

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

Resolution or Ordinance (Blue)  X \_\_\_\_\_  
Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink) \_\_\_\_\_

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: June 11, 2009 (BOT) Date: June 18, 2009

TITLE: PC 09-08: 331 W. Madison Street (CPSA)

SUBMITTED BY: Department of Community Development *W*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests the Village take the following actions on the subject property:

1. Approval of a map amendment to rezone the subject property from CR Conservation Recreation District to R2 Single-Family Residence District.
2. Approval of a conditional use to allow for a School, Private, Full-time: Elementary, Middle and High in the R2 Single-Family Residence District; and;
3. Approval of a conditional use for a planned development with the following deviations:
  - a. To allow a variation from Section 155.407 (H) and Section 155.508 (C) (7), reducing the minimum required open space to 46.85% where a minimum of 62.5% is required; and
  - b. To allow a variation from Section 155.407 (G) to allow for a building height of up to thirty-five feet (35') from grade, where thirty feet (30') maximum height is allowed by right. (DISTRICT #6)

*The Plan Commission recommended approval of the request for a conditional use for a planned development with deviations for building height variation of up to 35', granted an open space variation from 62.5%, provided that the petitioner maintains a minimum of 50% open space, rezoning from CR to R-2 and a conditional use for a private school, subject to amended conditions.*

The petitioner is requesting a waiver of first reading.

Please place this item on the June 18, 2009 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_  
 Finance Director X \_\_\_\_\_  
 Village Manager X \_\_\_\_\_  
*David A. Hulseberg*

Date \_\_\_\_\_  
 Date 6-11-09  
 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:** David A. Hulseberg, Village Manager

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

**DATE:** June 18, 2009

**SUBJECT:** PC 09-08; 331 W. Madison Street (CPSA)

At the May 21, 2009 Village Board meeting, the Village Board remanded PC 09-08 back to the Plan Commission in its entirety, so that additional public comment and testimony can be offered to answer and/or address the comments relative to the petition.

At the June 8, 2009 Plan Commission meeting, The Plan Commission recommended approval of the zoning actions associated with the petition, subject to conditions.

Attached please find the following items for Village Board consideration as part of the June 18, 2009 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 09-08 dated May 4, 2009;
3. KLOA Traffic report (included as part of #2);
4. Remand report for PC 09-08 prepared by staff (including the May 4, 2009 Plan Commission meeting minutes, public correspondence, and petitioner correspondence);
5. An Ordinance approving a map amendment from CR Conservation/Recreation District to the R2 Single Family Residential District;
6. An Ordinance granting approval of a conditional use for a planned development with companion deviations and variations and a conditional use for School, Private, Full-time: Elementary, Middle and High; and
7. Plans and exhibits associated with the petition including the petitioner's PowerPoint presentations from both Plan Commission meetings).

The Plan Commission recommended approval of the zoning actions associated with this petition including granting the building height and open space variations, provided that they maintain a minimum of 50% open space. The approvals were subject to amended conditions. The petitioner is requesting a waiver of first reading. Please place this item on the June 18, 2009 Village Board agenda.

Please contact me if you have any questions regarding the aforementioned materials.



**VILLAGE OF LOMBARD**  
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Village President  
 William J. Mueller

Village Clerk  
 Brigitte O'Brien

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

**Subject: PC 09-08: 331 W. Madison Street (CPSA)**

Dear President and Trustees:

Trustees  
 Greg Alan Gron, Dist. 1  
 Richard J. Tross, Dist. 2  
 Zachary C. Wilson, Dist. 3  
 Dana L. Moreau, Dist. 4  
 Laura A. Fitzpatrick, Dist. 5  
 William "Bill" Ware, Dist. 6

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The College Preparatory School of America (CPSA) requests the Village take the following actions on the subject property:

Village Manager  
 David A. Hulseberg

1. Approval of a map amendment to rezone the subject property from CR Conservation Recreation District to R2 Single-Family Residence District.

"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."

2. Approval of a conditional use to allow for a School, Private, Full-time; Elementary, Middle and High in the R2 Single-Family Residence District; and; 3. Approval of a conditional use for a planned development with the following deviations:

a) To allow a variation from Section 155.407 (H) and Section 155.508 (C) (7), reducing the minimum required open space to 46.85% where a minimum of 62.5% is required; and  
 b) To allow a variation from Section 155.407 (G) to allow for a building height of up to thirty-five feet (35') from grade, where thirty feet (30') maximum height is allowed by right.

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

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on May 4, 2009. Andrew Draus, 350 S. Fairfield Avenue, Lombard, attorney for the petitioner presented the petition. He thanked the public for coming regardless of whether they were in support or against his client stating that it is nice to see they are taking an active role in government.

Mr. Draus indicated that the subject of the petition tonight is the College Preparatory School of American (CPSA) located at 331 W. Madison Avenue. He indicated that the building has been used primarily by the school district since 1930. He provided the history of the site and how CPSA came to be at this location in 1994. He noted that the current zoning of the parcel is CR, which is what the parcel has been zoned the entire time, and how it is operating as a legal nonconforming use. CPSA has 5 legal lots comprising of approximately 4 acres containing a school building, parking lot, a playground and 450 students.

Mr. Draus mentioned how CPSA's curriculum and environment has attributed to the success of its students. He stated that a high percentage of students graduate from CPSA and go on to college. He also mentioned students' achievements and accomplishments such as being National Merit Scholars, being selected to the all American Academic Team, as well as how the students become professional members of the community.

The alumni of CPSA represent various professions and they are now sending their children here. CPSA has strict academic standards with people dedicated to these goals. There is no crime, vandalism, or drugs and there very few discipline issues. There has been an increase in demand for enrollment as a result of families who have moved to Lombard so that their children can attend the school. They have conducted various fundraising events in order for the proposed improvements to come to fruition. Representatives of CPSA have been working with Village staff over a period of time in order to bring this plan before you today.

Mr. Draus then introduced Jamshid Jahedi, Architect-Engineer, from Dome Structural Engineers who would discuss the proposed plan in further detail.

Jamshid Jahedi, Architect and Engineer for the project, 105 Ogden Avenue, Clarendon Hills, thanked everyone. He indicated that he would present a PowerPoint presentation outlining the project.

Two years ago their office was asked to create a necessary drawing and design for a new building on campus. The owners' goals were to create a facility that:

- Offers higher standard of K-12 education in a more delightful environment
- Remains neighbor friendly while responding to steady growth of the students body
- Continues adding credential to the school and the Village of Lombard
- Increases the land value of the school and neighboring properties

Mr. Jahedi showed an aerial view of the school as well as a zoning map which indicated the school's current zoning – CR. He stated that the property is really more consistent with the surrounding zoning of R2.

Next was an aerial of the existing conditions. He explained the orientation of the slide in that Madison Street was to the right. The existing building is very old (90 years) and 32,000 square feet. The site has 80 parking spaces and is served by two access drives - one entrance and one

exit. The majority of the students are dropped off in the parking area and he indicated the entrance as well as the exit.

The next slide showed the new addition. He explained that it is the same photo, but they superimposed the new building with the existing building. The new building is going to be built where the existing parking is with part of the building extending to the south, which is currently a grass area. The exit and entrance will stay the same. The two buildings will be connected by an underground corridor to facilitate travel between the two buildings. He then showed the next slide which was the proposed site plan. The site plan illustrated the two buildings, new parking areas, detention area and baseball field.

The traffic flow slide showed both the existing and proposed traffic patterns, which were indicated with arrows. He showed the traffic flow on the existing site as well as the proposed site and indicated it is pretty much the same. The parking has been moved to a different location and there is a new driveway, which will be strictly used by the Fire Department and is not part of the public drive. This drive was required by the Fire Department.

The existing parking is shaded with color and he indicated the location of the 80 parking spaces. The new parking has the same amount of area, but has been moved from the south of the building to the north of the building. They extended the parking to the east and south. Approximately 19 parking spaces will be added. This is a more efficient design of the site. Mr. Jahedi explained that by having these additional parking spaces on site, it would eliminate the need for parking on the street.

He showed a cross section of the property looking from Madison. They will have landscaping similar to a berm about 2 feet high, which will be complemented with another 2-3 feet of shrubbery. This will total approximately 5-6 feet in height, which is acceptable as a screening device by the Village.

The parking space comparison slide superimposed the existing and proposed parking spaces in order to get a visual indication of how much parking they are adding. He acknowledged they were not adding a significant amount of parking.

The Occupancy & Parking Calculations slide – Mr. Jahedi stated that Village Code requires 80 parking spaces on site. He noted that the number of total parking spaces required for the existing building is 43 and they have 80. With the new facility consisting of two buildings, 32,000 square feet for the existing building and 61,000 square feet for the proposed building, the required number of parking spaces per Village Code is 80. If the Village looks strictly at Code, we are adding 60,000 square feet, but are still within Code by providing only the existing 80 parking spaces. If we use common sense, we see that right now the parking never gets full, but it does get close to maximum capacity. The neighbors would feel better and have more experience in determining whether additional parking spaces should be added to the site or not. CPSSA proposes to keep the 19 additional parking spaces in order to negate the spillage of parked cars in the neighborhood. They think that having the additional parking helps the community at large in

solving some of the parking problems although they respectfully leave this decision to the discretion of the Plan Commission members.

He described the proposed site plan indicating they have an outdoor sports facility shown as a baseball field, which could also be used by the neighbors. The detention pond located in the northwest part of the site will control stormwater on site.

Mr. Jاهدi showed the drainage slide and stated that the site will retain the entire run off provided by a 100-year storm. The detention pond is located on the lowest part of property. The 100-year storm is the maximum amount of coverage the jurisdiction asked the engineer to design for. The intensity is very high. There are two detention ponds shown, the lower part will handle the 50-year storm event and if higher there is a second detention pond which is part of the sports field. We are improving the drainage of the site much more than currently exists. The neighbors will not see water run off from this property. The light blue line around the site is a swale, which is designed to bring water off the site to the street and into the sewers.

Emphasizing the variances they are asking for he showed the proposed site plan. They are asking for a rezoning from the CR zoning designation to the R2 residential district, a conditional use for a planned development, a variation to the open space and a building height variation to allow 35 feet where 30 feet is allowed.

Simple Rezoning versus PUD – This slide shows a hypothetical analysis of the percentage of open space required when applying for a simple rezoning to the R2 versus applying for a conditional use for a Planned Development. A simple rezoning to the R2 where they connect the two buildings would require they need to meet 50% open space. Their plan provides 47% open space, leaving them 3% short. If we go the other route and apply for a Planned Unit Development with 2 separate buildings, the open space requirement is higher at 62.5%. Their plan proposes 47%, leaving them much shorter. The height restriction of 30' is the same for both routes. The Village prefers they apply for the planned unit development and CP&A prefers the simple rezoning. He asked the Commissioners to think about these two differences, but respectfully leaves this decision to their discretion.

Open Space - Area Calculations – This slide shows the percentage of open space provided by the CP&A's original design versus the percentage of open space needed after factoring in the additional requirements the Village has asked for. By providing impervious roadways and pavement such as the additional driveway the Fire Department requires, as well as the cul-de-sac, this increases the impervious area and result in a larger open space requirement percentage. They are willing to spend additional money and provide green pavement components for the parking lot or the Fire Department access driveway. He mentioned how he is well trained, has appropriate certification and is a very strong advocate of the green building movement. He was disappointed to learn that the Village does not give credit for adding pervious areas. They are still willing to put the pervious pavement in their parking lot in effort to reduce the percentage and increase the open space on site to more than 50%. He asked the Commissioners to look at this concept since they are ready to do it and bring the 50% higher to maybe 62%.



The Height Comparison. Mr. Jahedi stated they are within the 30' height limit for the entire building with the exception of one staircase, which goes up to the roof. The roof consists of fans which blow fresh air into the gym and cafeteria. They will be 3-5' in height and are not included in the building height calculation. They will need a staircase to get up to the roof and this staircase is the result of the extra 5'. They prefer to not incorporate a hatch into the roof, as suggested by Village staff, as the staircase makes easier access. The amount of area that they are taking above 30' is 300 square feet or 1.4% of the footprint. He asked the Plan Commissioners to consider this and compare it for themselves.

The next couple of slides shown were elevations from the northeast, east and south. He commented that they will be 50-70 feet away from the nearest residential property line and the other two sides will see green.

The basement plan includes an area for the gym, which includes a full basketball court with bleachers and a cafeteria with a kitchen as well other things. The gym and cafeteria are two volumetric designs. They have a large height and in an effort to disguise them they were designed in the basement. As a result the neighbors won't see the gym and the building will be visually pleasing.

The first floor plan consists of the upper part of the gym, which is basically open to the basement, a preschool, administrative offices and classrooms. He noted the staircase that goes down to the basement as well as the tunnel that would take students from one building to the other.

The second floor plan consists of amenities for the school including: various labs, a library with an atrium, classrooms and a multi-purpose room.

Concluding, Mr. Jahedi noted the attributes of project.

Attorney Drais noted the storyboards located behind them. Since the Commissioners could not see the storyboards, Mr. Jahedi referred back to his PowerPoint presentation and showed where the height variation would be located on the building. He explained how they calculated the height or average grade of the building. He noted the highest part of the building indicating that this is the stairs, which lead to the roof, are to be used for facilitating the repair and maintenance of the roof. He noted that the stairway was strategically placed in the middle of the building, placed at the furthest distance away from the neighbors.

Attorney Drais mentioned the fact that CPSA held neighborhood meetings and they have been meeting with the Village for two years trying to incorporate concerns voiced by both parties. Concluding, Mr. Drais indicated that the board members from CPSA were in the audience and were available to answer any questions on behalf of the owner.

Chairperson Ryan opened the meeting for public comment.

To speak in favor of the petition were:

Fazal Ahmed, 20 W. 17<sup>th</sup> Street, Lombard, stated that he is a resident of Lombard and has children in the school. The school not only provides an excellent education, but also contributes to a person's physical and mental health. He felt they should not be crammed into a building. He stated the need for a new building, as the existing building is aged. Having the new building is not only advantageous for them, but also for the Village as it will increase property value. He wants to stay in town due to its diversity but they need a better cleaner environment, which will result in making a name for the town.

Mohammed Azharuddin, 1069 S. Westmore Avenue, Lombard, stated he lives in the Westmore Avenue Apartment Complex, having moved from Texas because of the school's teachings and credentials. He has two children in the school and their standards are two years above the public school. He requested that they not deny the opportunity for the children to have more labs and a better learning experience.

Sabet Siddiqui, 531 W. Harding Road, Lombard, noted his profession and mentioned that he was building a house, which is one of the moderate to bigger homes in Yorkshire Woods. He indicated how he used to commute long distances in order to have his children attend the school. He asked the Commissioners to approve the proposal. The school maintains extremely high scores and they need your help to have a decent facility.

Dr. M. Javed Ansari, 114 Oakton Drive, Lombard, stated that his family consisting of four children moved from Massachusetts for the purpose of attending this school. He mentioned there was a two-year waiting list to get in. The children's education and reputation of the school is nationwide. He has never seen such a school in this area and noted the product the school puts out. He humbly requests the Plan Commissioners to arrive at a favorable decision to help the community and make its citizens proud.

Fatima Nazeer, 43 W. Ann Street, Lombard, indicated she is an alumni of CPSSA as is her husband. She stated she attended Benedictine University and he went to Northwestern. They are proud to have been a member of the CPSSA community, as the school has had many accomplishments, as well as a citizen of Lombard. She referred to the Character Counts pillars on the wall and indicated that you will find those qualities mentioned at CPSSA. She asked the Commissioners to consider everything said.

Mukarram Sheikh, 1328 S. Rebecca Road, Lombard, noted his profession and stated that four years ago he did not know the Village of Lombard. When his family lived in Tennessee they searched for one of the best school in the country where they could maintain their faith as well as obtain the best academic education. They do not have many facilities from which to choose unlike other religions. The program at CPSSA made them move here even though the building was something to be desired. They love CPSSA, Lombard, the Park District, and the shopping. They are buying property here. He believes that an education is a holistic process and they want to add community service projects, but don't have the available space. They need to go to the next level. He believed that not only will the new proposal benefit them, but will also benefit the neighbors. The school attracts the best in the community and is a win/win situation. He mentioned Daniel Tani and how proud it makes you feel no matter where you came from that he

is a product of Lombard who attended Glenbard East. We must be ready so that when the next leader comes, we will all feel proud. He asked the Commissioners to approve the building in order to attract the best talent to Lombard.

Anyum Mirza, 1306 S. Finley Road, Lombard stated he lives in International Village. He has two children in the school. Prior to them moving his wife, had to travel close to 100 miles a day to bring them to school. He humbly requests that they approve the request and give them a chance.

Muddassir Saeed, 2090 S. Valley Road, Lombard, gave his background and educational history. He stated he attended Peter Hoy School, Lombard Jr. High and Glenbard East High School. He loves the community of Lombard as it has a lot to offer and has three children in the school. DuPage County is an affordable place to live and has a good standard and asks that they support the school.

Rashid Zafar, 1790 Porter Court, stated she lived adjacent to the school and her husband and other family members attended CPSA. It is a great school located in a great community and asks for approval of the request as it will be great for the whole neighborhood.

M.A. Majeed, 509 W. Wilson Avenue, Lombard, stated that Naperville was recently named the number one city in which to live. He did reside there, but decided to move here instead. He sends his children to CPSA. He emphasized that in the proposed plan there are two issues – the height and the open space. The code requires that they need 80 parking spots and the architect is suggesting 99. We have a choice, as does the Plan Commission and the neighbors, to either contain the parking on the premises or have it spillover onto the streets. There is another school two blocks south and there is no street parking allowed on Madison. There are other schools in the community such as Sacred Heart where street parking is allowed. It comes down to an issue of parking spilling over on the street or having open space. In his opinion, it is better to have the parking contained on the property so the neighborhood won't be affected.

Mohammed Kothawala, 213 W. Harding Road, Lombard, stated he lives two blocks behind the school. They built a house and are happy to be in the neighborhood. He has two children in the school. He sees parents come from different directions to drop off their children and as a result, he does not see much of a traffic problem.

To speak against the petition were:

Ed Pszanka, 615 S. Edson, Lombard, stated he lives adjacent to the school property. He has lived in Lombard for 40 years. He mentioned the new housing that has recently been constructed in the neighborhood. He's tired of constantly looking at a garbage dump and a blank wall. He complained of issues dealing with water run off onto his property, people raising the topography of their land, houses being built too close to property lines and too high. There is a Building Code in place and it should be followed. He stated he was not notified of any of the meetings. He was worried about the retention pond attracting geese, mosquitoes and bugs as well as being

unsightly. He is an organic gardener and he does not want that water overflowing onto his property.

Chairperson Ryan mentioned that he was notified of this meeting, but there is no requirement that he be notified of meetings between the petitioners and Village staff.

Mr. Jahedi responded to Mr. Pszanka's comments about the retention pond. He indicated it will be a dry grassy area with no water. It is engineered to retain water during a storm and within a 24-hour period the water will drain back to the Village system. In this way, we are not overloading the Village system at one time.

Mr. Pszanka indicated that when CP&SA bought the building in 1994, there was a ditch by the baseball field that took water and brought it along the property line down to Madison. The ditch is now filled up.

Attorney Drais indicated that the retention area has a drain in it so it is not designed for the water to remain. It collects excess water from neighboring properties. It is a Village requirement.

Candice Rizzo, 308 Harding, Lombard, stated she has been a resident for 25 years and they have recently added onto their home. They have abided by all the Village zoning and guidelines. They are very proud of their home and consider it their major investment. She is also here to speak on behalf of her husband and their neighbors. She has a petition opposing the proposal. Their concerns are:

- increased traffic on Madison as well as the route that might be taken around the neighborhood to get to the school
- the height of the building - her house backs up to it so they would be directly affected
- privacy and the use of her property - her backyard is open and the school will have activity year round.
- property values haven't increased or decreased, but if they sell their house, the new owner won't want the view of the proposed parking lot with traffic being routed behind the school.
- garbage that would be generated.
- they should maintain the residential look and appearance of the neighborhood.
- the proposal is too large of a building squeezed onto a small piece of property and not becoming to the neighborhood.

She went to houses within a four block radius of the school and is submitting the petition on their behalf relative to those concerns. She asked the Commissioners to consider these issues.

Joe Glazier, Jr., 304 W. Harding, Lombard, asked if they would be able to build future residences on the site without a public hearing if the rezoning to R2 was approved. The northwest corner of his property would be affected by noise and traffic with more being put on the southeast corner of the site. The placement of rooftop mechanicals would be closer to his home and would generate more noise. The placement of the atrium will overlook the surrounding homes and

would have a direct site line to his patio eliminating his privacy. They are asking to double the number of students and reduce the open space. There is too much proposed for the space available.

Attorney Drais responded to the rezoning request. He stated that there are no plans to put residential dormitories on the property. That would require another public hearing. Christopher Stilling, Assistant Director, stated that if the rezoning and the planned development were approved, they would not be allowed to build residences. He explained how a planned development is tied to a specific plan and if they deviated from that plan, they would have to come back to the Plan Commission for an amendment to the planned development, which would entail another public hearing.

Mr. Glazier then asked for an explanation about the zoning regulations between an R2 and the CR. Mr. Stilling stated that the CR zoning is intended to provide for the location of such things as public parks, forest preserves, and other open-space uses and is more in line with a publicly-owned facility. The zoning of R2 is in line with private schools and residential areas and is typical of what has been done in the past. Attorney Drais stated that the conditional use request would provide for having a private school.

Fran Pzanka, 615 S. Edson, Lombard, indicated she lives right behind where the retention pond is planned to go and asked if it will come right up to their property line. Also, she asked if there is anything that states that it has to stay away from them. She noted that if the sewer system is not good enough to take the water away, why have the pond? She mentioned previous meetings whereby it was mentioned that something would be done to remove the water. Also, she was concerned about the safety issue with having a pond on the playfield as she heard it was 5' deep. Mr. Stilling responded to the placement of the detention pond and noted that the petitioner's plan indicates there is a 5' setback. Currently, the property has no controlled detention on site so the water travels with the slope of the property. Water detention is governed by DuPage County as well as the Village.

Mr. Jahedi responded that the detention pond is like a ball so that when there is too much water it is kept in the ball until such time that it drains slowly into the system. This system serves the site better than what it does now. The depth of the pond is 5' and the slope is 3:1, which is the maximum DuPage County allows a slope to be. The slope is walkable and the children can run up and down it. It makes it a good area for play and is not a safety issue.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, introduced two items into the public record: the KLOA traffic report, which is the final version not the draft version as it states, and Response to Standards to Deviations. He noted that only three standards were addressed because they were not met by the petitioner.

Mr. Toth then continued stating that staff has drafted this IDRC report to submit to the public record in its entirety. The College Preparatory School of America (CPSA) has been

experiencing an increased demand for classroom space. As such, the school is proposing to construct a second building on the subject property. As proposed, the new building would be approximately 61,000 square feet and located south of the existing building, which would remain. The new building would include a cafeteria, gymnasium, a multi-purpose hall as well as classroom and general office area. To accommodate the increased student population, additional parking would be provided. As a result, the required amount of open space is not being provided. Therefore, the petitioner is seeking a variation to reduce the required amount of open space. In addition, the proposed second building would exceed the maximum allowed building height of thirty (30) feet to thirty-five (35) feet to accommodate a projecting stairway.

As part of their request and at the suggestion of Village staff, CPSA is requesting a map amendment to rezone the subject property from CR - Conservation Recreation District to the R2 - Single-Family Residence District. In addition, the petitioner is seeking a conditional use to establish the property as a planned development.

CPSA obtained a Certificate of Occupancy on February 10, 1993 as an Educational Facility; however, they never obtained conditional use approval to lawfully establish the full-time private school. Therefore, CPSA has been operating under legal non-conforming status since their inception. As part of this petition, CPSA is requesting conditional use approval to legally establish the existing full-time, private school use approval to legally establish the existing full-time, private school.

CPSA is located in an established residential neighborhood and is located in close proximity to Madison Elementary School. The hours of operation are similar to the public school hours of 8:00 a.m. to 3:30 p.m. The school year starts in August and ends in June. The addition of the new building will allow 335 more students to attend the school, which would bring the total student population to 785. The drop off/pick up functions would occur between both buildings (central to the subject property) through the use of a twenty-two (22) foot drive aisle. The Fire Department requires that all new buildings provide access to three sides of the new structure(s). As such, CPSA would be required to install a drive aisle around the perimeter of the proposed structure. This fire lane will be blocked off at all times, only to be used by the Fire Department.

As proposed, the existing building would not require ADA or Life Safety Code improvements to its interior as part of this petition. The petitioner's have indicated that the existing building would remain "as is".

The proposed building would have a peak roof height of 35 feet above grade. The R2 - Single Family Residential District permits structures up to 30 feet. The proposed deviation is requested to accommodate an access stairway. The petitioner has stated that the proposed building can be designed without the projecting stairway and still properly function. As such, staff finds that the roof height deviation is a result of an unnecessary desire and therefore, staff does not support the proposed roof height deviation.

The underlying R2 - Single Family Residence District regulations require a minimum of 50% open space for each property. Section 155.508(C)(7) requires that open space in a planned development must be at least 25% more than is required in the underlying district if a deviation

is associated with the petition. As such, the additional 25% of open space would not be required if the proposed building were to meet the maximum height requirement of thirty (30) feet; however, the 50% minimum open space requirement would still need to be addressed. When combined with the coverage of the existing property improvements, the proposed property improvements would bring the total amount of open space on the subject property to 46.85%. This equates to roughly 5,793 square feet in open space deficiency based on the 50% requirement and 28,768 square feet on the 62.5% requirement.

Ninety-nine (99) parking spaces are proposed on site. Pursuant to the Zoning Ordinance, 80 spaces are required. The additional 19 spaces can be considered to be a preferential request made by the petitioner, which represents roughly 3,078 square feet of impervious surface that could be dedicated as open space. Also, during the neighborhood meeting conducted by the petitioner, more of the issues brought up by neighbors was the aesthetic view of the front of the property, more specifically the addition of parking spaces in front of the building. As the northernmost row of parking consists of 24 parking spaces, eliminating some of those parking spaces could allow for additional open space and provide additional landscape buffering. Staff will only support a minimum of 50% open space, which meets the underlying R2 zoning district requirement.

The property is currently zoned CR Conservation Recreation District. The CR District, by definition, is intended to provide for the location of public parks, forest preserves, wildlife reservations and ecological sanctuaries and other open-space uses or resources to serve the needs of the citizens of the Village of Lombard. Again, emphasis on public usage.

Staff believes that the CPSA property is more consistent with the R2 Single-Family Residence District requirements. The R2 District is intended to accommodate existing single-family neighborhoods in the core of the Village. This zoning designation is consistent with the surrounding neighborhoods. In addition, similar requests have been granted to other private educational institutions located in the Village such as St. Pius X, St. John's, and Sacred Heart. Staff finds that the CPSA property meets the standards for rezoning.

An educational institution is listed as a conditional use in the R2 Single-Family Residence District. This request is to provide conforming use status for the school, as it pertains to the Lombard Zoning Ordinance. The operations of the school are typical of most educational institutions. Staff finds that CPSA meets the standards for a conditional use to allow for an educational institution in the R2 District.

Establishing a planned development for the CPSA campus is consistent with other private school uses in the Village. The Village previously established planned developments for Christ the King in 2004, St. John's in 2005 and St. Pius X in 2007. As a Planned Development, the site can be brought into closer compliance with current Zoning Ordinance by allowing greater flexibility in site development. It is noted; however, that the planned development is specifically required in this case as the petitioner wishes to keep both principal structures on the property physically separate of one another. Per Section 155.208(B) of the Zoning Ordinance, more than one (1) principal structure on one (1) lot-of-record is not permitted in the R2 – Single Family Residential

District, except as part of a planned development. As the subject property is to be used as a master planned campus for a use other than single-family residential, the establishment of a planned development is deemed appropriate to allow the Plan Commission to have the opportunity to approve any future modifications and/or additions to the subject property.

Pursuant to the Zoning Ordinance a total of 80 parking spaces are required. The proposed plans indicate a total of 99 parking spaces, which exceeds the amount of parking required by Code by 19 parking spaces. The petitioner has indicated that the additional parking spaces are needed to accommodate any overflow parking situations and prevent spillover parking onto the adjacent neighborhood streets. The petitioner has indicated that high school students do not drive to school. Staff believes that the minimum amount of parking spaces required by the Zoning Ordinance is sufficient. In order to ensure that the amount of parking is sufficient in the future, the number of high school students allowed to attend the CPSA will be capped at 240 students, which is the total number of high school students indicated on the plan.

Staff has relayed their concern to the petitioner that the increased number of parking spaces is considered to be one of the factors leading to the deficiency in open space. As such, staff presented a parking versus open space scenario to the Plan Commissioners through a Plan Commission workshop on December 15, 2008. During the workshop, a number of the Plan Commission members had indicated that they favored the extra parking spaces in order to prevent the spillover parking onto adjacent residential properties. However, other members stated that they favored the idea of reducing the amount of proposed parking to meet the open space requirement for the underlying zoning district.

The Village's traffic consultant KLOA reviewed the proposed development and conducted traffic counts on the adjacent neighborhood intersections to determine the impacts of the proposed development. They have completed a report which is also transmitted with the staff report. See traffic study.

Based on KLOA's observations, the peak time period for drop-off was between 8:00 and 8:30 A.M. During this half hour, KLOA observed a few back-ups extending onto Madison Street with approximately five to six vehicles temporarily waiting to turn left and access the school driveway thus blocking westbound through traffic on Madison Street.

The peak time period for pickups occurred between 3:15 and 3:45 P.M. The queues at times extended all the way back around the west end of the building. It should be noted that for a few minutes, the backup spilled onto Madison Street and three to four vehicles were temporarily waiting to get in thus blocking Madison Street. The school contracts a Lombard Police Officer to assist in traffic control. The police officer arrived just before 3:15 P.M. to direct approaching vehicle pickups at the back doorway entrance and to safely allow children and adults to use the walkway. Between 3:30 and 4:00 P.M. as many as five vehicles were queuing outside onto Madison Street. It should be noted that pickups were also occurring along the access drives on the west and east side of the building.



CPSA's hours of operation are 8:00 a.m. to 3:30 p.m. The drop off/pick up functions would occur in an area between the new and existing buildings (central to the subject property) through the use of a twenty-two (22) foot drive aisle. As the student population will be increasing from 450 to 785 students (max), the proposed twenty-two (22) foot drive aisle would be wide enough to accommodate a drop off/pick up lane with adequate space to allow cars to pass one another, which should increase traffic flow. KLOA recommended in the traffic study that strong consideration should be given to internal staggering of classroom starting and ending times, which would alleviate drop-off and pick-up parking, queuing, vehicular/pedestrian conflicts, etc. As mentioned below, CPSA does not plan to stagger school hours unless necessary; however, they have made representation that they plan to stagger start/end times in conjunction with the Madison School, which is east of the subject property on Madison Street.

Based upon the above observations and review of the petitioner's proposed site plan, KLOA made several recommendations in their study. Staff would like to focus on four major internal site considerations addressed in the traffic study.

1) Student Enrollment - Staff worked with the petitioner and KLOA to remediate some of the internal site issues. As the student population affects the amount of vehicular traffic to and from the subject property, CPSA has agreed to cap the number of students. The current student population of CPSA is 450 students. With the addition of the new classrooms, future enrollment is expected to reach 785 students. As such, there will be 335 additional students on the subject property during peak enrollment. CPSA has agreed to place a cap on the number of students enrolled in the school at 785.

2) Staggering of School Hours - As previously mentioned, the peak time period for drop-off was between 8:00 and 8:30 a.m. and the peak time period for pickups occurred between 3:15 and 3:45 p.m. To minimize existing and future potential congestion, KLOA recommended in the traffic study that strong consideration should be given to internal staggering of classroom starting and ending times, which would alleviate drop-off and pick-up parking, queuing, vehicular/pedestrian conflicts, etc. CPSA responded by stating, "If future enrollment dictates a need for CPSA to stagger their school start and end times at the different levels of the school (grade, middle, and high school), then CPSA will do so to alleviate traffic congestion". As such, the petitioner has not provided a detailed plan outlining their proposed staggered start/end times.

3) Drive Aisle Width - On the original site plan submitted by the petitioner, the internal drive aisles were proposed to be eighteen (18) feet wide. According to KLOA, the proposed drop-off lane needs to be at a minimum twenty-two (22) feet wide. When used for pickup in the afternoon, the additional four (4) foot width will provide a passing lane when vehicles are parked waiting for the students. CPSA complied with this recommendation and widened the proposed drive aisles to a width of twenty-two (22) feet to provide the passing lane that would allow for an increase in traffic flow on the subject property.

4) Cul-de-Sac Bulb - According to the originally submitted site plan, two-way traffic in the proposed parking lot on the southeast portion of the property would have no way of turning around. In the traffic study, KLOA recommended that a cul-de-sac bulb should be designed to

provide turnaround at the south end. CP&SA complied with this recommendation and added the cul-de-sac to the proposed plans as a means of allowing an increase in traffic flow on the southeastern portion of the subject property.

As previously mentioned, the petitioner held two neighborhood meetings last year to discuss the proposed plans with adjacent property owners. During the meeting, neighbors had the opportunity to comment on the plans and address their concerns with the proposed project. Some of the specific comments made by the neighboring properties included; the impact of more students at CP&SA and traffic on Madison Street, the impact of more students on CP&SA on parking on neighboring side streets (since there is no parking allowed on Madison Street, the only public access to the site), the aesthetic view of the front of the property (especially with the addition of parking spaces in front of the building) and concerns regarding the impact of construction of the new building (noise, safety, and parking issues) on the neighboring properties.

While staff finds the use to be compatible with adjacent properties and consistent with the locations of other residentially-located private schools throughout the Village, the plan, as proposed with deviations is not compatible with adjacent properties. The petitioner has worked closely with staff in an attempt to address the provisions of the Zoning Ordinance, but staff believes that the proposed project could still be completed without obtaining the building height and open space variations.

The Comprehensive Plan recommends Public and Institutional uses for the subject property. As the principal use of the property is an educational facility, the use of the property adheres to the recommendation of the Comprehensive Plan as an institutional use. The petitioner's site modifications are also consistent with the existing institutional nature of the property.

#### Standards to Variations

Staff finds that there are no conditions related to the property that prevent compliance with the established regulations. The property does not have physical surroundings, shape, or topographical features that differ substantially from other lots in the neighborhood. It is solely the demands of the petitioner that have warranted the requested relief.

The number of students enrolled in any school directly affects the amount of space needed on the property for classrooms and other ancillary amenities. As the subject school is a private school, the amount of revenue received by the school is dependant upon the number of students enrolled in the school. Under this principle, revenue would be higher with a higher student population

Staff finds that the difficulties have been created by the petitioner as a result of a preference towards keeping the proposed building separate from the existing building, a desire to exceed the amount of required parking, and an architectural preference that does not allow the proposed building to meet the minimum building height requirement.

Staff finds that these variations will alter the essential character of the neighborhood by allowing excessive bulk and impervious surfaces on the subject property. Staff has identified ways that the building height and open space could be achieved to meet code.

Standards Not Complied With

1) *Any reduction in the requirements of this Ordinance is in the public interest.*  
The R2 – Single Family Residential District permits structures up to 30 feet. The proposed building would have a peak roof height of 35 feet above grade. The proposed deviation is requested to accommodate an access stairway. The petitioner has represented in their response to standards that the deviation would allow access to the rooftop for maintenance, repair and emergency purposes. However, the petitioner has also stated that the proposed building can be designed without the projecting stairway and still properly function. As such, staff finds that the roof height deviation is a result of an unnecessary desire.

The underlying R2 – Single Family Residence District regulations require a minimum of 50% open space for each property. Section 155.508(C)(7) requires that open space in a planned development must be at least 25% more than is required in the underlying district if a deviation is associated with the petition. As such, the additional 25% of open space would not be required if the proposed building were to meet the maximum height requirement of thirty (30) feet; however, the 50% minimum open space requirement would still need to be addressed. The petitioner has represented in their response to standards that the reduction in open space would allow reduce the amount of on-site parking. Pursuant to the Zoning Ordinance a total of 80 parking spaces are required. The proposed plans indicate a total of 99 parking spaces, which exceeds the amount of parking required by Code by 19 parking spaces. The petitioner has indicated that the additional parking spaces are needed to accommodate any overflow parking situations and prevent spillover parking onto the adjacent neighborhood streets. The petitioner has indicated that high school students do not drive to school. Staff believes that the minimum amount of parking spaces required by the Zoning Ordinance is sufficient.

2) *The proposed deviations would not adversely impact the value or use of any other property.*  
Staff finds that these deviations will alter the essential character of the neighborhood by allowing excessive bulk and impervious surfaces on the subject property. Staff has identified ways that the building height and open space could be achieved to meet code.

3) *That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district.*

When combined with the coverage of the existing property improvements, the proposed property improvements would bring the total amount of open space on the subject property to 46.85%. This equates to roughly 5,793 square feet in open space deficiency based on the 50% requirement and 28,768 square feet on the 62.5% requirement. The petitioner stated in their response to standards that they would be unable to meet the 62.5% open space requirement. Although the proposed plans cannot meet the 62.5% open space requirement, staff believes that the petitioner is able to meet the underlying zoning district requirement of 50% open space.

Staff recommends denial of the variation for open space and building height and approval of the planned development, conditional use and rezoning with conditions. He noted that condition #1 should be changed to read:

1. The site shall be developed substantially in accordance with the CP&A elevation, site, landscaping and floor plans package, prepared by Dome Structural Engineers, dated December 1, 2008, except as they shall be changed to meet Village Codes and the 50% open space and thirty (30) foot building height requirements and shall be subject to the review and approval of the Director of Community Development.

Attorney Drais commented on the staff report stating that the petitioner has worked closely with staff for over two years. Those two variations have been part of the plan since that time and they only found out Thursday that the petition would be approved without the variations. He exemplified the St. John's building, which was a similar situation in which there was a new building with a private school being proposed and staff, the Plan Commission and the Board approved the height and open space variation. Their open space was 30 percent and he asks for equitable treatment today. He reiterated that the request for the height variation only applies to a small portion of the building, 300 square feet, which will be contained to the middle of the property and have minimal effect on surrounding properties. This is important because it is an aesthetically better building which would allow stairwell access to the roof for repairs and maintenance and is more practical than a hatch option.

He then commented on the open space variation. This issue came up several times – the open space has been reduced as a result of a request by the Village to install a cul-de-sac bulb, expanding the entryway to 22' and the requirements by the Fire Department to have a full access around the building. All these requests have reduced the open space percentage. In the cost/benefit analysis, CP&A feels that the more parking spaces that are on the property the better it will be for traffic in the neighborhood. They raised this issue the most and they are trying to minimize traffic on the neighborhood. When there is a need for parking spaces they can be used. They believe that the benefit outweighs the 3% percent open space variation.

Lastly, he commented on the issue that came up in the public comment portion about additional traffic on the south side of the building. The area around the new building to the south is only for Fire Department access. If you are a neighbor on the backside you won't have to worry about cars there.

Concluding, Attorney Drais asked the Plan Commission to consider the plan with the two variations as it would be a better contained site.

Mr. Stilling responded to Attorney Drais by stating that the goal of staff is achieve conformance to Village Code. With regard to the requested expansion of the drive aisles and the fire department access, these are things that are part of a functioning site plan.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Burke asked staff to confirm the 30% open space variation that Attorney Drais mentioned in regard to other developments in town like St. John's. Mr. Stilling stated he was not sure of the exact number, but there have been more recent petitions that met the open space requirement. Staff tries to see opportunities and if close would help them achieve it. Commissioner Burke stated that the petitioner makes a compelling argument about the roadway surrounding the building as well as the cul-de-sac. The Village's demands have caused them to require the open space and exacerbated the project. Mr. Stilling stated that the Fire Department access roadway is directly related to fire codes and this request is made no matter what. Mr. Toth stated that the petitioner's requests warranted the variations. The petitioner's desire to separate the buildings and add the height variation kicked in the 62.5% open space requirement. It had a trickle effect.

Commissioner Burke commented that the request for the 35' height variation only applies to a 300 square foot portion of building which is insignificant and in line with things we have provided variances for in the past. He asked what the distance is from the location of where the height variation would be on the building to the nearest property line. Mr. Jahedi stated it was approximately 150 feet from the 35 height to the nearest property line.

Commissioner Sweetser agreed with Commissioner Burke's comments relative to the height variation being a relatively small part of the building and she does not find it objectionable. She does however take exception to the open space. With regard to the petitioner's comments about how the Village's requirements contributed to them not meeting the open space requirement, she believed that you don't start a design until you find out the Village's requirements rather than the other way around. Open space could be met by removing a couple of parking spaces. She referred to KLOA's traffic report about the queuing issues and how adding parking spaces won't help the situation. The increased enrollment will also make it worse. During special events the school might need to have extra parking on the streets but this happens often with most schools. She favored the petitioner meeting the open space and was not concerned about the height requirement.

Commissioner Cooper stated she was concerned about the Village's response about the porous pavement. Mr. Stilling indicated that we have spoken with the Fire Marshall and they discourage that kind of application. If a large tower truck was called to the scene and had to extend its outriggers, there could be a pressure point issue and the outriggers could sink into the pavers. Since the building is a multi-story facility they want to err on the side of caution with the use of porous pavers. He noted that pursuant to the Zoning Ordinance those pavers, though perceived as open space, would not count toward open space calculations.

Commissioner Burke asked what the cul-de-sac was needed for. Mr. Stilling indicated that it would be used as a turn around. If all the parking spaces are occupied in that area, there would be no way for a vehicle to turn around. This came to be the most reasonable solution. Commissioner Burke asked if this was a Fire Department requirement. Mr. Stilling answered no and that it doesn't meet the radius for that.

Commissioner Burke referenced the issue of queuing in the KLOA traffic report. He stated that he is familiar with the routes taken to get to the school and if there is a backup in front of the school it would be similar to any other parochial school in town. As a neighbor you either wait your turn or you take a different route. He doesn't see this as being too much of an issue.

Commissioner Sweetser confirmed that her previous comment was not tied to the queuing even though it might have sounded like it did.

Chairperson Ryan asked if the parking in the front of the building would be used as a drop off. Mr. Stilling stated it could be and suggested that closing off and designating a couple of parking spaces only for drop off and pick up, similar to what Creative Day did, might help. KLOA reviewed all these issues and made the recommendation of widening the drive aisle and staggering school hours. If the petitioner does stagger the school hours, queuing should be minimized.

Commissioner Sweetser asked if the Village has incorporated LEBD standards into Village Code. Mr. Stilling stated that the Village does not have anything specific to that and are not well versed in their building codes or giving bonuses. Commissioner Sweetser commented that LEBD standards should be incorporated into Village Code as it is important.

Chairperson Ryan referenced the parking in front of the building and how the queuing could go to the front and that could eliminate one issue. If there is no parking in the front, it can be a hazard. As far as the height issue, if the petitioner eliminated the extra height and went with a trap, the open space percentage could drop to 50%. Mr. Stilling stated that if they meet the height and 50% open space, the variation would not be applicable.

Commissioner Sweetser asked for clarification on the use of pervious pavers and the objection by the Fire Department. She questioned if their objection was based on possible damage to the Fire Department vehicle or to the surface of the pavers. If it's based on damage to the surface of the pavers, the petitioner would know that going in so if it had to be replaced it could. Mr. Stilling responded that there were a number of factors. Commissioner Sweetser asked if there were any projections about whether the amount of pervious pavement would cause an inability to use the equipment or be a hazard to the firefighters. Mr. Stilling stated they needed 18' for the outriggers. If the parking spaces are all occupied and they have to use the access drive, they preferred to err on the side of caution.

Commissioner Sweetser questioned that if the drive along the west and south side is not used by anyone other than the Fire Department and that area was designated pervious pavement is there any way the Fire Department would be in danger. Mr. Stilling stated that the Fire Department was adamant to have it all pavement. Commissioner Sweetser confirmed that staff didn't know the specific reason why. If it's just a matter of the surface being damaged, then it might be worth it to gain the extra area.

Commissioner Cooper asked for clarification on the refuse location being in the southeast corner of the building. Mr. Jahedi stated it was to be located in the southwest corner of the building in

the middle. Chairperson Ryan indicated it was right before the baseball field. Commissioner Cooper stated her concern for choosing this location due to its close proximity to adjacent properties. She also stated that this location would be in the emergency zone so the Fire Department access driveway would be used on a weekly or biweekly basis. Mr. Jahedi indicated that this road would be chain linked and would have to be opened for trash pickup. Mr. Stilling indicated that this issue was discussed with the Fire Department who indicated that garbage refuse pickup would be okay, but it could not be used for student drop off. Mr. Jahedi stated that the reason that this location was chosen was because of its closeness to the kitchen exit, which would have the most waste.

Commissioner Burke also pointed out that the Fire Department access drive would have to be used for deliveries. Mr. Stilling stated that portion of it would be.

Commissioner Burke questioned condition number 4 and how the numbers shown did not add up to the cap of 785 students. He asked if staff was adding in the daycare facility. Mr. Toth stated that the numbers were taken off the submitted plan, which is on the cover of the site plan. Mr. Jahedi stated that the cap is 785 students including the preschool. Commissioner Burke questioned the cap and indicated that it could be any number on the preschool. Mr. Toth stated that the condition could be changed to clarify.

Commissioner Cooper commented that there is a 5' setback along the site and she questioned the choice of vegetation along the perimeter, which was to act as a buffer. Being that the building is a large structure, it didn't seem that the choice of vegetation would suffice. Mr. Stilling answered that one of our conditions indicates that it be in conformance with the Zoning Ordinance especially along Madison, which has to be screened.

Mr. Jahedi stated that the east and south property lines are higher than the property so the slope is from the southeast to the northwest. In those two areas you have an advantage with the topography. He offered to install a fence, if needed. Chairperson Ryan commented that it would be up to the discretion of the Community Development Director.

Commissioner Sweetser asked if the screening as it relates to trees on the south and west side would be one every 40 feet. Mr. Stilling explained the Zoning Ordinance requirement as it relates to trees and indicated that the intent is that it be fully screened. If the plant is transparent they will be diligent that the intent of the code is met.

Commissioner Sweetser commented on the issue of the fence. She stated she is not insisting that a fence be the solution, but could be an option. Also, as far as the atrium and the neighbor's privacy being compromised, there could be ways to make the lower level windows opaque.

Commissioner Cooper asked if the perimeter of the detention pit would have to be fenced. Mr. Jahedi answered that it is a shallow slope 3:1 and does not need a fence. It's a workable slope, looks pleasant, and doesn't need a fence.

The Commissioners and legal counsel then discussed how the motion and the conditions should be worded or amended if they wanted to approve the rezoning and conditional use as well as the 35' height variation, but require the petitioner meet 50% open space.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal **complies** with the Standards for Variations as set forth in the Zoning Ordinance and, therefore, moved that the Plan Commission does not accept the findings of the Inter-department Review Report as the findings of the Plan Commission and therefore, by a roll call vote of 4 to 0, recommends to the Corporate Authorities **approval** of the building height variation and that a minimum of fifty percent (50%) open space be provided, associated with PC 09-08.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal complies with the Standards for Planned Developments, Conditional Uses and Map Amendments required by the Lombard Zoning Ordinance and, therefore, moved that the Plan Commission accept the findings of the Inter-department Review Report as the findings of the Plan Commission and that establishing conditional use for a planned development, conditional use for a School, Private, Full-time; Elementary, Middle and High and map amendment is in the public interest and therefore, by a roll call vote of 4-0 recommends to the Corporate Authorities approval of the requests associated with PC 09-08 subject to the following amended conditions:

1. The site shall be developed substantially in accordance with the CPSA elevation, site, landscaping and floor plans package, prepared by Dome Structural Engineers, dated December 1, 2008, except as they shall be changed to meet Village Codes and provide 50% open space and shall be subject to the review and approval of the Director of Community Development.
2. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.
3. The petitioner shall address all recommendations in the KLOA report, which includes a detailed drop off/pick up schedule in a manner acceptable to the Director of Community Development, based upon the proposed traffic flow conditions along Madison Street and upon the subject property.
4. The number of grade school students shall be capped at 450 students and the number of high school students shall be capped at 240 students. The total student population, including the pre-school, shall not exceed 785 students.
5. A final plat of consolidation shall be submitted to the Village for approval, making the site a lot of record.



6. The designated fire lane adjacent to the western and southern portion of the proposed building shall be blocked off at all times and accessed only by the Village of Lombard Fire Department and the refuse company for trash pickup.
7. The petitioner shall submit a photometric plan as part of building permit submittal showing compliance with Village Code.

**June 8, 2009**

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on June 8, 2009.

Chairperson Ryan asked Commissioners Olbrysh and Flint if they reviewed the tape and looked at the petition information that was presented during the May 4, 2009 Plan Commission meeting as they were absent during that meeting. Both Commissioners stated that they had reviewed the information.

Michael Toth, Planner I, presented the case background. At the May 4, 2009 Plan Commission meeting, the Plan Commission held a public hearing to consider zoning actions for the CPSA proposed school expansion project. The Plan Commission considered the petition and public testimony raised at the meeting and through its deliberations recommended approval of the petition, in substantial part, subject to conditions.

Subsequent to the Plan Commission and prior to the Village Board meeting, a neighborhood meeting was held with surrounding property owners where some additional comments and concerns regarding the development proposal and its potential impacts on adjacent properties were generated. The nature of the comments and concerns varied; but seemed to focus on adjacent neighbor impacts such as buffering/screening, traffic, building height and operational activities.

The Village Board, at their May 21, 2009 meeting remanded this item back to the Plan Commission in its entirety, to allow an opportunity for the issues raised in subsequent discussions to be considered by the Plan Commission in a public hearing format. This action ensures that the public hearing record has been perfected and that the public hearing provisions established in *Klaeren v. Lisle* are satisfactorily addressed. It is noted that all testimony presented at the May 4 meeting is applicable to tonight's hearing. He then discussed the meeting format.

Mr. Toth then read the meeting format. Staff will outline the reason for the Special Meeting and will note the actions to be considered as part of the meeting. Staff will provide a brief history of the petition and will summarize the zoning actions and development regulations associated with the petition, which he stated that he had already done.

1) The petitioner (CPSA) will be given an opportunity to present their petition and offer additional testimony regarding their use and operation. Once completed, an opportunity to cross-

examine the petitioner by anyone in the public will be provided and shall relate specifically to the petitioner's presentation and the submitted materials.

2) Upon completion of petitioner's cross-examination, if any, any objector will be offered the opportunity to speak. Once completed, an opportunity to cross-examine the objector by anyone in the public will be provided and shall relate specifically to the objector's presentation.

3) Staff will present the remand memorandum. Once completed, an opportunity to cross-examine staff by the petitioner and anyone in the public will be provided.

4) After completion of the cross-examination, if any, the public participation period will be closed. The Plan Commissioners shall then be given an opportunity to discuss the petition. Questions may be asked to staff, objectors or the petitioner. The Plan Commission should provide a response to each of the issues raised by the petitioner and/or objectors.

5) The Plan Commissioners shall then vote to uphold their original recommendation or amend their recommendation as deemed necessary. The Commissioners could amend the language as they deem appropriate, provided that the reasons for approval or denial are tied to the standards for conditional uses, variations, map amendments and planned developments. The Commissioners do have the ability to add any additional conditions they deem appropriate should they recommend approval.

