

**VILLAGE OF LOMBARD**  
**REQUEST FOR BOARD OF TRUSTEES ACTION**  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue)       Waiver of First Requested  
 Recommendations of Boards, Commissions & Committees (Green)  
 Other Business (Pink)

**TO :** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** Scott R. Niehaus, Village Manager

**DATE :** February 9, 2021      (BOT) Date: February 18, 2021

**SUBJECT:** PC 21-06, Text Amendment: Open Space within Planned Developments

**SUBMITTED BY:** William J. Heniff, AICP, Director of Community Development *WJH*

**BACKGROUND/POLICY IMPLICATIONS:**

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, is requesting a text amendment to Section 155.508(C), and any other relevant sections for clarity, to remove a provision on open space in Planned Developments.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the February 18, 2021 Board of Trustees consent agenda.

**Fiscal Impact/Funding Source:**

Review (as necessary):

Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:** All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development

**MEETING DATE:** February 18, 2021

**SUBJECT:** **PC 21-06, Text Amendment: Open Space within Planned Developments**

Please find the following items for Village Board consideration as part of the February 18, 2021 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 21-06; and
3. An Ordinance granting approval of the text amendments of the Lombard Zoning Ordinance.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the February 18, 2021 Board of Trustees consent agenda.



## VILLAGE OF LOMBARD

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February 18, 2021

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

### Trustees

Dan Whittington, Dist. 1  
Anthony Puccio, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Andrew Honig, Dist. 4  
Daniel Militello, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
Scott R. Niehaus

*"Our shared **Vision** for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The **Mission** of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. Keith T. Giagnorio,  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: PC 21-06, Text Amendment, Open Space within  
Planned Developments**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, is requesting a text amendment to Section 155.508(C), and any other relevant sections for clarity, to remove a provision on open space in Planned Developments.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on January 25, 2021. Sworn in to present the petition was Jennifer Ganser, Assistant Director.

Vice Chairperson Flint asked for public comment. No comments were offered.

Vice Chairperson Flint asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. Staff proposes to delete this provision that requires a Planned Development to have 25% more open space than a property in the same zoning district that is not a Planned Development. Staff recognizes that open space is important, however, based on the development it may not always be achievable to provide for extra open space or in the best interest of a development. This could hinder a project that wants to provide for amenities like a paved walking path or community building. Stormwater provisions through DuPage County and the Village of Lombard will still need to be met and would remain unchanged with this text amendment.

Vice Chairperson Flint opened the meeting for comments among the Commissioners.

On a motion by Commissioner Johnston, and a second by Commissioner Walker, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 21-06.

Respectfully,

**VILLAGE OF LOMBARD**

Steve Flint, Vice Chairperson  
Lombard Plan Commission

January 25, 2021

**Title**

PC 21-06

**Petitioner**

Village of Lombard

**Property Location**

All Planned Development  
Districts

**Approval Sought**

Text amendment

**Prepared By**

Jennifer Ganser, AICP  
Assistant Director

**DESCRIPTION**

The petitioner, the Village of Lombard, is requesting a text amendment to Section 155.508(C), and any other relevant sections for clarity, to remove a provision on open space in Planned Developments.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has no comments regarding the proposed text amendment to the Zoning Ordinance.

**Fire Department:**

The Fire Department has no comments regarding the proposed text amendment to the Zoning Ordinance.

**Public Works:**

The Department of Public Works has no comments regarding the proposed text amendment to the Zoning Ordinance.

**Private Engineering Services:**

Private Engineering Services has no comments regarding the proposed text amendment to the Zoning Ordinance.

**Planning Services Division:**

Section 155.508(C)(7) of the Zoning Code reads:

“That the area of open space provided in a planned development shall be at least 25 percent more than that required in the underlying zone district.”

In 2020 (PC 20-08) staff amended Code to clarify how open space in planned developments are calculated; open space is counted holistically in the overall planned development. (Residential planned developments are counted parcel by parcel).

