



# Village of Lombard

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

## Minutes

### Plan Commission

*Donald F. Ryan, Chairperson*

*Commissioners:*

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

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Monday, June 11, 2018

7:00 PM

Village Hall - Board Room

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### SPECIAL MEETING

#### Call to Order

*Chairperson Ryan called the meeting to order at 7:00 p.m.*

#### Pledge of Allegiance

*Chairperson Ryan led the Pledge of Allegiance*

#### Roll Call of Members

**Present** 5 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, and John Mrofcza  
**Absent** 1 - Stephen Flint

*Also present: William Heniff, AICP, Director of Community Development, Jennifer Ganser, AICP, Assistant Director of Community Development; Jana Bryant, Private Dev Engineer and Michael Marrs, legal counsel to the Plan Commission.*

*Chairperson Ryan called the order of the agenda.*

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

## Public Hearings

[180191](#)

### **PC 18-08: 550 E. 22nd Street (Hilton Tru) (Continuance from the 5-21-18 PC Meeting)**

The petitioner requests that the Village take the following actions on the subject property located within the R4PD Planned Development District:

1. Repeal Ordinance 7243 in its entirety, which established a conditional use for a planned development, a conditional use for more than one building on a lot of record, and a deviation to reduce the rear yard setback;
2. Approve a Map Amendment rezoning the property to the O Office District;
3. Approve a conditional use pursuant to Section 155.412(C)(8) of the Lombard Zoning Ordinance for hotels and motels; and
4. Approve a variance pursuant to Section 155.412(H) of the Lombard Zoning Ordinance for the floor area ratio (FAR) to exceed 0.35 FAR. (DISTRICT #3)

*Ms. Ganser said tonight's Plan Commission public hearing pertains to the property at 550 E. 22nd Street, in which a Hilton Tru Hotel is being considered. The petition was continued from the April 16, 2018 and the May 21, 2018 meeting. All testimony offered at the previous meetings, both written and spoken, is already part of the public hearing record. Therefore that information does not need to be repeated at tonight's continued public hearing. Tonight's Plan Commission meeting will follow the same procedures stated at the April 16 and May 21, 2018 public hearing. As such, tonight's meeting will start at Item M. and follow from that point onward. Ms. Ganser continued to read the procedures.*

*Commissioner Olbrysh stated for the record that he was absent for the May 21st Plan Commission meeting, however he did watch the entire meeting.*

*Ms. Ganser said staff received three materials submitted today. One is a summary from Brian O'Connor regarding his opposition, the second is an article entitled "Residents Keep Up Opposition to Proposed Oswego Car Wash", and the third is materials from Mark Sargis which include a FOIA from the Police Department and a summary. She noted that as the information was received today, and unless there is an objection by the Plan Commission, the materials will be forwarded to the Board of Trustees at their July meeting.*

*Chairman Ryan noted that the meeting is open for Commissioner comments.*

*Commissioner Burke said the opposition to the development stated*

*that the development would drastically reduce property values of surrounding homes. No statistics or studies were quoted or submitted during testimony. How should the commission judge that testimony? Ms. Ganser said to staff's knowledge a certified appraiser did not submit information so therefore the Plan Commission can judge that testimony as opinion. Commissioner Burke said during a cross examination attorneys questioned Mr. Flint regarding the Standards. There was clearly a disagreement about several of the standards. How does the staff view the differences of opinion and can the staff state their opinion on the statements regarding the standards in the petition. Ms. Ganser said staff is recommending approval with conditions and therefore staff finds that the standards have been met. Commissioner Burke said the opposition repeatedly commented on the financial viability of the project. He said believes that not to be in Plan Commission's purview, is that correct? Ms. Ganser and Mr. Heniff said that is correct. Commissioner Burke said opposition discussed whether the previously approved townhome development was the highest and best use for the property. The petitioner stated that the townhome development was not viable due to the cost. Neither side presented evidence to support their statements. How should the Commission consider this? Ms. Ganser said staff is only considering the petition before us today, the hotel. Commissioner Burke said several members of the public and their attorneys stated that flooding will worsen in the area. Can the Village engineer reiterate the Villages' stance on drainage for the development and area? Ms. Bryant said the Village follows the DuPage County Stormwater Ordinance and local amendments, and as long as the requirements are met we would provide a permit. Commissioner Burke asked about redirecting the stormwater. Ms. Bryant said currently the north 2/3 of the site drain to the depressional area/detention basin that is causing issues. That water would be redirected to an underground detention facility and then released into the 22nd Street right-of-way. Commissioner Burke said in their PowerPoint presentation opposition argued that the comprehensive plan is at odds with this development. Can staff please clarify their stance on Comprehensive Plan and its recommendation in favor of this project? Mr. Heniff said the Comprehensive Plan is a vision document and identifies this site for office use, and prior for commercial use. Over the past 20 years the Comprehensive Plan identified this site for non-residential uses. The petitioner seeks a rezoning which is consistent with the Comprehensive Plan. Commissioner Burke asked if the Village provided the attorneys all of the correspondence with Mr. Flint on this project and has the police department provided the attorneys with information as requested? Ms.*

Ganser said as of this morning all FOIA's regarding this project was answered. Commissioner Burke said was there any obligation for the applicant to provide the opposition with studies/budgets as requested for the townhomes and hotel project? Ms. Ganser said that is not required.

