

Village of Lombard

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



Minutes

Monday, May 18, 2020

7:00 PM

Village Hall - Board Room

Plan Commission

Commissioners:

***Martin Burke, Ruth Sweetser,
Stephen Flint, John Mrofcza,
Leigh Giuliano and Bill Johnston
Staff Liaison: Jennifer Ganser***

NOTICE OF MEETING MODIFICATION DUE TO COVID-19

Pursuant to Governor Pritzker's Executive Order No. 2020-07 which suspends the requirement of the Illinois Open Meetings Act requiring in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, multiple members of the Plan Commission/ZBA will be participating in the meeting through a virtual meeting platform.

Physical attendance at this public meeting will be restricted solely to specified Village officials, staff, consultants and zoning applicant. Residents may view the meeting live on television, at Comcast Channel 6 or AT&T Channel 99, or on online at www.villageoflombard.org/220/view-meetings-live.

Public comments may be submitted in advance of the meeting on the Village website at

www.villageoflombard.org/publiccomment, via email to communitydevelopment@villageoflombard.org

or by calling and leaving a voicemail at (630) 620-5717. The Village requests that comments be submitted to the Village by 4:00 p.m.

on Monday, May 18, 2020. Notwithstanding this request, all comments received before the public comment portion of the agenda will be read into the public meeting record. The physical attendance restrictions in place for this meeting have been adopted to comply with Governor Pritzker's Executive Orders regarding social

distancing and the need to maximize residential self-isolation to slow the spread of COVID-19 to the greatest extent possible.

Additionally, all interested persons will be given the opportunity to participate in the public hearing on PC 20-11 via telephone or submission of public comments or evidence in advance of the meeting

- email to communitydevelopment@villageoflombard.org**
- calling and leaving a voicemail at 630-620-5717**
- letter mail to:**

Community Development Department

**Attn: Plan Commission
Village of Lombard
255 E. Wilson Avenue
Lombard IL 60148**

Persons interested in participating in the public hearing on PC 20-11 via telephone shall contact the Village in advance by any of the above methods to obtain information necessary for telephonic participation in the hearing. The Village requests that comments be submitted to the Village by 4:00 p.m. on Monday, May 18, 2020. Notwithstanding this request, all comments or evidence received before the public comment portion of the public hearing will be read into the public meeting record.

Call to Order

Vice Chairperson Flint called the meeting to order at 7:00 p.m.

Pledge of Allegiance

*Vice Chairperson Flint led the Pledge of Allegiance
Vice Chairperson Flint led the Pledge of Allegiance*

Roll Call of Members

Present 6 - Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, Leigh Giuliano, and Bill Johnston

Also present: Jennifer Ganser, AICP, Assistant Director of Community Development, Anna Papke, AICP, Senior Planner

Vice Chairperson Flint called the order of the agenda.

Ms. Ganser read the Rules of Procedures as written in the Plan Commission By-Laws

Public Hearings

[200152](#)**PC 20-11: 130-144 E. St. Charles Road**

The petitioner requests the Village take the following actions for the properties at 130, 136, and 140 E. St. Charles Road:

1. Approve a map amendment (rezoning) from B2 General Neighborhood Shopping District to the B5A Downtown Perimeter District;
2. Approve an amendment to a conditional use for a planned development and as established by Ordinance 7194, pursuant to Section 155.419(C)(18) of Village Code, to add the properties at 136 and 140 E. St. Charles Road to the previously established planned development for the property at 130 E. St. Charles Road, and;
3. Approve a conditional use for maximum building height pursuant to Section 155.419(G)(2) of Village Code for thirty-six feet (36'), where thirty feet (30') is required to allow for an elevator and accessible roof; and associated with a proposed building to be located at 140 E. St. Charles Road. Concurrent with this petition, the Village requests a companion map amendment (rezoning) from B2 General Neighborhood Shopping District to B5A Downtown Perimeter District for the property located at 144 E. St. Charles Road (DISTRICT #4)

Sworn in to present the petition were, Isaac Plumb the petitioner (remote), and Jennifer Ganser, Assistant Director.