6) The recommendation will be forwarded to the Village Board for consideration at their June 18, 2009 meeting.

Andy Drais, 350 S. Fairfield, Lombard indicated he is the attorney representing CPSA and presented the petition. He stated that all issues at the May 4, 2009 Plan Commission meeting and the presentations is part of the public record for today so he won't go through all those items, but will highlight some of the major issues and address concerns they received from the neighbors living near the school. The subject building has been a school building since 1930 and was purchased by CPSA in 1994 when they opened 15 years ago. The school is successful, producing many scholars. At the last meeting 11 Lombard residents spoke in favor including former students and parents who moved so their children could attend the school. He stated that the architect and engineer for the school presented the plan for the school, which is a similar request to that of St. John's School and Sacred Heart, private schools approved by the Plan Commission and Village Board for both open space and building height. At the May 4, 2009 Plan Commission meeting the proposed plans were approved and the petition was sent to May 21, 2009 Village Board meeting where it was remanded back to the Plan Commission with no comments. Since that time, the petitioner has received letters from neighbors, including Mr. Glazier and Mr. Doles. CPSA met with staff and Mr. Glazier to address those concerns that weren't explained sufficiently earlier. Tonight CPSA will go through those concerns in greater detail. He introduced Jamsheed Jamsheed who will give a brief presentation.

Jamsheed Jamsheed, 105 Ogden Ave., Clarendon Hills, architect and engineer on the project, gave a Power Point presentation.

Mr. Jahedi gave the Power Point presentation as a follow up to the public hearing on May 4, 2009. The presentation is meant to be a continuation of their original presentation.

The first slide addressed some of the issues that were received through letters and complaints from neighbors. Those issues are as follows:

- 1) Refuse enclosure located to south of property.
- 2) Noise from garbage truck and smell of dumpster enclosure.
- 3) Visual screening – privacy for neighbors.
- 4) Traffic – no truck traffic on the southeast portion of the subject property.
- 5) Upper windows – open to neighbors, which creates a lack of privacy for property owners and creates distraction for students.
- 6) Loading dock, which is not needed for the facility, but is a zoning requirement.
- 7) Building height of over 30'. The height of building is counted from the grade to the top of the roof and not to top of the parapet. All the drawings are given to the top of parapet. Parapet is 3-10" so the building has maximum height of 26'.
- 8) Roof top units – noise and view.
- 9) Construction – phases and how long it will take.
- 10) Parking/lights – will light shine onto neighbors and create nuisance. 0.0 foot candles at the property line.
- 11) Parking and open space, which was left unresolved by the Plan Commission.

The second slide addressed the revised site plan. The first item to be noted is the new location of the dumpster. Mr. Jahedi stated that this is a good location as it is the existing location of the trash bins. Also, by relocating the dumpsters they are eliminating the truck traffic that would have used the roadway near the adjacent property. He added that only the Fire Department will access that drive aisle. Also, the loading dock was a concern as it was thought though semi trailer trucks would be unloading at that location. As the architect, he has to put a loading dock in to satisfy a Zoning Ordinance requirement. They are putting it in just for satisfying the Zoning Ordinance. There are no trucks coming to the facility to unload. They use catering trucks, vans or smaller trucks that don't require a loading dock. He talked to CP&SA and they told him that the loading dock will stay empty forever.

The next item was the screening from the neighbors. Mr. Jahedi added that on the south and east property lines they will have large trees. They plan to use some type of tree that grows over 5-6 feet with would grow high enough and have a large enough canopy to screen the entire length of the property essentially creating a wall. Staff will be diligent to ensure the right tree species is used.

The next item was the southeast corner of the site. Mr. Jahedi stated that he created a view of the southeast corner of the cul-de-sac looking south. The fence will be 6' high all around the south side along the property line. If it makes the neighbors happy, they can go all the way to the end. The larger trees and fence will also be used on the east side. He mentioned the swale and stated that they will eliminate it and put in an underground pipe so the trees will be able to grow.

Mr. Jahedi then discussed the second floor windows of the proposed building. They will be made of a semi-transparent material, which transmits light, but cannot be seen through. As an example, he referred to frosted glass in older bathrooms, which are a translucent material. Previously he used the word "opaque" glass in front of the neighbors and admits to his error. Opaque does not transmit light or view. Gypsum board is opaque. For the record, he wanted to correct himself by stating that the material would be translucent, but it will not be seen through. They suggest these windows so there is no way of seeing outside or inside. This is also to the benefit of the school so students won't be distracted in the library and other classrooms. This is a mutual benefit.

Mr. Jahedi then discussed more of the neighborhood concerns such as questions about sunlight and the building being so high as to create a shadow onto neighbor's yard and blocking the sun. He discussed the shadow effect in the winter months and the angle projected and noted that on the south side you will never have a shadow because the sun comes from the south.

Mr. Jahedi then discussed the roof top units and the noise radii and showed how much noise would be generated from various points to the property line.

Mr. Jahedi stated that construction will be completed in one phase. His guess is construction will be less than 18 months and not more than 24 months. He added that the Village will bug the owners when the permit is set to expire.

Jamshid Jahedi discussed parking lot lighting. He stated that there is concern about spreading the light onto adjacent property, creating a nuisance. He then showed the lighting illustration and explained that it meets Village Code.

Jamshid Jahedi addressed the parking/open space issues to the Plan Commission. He stated that he teaches courses at IIT. He mentioned that one of the lessons he teaches deals with zoning ordinance and building codes. This petition is related to the zoning and how the zoning will become a determinant factor in design. He added that zoning was created is to preserve the value of the properties in the neighborhood, but it is not a perfect design determinant. That's why they have the conditional use and variation processes. They wish to provide 99 parking spaces because they think it is crucial in order to prevent spillover onto surrounding streets.

He then discussed the KLOA traffic study. He added that they strongly believe the 19 additional parking spaces are needed for this operation and want the members of the Plan Commission to consider the matter.

Mr. Jahedi then ran through the parking slides. He discussed how the parking situation won't be much different from what they have now.

Mr. Jahedi then addressed the open space issue. He pleaded that the Plan Commission members act favorably upon the open space variation. He added that the Village requirements do not allow them to meet the open space.

Referring to the greenish blue box in the presentation, the Village did not give CPSA credit for previous pavement in the parking lot, which is according to the green building and LEED certification. He added that it helps to create a better environment and they are being punished for only 3% open space.

He concluded his talk and opened the discussion for questions.

Attorney Draus addressed other concerns brought up.

1) Building height and view of building on surrounding streets – the height of building is 30' and is the normal height of a house. CPSA flew balloons on Saturday and Sunday at the southeast corner to a height of 30' high to get a visual of the height.

2) Other activities at the CPSA building – this is a school building and not a church or mosque, which applies to both buildings. There are normal school hours, but students and teachers stay later. It's a religious based school so there are prayers as part of the Muslim religion in which they pray five times a day based on the position of the sun. They conduct prayers at the school, which are not open to public, however, some parents do come in evening. He's been there at night when there are 10-12 people in the classrooms. There are extra curricular activities such as fundraisers and athletic activities.

3) Open space – it is their desire that the Plan Commission consider the original plan for 46.85% open space. At the last meeting they approved 50 percent open space, which is a difference of 3.15%. The difference is CPSA would get 99 parking spaces versus 80 parking spaces. Those extra spaces will be needed for extra curricular activities. They believe it is more advantageous to have them on site. Their desire is to get the plan approved with the building height and open space variations.

To speak in favor of the petition:

Fazal Ahmed, 200 W. 17<sup>th</sup> Street, Lombard, stated he is a child psychiatrist who moved from Des Plaines so his children could attend CPSA. He has since established his practice in Lombard. His son graduated from CPSA. Their current school is a 1930's building. The learning environment has to be nice so the people can grow and nurture.

Rashid Zaffer, 1719 Porter Court, Lombard, moved from Indiana. His taxes here in Illinois are ten times more so from a business perspective it was not a good decision, but when he sees his kids in this school, it was a good decision. The students are second to none. There should be no reservation to favor this decision to allow children the proper environment needed for the citizens of tomorrow.

Mohammad Azharuddin, 1069 Westmore-Meyers, Lombard, moved from Texas to Lombard because of the school. He mentioned that he doesn't enjoy the smell of skunk or the winters, but he stays because of school. He has two kids that go there. The school is popular so please help it to expand.

Shoeb Jethro Kahn, 414 Harding, Lombard, stated that everyone needs to loosen up and talk to their neighbors. This school has been their for 18 years and graduated over 800 students. He mentioned that the university graduation rate is 100 percent. He had two houses in Oak Brook, but he sold them and moved to Lombard for the school. He has 4 children. He thinks CPSA is a great school. He asked everyone to think outside of the box. They are only doing an addition to accommodate a few more kids. If you take the school out, 300 families would move out. They have highly educated people who live here and improve the quality of life and neighborhood. The school has a zero crime, drug, and alcohol record. He felt that it was important that the neighbors and the school work together and get to know each other. He exemplified how the school offered a free medical clinic and only two neighbors showed up. They want to open their doors. They should be proud of this school for what it is doing to the community and nation. He asked for the Commissioners' support.

M. Javed Ansari, 114 Oakton Drive, Lombard, moved here from Massachusetts for the school. He is currently a faculty member at Northwestern University and the sole reason he moved to Lombard was for the school. They waited for two years because there was a waiting list. You've heard how good school is and the reputation of school. At the last public hearing there was a unanimous decision to expand the daycare facility for dogs which is a good thing to take care of animals. At the same time, we should be equally or more generous and welcome people that are trying to be good citizens. He hopes the Commissioners arrive at a favorable decision.

Mohammed Koithawala, 213 W. Harding, Lombard, lives two blocks from the school. All the neighbors have been good to him. He has no complaints. He moved to Lombard not only for the school but also for the Village. At 7:57 a.m. the students arrive and by 8 a.m. most of the traffic will be gone so it won't clash with the other schools. In the afternoon CPSA will close earlier than those schools.

Abdul Majeed, 509 W. Wilson, Lombard, stated that Naperville was named the best city in entire country to raise a family. Ironically he lived there, but moved here because of the school so his children can come to the school and grow. CPSA had two neighborhood meetings before the petition was even filed and afterward they had two more meetings. They are asking for a simple variation for 35 feet instead of 30 feet. He used St. Johns and Sacred Heart as examples and stated that both are private schools and St. Johns has high towers beyond 35'. He stated without the 19 additional parking spaces on the premises will result in 19 cars that will have to park on the street. The neighbors won't want the cars parked in front of their houses. He asked the height variation, which is one percent of the entire building be approved. They have got on the south side of property 4,000 square feet, which does not belong to anyone, but does contribute to the open space in the area. It is a no man's land. CPSA is ready to withdraw its claim to the neighbors so that the 4,000 square feet could be considered as part of the petition.

Sayed Zaffer, 119 Colleen Drive, Lombard, moved to Lombard 2001. His business practice is located in Elmhurst Memorial and he is a member of the Chamber of Commerce. He has three children that attend CPSA. He believes the zoning can be discussed, but at end of day, it's the conscience of all those benefitting from the school and it's the right thing to do.

Dr. M.T. Alhivazec, 5382 Galloway Drive, Hoffman Estates, is from the west coast. He stated that the school is known throughout the country and some people overseas. This school has put the Village of Lombard on the map.

M. Mukarram Sheikh, 1328 S. Rebecca, Lombard, moved to Lombard from Memphis, TN. He is a physician and is for the school. He came for the school and fell in love with the Village. He has invested in the community and brought financial investments and talent here. He added that people affiliated with CPSA are acquiring new houses in Lombard and they have contributed to this community in different aspects. As the school building has been there since 1930, it is not like CPSA is trying to sneak in a building. They are just asking for help to upgrade the building to a level encompassing modern education. He mentioned how he covers trauma at Loyola and how he sees the results of street crime on a daily basis. We are being trusted in the emergency room to treat you and your families and now we are asking you to help us. He understands the neighbor's concerns and those issues have been addressed. They feel it's their right and their civil right but maybe it's just a personal thing that they do not want to help us build.

Speaking against the petition were:

Dan Smothers, 560 Green Valley, Lombard, stated that this is not a referendum on CPSA, the school is already there. Local residents do not want the expansion of the school as it will change the face of the neighborhood permanently.

Bill Raysby, 580 S. Edson, Lombard, stated that he has four kids that attended the Green Valley School. Referring to page seven of the staff memo regarding phasing, it mentions two items that he had an objection to - the cost to upgrade Green Valley to keep it as a public school and the asbestos abatement. He has never seen or heard that the Village has issued a permit to remove asbestos tile. He is not aware of anything they plan to do with the windows, air conditioners, or asbestos. Right now with the existing building he said that they may or may not upgrade it. It's been an eyesore for some time. They should take care of what they have right now. He said that there is the possibility of tearing the existing building down after the new building goes up, but what about asbestos abatement. He's not sure if they are aware of it. He would like to see that taken care of before the petition is granted.

