

February 17, 1999

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

**Subject: PC 98-40: 111 S. Park Avenue**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. This petition requests an amendment to PC 83-5, Conditional Use approval for a religious institution in the R2 Single Family District and the B5 Central Business District, and variations to the parking and parking lot landscaping standards.

After due notice and as required by law, the Plan Commission conducted public hearings for this petition on December 14, 1998, January 18, 1999, and February 15, 1999. The petition was continued at the December 14, 1998, meeting as the petitioner did not attend the meeting. At the January 18, 1999, meeting, the Plan Commission continued the petition to the meeting of February 15, 1999, requesting that the petitioner and staff work together to find an acceptable alternative.

At the December 14, 1998 meeting, the petition was continued without discussion.

At the January 18, 1999, meeting, Dennis McNicholas of 630 E. Central, and attorney for the Lombard Bible Church, presented the petition. He stated he had just recently been retained by the Lombard Bible Church. The Lombard Bible Church has made their original submittal and then when they received the staff report, they have made some changes to try to address staff's concerns. Mr. McNicholas stated he gave staff a memorandum that afternoon and read that memo into the record. He stated the memo was addressed to the Lombard Plan Commission, dated January 18, 1999, and from himself. The memo stated the following, "This memorandum is being provided in further support of the request of the Lombard Bible Church, (hereinafter referred to as LBC), which is the subject of the hearing on January 18, 1999."

“The Staff Memorandum dated January 11, 1999 recommends disapproval of the request of the LBC. However, the Petitioner would suggest further modification to the request and desires to provide additional information to the Plan Commission to assist it in making its decision. To that end, an updated rendition of the location of the garage and the related improvements are attached to the memorandum.”

“I would like to first provide some additional history to the Plan Commission which was not made available previously. On October 5, 1977, LBC and Century 21, Marquardt-Robnett, (hereinafter referred to as Marquardt), entered into a Parking Station Lease. A copy of that lease is attached hereto, marked Exhibit A, and made apart hereof. Under the terms of that lease, there is a provision allowing Marquardt to utilize the parking lot for ingress and egress. To that end, a driveway was created at the west end of both properties allowing for such ingress and egress. Subsequently, the ten year lease was renewed for additional ten years. A copy of that renewal is attached hereto, marked Exhibit B, and made a part hereof. The representatives of the LBC have approached the owners of the Tai Studio, Inc. (hereinafter referred to as Tai), formerly owned by Marquardt, regarding the renewal of the lease. At this time, no further agreement has been reached between the parties regarding the renewal of that lease.”

“As the Plan Commission can see from the research done by staff, there is presently no recorded easement agreement between the LBC and Tai. Furthermore, there is no lease in effect at this time between Tai and the LBC. Therefore, any use by Tai of the LBC property at this point is time for ingress or egress is subject to the approval of the LBC.”

“Initially, the LBC would request that the Plan Commission approve its proposal as originally filed and submitted. In the alternative, the LBC would propose ten feet of foundation landscaping on the east side of the proposed garages for aesthetic purposes.”

“In the event that neither of those alternatives is acceptable to the Plan Commission, the LBC would note the staff seemed to endorse the placement of the garage as spelled out in the beginning or paragraph 3 on page 2. However, the staff goes on to express two reservations regarding that location. The staff believes it would be difficult for the bus driver to back out of the garage without creating a safety hazard. Those reservations are premised upon the driveway for ingress and egress remaining intact with the garage placed east of the driveway.

However, as you can see from the revised drawing attached to this memorandum, the LBC would recommend that the garage be placed at the ten foot easement line on the west end of the lot and as close as possible to the north property line. In that way, the garage would not encroach over the ten foot utility easement on the east end of the property and would come as close as possible to the north property line as no set back requirements are in existence for the B5 District. If LBC is granted permission to place the garage in this location, LBC would propose to construct a new driveway having the minimum width required by the ordinance on the east side of the garage. This driveway would allow for egress only from the rear of the property to the north so as to allow egress on to Main Street from the LBC parking lot with reservations as to the use of this opening. Placed immediately to the east of the drive isle would be the foundation landscaping as required by the Plan Commission. The placement of the garage as indicated and the construction of the new drive isle for egress from the property to the north would seem to address the two concerns raised by staff. First, there would be no traffic moving to the west of the garage as the garage would be placed ten feet from the west property line. In addition, having eliminated that traffic, the bus driver would be able to exit the garage without concern for such traffic and be able to utilize the utility easement as part of the required space for safely emerging from the garage.”

“The Lombard Bible Church respectfully requests that, notwithstanding the recommendation of the staff set forth in its January 11, 1999 memorandum, that the request of the Lombard Bible Church be granted.”

Mr. McNicholas stated the church’s first choice would be to keep the garage the size they are proposing. He then stated the LBC was under no obligation to keep the access aisle open, as they have no existing contract with the property owner to the north. The church is proposing to keep that aisle open, for egress only. He then stated the driveway is used infrequently and has no substantial amount of traffic.

Mr. Paul Kuehnlenz, 330 W. Goebel, Lombard, stated he is a member of the Lombard Bible Church and is on the governing board. He stated the Church saved money for eight years to buy the bus. He then stated he believes the bus should be kept away from the elements and it has had graffiti on it already. The garage would keep the bus from the elements and it has other storage purposes, as well.

No one was present to speak for or against the petition.