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Mr. Plumb said he is an architect and the owner's representative for the Mesa Electronics. They are looking to expand their current facility and acquired the property next door. They are seeking a zoning change to build the new building consistent with 130 E St. Charles Road. This would be a stand alone building. They will establish cross access and cross park. The zoning relief for height is for an elevator to access the seasonal roof deck, required by Code. The relief is only for the elevator overrun.

Vice Chairperson Flint asked for public comment. There was none.

Vice Chairperson Flint asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner currently owns Mesa Electronics and recently bought the vacant land to the east at 136-140 E. St. Charles Road. They are seeking a rezoning of the properties to B5A, downtown perimeter zoning and would like to add the newly purchased property to the existing planned development at 130 E. St. Charles Road. They propose to build an office building to the east, which needs a conditional use for height for an elevator. The last parcel on the block is not under common ownership. The Village proposes to also rezone that property to B5A for consistency of the block. No development is proposed on that property. The property is currently vacant at 136-144 E. St. Charles Road. The property at 144 E. St. Charles Road formally had a dry cleaner on the site and the structure was razed in 2007. The site has been subject to environmental clean-up efforts and recently received a no further remediation letter (NFR). The asphalt surface is actually an environmental barrier and not a surface parking lot.

The proposed building is shown to meet the setbacks of the B5A District per the Site Plan. The new building shows a zero-foot front and the front setback holds the building line of 130 E. St. Charles. A conditional use is requested for the height of the building, due to an accessible roof deck and elevator. The conditional use is not for a full third story. Should the owner, or future owner, wish to add a third story in the future a new conditional use would need to be applied for.

Vice Chairperson Flint asked if there were questions on the staff report.

Vice Chairperson Flint opened the meeting for comments among the Commissioners and asked each Commissioner if they had questions or comments. No one did.

On a motion by Commissioner Sweetser, and a second by Commissioner Johnston, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 20-11, subject to the following five (5) conditions:

- 1. That the petitioner shall be required to apply for and receive building permits prior to construction;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**

3. The building height conditional use shall be exclusively for a required elevator and its associated infrastructure, as depicted within the submitted plans made a part of the petition;
4. An administrative plat of consolidation for the 136 and 140 E. St. Charles Road lots will need to be submitted for approval by the Village, making the properties a single lot of record, prior to the issuance of a building permit; and
5. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the proposed building is not established by said date, this relief shall be deemed null and void

Aye: 6 - Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, Leigh Giuliano, and Bill Johnston

[200094](#)

PC 20-10: Text Amendment to the Zoning Ordinance, Landscape Requirements

This item has been continued from the March 16, 2020 Plan Commission meeting.

Request text amendments to the following Section of Village Code, and other relevant sections for clarity:

1. Amend Section 155.703 (B) of the Village Code to replace “American Association of Nurserymen” with “National Standards Institute’s ANSI A300 Part 6”.
2. Amend Section 155.704 (B) of the Village Code relative to the tree species that should be avoided.
3. Amend Section 155.705 (B) of the Village Code to provide for exceptions to the grading and sodding requirement if determined appropriate by the Public Works Department”.
4. Amend Section 155.705 (C) of the Village Code referencing Section 99.04.
5. Amend Section 155.706 (C) of the Village Code to replace “Lombard Park District” with “properties located in the CR Conservation/Recreation District”.
6. Amend Section 155.711 of the Village Code to remove “request for a variance” and add “may be approved by the Director of Community Development provided that such designs meet the intent of Section 155.704 and that the alternate species selection and placement of plant materials otherwise does not conflict with this Chapter”.
7. Amend Section 155.712 of the Village Code to remove the term “deviation” and add “or are otherwise not deemed to meet the intent of Section 155.711”.
8. Create a new Section 155.713: Conflict with Other Regulations, to read as follows:
“In cases in which the provisions set forth within this Chapter conflict with landscape requirements of the DuPage County Stormwater and Floodplain Ordinance or other State of Illinois or federal regulations, the County, State or federal regulations shall apply.” (DISTRICT ALL)

Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development.

Pursuant to Governor Pritzker's Executive Order No. 2020-07 which suspends the requirement of the Illinois Open Meetings Act requiring in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, multiple members of the Plan Commission participated in the meeting through a virtual meeting platform.