Ed Pszanka, 615 S. Edson, Lombard, stated his property joins the school's property. He has never heard of any incidents. He questioned the expansion and believed it will not stop there. Intelligence is the power to reason. Green Valley School was obsolete and they are still using it. Why waste that money there. He stated that the Commissioners are not doing their job. He asked what each of the Commissioners think about the school. He stated that education is the most important thing. He suggested that they take the school and put it on North Avenue and then you can build another College of DuPage or Harper.

Fran Pszanka, 615 S. Edson, Lombard, stated she had issues going back to when the property Joe Schmidt owned, was up for sale. The contractor was going to take the school down and build a few nice houses there, which would bring in tax money for the Village. That project was turned down due to the zoning code. Now we are asking for the Zoning Ordinance to be changed for

the school, which doesn't seem right. There are flooding issues in the yards and the retention pond may overflow, which she has seen happen in other places. Is there a guarantee that a child might not fall into it or attract mosquitoes. For the people that have lived here for all these years and all the taxes we have paid for the school, a park should be considered.

Joe Glazier Jr., 304 W. Harding, Lombard, thanked the Plan Commission for reviewing this matter, thanked the staff and CPSA for the opportunity sit down and address their concerns. A number of ideas have come out of this meeting. I feel the school should be commended for their success, but should not negatively impact the neighbors. He wanted clarification on staggered hours of drop off and pick up, the length of school year, how the school will increase the property value, religious based school with prayers and times and dates of prayers. Please take these into consideration and ask yourself, would you want a 61,000 square foot building in your backyard.

Holly Brazleton, 141 W. Park, Lombard, stated that her biggest concern was the nature and care of the present building. Will the new building be cared for when the old building is not cared for. When activities are occurring at the school, paper plates and other junk can be found on the property to the west of the school. She added that the parking seems to be solved.

Carl Schwab, 614 S. Elizabeth, Lombard, stated that his house backs up directly to school. CPSA paints a nice picture of being wonderful to the community. If you lived in his backyard you would think different. He stated that there are car alarms that go off at 2 a.m. The snow removal comes at 4 a.m. during the winter. His children are not able to walk up and down the street due to the four schools in the area and adding 600 cars so every school being dropped off will be by vehicles at drop off and pick up. The Village of Lombard cannot put a police officer by Madison, now they want to add another 600 cars. How asked how the school benefits Lombard. Construction will go on for more than two years. When he moved to their house in 2001, CPSA refused to mow their lawn and their crews were there at 6 a.m. They are trying to appease their neighbors by dropping off Christmas gifts at Christmas time. He questioned the traffic study. Referring to the traffic study he added that on January 7 and 8 there is no school. A traffic study in May or June would be more accurate. The reality is this will cause more noise, pollution and traffic in Lombard.

Ken Doles, 623 S. Elizabeth, Lombard, has been a resident of Lombard for 39 years. Many of issues have been raised in past and were adequately addressed by the engineer. This is more than a bricks or mortar issue. We are talking about significant skin in this game, more specifically the property investments in the Green Valley area. CPSA's website shows that the school has outstanding credentials and a very successful operation, but it is not meant for that location. Its own success will become its worst enemy. The 785 student cap and open space issues have to be addressed. Progress is necessary, but cannot be made on the backs of the people who have established the neighborhood. He mentioned the Driscoll School. What are the next steps because if they are as successful as they claim, then what about growth, value and quality of life. These are considerations that go beyond zoning, right location, right time and long term consequences.



Jerry Debokitsky, 598 S Elizabeth, Lombard, stated that he lives across the street from the school. He moved to the neighborhood in 1992 and observed the school for a long time. If they are remodeling, expanding upon that small property is a waste. He also moved from somewhere, but for some reason for those beautiful properties, spaces, peace of life, slow traffic and now we are doing more of what we don't like. He wishes success for them, but not on that property.

Candice Rizzo, 308 W. Harding, Lombard, lives directly behind the school. She had three concerns that need to be clarified:

- 1) The "no mans land" – CPSSA mentioned they don't want to take it, but they will if they have to. Has that been addressed, is that an issue right now.
- 2) Parking – 99 spaces will help overflow. As it is now, the students and staff cannot park on streets, the same goes for the residents if they parked on the streets. Not even Lombard residents can park on the streets.
- 3) Building size – it will impact the residents all the way around. We know the school has been there and there was no infringement. The air conditioning unit will be close to their backyard and she hopes it will be as quiet as they saw. She is concerned.

Ed Pszanka asked when the Plan Commissioners will tell their point of view. Chairperson Ryan said they will voice their concerns at the appropriate time similar to the last meeting.

Ken Doles had a question for the architect/engineer. He asked if the utility lines will have the proper clearance from the proposed landscaping.

John Harley, 585 S. Elizabeth, Lombard, asked if there will be security cameras like their school in Villa Park. He personally doesn't like them and feels that is an intrusion into his freedom

Attorney Drais made the following comments in regard to the neighbors concerns:

- 1) He stated that it is nice to speculate on the Driscoll building or North Avenue, but they own this property and they have a right to build on it. It's also their backyard. The plan in front of us today is for this property.
- 2) CPSSA is not affiliated with the school in Villa Park, nor are there are plans for security cameras at CPSSA.
- 3) Drop off/pick up times – will be specifically staggered to avoid the times of Madison School. They will not be set in the plan itself because they need flexibility to determine year to year. Their intention is to alleviate traffic on Madison and to account for their hours and Madison School hours.
- 4) Length of school year – 168 days long from August or September and ending in June, similar to other schools.
- 5) Property values – interesting argument, it's all relative and very arguable.
- 6) Present building – there is a fundraising plan to build this building, which is a modern building. Fundraising will continue to increase the value of the present building including new windows air conditioning and the like.

7) 600 cars – the total increase of students would be 380 over what they have now. It may never happen. They will be capped at 785. There are 400 students now, many of which are in a carpool. There were usually 4-5 students to a car or van that are dropped off and picked up together.

8) The “no mans land” – the 3,400 square foot strip of land between the CPSA property and the neighbors. If you surveyed the two properties, no one party owns that property. We don't know why that is and dates way back. Mr. Sayeed stated that he would like the Plan Commission to take into account the land when considering the open space requirement. CPSA is not making a claim on that land, they will release that claim to the neighbors behind there is they could figure it out.

9) Only two roof top units on top. The rest of HVAC system is based on different systems, which doesn't require a rooftop unit. He then explained the issue in further detail. The decibels are to the best of his knowledge and he stands behind it. He has enough qualification and has a PhD in engineering.

10) The development of the property as single family residences. Jamshid Jahedi explained that the situation would be different if the property was developed with a certain amount of houses. What would happen if the same amount of houses along the east line of his property building were built closer to your property and being at higher elevation because it is not a flat roof. The pitched roof would be higher and the volume of the houses would be much larger and taller than what the CPSA has here farther away from the property line.

11) Green space – was not your property to start with and was granted to the previous owner.  
12) Utility lines - They have not designed the detailed engineering plans yet, but they are committed to good screening with a set number of trees to create privacy. Preserving the utility lines is also crucial.

Attorney Drais stated that he is disappointed by some of the comments from the neighbors tonight. He moved to Lombard because of diversity in this town. He always found people to be friendly and down to earth. He added that CPSA held two neighborhood meetings, a Plan Commission hearing and additional talks with neighbors. They remained civil up to tonight and he is saddened by some of their comments.

Chairperson Ryan asked for a response to the tearing down of the existing building. Andy Drais replied that there are no plans to tear down existing building. Mr. Drais added that this is their plan for expansion. If there were additional plans for expansion, it would have to come back before the Plan Commission. Referring to the flooding concern, Jamshid Jahedi stated that under the new plan they guarantee that the existing problem will go away and they will handle the run off better than what it is now.

Chairperson Ryan asked about the care of old building, cleaning up after events as being a good neighbors is an important thing. He also asked about the grass cutting. Andy Drais stated that it goes back to 2001. CPSA cuts the grass and maintained the trees and cleans up after themselves. I'm sure there's no garbage out there now.

Chairperson Ryan asked the petitioner to address the issue of activities occurring at 2-3 a.m. Andy Drais stated that he is not familiar with it. Chairperson Ryan asked if late activities are common. Mohammed Syeed, 1154 Brighton Place, Glen Ellyn, has been involved with the CP&A Board since day one and is responsible to take care of problems. There are no activities at 2 a.m. or 3 a.m. Once in a while if the Village calls us for the alarm, they will go to fix the problem. There is no activity and no contractor comes before school starts before 7 a.m. The garbage comes on Thursday morning around 6:30 once a week, which is a standard time. Referring to lawn mowing, they have a contractor that comes and mows the lawn. They have gone 8-9 years with no problem because since 2001 they have a contractor for snow and grass.

Commissioner Sweetser mentioned some of the other conditions proposed for this petition, which includes trash collection prior to 8 a.m. and other noise-making operations. She asked the petitioner if they were aware that this condition was added. Mohammed Syeed stated that he was not aware, but the snow cleaning and other such activities begin before school starts, which is 7:30. Attorney Drais stated that trash removal is through the Village and doesn't believe they start before 8 a.m.

Chairperson Ryan stated that they can restrict the time of trash removal similar to St. John's Commissioner Sweetser asked if lawn mowing and snow removal should be also conditioned.

Chairperson Ryan mentioned the asbestos issue brought up. Mohammed Syeed stated that because the building built in 1930, the situation was common back then. When they purchased the school, they had an inspector inspect it and so far the state has never told us any complaint.

Village Attorney George Wagner stated that with asbestos, if it's not touched, it doesn't need to be removed. If there is remodeling occurring then it needs to be abated. As long as it's not touched then it's not an issue.

Chairperson Ryan deferred the flooding issue to staff. Chris Stilling asked the petitioner to address the design of the pond. Mr. Jahedi stated that the system for stormwater management includes a detention pond. It appears on the plans to be a wet area, but the slope of the sides is very gentle so children can play in it without danger. When there is a storm event greater than a 100-year event, we still have a safety feature that controls water toward the Village stormwater system. It is a dry detention pond that will have short grass in the bottom of it, which makes it a pleasant view. There is no accumulation of standing water on the bottom so mosquitoes being able to breed in the water is not possible.

Chairperson Ryan mentioned construction time. He added that the petitioner mentioned 18-24 months. Mr. Stilling stated that the Zoning Ordinance requires that a conditional use be substantially completed within 18 months of approval.

Chairperson Ryan mentioned the traffic study. Mr. Stilling stated that the Village hired a third party consultant, KLOA, to prepare and present a traffic study. Those findings and the study are included in the staff report and one of the suggestions was staggering hours of operation. One of

the findings of the report indicate that if they address the staggering issue, there should be no impacts to the surrounding properties.

Mr. Jahedi wanted the record corrected. The one page he referred to in his presentation was just one page that had particular information he was noting. The traffic consultant's full report is 30-40 pages and is available to the public.

Commissioner Sweetser asked Attorney Drais to give the IRS tax status of the school. Attorney Drais stated that CPSA is a not for profit - it's a 501 C3 corporation.

Chairperson Ryan wanted to address the number of activities and prayer times as it relates to after hours. Mr. Jahedi stated that the Muslim religion requires everybody to pray 5 times a day. These are based on sun positions or natural appearances. Before sunrise there is a prayer, which will be done at home. The second prayer is at noon which is usually done at work or students perform at school. The third prayer is toward the evening and at night. The night prayer is performed at home, the evening prayer might occur on the school. Mohammed Syeed stated that there is no prayer that occurs around 2 a.m. or 3 a.m. Chairperson Ryan asked if the students are there at 11 p.m. Mr. Syeed stated that they may not be there for prayer, but peer tutoring can occur at that time.

Chairperson Ryan then requested the staff report.

Mike Toth, Planner I, presented the staff report. He stated that staff has prepared a list of items with responses for the Plan Commission to consider for this petition. These represent some of the various concerns raised by the surrounding residents. He stated that the information is redundant based upon the testimony already provided, but he wanted to read it into the public record.

## 1. Traffic

*A. Increased traffic, particularly at the southeast corner of the site.*

CPSA indicated that most of the drop off & pick up for the K-12 classes would occur in the middle of the site (in between the two buildings and in the new parking area north of the existing building). CPSA also stated that the preschool drop off & pick up would occur at the southeast corner of the site.

*B. Traffic backup onto Madison.*

A detailed traffic study was completed by the Village's consultant (KLOA), which highlights recommendations that are to be incorporated into CPSA's site plan. Staff gave a copy of the traffic study to some of the adjacent property owners to share with neighbors. The petitioner's current plan does incorporate most of the recommendations; however, the Village still recommends a staggered drop off & pick up schedule as a condition of approval. Per the

Village's consultant, this should eliminate any stacking onto Madison. CPSA has indicated they prefer not to publish a set class schedule at this time. CPSA has agreed to stagger start and end times from those of Madison School. The petitioner has indicated that they would like to retain the flexibility to adjust class schedules and start and end times of different ages based on need, as determined by increased enrollment and/or increased traffic issues. Staff would still recommend that as a condition of approval, the petitioner provide a detailed drop off/pick up schedule based upon the recommendations in the KLOA report and based upon the proposed traffic flow conditions along Madison Street and upon the subject property.