Nancy Hill, Planner II, presented the staff report. She stated that based upon the memo Mr. McNicholas read into the record, staff has prepared another memo, dated January 18, 1999. In the original staff report, staff recommended denial because the proposed garage would block an access drive to the adjoining property, it would not fully meet the requirements of the Zoning Ordinance, and it would not be compatible with the surrounding land uses. Also in the report, it was indicated that staff initially believed the garage could be moved to a location which would meet the requirements of the Zoning Ordinance, not block the drive aisle, and yet have minimal impact on the surrounding property. Staff examined moving the garage to different locations within both the east parking lot and the south parking lot. In each instance, the garage could not be put in these various locations because it would conflict with the existing storm sewer or because parking spaces would be eliminated and variations would be necessary. Since the petitioner had not requested any variations for parking, and staff did not advertise for any variation requests, the Plan Commission could not grant any variations.

Since the public hearing was continued to the January meeting, staff re-advertised the petitioner's request, adding a statement requesting variations to the parking and parking lot landscaping standards. Given the new request, staff then re-examined alternative locations for the garage.

Once these other alternatives were examined, staff believed there is no good location for the garage, as even the best alternatives caused dangerous traffic patterns or required the drive aisle to be closed. Therefore, in the January 11, 1999, memo, staff recommended denial.

Ms. Hill stated the reasons why the staff believed it is important to keep the access aisle open. She then referred to the staff memo dated January 18, 1999. She stated the staff was not comfortable with the Lombard Bible Church's new proposal because of the negative impact it has on the property owners to the north and the one way drive aisle.

Ms. Hill stated staff had another alternative, shown in Figure 3 of the staff memo, dated January 18, 1999. Staff is proposing the garage be made smaller in width and the access drive narrowed to twenty feet in width. This would align the two parking lots better and allow for two-way traffic movement. Staff's proposal would also eliminate the concern for the ability of the southbound traffic to see around the garage and the ability of the bus driver to

back out of the garage. Landscaping in the parking island would buffer the view from Main Street. Figure 3 is the best alternative staff has to date.

Chairperson Ryan opened the public hearing for discussion and questions by the Plan Commission.

Commissioner Broderick stated he wanted to see a finished product. He then stated all the petitioners submitted items way too late and he would recommend that this petition be continued.

Commissioner Sweetser stated she agreed. However, she wanted to point out a few things. First, she wanted to ensure the construction would be of masonry or block and not be an aluminum shed. Secondly, Commissioner Sweetser stated she wondered how much traffic used the drive aisle.

Ms. Hill responded by stating she did not know how many cars actually use the aisle. She stated staff has visited the site but with the snow it is difficult to tell how much traffic uses the aisle, as it has not been plowed and the bus is parked as to block the aisle. The snow also made it difficult to measure the parking lot of the property to the north.

Commissioner Olbrysh stated he would like to continue this hearing because much of the information was presented at the last minute. Mr. Olbrysh also stated he did not want to see an aluminum sided building. He also stated he agreed with staff, if the garage is only for one van, there is no need for an overly large structure.

The Plan Commission decided to continue the hearing again, until the February 15, 1999, Plan Commission meeting.

At the February 15, 1999, meeting, Don Jones, Chairman of the Finance Committee of the Lombard Bible Church, presented the request. He stated the Church has met with staff and have come to a reasonable compromise for a site plan. He reiterated that the Church is in agreement with what has been since proposed. Mr. Jones stated he has photos and will answer any additional questions.

There was no was present to speak in favor or against the petition.

The staff report was presented by Ms. Hill. Ms. Hill stated that staff met with the Lombard Bible Church since the January meeting and had come to a compromise for the site plan. The Lombard Bible Church is proposing to reduce the width of the garage and maintain the drive aisle. The drive aisle is in a better location to serve the property owner to the north. Additionally, the drive aisle is wide enough to allow for two-way traffic. The existing landscape island will be removed and replaced with another landscape island. The new landscape island will help soften the view of the garage from Main Street. Ms. Hill stated the staff recommends approval with conditions, as stated in the staff memo, dated February 8, 1999.

Commissioner Kramer stated she wanted to commend the staff and the petitioner on being able to work out a solution.

Commissioner Olbrysh asked what is noncombustible construction. Ms. Hill stated the Building Code defines noncombustible construction as masonry or concrete block construction, not wood frame. Mr. Olbrysh stated he thought it would be nice if the Church used a material similar to the existing church. Mr. Jones stated the Lombard Bible Church wanted to make the garage match the church building as much as possible.

After due consideration of the petition and the testimony presented, the Plan Commission found that the conditional use approval and variation comply with the standards of the Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities, approval of the petition associated with PC 98-40, subject to the following conditions:

1. The garage shall be built in substantial compliance with the site plan, dated February 5, 1999.
2. The landscape island shall be curbed, in conformance with standards set forth in the Zoning Ordinance.
3. The garage shall be built of noncombustible construction, due to its location in a fire district.
4. The dumpsters shall be moved to an appropriate location, as determined by the Director of Community Development, and be screened with a board on board fence six feet (6') in height.

Re: PC 98-40  
February 16, 1999  
Page 7

5. The petitioner shall pay into a regional detention pond, if the Private Engineering Services Division requires detention.

Respectfully,

**VILLAGE OF LOMBARD**

Donald F. Ryan  
Chairperson  
Lombard Plan Commission

DFR:NMH:jd  
att-

- c. Petitioner  
Lombard Plan Commission

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