

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *Dah*

DATE: June 10, 2011 (B of T) Date: June 16, 2011

TITLE: DuPage County Case Z10-076 (Pin Oak Community Center)

SUBMITTED BY: Department of Community Development *DH*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration a Resolution of Objection relative to a request for a conditional use for a religious institution at the property located at 807 W. Roosevelt Road, 1208 and 1210 Lawler, 1S055 Valley Road and Lots 3-5 Glenbard Acres in unincorporated DuPage County and known as the Pin Oak Community Center.

Please place this item on the June 16, 2011 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):


Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *David A. Hulseberg* _____ Date *6/11/11*

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: David A. Hulseberg, Village Manager

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

DATE: June 16, 2011

SUBJECT: DuPage County Public Hearing Z10-076

DuPage County has received a filing for a public hearing for a conditional use for a religious institution for unincorporated properties located at 807 West Roosevelt Road, 1208 Lawler, 1210 Lawler, 1S055 Valley Road, and Lots 3-5 Glenbard Acres, and known as the Pin Oak Community Center. As the subject properties are located within the ultimate municipal boundaries of the Village of Lombard, the Village has received notice of the public hearing from the County and has been asked to provide comments or concerns regarding this petition.

Staff presented public testimony at the March 21 and May 9, 2011 DuPage County Zoning Board of Appeals hearings relative to this petition. While staff does not have an issue with the proposed religious institutional use, staff represented its concerns regarding the lack of providing for public water and sanitary sewer improvements. The petitioner's plan proposes the facility to be constructed on a septic system and private well, which would be inconsistent with development requirements for properties within the Village and with other commercial uses that could be located on the subject property.

Lombard staff previously represented that it would not support a connection to Glen Ellyn water and sewer facilities, which are located on the north side of Roosevelt Road and adjacent to their property as their property is within Lombard's ultimate jurisdiction. Staff has represented that public water from Lombard can be obtained from the Village via a watermain extension from Lombard Toyota along Roosevelt Road, extending to their property and linking back to existing mains in the Pinebrook Subdivision. With respect to sanitary sewer, they could extend a new line south along Lawler Avenue and connect to an existing line within the Glenbard Avenue right of way, which would also eliminate the need for a lift station. Staff suggested that the Village could facilitate a utilities agreement or even an annexation agreement to accommodate these connections. Staff's position is that if they provide the utilities, it could provide benefit their property as well as neighboring commercial properties and Glenbard Acres residences. While the religious institution would be a tax exempt use and activity, this approach could still set in motion the possibility of advancing our economic development goals for the corridor and provide the possibility for additional water customers in the future. Staff has met and discussed this matter with the petitioner on several occasions and has represented that it is willing to work with the petitioner to facilitate the utility connections and even support development time extensions by DuPage County to allow such connections to occur.

Staff finds that the proposed project is within an existing commercial zoning district and is designated for commercial purposes along Roosevelt Road. As presented in public testimony, the petitioner's Counsel noted that this project should be considered in a like manner to any other commercial enterprise. Staff concurs with this representation and as such, the project should meet commercial development standards the Village would require for other commercial uses along Roosevelt Road by providing for public utilities as part of the project. This recommendation is also consistent with the Glenbard Acres Neighborhood Study, prepared by DuPage County in 1988 and approved by the Village as part of Resolution 89-89.

ACTION REQUESTED

Attached is a draft Resolution of Objection relative to this petition. Staff recommends that the Lombard Village Board adopt a Resolution of Objection for Z10-076, objecting to the development as it does not provide for adequate public sanitary sewer and water connections as part of the development plan.

RESOLUTION NO. _____-12

**A RESOLUTION OF OBJECTION
TO A REQUEST FOR A CONDITIONAL USE FOR A RELIGIOUS INSTITUTION AT
THE PROPERTY LOCATED AT 807 WEST ROOSEVELT RD, 1208 LAWLER, 1210
LAWLER, 1S055 VALLEY ROAD, LOTS 3-5 GLENBARD ACRES
IN UNINCORPORATED DU PAGE COUNTY**

WHEREAS, the Corporate Authorities of the Village of Lombard have been advised that DuPage County is considering a request for conditional use to build a religious institution, with a companion variation to the maximum building height requirements, on the properties located at 807 West Roosevelt Road, 1208 Lawler, 1210 Lawler, 1S055 Valley Road, Lots 3-5 Glenbard Acres (cumulatively the "Subject Property")(DuPage County, Case Number Z10-076); and,

WHEREAS, the Subject Property is located within the Village of Lombard's corporate limits and is therefore within the Village of Lombard's planning jurisdiction pursuant to 65 ILCS 5/7-4-1; and

WHEREAS, the Subject Property is currently zoned R-4 Single Family Residence District and B-2 General Business District as designated within the DuPage County Zoning Ordinance; and

WHEREAS, the DuPage County and Lombard Comprehensive Plans both depict the Subject Property for commercial use abutting Roosevelt Road, with single family residential designation in the southern portion of the Subject Property; and

WHEREAS, the property owner desires to construct a religious institution on the Subject Property; and

WHEREAS, the Village of Lombard also owns and operates public sanitary sewer and water systems that could be extended to adequately serve the Subject Property; and

WHEREAS, the proposed development plan depicts the facility to be constructed on a well and septic system; and

WHEREAS, the Corporate Authorities find that the proposed project should be required to connect to public water and sanitary sewer, as would be required as part of any other commercial venture located within the Village; and

WHEREAS, while the Corporate Authorities do not object to the proposed religious institutional use as depicted on the submitted plans, the development plan is not consistent with the Village's development requirements with respect to providing public utilities; and

WHEREAS, while the Corporate Authorities find that the public utility connections is consistent with the recommendations set forth with DuPage County's Glenbard Acres Neighborhood Study, completed in 1988 and adopted by resolution by the Village of Lombard as Resolution 89-89.

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

SECTION 1: That the DuPage County Board be and hereby is notified of the opposition of the Corporate Authorities of the Village of Lombard to the granting of the action requested in ZBA Case Z10-076; as the proposed plans do not provide for connection to public water and sanitary sewer utilities.

SECTION 2: The Village of Lombard also hereby represents that it would not be opposed to DuPage County granting reasonable time extensions to the petitioner for development to occur, in order to allow the petitioner to undertake additional planning and engineering activities and/or fundraising efforts to facilitate the public utility connections as recommended herein.

Adopted this _____ day of _____, 2011.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____, day of _____, 2011.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk