

May 18, 2006

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

Subject: PC 06-09: Text Amendments to the Lombard Zoning Ordinance (B5 Off-Street Parking Regulations)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard is proposing amendments to Sections 155.602 (A)(2), (3) and (4) modifying the off-street and off-site parking requirements within the B5 Central Business District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 20 and April 17, 2006.

March 20, 2006 Meeting

William Heniff, Senior Planner, presented the petition. He noted that this is just an introduction by staff to get the Commissioners' input. This input will then be shared with Lombard Town Centre to get their comments. Lombard Town Centre's comments will then be incorporated and brought back to the next Plan Commission meeting.

This is a staff-initiated petition relative to amending the Zoning Ordinance associated with off-street and off-site parking requirements within the B5 Central Business District. This would apply to changes in land use in the downtown for properties that are legal non-conforming and the manner in which parking can be provided for existing and proposed uses within existing buildings.

Mr. Heniff gave the history and background as to parking requirements in the downtown and how the requirements have come to be noting how holes and gaps in the Code need to be addressed. This amendment would address the following issues:

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Changes in land use categories

The Village has been aggressively attempting to attract new restaurants to the downtown area, as demonstrated by the Restaurant Forgivable Loan Program. Restaurant uses, which frequently have differing peak parking periods as the commuter parking lots, are often considered essential land uses within economically viable downtown areas. However, should an existing downtown space be converted from a retail use (requiring 2 spaces per 1,000 square feet of gross floor area in the B5 District) to a sit-down restaurant (requiring 8 spaces per 1,000 square feet of gross floor area), the operator would be required to provide additional on-site parking before a Zoning Certificate is issued by the Village. Moreover, the start-up costs for such a facility would be raised significantly if such parking were required to be provided on the respective property

Physical Limitations on Properties to Meet Code

Many properties in the downtown area were platted as part of the original Town of Lombard in the 1870s. Through various assessment division over time, current lots of record and assessment lots seldom are the same. The downtown area has also developed on uniquely sized and shaped parcels that are atypical of those found elsewhere in the Village. In many cases, the downtown lots often mirror the building footprint of the associated structure. In many cases, there is little or no room for parking spaces to be placed on these properties. Recognizing this issue, the Village has constructed communal parking spaces such as the North Park Parking Lot. However as the code is written, it discourages joint parking arrangements by mandating on-site parking arrangements.

Conditional Use Process for Off-site Parking

Many businesses in the downtown are only able to provide parking for customers and employees through a mix of on-street parking, commuter parking lots or parking on adjacent properties. However, this is essentially varying types of off-site parking, which would require a conditional use approval based on the current code. Existing uses are considered legal non-conforming as it pertains to the parking requirements, but new uses which have greater parking requirements would require either a variation from the parking requirements or a conditional use approval for off-site parking before any such use could open.

The proposed text amendments recognize the Village having two functions - one as a zoning authority and the other as a land owner. The amendments are as follows:

Under Subsection 3, Location, the B5 properties are no longer subject to a conditional approval for off-site parking but rather it is a permitted use and is subject to off site parking conditions. This provides an opportunity for restaurants to open on existing storefronts. This is where we can identify spaces through the Village commuter lots or with a pending lot whereby an agreement could be sufficient for the parking demand.

Under Subsection 4, Control of Off-Site Parking facilities add:

“For owners and/or operators of uses located within the B5 District which intend to satisfy the parking requirements by utilizing parking spaces owned by the Village of Lombard, the owner and/or operator shall enter into a parking agreement with the Village Board. However, this

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provision shall not be interpreted to automatically grant parking rights to a particular use for spaces owned by the Village.”

Mr. Heniff indicated that this statement reflects the Village as landowner. This would not force the petitioner to come to the Plan Commission for a public hearing. If there is a development that comes forward and it is not appropriate to enter into a parking agreement, it is not an opportunity to waive the zoning requirement.

George Wagner, Legal Counsel to the Plan Commission, mentioned at the end of the second sentence add “but rather should be subject to the Village Board approval on a case-by-case basis.

Mr. Heniff then distributed a handout showing the available parking in the downtown. He stated that this was created with the idea of having the downtown as one planned development. Staff looked at all the square footage of the retail development and felt there is sufficient parking in the downtown. The reality was that it is not true and we have to provide for that. By amending the Code based on past development patterns, there can be other options without going through the public hearing process. He then requested input from the Plan Commissioners.

Vice-Chairperson Flint asked if there was anyone in the audience who was in favor or against the petition. Hearing none, the meeting was opened to the Plan Commissioners.

Commissioner Olbrysh stated that current code does not meet downtown parking needs so he is in favor of off-premise parking; otherwise, it will be difficult to attract new businesses.

Commissioner Sweetser agreed. She indicated the need to think long term and mentioned how other Villages have parking garages but that also leads to the thinking that it should go into the plan. She also noted that Subsection 4, second paragraph correct the word “interpreted” to “interpreted”.

Commissioner Sweetser referenced the parking map and asked if all the spaces depicted are currently in use, especially the 61 spaces along Michael McGuire Drive. She has never seen any vehicles parked there and wondered even if there was enough space for 61 vehicles. Mr. Heniff indicated he would check the numbers.

Commissioner Sweetser noted that these could be potential spaces but doubts they are currently spaces. She commented that the DuPage Theater site parking spaces will eventually be eliminated, but asked if they were included in the count. Mr. Heniff answered yes. Commissioner Sweetser indicated that they should not be counted but the map is a step in the right direction once it is revised.

April 17, 2006 Meeting

William Heniff re-introduced the petition and presented the addendum IDRC report relative to the petition. He noted that staff presented the proposed text amendments to the Lombard Town Centre organization on March 28, 2006. Lombard Town Centre did not have any comments on the proposed amendments and expressed support for the amendments as proposed by staff. As

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such, staff proposed amendments to the Ordinance, which includes the amendments and comments offered at the March 20, 2006 Plan Commission meeting.

He also noted that the staff verified the location of 62 parking spaces located on the south side of Michael McGuire Drive. As of 3 p.m. on April 17, there were 17 unused spaces. He also noted that the proposed text amendment would be reviewed by the Economic and Community Development Committee before it is presented to the Village Board.

Chairperson Ryan then opened the meeting for public comment. There was no one in the audience to speak in favor of or against the petition.

Commissioner Sweetser stated that the previous plan depicted parallel spaces along Michael McGuire Drive. Mr. Heniff noted that the map depicted the 61 spaces was meant to depict on the south side.

Commissioner Zorn said that as she was not present at last meeting, she would abstain from voting on the petition.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed text amendments do comply with the standards of the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4 to 0, recommended to the Corporate Authorities, approval of PC 06-09.

Respectfully,

VILLAGE OF LOMBARD

Donald F. Ryan
Chairperson
Lombard Plan Commission

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