

FIRE DEPARTMENT

The Fire Department notes that the proposed floor plan reconfiguration must be consistent with the current use and occupancy classification, Group I-1, as defined by the International Building Code.

PLANNING

Background

Lexington was approved by a 1983 planned development (PC 83-9). Phase 1 (Lexington Healthcare) allowed a skilled nursing care facility with 30 units/acre with a low-rise multi-family or office development planned for Phase 2 of the project. A 1984 amendment (PC 84-1) replaced the Phase 2 low-rise multi-family or office development with a six-story building senior housing development of 230 units. In 1997, a similar petition was approved (PC 97-19) granting an amendment to the existing planned development increasing the allowable number of units at Lexington Square from 230 to 271.

Compliance with the Zoning Ordinance

The independent and assisted living building on the subject property has been in use since 1986. The requested planned development amendment is necessary only because the previous approvals capped the maximum number of units within the building. Although the number of units will be increasing, the actual resident density will not change as Lexington will be converting double-occupancy units to single-occupancy units. No additional zoning relief is necessary, and the development will continue to provide parking in excess of the number of spaces required by the Zoning Ordinance.

Staff finds that all of the Standards for Planned Developments, as submitted by the petitioner, have been met, in that no expansion or change in use is proposed, and the existing buildings are compatible with the surrounding development.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends public, semi/public, or multi-family uses at this location. The proposed use complies with the recommendation of the Comprehensive Plan.

Compatibility with Surrounding Land Uses

The proposed amendment is compatible with the surrounding uses.

Findings and Recommendations

The Department of Community Development finds that the information presented meets the Standards for Planned Developments, as submitted by the petitioner and as part of this petition,

Plan Commission
Re: PC 11-24
Page 4

and as set forth in the Zoning Ordinance. Based on the above considerations, 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 proposed ordinance amendment does comply with the standards required by the Lombard Zoning Ordinance, and that the planned development amendment enhances the development and is in the public interest; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-department Group Report as the findings of the Lombard Plan Commission, and recommend to the Corporate Authorities **approval** of PC 11-24, subject to the following condition:

1. The subject property shall be developed in substantial compliance with the ~~Third Floor~~ Plan, prepared by Corporate Design and Development Group, LLC, dated October 19, 2011.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP
Director of Community Development

STANDARDS FOR PLANNED DEVELOPMENTS

Please find our detailed responses to all of these standards for our request for a modification to the existing Planned Development.

SECTION 155.508 (A) OF THE LOMBARD ZONING ORDINANCE

A. General Standards

1. Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located.

The proposed request to modify the existing Planned Development approved by Ordinance 1351, 2615, 2655 & 4361 to permit 300 Independent and Assisted Living units will comply with the regulations of the R5 General Residence District as approved in the development plans including the parking requirements for elderly housing and a nursing home. The required parking is 289 and the existing development provides for 338 parking spaces.

2. Community sanitary sewage and potable water facilities connected to a central system are provided.

All utilities have been connected as part of the original plan approved by the Planned Development. The proposed request will not change or modify these utilities.

3. The dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.

There is no change in the use from the approved Planned Development. The approved Planned Development provides for 271 units of Independent and Assisted Living units. The request is consistent with the recommendations of the Comprehensive Plan for the Village.

4. That the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.

The proposed request is in the public interest and is consistent with the purposes of the Village's Zoning Ordinance. The additional units will enhance and benefit residents and occupants once again with the aging population by adding additional Assisted Living units.

5. That the streets have been designed to avoid:

- a. Inconvenient or unsafe access to the planned development;
There are no changes to the access of the planned development.

- b. Traffic congestion in the streets which adjoin the planned development;
There are no changes to the streets which would cause traffic congestion around the planned development.

- c. An excessive burden on public parks, recreation areas, schools, and other public facilities which serve or are proposed to serve the planned development.

There will not be any excessive burden on public parks, recreation areas, schools and other public facilities which serve the planned development.

Project Narrative Statement

Lexington Square of Lombard is a Life Care community with 271 approved Independent Living and Assisted Living apartment homes. The project was approved as a Planned Development by Ordinance #1351 and modified by Ordinances #2615, #2615 and #4361. The proposed request is to modify the development to increase the number of approved units to 300 Independent and Assisted Living units. The project will involve converting some of the existing Independent Living units which were designed for double occupancy, into two assisted units without increasing the number of residents. The conversion which will occur on the third floor of the building is similar to the request that was approved in 1997 by Ordinance #4361 on the second floor. The proposed conversion would not have any impact on the surrounding properties and would not affect parking demand. The proposed projects' parking is as follows:

	Proposed # of rooms/units	Employees at Peak Times	Parking Provided			Required Parking
			Surface Parking	Underground Parking	Total Parking	
Lexington Square	300	40 employees	174	49	223	75 + 40 = 115
Lexington Health Care	99	75 employees	115	0	115	99 + 75 = 174
Totals	399	115 employees	289	49	338	289

For the past 25 years, the community has been home to local seniors who want the health and wealth protection that a Life Care community can provide them as they age. Traditionally, life care continuum care retirement communities (CCRC) provide its residents with multiple levels of care to accommodate their changing needs. These care levels are Independent Living, Assisted Living and Nursing Care. Since the licensure of the Assisted Living services two years ago, Lexington Square of Lombard has experienced an increase demand for these services and a larger demand for a secure environment for assisted living residents with memory care needs. The expansion of Assisted Living would allow Lexington Square of Lombard to meet the Illinois Department of Public Health requirements to separate the assisted living from the memory care and meet the needs of both populations under our current license. The proposed expansion would also reduce the number of residents having to live in the nursing home for only memory care and to broaden the ability to allow residents to age in place.

Today, the average age of the residents is 87 years of age. Our residents are frailer and have aged in place. Additionally, with the current economic and market conditions, seniors moving into any CCRC are waiting longer to make the move and are moving because they "have to" not because they "want to". With this shift, the prospective residents are looking for a community that provides them with the services to age as they want to with the services in place to keep them safe and meet their anticipated needs in all levels of care. The trend has been an increase of couples with one spouse with memory loss trying to remain as a married couple but with difficulty within the current offerings of Lexington Square of Lombard.

The last reason is to provide the residents of Lombard with choice. Today, there is only one other assisted living in Lombard but it does not offer the Health Care Services and the residents of Lombard need the choices to stay within the Village.

October 31, 2011

Lombard Plan Commission

Village of Lombard

Community Development Department

255 East Wilson Ave.

Lombard, IL. 60148

RE: Lexington Health Care Planned Development

Case No. PC 11-24 Parcel Number 06-19-307-002-003

To Whom It May Concern:

I have no objection to the proposed reconfiguration of the floor plan at 2100 S. Finley Rd.

Sincerely,



Mrs. Anita Quaid - Trustee

2 S. 041 Beaumont Ln.

Lombard, IL. 60148

Parcel Number 06-30-107-001

MALLON AND ASSOCIATES, INC.

A REAL ESTATE AND DEVELOPMENT COMPANY

November 22, 2011

Jennifer Henaghan, AICP
Senior Planner
Village of Lombard
255 E. Wilson Ave
Lombard, IL 60148

Re: PC 11 -24
Lexington Square – Sambell of Lombard, LLC
2100 S. Finley Rd. & 555 Foxworth Blvd.
Lombard, Illinois

Dear Jennifer:

Thank you for your assistance on our Plan Commission Case PC 11 -24. As you are aware the Commission unanimously recommended approval of our application for an amendment to the Planned Development for Lexington Square for the property at 2100 S. Finley Road and 555 Foxworth Boulevard. We would appreciate the Village Board waiving First Reading on the ordinance and considering our request at the meeting of December 15, 2011. We will be in attendance at the meeting to answer any questions that may be asked by the Board.

Please don't hesitate to contact me if you have any questions or comments.

Thank you. Have a wonderful Thanksgiving.

Cordially yours,

Mallon and Associates, Inc.



Michael F. Mallon
President

Cc: Project Team

1755 South Naperville Road, Suite #100, Wheaton, IL 60189

Phone: (630) 510-3225

Fax: (630) 510-3227

ORDINANCE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCES 1351, 2615, 2655, AND 4497, LOCATED IN THE O OFFICE ZONING DISTRICT

(PC 11-24: 2100 S. Finley Road and 555 Foxworth Boulevard (Lexington Health Care/Lexington Square))

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 property legally described in Section 2 below is located at 2100 S. Finley Road and 555 Foxworth Boulevard is zoned R5PD General Residence District - Planned Development; and,

WHEREAS, on February 5, 1968, the Corporate Authorities approved Ordinance 1351 which granted approval of a conditional use for a planned development; and,

WHEREAS, the Lexington Health Care Planned Development was approved by the Corporate Authorities by Ordinance 2615 on July 14, 1983; and,

WHEREAS, the Lexington Health Care Planned Development has subsequently been amended by Ordinances 2655 and 4361; and,

WHEREAS, an application has heretofore been filed requesting approval of an amendment to the conditional use approval for the Lexington Health Care Planned Development, as established by Ordinance 1351 and amended by Ordinances 2615, 2655, and 4361, to increase the number of senior citizen housing units from 271 to 300; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on November 21, 2011 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendation with the President and Board of Trustees recommending approval of the petition, subject to conditions of approval; and,

Ordinance No. _____
Re: PC 11-24
Page 2

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations 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 an amendment to the conditional use approval for the Lexington Health Care Planned Development, as established by Ordinance 1351 and amended by Ordinances 2615, 2655, and 4361, to increase the number of senior citizen housing units from 271 to 300 is hereby granted; subject to the conditions included within Section 3 below.

SECTION 2: This ordinance is limited and restricted to the property generally located at 2100 S. Finley Road and 555 Foxworth Boulevard, Lombard, Illinois and legally described as follows:

Lots 1 and 2 in Lexington Health Care Subdivision, being a subdivision of the southwest quarter of Section 19, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded February 28, 1984 as Document R84-15340, (excepting therefrom that part conveyed to the State of Illinois by deed recorded as Document R98-18111 and described as beginning at the southwest corner of Lot 1 a distance of 198.56 feet; thence south 19 degrees 53 minutes 16 seconds east, 202.86 feet to a point on the south line of said Lot 1; thence south 88 degrees 50 minutes 43 seconds west along said south line, 15.00 feet to the point of beginning), in DuPage County, Illinois.

PIN: 06-19-307-002, -003

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

1. The subject property shall be developed in substantial compliance with the Third Floor Plan, prepared by Corporate Design and Development Group, LLC, dated October 19, 2011. Said improvements may be on any floor provided that the overall unit count not exceed 300.

Ordinance No. _____
Re: PC 11-24
Page 3

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

Passed on first reading this ____ day of _____, 2011.

First reading waived by action of the Board of Trustees this ____ day of _____, 2011.

Passed on second reading this ____ day of _____, 2011.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____, day of _____, 2011.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2011

Brigitte O'Brien, Village Clerk