Staff proposes to delete this provision that requires a Planned Development to have 25% more open space than a property in the same zoning district that is not a Planned Development. Staff recognizes that open space is important, however, based on the development it may not always be achievable to provide for extra open space or in the best interest of a development. This could hinder a project that wants to provide for amenities like a paved walking path or community building. Stormwater provisions through DuPage County and the Village of Lombard will still need to be met and would remain unchanged with this text amendment.

Zoning District	Open Space Required	Open Space Required, if PD*
Conservation Recreation	Depends on the use	Depends on the use
Single-Family Residential	50%	62.5%
Office	35%	43.75%
Industrial	10%	12.5%
B1, B2, B3, B4, B4A	10%	12.5%
B5, B5A	None	None

\*Multiply by 1.25

The above chart shows the amount of open space required per district, and how much is required currently if the property is a planned development. Planned Developments are sometimes created after a development is built. In these instances, it has usually been for older development that are renovating and asking for additional zoning relief, such as Eastgate Shopping Center. The Village also has planned development created many years ago that may not currently comply with the additional open space percentages. As developments in B5 and B5A don't require open space a planned development also won't require any additional open space. As a built out community, staff notes that an extra 25% of open space doesn't have a nexus to creating a planned development.

Recently, (PC 16-15) CPSA school received a variance on open space in a planned development. They are zoned R2 and when adding the new school building received a variance for open space of 50%, where 62.5% is required per Code.

Staff also contacted nearby municipalities to determine if they required increased open space in planned development. Downers Grove, Glen Ellyn, Elmhurst, Woodridge, Oakbrook Terrace and Addison said there was no differences for planned development and open space. Carol Stream does require an increase for residential planned developments; their office and businesses planned developments use different calculations. Villa Park requires an increase in open space for planned development only when density increases.

### **EXISTING & PROPOSED REGULATIONS**

Staff proposes the following text amendments. Additions are denoted by **bold and underline**. Deletions are shown in ~~striketrough~~.

Section 155.508(C)

~~(7) That the area of open space provided in a planned development shall be at least 25 percent more than that required in the underlying zone district.~~

### **STANDARDS FOR TEXT AMENDMENTS**

For any change to the Zoning Ordinance, the standards for text amendments must be affirmed.

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*  
The text amendment is generally applicable to all property in the Village.
2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*  
The proposed text amendment is consistent with the objectives of the Zoning Ordinance.
3. *The degree to which the proposed amendment would create nonconformity;*  
Staff does not believe any nonconformity would be created.

4. *The degree to which the proposed amendment would make this ordinance more permissive;*

The proposed amendment will allow more flexibility for new planned developments and for changes to current planned developments.

5. *The consistency of the proposed amendment with the Comprehensive Plan; and*

Staff finds that the proposed amendments would be consistent with the Comprehensive Plan.

6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*

The Village has a history of amending the Zoning Ordinance to address edits for clarity. In 2020 staff amended the planned development section to clarify how to calculate open space.

### **FINDING & RECOMMENDATIONS**

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending approval of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 21-06.

Inter-Departmental Review Committee Report approved by:

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William J. Heniff, AICP  
Director of Community Development

ORDINANCE \_\_\_\_\_

AN ORDINANCE APPROVING A TEXT AMENDMENT  
TO THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 155  
OF THE LOMBARD ZONING CODE

PC 21-06: Text Amendments to the Zoning Ordinance: Open Space within Planned Developments

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Lombard Code; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Zoning Ordinance and make necessary changes; and,

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on January 25, 2021, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That Title 15, Chapter 155, Section 155.508(C)(7) of the Lombard Zoning Ordinance shall be deleted in its entirety:

~~(7) That the area of open space provided in a planned development shall be at least 25 percent more than that required in the underlying zone district.~~

**SECTION 2:** That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2021.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2021.



Ordinance No. \_\_\_\_\_  
Re: PC 21-06  
Page 2

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2021.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk