



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, Andrea Cooper, Stephen Flint and
John Mrofcza
Staff Liaison: Jennifer Ganser

Monday, February 16, 2015

7:30 PM

Village Hall - Board Room

Call to Order

Acting Chairperson Flint called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Acting Chairperson Flint led the Pledge of Allegiance.

Roll Call of Members

Present 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint
Absent 2 - Donald F. Ryan, and Andrea Cooper

Also present: Jennifer Ganser, Assistant Director of Community Development; Matt Panfil, AICP, Senior Planner, and Jason Guisinger, legal counsel to the Plan Commission.

Acting 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

[150063](#)

PC 15-02: Amending the Definition of Public Improvement

The Village of Lombard, is requesting the following text amendments to the Lombard Subdivision and Development Ordinance: An amendment to Section 154.703 (and any other relevant sections for clarity) of the Lombard Subdivision and Development Ordinance regarding the definition for "improvement, public." (DISTRICTS - ALL)

Acting Chairperson Flint asked if any person would like to speak in

favor or against this petition, or for public comment.

Sworn in to present the petition was Jennifer Ganser, Assistant Director and Jana Bryant, Private Development Engineer.

Acting Chairperson Flint read the Commissions Procedures and asked if anyone other than the petitioner intends to cross examine, and, hearing none, he proceeded with the petition.

Ms. Bryant began by explaining the definition of surety. Surety is a guarantee of completion and compliance of public improvements. The guarantee is provided by an instrument of credit such as a letter of credit, bond, or cash bond at 115% estimated cost of public improvements. If a developer fails to provide all public improvements or repairs associated with a development within a specified time, the Village can pull the funds in order to have the work completed. There are a number of different costs associated with a development that could include property acquisition costs, development rights, design consultants, permitting, construction and management.

Changing the definition of "improvements, public" is a huge policy change for the Village. Staff researched other municipalities and they had varying definitions of public improvements. In the past fifteen to twenty years under the current definition of "improvements, public" the Village has pulled surety for private property improvements only once or twice. This was because of an absentee developer who walked out on a project. It is not likely that the Village would ever pull funds for an improvement on private property that the Village wouldn't ultimately own such as a parking lot or parking lot lighting. It could be pulled for stormwater management items which are required to have surety per the DuPage Countywide Stormwater Ordinance.

Ms. Bryant referred to the projects on the overhead and discussed the lending capacity and the overall dollar savings to the developer.

Acting Chairperson 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 Village of Lombard, requests to amend the definition of "improvement, public." The current definition is found in the Subdivision and Development Ordinance.

The revised definition is intended to allow for the required cost estimate and subsequent guarantees to be based off of what the Village would actually pull the guarantee funds in order to fix an issue

with a public improvement associated with a development when a developer/contractor fails to fix it in a timely fashion. The current definition includes the wording “or benefit” which has been interpreted as including privately owned and maintained improvements that the Village would never go onto private property to maintain, such as a private parking lot or private parking lot lighting. The definition is also being revised to add “stormwater management facility”, which is required to have surety per the DuPage Countywide Stormwater Ordinance.

This change may help save developers money by reducing the amount they have to pay for the extra surety amount.

Ms. Ganser said the Inter-Departmental Review committee had no issues or concerns regarding the project at this time. The Public Works Department said they are in support of the proposed amendment.

Ms. Ganser summarized that the petition meets the standards for text amendments therefore staff recommends approval to the Plan commission.

Acting Chairperson Flint asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Sweetser said the petition seems to make sense and asked if there were any negative aspects. Ms. Bryant responded she didn't see there being any negatives.

Commissioner Burke said this amendment is very positive and brings the Village in line with other communities and municipalities in the area.

Commissioner Mrofcza asked if by lowering the amount of the bonds does the Village need to assume any potential additional contingent liability. Ms. Bryant said no because as a private property improvements the Village wouldn't be liable.

A motion was made by Commissioner Olbrysh, seconded by Commissioner Sweetser, to recommend to the Corporate Authorities approval of this petition. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Absent: 2 - Donald F. Ryan, and Andrea Cooper

Signage

The Village of Lombard is requesting text amendments to the Sign Ordinance (Section 153 of the Code of Ordinances), as follows:

1. Sections 153.503(B)(12), 153.504(B)(16), 153.505(B)(19), 153.506(B)(18), 153.507(B)(11), 153.508(B)(19): amending the permitted number of wall signs;
2. Section 153.602: amending and supplementing the definition of sign, area of: wall/awning/canopy signs; and
3. Any requisite companion amendments and references for clarity. (DISTRICTS - ALL)

Acting Chairperson Flint asked if any person would like to speak in favor or against this petition, or for public comment.

Sworn in to present the petition was Jennifer Ganser, Assistant Director and Matt Panfil, Senior Planner.

Acting Chairperson Flint read the Commissions Procedures and asked if anyone other than the petitioner intends to cross examine, and, hearing none, he proceeded with the petition.

Mr. Panfil presented the staff report, which was submitted to the public record in its entirety. He stated this item is a following up from the January 26, 2015 workshop of the Lombard Plan Commission. Staff is bringing forward several amendments pertaining to wall signs to provide for flexibility of text and/or graphic placement. He noted the proposed text amendments do not change the maximum allowable square footage of the total sign surface area.

The amendments would apply to all the B districts as well as the office and industrial zoning district classifications.

As referenced in the January workshop there was some discussion regarding a cap on the number of wall signs. At this time staff does not think it is necessary to stipulate a number as long as they stay within the maximum allowable square footage.

Staff finds the proposed text amendment to be consistent with the objectives of the Zoning Ordinance and the Comprehensive Plan in general.

Acting Chairperson Flint asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

A motion was made by Commissioner Burke, seconded by Commissioner Olbrysh, to recommend to the Corporate Authorities approval of this petition. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Absent: 2 - Donald F. Ryan, and Andrea Cooper

Business Meeting

The business meeting convened at 7:54 p.m.

Approval of Minutes

On a motion by Commissioner Sweetser, and seconded by Commissioner Mrofcza, the minutes of the January 26, 2015 meeting were approved with Commissioner Olbrysh abstaining citing his absence at the meeting.

The motion carried by the following vote:

Aye: 4 - Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Abstain: 1 - Ronald Olbrysh

Absent: 2 - Donald F. Ryan, and Andrea Cooper

Public Participation

There was no public participation.

DuPage County Hearings

There were no DuPage County hearings.

Chairperson's Report

Acting Chairperson Flint asked for a moment of silence for Dick Nelson who was a Plan Commission member for the Village from September, 2006 through October, 2010.

Planner's Report

Ms. Ganser said the Public Works Department and staff are currently working reviewing RFP submittals for a bike and pedestrian plan. This plan will be a supplement to the Comprehensive Plan and will be heard by the Plan Commission in the fall of 2015.

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 were no site plan approvals.

Workshops

There were no workshops.

Adjournment

A motion was made by Commissioner Olbrysh, seconded by Commissioner Sweetser, to adjourn the meeting at 7:57 p.m. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Absent: 2 - Donald F. Ryan, and Andrea Cooper

*Stephen E. Flint, Vice Chairperson
Lombard Plan Commission*

*Jennifer Ganser, Secretary
Lombard Plan Commission*