Vice-Chair Flint read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Vice-Chair Flint asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner, the Village of Lombard, is requesting text amendments to the Landscape Chapter of the Zoning Ordinance, and any other relevant sections for clarity. One of the proposed text amendments is intended to include language that county stormwater, state and federal regulations can also apply to landscape plan requirements in addition to Village Code's Landscape Requirements Chapter as a new Section numbered 155.713. For example, DuPage County has specific plant lists to use within wetland buffers that are not included in Village Code. Also, there are other regulations that are required by various state or federal agencies that are so specific that they do not apply to most landscape plans submitted to the Village. Since the Village would defer to these agencies, staff finds that including this stipulation within Village Code is preferred rather than subjecting an applicant of a landscape plan to a variation process. on this matter, which presents uncertainty during permit review for proposed development on individual parcels within planned developments.

Vice-Chair Flint asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Giuliano, and a second by Commissioner Burke, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 20-10.

The motion carried the following vote:

Aye: 6 - Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, Leigh Giuliano, and Bill Johnston

[200153](#)

**PC 20-17: Text Amendments to the Zoning Ordinance,
Timeframe to complete construction**

Requesting text amendments to Sections 155.103, 155.203 and 155.601 of the Lombard Code of Ordinances, and any other relevant sections for clarity. Proposed amendments relate to timeframe to complete construction. (DISTRICT #ALL)

Sworn in to present the petition was Anna Papke, Senior Planner (remotely).

Pursuant to Governor Pritzker's Executive Order No. 2020-07 which suspends the requirement of the Illinois Open Meetings Act requiring in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, multiple members of the Plan Commission participated in the meeting through a virtual meeting platform.

Vice-Chair Flint read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Vice-Chair Flint asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The Village is requesting text amendments to three sections within Chapter 155 to remove 18-month construction deadlines from this portion of Village Code. Currently, Chapter 155 requires construction on conditional uses to be completed within 18 months of receiving zoning entitlements. Projects that receive conditional use approval and are not completed within 18 months are at risk of losing entitlements. Many larger projects within the village obtain zoning entitlements as planned developments, which are conditional uses.

Construction on these projects can easily stretch more than 18 months beyond approval of zoning entitlements and may occur in a phased approach over several years. In practice the Village recognizes that many larger conditional use projects will take longer than 18 months after receiving entitlements to complete construction. The proposed

text amendment will bring Chapter 155 into alignment with the Village's past practices.

The Village also proposes to amend two sections in Chapter 155 that relate to building permits issued prior to the effective date of Chapter 155. The construction timelines in these sections present similar concerns as those related to construction timelines for conditional uses. Staff also notes that construction timelines for projects that have received permits are thoroughly addressed in the Building Code, Section 150.142. This section was comprehensively amended in 2019. The proposed changes for Chapter 155 are intended to remove inconsistencies and redundancies between these two chapters.

Vice-Chair Flint asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

On a motion by Commissioner Burke, and a second by Commissioner Giuliano, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 20-17.

The motion carried by

Aye: 6 - Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, Leigh Giuliano, and Bill Johnston

Business Meeting

Approval of Minutes

A motion was made by Commissioner Mrofcza, seconded by Commissioner Johnston, the minutes of the March 16, 2020 be approved. The motion carried by the following vote:

Aye: 6 - Martin Burke, Ruth Sweetser, John Mrofcza, Stephen Flint, Leigh Giuliano, and Bill Johnston

Public Participation

There was no public participation

DuPage County Hearings

There was no DuPage County hearings

Chairperson's Report

The Chairperson deferred to the Director of Community Development

Planner's Report

There was no Planners report

Unfinished Business

There was no unfinished business

New Business

There was no new business

Subdivision Reports

There was no subdivision reports

Site Plan Approvals

There was no site plan approvals

Workshops

There was no workshops

Adjournment

A motion was made by Commissioner Johnston, seconded by Commissioner Mrofcza, to adjourn the meeting at 7:32 p.m. The motion passed by a unanimous vote.

*Stephen Flint, Vice Chairperson
Lombard Plan Commission*

*Jennifer Ganser, Secretary
Lombard Plan Commission*