## **2. Screening**

*A. Not enough screening/landscaping along the eastern and southern property lines.*

CPSA has submitted a revised landscape and site plan showing a new six foot (6') solid fence along the eastern portions of the site. The fence would also be located on the along southern lot line, however it would stop at the midpoint. In addition, the revised landscape does show some additional plantings, however details of the type and size of plantings has not been provided. The petitioner has indicated that they are not sure yet if all the neighbors on the south and east want the fence and/or landscaped screening. The petitioner has indicated a willingness to work with the neighbors to provide screening that meets the desires of the neighbors on those sides. Staff recommends that as a condition of approval, all plantings along the parking lot and drive aisles that directly abuts residentially zoned properties be screened with evergreen and/or dense deciduous shrubs across the entire frontage at a planting height of a minimum of 4 feet. This is consistent with the requirements of the Zoning Ordinance. In addition, staff recommends that the type of evergreens and/or shrubs shall have the ability to grow to a minimum height of 15 feet.

*B. Landscaping shall be dense trees/shrubs that can grow higher than a fence. The proposed drainage swale along the east property line will impede the growth of any landscaping.*

The revised site plan submitted by the petitioner does show the addition of a storm sewer with several inlets along the east property line. In addition, staff recommends that the plant material shall meet the provisions outlined above. Please note that additional comments may be generated during final engineering review regarding the use of a storm sewer in lieu of only a swale. In the event the petition is approved with a condition requiring landscape screening that conflicts with the final engineering plans, the petitioner would still be required to provide the necessary screening. It would be up to the petitioner to revise their plan to meet all conditions of approvals and final engineering requirements.

## **3. Loading Dock**

*A. Residents along the southern and eastern property lines are concerned about truck traffic and the utilization of the loading dock.*

CPSA indicated that they will sparingly use the loading dock and that most of their supplies are provided in vans or small trucks only. Please note that the loading dock is a zoning requirement; however, the location of the loading dock was proposed by the petitioner.

#### **4. Garbage Dumpster**

*A. Location of the garage dumpster.*

CPSA has revised their plans to reflect a new dumpster location. The new dumpster location will be located directly off of the western drive aisle, adjacent to the detention pond. The new location is more centralized on the site, which would place it further away from the residential properties. The Zoning Ordinance requires the dumpster to be fully screened on all four (4) sides. The relocation should mitigate many of the concerns raised by residents. Also, a condition of approval for St. Johns School (PC 05-06) was that trash collection shall not occur on the school property prior to 8:00 a.m. Staff recommends that the same condition of approval required of St. John's will be added as part of this petition.

#### **5. After School Activities**

*A. CPSA has nighttime activities.*

CPSA has indicated that there will be afterschool activities that would be ancillary to the school, which includes: student projects, sports and awards ceremonies. They do indicate that since it is a religious based school, there are prayer services offered five times a day. However, those participating in prayers are generally students, teachers, administrators, and a few parents who live in the neighborhood. Staff notes that it is the petitioner's intent is to utilize the property as a parochial school as its principal use, similar to other schools in the community. However, if the petitioner were to modify their operations to provide for public assembly for worship purposes, a conditional use for a religious institution would be required. The petitioner has stated that is not the intent of the school addition.

#### **6. Building Height**

*A. Proposed building height will be higher than the surrounding residences and block sunlight.*

CPSA has provided a detailed illustration of how the building height will not cast a shadow on the surrounding properties. The illustration demonstrates that even when the sun is at its lowest point, a shadow would be cast at a maximum of fifty-two feet (52') away from the building, which would still be seventeen feet (17) from the nearest property line. It is noted that a building height variation is still needed for the building height as it relates to the access stairway.

#### **7. HVAC System**

*A. HVAC units will be loud and they will be visible to the neighbors.*

CPSA indicated that the biggest HVAC unit will be located on the ground floor at the northeast corner of the new building. They also stated that two (2) units will be located on the roof of the new building; however, they will be screened per Section 155.221 of the Zoning Ordinance.

### **8. Atrium Window**

*A. Residents along the eastern and southern property lines are concerned about the large windows overlooking their homes.*

On the newly-submitted elevation plans, CPSA is now proposing semi-transparent windows to block the views onto adjacent properties. The plans now show semi-transparent glass panels on the lower-half of the second story windows and atrium. The petitioner's architect has indicated that this semi-transparent glass will still allow for light to enter the building but will prevent the occupant of the building from looking out onto the adjacent properties.

### **9. Capped Student Population**

*A. How will the capping of students be monitored.*

As a condition of approval, staff recommends that grade school students shall be capped at 450 students and the number of high school students shall be capped at 240 students. The total student population, including the pre-school, shall not exceed 785 students. To monitor this condition, staff can obtain student population numbers through the Illinois State Board of Education and pre-school numbers through DCFS.

### **10. Parking Lot Lighting**

*A. Residents are concerned about parking lot lighting spilling over onto the adjacent properties.*

CPSA will be required to meet the full provisions of Section 155.602(A)(10)(d) of the Zoning Ordinance, which pertain to parking lot lighting standards. Section 155.602(A)(10)(d) specifically states that in no case shall parking lot lighting exceed 0.5 foot-candles at any property line which is shared by a residentially-zoned property. As such, the Ordinance does not allow for excessive light spillover onto residential properties. Furthermore, CPSA will be required to submit a photometric plan, for Village review, as part of their permit submittal.

### **11. Phasing & Construction**

*A. Residents were concerned that the project was going to be built in phases over the years.*

CPSA indicated that the entire project would be built in one (1) phase. Any improvements to the existing building (windows and air-conditioning) may come at a later date, after they are done with the project.

*B. Construction Hours.*

Village Code restricts construction activity Monday-Sunday 7 a.m. to 8 p.m.

**12. Surveyor's Gap**

A question was raised regarding the surveying gap located south of the subject property. The plans show that the proposed use will not include the gap area and the petitioner does not intend on including this area as part of their petition.

**13. Fire Access**

On all new buildings the Fire Department requires at least three sided access. In addition, the Fire Chief may require 'continuous access around a building' or four (4) sided access. Fire lanes must be a minimum of 18' wide and must be set back 15' from the structure. At times parking lots can meet these two requirements such as St. Johns School did (PC 05-06). In the case of CP&A, the area between the proposed new building and the existing building could not be utilized as fire access land since there is not enough building separation and there are overhead obstructions which would prevent fire apparatus from maneuvering aerial ladders.

Chairperson Ryan then opened the meeting for comments among the Commissioners

Commissioner Sweetser stated that before we start, it may not be clear to whoever may be listening that we take all the Commissioners take an oath and that oath prevents us from accepting outside issues of the other parties involved. Mr. Stilling stated that when a petition comes forward they have to meet certain standards and criteria, the petitioner and the Plan Commission has to find that they meet those standards.

Commissioner Sweetser mentioned several things - the height of building at 26 feet and she asked if that means that the height of the extra piece is still considered 35 feet. Mr. Toth stated that the access stairway is in excess of 30 feet. Mr. Stilling stated that the stairway has always been the same height.

Commissioner Olbrysh referred to the large trees on south and east side. He asked if the petitioner was going to bring in mature trees.

Mr. Jahedi replied that he is not the Landscape Architect, but there are certain ages of trees you can bring in. The more mature the tree the less of a survival rate it has at planting time; as such, they will bring in the species of trees considered and will not be a mature height but will grow within a few years from planting. It will take 4-5 years before we get the desired screening that the trees will provide.

Referring to the illustration, Commissioner Olbrysh implied that those size trees will not be brought in. Mr. Jahedi stated that is his is best guess.



Referring to the landscape plan, Commissioner Olbrysk asked if there is landscaping and a berm in front of the building.

Mr. Stilling replied, yes. Based upon the submitted plans a 2' berm is provided along with landscaping that meets the requirements of the Zoning Ordinance.

Mr. Jahedi stated that's exactly correct and mentioned the cross section. The same cross section shows a 2' berm and 4' of plantings, which makes 6' on the Madison side.

Commissioner Sweetser referred to the assertions in the neighborhood correspondence that they received as part of the record stating that CP&A is a "business". She noted that they are inaccurate.

Village Attorney Wagner replied that CP&A is a tax-exempt organization, which you might equate as a business function, but is a school and is tax exempt.

Commissioner Flint stated that he wasn't at the previous public hearing, but he did view the tape, read the minutes and looked over all the correspondence. He added that by coming back here there was a lot of input from the residents to the betterment of the project. One of the improvements to the plan is the moving of the dumpster from the back to the west.

Commissioner Burke asked if we are going to move forward with condition #9.

Commissioner Sweetser asked if the Commissioners should indicate hours of operation. She added that she didn't think it was necessary but would like to speak to one of the concerns raised by the residents. She wanted to make sure the Commissioners were not perceived as not addressing their concerns. Chairperson Ryan stated that the late night issue has been clarified.

Commissioner Olbrysk mentioned the open space issue. He asked if St. Johns was approved for an open space variation. Mr. Stilling stated that it was short on open space. He added that he can't say for certain what that was but mentioned that there were more recent projects that met the open space requirement. In regard to open space deviation, these requests also included parking deviations, but this is a different situation and a balance needs to be maintained. It is staff's goal to achieve conformance in meeting code. The Zoning Ordinance doesn't restrict parking maximums only a minimum. We want compliance with open space.

Referring to the open space, Commissioner Sweetser asked about the 3,400 square feet of "no man's land". Since it doesn't belong to anyone and the petitioner wouldn't seek any claim to it, it is there. She asked staff if they saw this area as a way to provide them with any sort of resolution. Mr. Stilling replied that we don't have to address that area and are confined to the property's boundaries.

Commissioner Sweetser stated that the subject property is in a residential zoned area which is one of the reasons why staff wanted to limit parking in front and increase open space. Mr.

Stilling stated that staff has no preference to where they should remove the parking. He added that the neighbors had concerns about parking in front of the existing building and the appearance it would give so if they removed the parking, it would be good to do it there. Commissioner Sweetser stated that it seems the neighbors would prefer to have the extra parking. Chairperson Ryan stated that they should uphold the open space. From his point of view, he would like it kept at 50 percent.

Chairperson Ryan asked who maintains the "no man's land". Mr. Jahedi stated that the land has maintained by the neighbors. He added that they are grateful to them as it is part of their yard as well.

Commissioner Sweetser stated that last time there were two motions.

Village Attorney Wagner clarified that the recommendation is to provide the variation for the height and then to approve the variation for the open space and deny as to the 25 percent.

Chris Stilling explained how they arrived at 62.5 percent open space. He added that condition #1 should reflect the date of the latest plans.

Commissioner Burke moved to amend the recommendation to adopt Village Attorney Wagner's conditions.

On a motion made by Commissioner Burke and seconded by Commissioner Sweetser, the Plan Commission by a vote of 4-0 made the recommendation approval of PC 09-08, subject to the amended conditions.

Commissioner Sweetser commented after motion that the slide presentation should have the date 2009 than 2001. Chris Stilling stated they will ask to keep the CD to enter it into the record.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal **complies** with the Standards for Variations as set forth in the Zoning Ordinance and, therefore, moved that the Plan Commission does not accept the findings of the Inter-department Review Report as the findings of the Plan Commission and that establishing conditional use for a planned development, vote of 4 to 0, recommends to the Corporate Authorities **approval** of the building height and open space variation, provided that a minimum of fifty percent (50%) open space be provided, associated with PC 09-08.

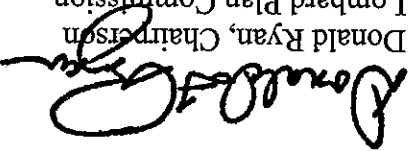
After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal complies with the Standards for Planned Developments, Conditional Uses and Map Amendments required by the Lombard Zoning Ordinance and, therefore, moved that the Plan Commission accept the findings of the Inter-department Review Report as the findings of the Plan Commission and that establishing conditional use for a planned development, conditional use for a School, Private, Full-time: Elementary, Middle and High and map amendment is in the public interest and therefore, by a roll call vote of 4-0 recommends to the

Corporate Authorities approval of the requests associated with PC 09-08 subject to the following amended conditions:

- 1) The site shall be developed substantially in accordance with the CP&SA elevation, site, landscaping and floor plans packages, prepared by Dome Structural Engineers, dated June 2, 2009, except as they shall be changed to meet Village Codes and provide 50% open space and shall be subject to the review and approval of the Director of Community Development.
- 2) All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.
- 3) The petitioner shall address all recommendations in the KLOA report, which includes a detailed drop off/pick up schedule in a manner acceptable to the Director of Community Development, based upon the proposed traffic flow conditions along Madison Street and upon the subject property.
- 4) The number of grade school students shall be capped at 450 students and the number of high school students shall be capped at 240 students. The total student population, including the pre-school, shall not exceed 785 students.
- 5) A final plat of consolidation shall be submitted to the Village for approval, making the site a lot of record.
- 6) The designated fire lane adjacent to the western and southern portion of the proposed building shall be blocked off at all times and accessed only by the Village of Lombard Fire Department and the refuse company for trash pickup.
- 7) The petitioner shall submit a photometric plan as part of building permit submittal showing compliance with Village Code.
- 8) The Plan Commission shall be granted site plan approval authority for the subject property.
- 9) Trash collection and deliveries shall not occur on the school property prior to 8:00 a.m.
- 10) A revised landscape plan shall be submitted in a manner acceptable to the Director of Community Development. All plantings along the parking lot and drive aisles that directly abuts residentially zoned properties shall be screened with evergreen and/or dense deciduous shrubs across the property line at a planting height of a minimum of 4 feet and consistent with Section 155.706 (C) (2) (a) (1) of the Zoning Ordinance. Evergreens and/or the dense deciduous shrubs shall be of a species that can grow to a minimum height of 15 feet.