Commissioner Olbrysh said he also had concerns on the questions that Commissioner Burke raised. He asked if the rezoning to office is consistent with the Comprehensive Plan. Mr. Heniff said yes.

Commissioner Sweetser said the word neighborhood can be arbitrary. She asked if staff had a better definition. Mr. Heniff said it can be subjective and can be looked at on a case by case basis. He said the Plan Commission is tasked to weigh the development proposal against the Zoning Ordinance, standards and Comprehensive Plan.

Commissioner Sweetser asked about the Comprehensive Plan call for buildings and buffers and if that only applies to Lombard or if it can be applied beyond our borders. Mr. Heniff said we want information from the public, even if not in the corporate limits. State Statutes allows us to look at the unincorporated properties as well, as they could potentially be annexed in the future. The State refers to a 1.5 mile planning area and noted Lombard does have boundary agreements with some surrounding municipalities.

Commissioner Mrofcza asked if the additional stormwater runoff detention is part of the development or at the expense of the Village. Ms. Bryant said the developer would pay for that as part of their development plans.

Mr. Mark Sargis noted Item M of the Procedures allows for the public to comment if allowed by the Plan Commission. He asked to make an offer of proof on a recently received FOIA request. Chairman Ryan said staff read what was received today and it will be forwarded to the Village Board. Mr. Michael Mars said there has been many hours of testimony and though the FOIA timing may be unfortunate, that is the not the fault of the Plan Commission. He said an offer of proof is not necessary and asked if other members of the Plan Commission need to hear additional information. Chairman Ryan asked if any Commissioners want to hear additional information. Commissioner Olbrysh said there has been six hours of testimony and he believes the Plan Commission has heard everything there is to hear on the matter.

A motion was made by Martin Burke, seconded by Ronald Olbrysh, to recommend this petition to the Corporate Authorities for approval with the following ten (10) conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request and as modified by the conditions of approval set forth herein.
2. The Floor Area Ratio (FAR) for the subject property shall not exceed 0.48.
3. The petitioner shall satisfactorily address all other development comments identified within the Inter-Department Review Report as part of any future permits as part of the project.
4. The petitioner shall be required to apply for and receive building permits for any demolition activity and/or improvements to the subject property.
5. The proposed Weathermaker 48TC rooftop mechanical unit (or approved equal), and/or any rooftop mechanical unit(s), shall be screened per Code and provide sound attenuation panels.
6. The trash/recycling area shall be screened per Village Code and shall be moved to the northwest portion of the site.
7. The fence and landscaping shall be maintained in good condition at all times.
8. The landscaping on the east side of the property shall be increased to 30' from 28.5'.
9. The petitioner shall provide the Village with a final photometric plan for review and approval after the proposed light standards are installed and fully operational that demonstrates compliance with the Village's photometric requirements.
10. Pursuant to the Zoning Ordinance, project construction shall commence within one (1) year from the date of approval of the ordinance, unless a time extension been granted by the Village Board.

The motion carried by the following vote:

**Aye:** 4 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, and John Mrofcza

**Absent:** 1 - Stephen Flint

## **Business Meeting**

*The business meeting convened at 7:22 p.m*

## **Approval of Minutes**

*Vote deferred to the July 16, 2018 PC meeting*

## Public Participation

*There was no public participation*

## DuPage County Hearings

*There were no DuPage County hearings*

## Chairperson's Report

*The Chairperson deferred to the Assistant Director of Community Development*

## Planner's Report

*Mr. Heniff noted the June 18th, 2018 Plan Commission meeting is cancelled*

## Unfinished Business

*There was no unfinished business*

## New Business

*There was no new business*

## Subdivision Reports

*There were no subdivision reports*

## Site Plan Approvals

*There are no site plan approvals*

## Workshops

*There were no workshops*

## Adjournment

**A motion was made by Commissioner Sweetser, seconded by Commissioner Mrofcza, to adjourn the meeting at 7:24 p.m. The motion passed by a unanimous vote.**

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*Donald F. Ryan, Chairperson  
Lombard Plan Commission*

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*Jennifer Ganser, Secretary  
Lombard Plan Commission*