

RESOLUTION NO. 150-13

**A RESOLUTION OF OBJECTION TO A REQUEST TO DU PAGE COUNTY
TO GRANT A REZONING OF THE PROPERTY FROM THE R4 SINGLE FAMILY
RESIDENCE DISTRICT TO THE R6 GENERAL RESIDENCE DISTRICT AND
GRANTING OF A COMPANION CONDITIONAL USE FOR A PLANNED
DEVELOPMENT FOR THE PROPERTY COMMONLY KNOWN AS
THE KEN LOCH GOLF COURSE**

(Unincorporated Property located at 1S535-1S601 Finley Road; Ken Loch Golf Course)

WHEREAS, the Corporate Authorities of the Village of Lombard (hereinafter “the Village”) were advised that DuPage County received a request a request for a map amendment (rezoning) for the unincorporated property located at 1S535 Finley Road, commonly known as the Ken Loch Golf Course (hereinafter “the Subject Property”), Docket Number Z13-040; and,

WHEREAS, said request petitioned DuPage County to rezone the subject property from its existing DuPage County designation from the R4 Single Family Residential District to the R6 General Residence District; and

WHEREAS, the subject property is within the Village of Lombard’s planning jurisdiction, within its ultimate municipal boundaries and wholly surrounded by property within the corporate limits of the Village; and,

WHEREAS, the following issues and concerns were raised by the Village regarding the request:

1. The proposed map amendment is inconsistent with the adopted 1990 DuPage County Comprehensive Plan which identifies the Subject Property for open space purposes.
2. The proposed map amendment is inconsistent with the 1997 Countywide Land Use Plan, prepared by DuPage County, which identifies the Subject Property for single family residential purposes.
3. The proposed map amendment is inconsistent with the Lombard Comprehensive Plan adopted January 22, 1998 (Ordinance 4403) and as amended on June 17, 2010 (Ordinance 6500) and as further amended on June 6, 2013 (as Ordinance 6842). The latest amendment to the Village’s Comprehensive Plan was specifically reviewed by the Lombard Plan Commission on September 10, 2012 (PC 12-18), with a continuation of the public hearing and taking of additional evidence and

testimony on October 15, 2012, November 19, 2012, December 17, 2012 and January 28, 2013, with a recommendation to keep the property designated for open space purposes. Through the extensive analysis and public testimony, the Village Board reaffirmed the open space/golf course amenity designation for the Subject Property. Furthermore, Ordinance 6842 states that "Regarding Ken-Loch Golf Links, the Village should amend its annexation recommendations to ensure that the property remains in use as open space. The previously offered alternative of large-lot single family development would result in an irreplaceable loss of open space. Accordingly, the property should only be annexed as part of a request and companion plan to enhance the open space/golf course amenity for the Village. The golf course amenity shall be preferred, but any other open space amenity is acceptable as the primary use. In addition, accessory land uses that complement and facilitate the preservation of the primary use, not to exceed 25% of the principal open space use, may be appropriate."

4. The proposed R6 map amendment could provide up to approximately 14.52 units per acre by right. As the Subject Property is 30.91 acres, approximately 448 units could be built. The petitioner has yet to provide any documentation to the public record demonstrating how such an increase in density would be able to address the impacts of any such development, in order to satisfactorily address the findings required for such map amendments in the DuPage County Zoning Ordinance. Moreover, any consideration of a map amendment absent preliminary development plans can create the potential for by-right development that may not be compatible with adjacent properties and land uses.

WHEREAS, at a Special Meeting of the Lombard Village Board of Trustees on July 26, 2013, the Village Board unanimously adopted a resolution of objection to the petition; and

WHEREAS, the Village filed said resolution with the DuPage County Clerk's Office and represented said objection at the August 8, 2013 public hearing of the DuPage County Zoning Board of Appeals; and

WHEREAS, subsequent to the DuPage County Zoning Board of Appeals meeting, the petitioner has filed with DuPage County for an amendment to their original petition (DuPage County Case Z13-040A; hereinafter "the amended petition"); and

WHEREAS, the amended petition also seeks approval of a conditional use for a planned development along with the previous map amendment request; said petition scheduled to be heard by the DuPage County Zoning Board of Appeals on October 10, 2013; and

WHEREAS, the Village finds that amended petition does not address the concerns previously expressed within Sections 1 through 3 above that served as a basis for passage of the original resolution of objection and therefore does not warrant a reconsideration of the resolution of objection previously adopted by the Village.

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 DuPage County Board be and hereby is notified of the opposition of the Corporate Authorities of the Village of Lombard to the granting of the map amendment and companion conditional use for a planned development as requested in DuPage County ZBA Case Z13-040A.

Adopted this 3rd day of October, 2013.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Breen and Fitzpatrick

Nays: None

Absent: Trustee Ware

Approved this 3rd day of October, 2013.



Keith Giagnorio, Village President

ATTEST:



Sharon Kuderna, Village Clerk