Respectfully,

**VILLAGE OF LOMBARD**



Donald Ryan, Chairperson  
Lombard Plan Commission

c. Petitioner  
Lombard Plan Commission

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-Andy Draus  
Attorney for College Preparatory School of America (CPSA)

Thank you for your consideration.

This request is based on the facts that 1) this matter has now been through two public hearings (May 4 and June 8) in front of the Plan Commission; 2) the plan was unanimously approved by the Plan Commission both times; and 3) the Village Board will be on summer hiatus until August.

On behalf of my client, CPSA, I am requesting a waiver of the first reading of the ordinance at the June 18, 2009, Village Board meeting.

**From:** Lawdraus@aol.com [mailto:Lawdraus@aol.com]  
**Sent:** Wednesday, June 10, 2009 10:30 AM  
**To:** Stilling, Christopher  
**Subject:** PC 09-08; 331 W. Madison Street (CPSA)

Christopher Stilling  
Assistant Director of Community Development  
Village of Lombard  
255 E Wilson Avenue  
Lombard, IL 60148  
Tel: (630) 620-5717  
Fax: (630) 629-2374  
stillingc@villageoflombard.org

FYI

**From:** Stilling, Christopher  
**Sent:** Wednesday, June 10, 2009 10:43 AM  
**To:** Downer, Janet  
**Cc:** Heniff, William; Toth, Michael  
**Subject:** FW: PC 09-08; 331 W. Madison Street (CPSA)

**Downer, Janet**



**COPY**

**VILLAGE OF LOMBARD  
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

**TO:** Lombard Plan Commission  
**FROM:** Department of Community Development  
**PREPARED BY:** Michael S. Toth  
Planner I

**HEARING DATE:** May 4, 2009

**TITLE**

**PC 09-08; 331 W. Madison Street (CPSA):** The College Preparatory School of America (CPSA) requests the Village take the following actions on the subject property:

1. Approval of a map amendment to rezone the subject property from CR Conservation Recreation District to R2 Single-Family Residence District.
2. Approval of a conditional use to allow for a School, Private, Full-time: Elementary, Middle and High in the R2 Single-Family Residence District, and;
3. Approval of a conditional use for a planned development with the following deviations:

- a) To allow a variation from Section 155.407 (H) and Section 155.508 (C) (7), reducing the minimum required open space to 46.85% where a minimum of 62.5% is required; and
- b) To allow a variation from Section 155.407 (G) to allow for a building height of up to thirty-five feet (35') from grade, where thirty feet (30') maximum height is allowed by right.

**GENERAL INFORMATION**

**Petitioner/Owner:** College Preparatory School of America (CPSA)  
Attn: Mohammed Majeed & Attorney Andrew Drais  
331 West Madison Street  
Lombard, IL 60148

**PROPERTY INFORMATION**

**Existing Zoning:** CR Conservation Recreation District  
**Existing Land Use:** Educational Institution

Size of Property: Approximately 4.22 acres

Comprehensive Plan: Public and Institutional

Surrounding Zoning and Land Use:

North:	R2 Single-Family Residence District; developed as Single Family Residence
South:	R2 Single Family Residence District; developed as Single Family Residence
East:	R2 Single Family Residence District; developed as Single Family Residence
West:	R2 Single Family Residence District; developed as Single Family Residence

### ANALYSIS

### SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development on March 17, 2009:

1. Petition for Public Hearing.
2. Response to all applicable Standards.
3. CPSA elevation, site, landscaping and floor plans package, prepared by Dome Structural Engineers, dated December 1, 2008.
4. Use Narrative, prepared by the petitioner, submitted March 27, 2009.

### DESCRIPTION

The College Preparatory School of America (CPSA) has been experiencing an increased demand for classroom space. As such, the school is proposing to construct a second building on the subject property. As proposed, the new building would be approximately 61,000 square feet and located south of the existing building, which would remain. The new building would include a cafeteria, gymnasium, a multi-purpose hall as well as classroom and general office area. To accommodate the increased student population, additional parking would be provided. As a result, the required amount of open space is not being provided. Therefore, the petitioner is seeking a variation to reduce the required amount of open space. In addition, the proposed second building would exceed the maximum allowed building height of thirty (30) feet to thirty-five (35) feet to accommodate a projecting stairway.



As part of their request and at the suggestion of Village staff, CPSA is requesting a map amendment to rezone the subject property from CR - Conservation Recreation District to the R2 - Single-Family Residence District. In addition, the petitioner is seeking a conditional use to establish the property as a planned development.

CPSA obtained a Certificate of Occupancy on February 10, 1993 as an Educational Facility; however, they never obtained conditional use approval to lawfully establish the full-time private school. Therefore, CPSA has been operating under legal non-conforming status since their inception. As part of this petition, CPSA is requesting conditional use approval to legally establish the existing full-time, private school.

## INTER-DEPARTMENTAL REVIEW COMMENTS

### ENGINEERING

The PES Division of Community Development has the following comments on the above petition:

- 1) Per previous comments all watermain shall be centered in a 30' wide watermain easement. The easement needs to be clear of obstructions including buildings, light pole bases, retaining walls, tree standing signs, etc., and shall be open (at grade) and accessible. The southwestern portion of the watermain (near the south west corner of the existing building) is in direct conflict with the proposed retaining wall. The watermain through this area shall be redesigned to accommodate this issue.
- 2) A fire hydrant is required in the parkway, near the northwest corner of the existing building.
- 3) As the site is over one acre, the stormwater system design is required to provide Best Management Practices per the DuPage County Stormwater Ordinance for Best Management Practices (BMPs), which will require additional stormwater quality measures and could involve redesigning of the proposed detention system.
- 4) The plans continue to show shrubs and bushes planted along the side and rear swales of the property. These materials cannot be placed in the swale as they will impede the flow path over time.
- 5) Cross sections shall be provided on the final engineering plans.
- 6) Further comments will be provided once engineering plans are submitted.

### PUBLIC WORKS

The Public Utilities Division of Public Works has the following comments:

- 1) As the watermain loop is not maintainable along the southwest corner of the existing building, the watermain could be split so that there is one portion that comes along the west side of the existing building and feeds the hydrant at the southwest corner of the

- building. Then a watermain would need to be constructed along the east property line, east of the existing building that would loop back on itself. This main would provide the services for the hydrants to the south, and the domestic and fire services to the new building. A minimum of three additional valves are required with this main, one on each side of the services and in-between the two pressure connections off of the main in Madison.
- 2) The main along the western face of the existing building shall be situated so as to maximize the amount of hard surface to allow for maintenance vehicles, maintain a minimum spacing of 15' from the building and 15' from the pond.
  - 3) A fire hydrant shall be set in the parkway, off of the proposed western watermain.

## **BUILDING AND FIRE**

BIS and Fire Prevention have the following comment(s) regarding this submittal.

- 1) The fire access lane by Village of Lombard ordinance must be 18' wide and 15' feet off the building. This site plan shows the access lane on the west side of the building at less than 18'.
- 2) Additional comments will be supplied upon submittal of a building permit application.

## **PLANNING**

### Background

As previously mentioned, CPSSA has since been operating as an educational facility since obtaining their Certificate of Occupancy in 1993. The school presently has a student body population of 450 students ranging from kindergarten through Grade 12 with a total of 31 teachers and staff. In 2001, CPSSA petitioned for a public hearing (PC 01-16) to establish framework for a future expansion plan, receive conditional use approval for the existing school, a conditional use to designate the property as a planned development, a map amendment to rezone the property and certain variations to bring the property into compliance with the Zoning Ordinance. PC 01-16 was later withdrawn; as such, the school currently operates with a legal non-conforming status in the CR District.

Although PC 01-16 was ultimately withdrawn, members of CPSSA continued to meet with Village staff to discuss the proposed campus master plan. As the proposed plans became closer to fruition, staff advised CPSSA to hold neighborhood meetings where adjacent property owners would have the opportunity to comment on the proposed plans. Staff also introduced the proposed plans to the Plan Commission during a workshop session at the December 15, 2008 Plan Commission meeting. Between the meetings with staff, the neighborhood meeting and Plan Commission workshop, CPSSA has had the opportunity to receive valuable feedback regarding their proposed plans.

**Building Operations and Impact**

CPSA is located in an established residential neighborhood and is located in close proximity to Madison Elementary School. The hours of operation are similar to the public school hours of 8:00 a.m. to 3:30 p.m. The school year starts in August and ends in June. The addition of the new building will allow 335 more students to attend the school, which would bring the total student population to 785. With the addition of 335 students on the subject property, the daily operations of the school will need to adapt to the increased capacity. As the property is currently configured, the main parking lot is in the rear of the existing building and there is additional parking on the eastern portion of the subject property (adjacent to the school). The petitioner is proposing plans to change the layout of the subject property to accommodate the increased student population. The proposed building would be constructed in the area of where the main parking lot, play area and ball field currently exist. The proposed parking lots would be located in front of the building (along Madison) and along the eastern portion of the subject property (adjacent to the new and existing buildings). The drop off/pick up functions would occur in an area between both buildings (central to the subject property) through the use of a twenty-two (22) foot drive aisle. The Fire Department requires that all new buildings provide access to three sides of the new structure(s). As such, CPFA would be required to install a drive aisle around the perimeter of the proposed structure. This fire lane will be blocked off at all times, only to be used by the Fire Department.

As proposed, the existing building would not require ADA or Life Safety Code improvements to its interior as part of this petition. The petitioner's have indicated that the existing building would remain "as is".

Compliance with the Zoning Ordinance

*Deviation for Building Height*

The proposed building would have a peak roof height of 35 feet above grade. The R2 – Single Family Residential District permits structures up to 30 feet. The proposed deviation is requested to accommodate an access stairway. The petitioner has stated that the proposed building can be designed without the projecting stairway and still properly function. As such, staff finds that the roof height deviation is a result of an unnecessary desire and therefore, staff does not support the proposed roof height deviation.

*Deviation in Open Space*

The underlying R2 – Single Family Residence District regulations require a minimum of 50% open space for each property. Section 155.508(C)(7) requires that open space in a planned development must be at least 25% more than is required in the underlying district if a deviation is associated with the petition. As such, the additional 25% of open space would not be required if the proposed building were to meet the maximum height requirement of thirty (30) feet; however, the 50% minimum open space requirement would still need to be addressed. When combined with the coverage of the existing property improvements, the proposed property improvements would bring the total amount of open space on the subject property to 46.85%.

This equates to roughly 5,793 square feet in open space deficiency based on the 50% requirement and 28,768 square feet on the 62.5% requirement.

As previously noted, 99 parking spaces would be provided. Pursuant to the Zoning Ordinance, 80 spaces are required. The additional 19 spaces can be considered to be a preferential request made by the petitioner, which represents roughly 3,078 square feet of impervious surface that could be dedicated as open space. Also, during the neighborhood meeting conducted by the petitioner, more of the issues brought up by neighbors was the aesthetic view of the front of the property, more specifically the addition of parking spaces in front of the building. As the northernmost row of parking consists of 24 parking spaces, eliminating some of those parking spaces could allow for additional open space and provide additional landscape buffering. Staff will only support a minimum of 50% open space, which meets the underlying R2 zoning district requirement.

#### *Map Amendment*

The property is currently zoned CR Conservation Recreation District. The CR District, by definition, is intended to provide for the location of public parks, forest preserves, wildlife reservations and ecological sanctuaries and other open-space uses or resources to serve the needs of the citizens of the Village of Lombard.

Staff believes that the CP5A property is more consistent with the R2 Single-Family Residence District requirements. The R2 District is intended to accommodate existing single-family neighborhoods in the core of the Village. This zoning designation is consistent with the surrounding neighborhoods. In addition, similar requests have been granted to other private educational institutions located in the Village such as St. Pius X, St. John's, and Sacred Heart. Staff finds that the CP5A property meets the standards for rezoning.

#### *Conditional Use for School, Private, Full-time: Elementary, Middle and High*

An educational institution is listed as a conditional use in the R2 Single-Family Residence District. This request is to provide conforming use status for the school, as it pertains to the Lombard Zoning Ordinance. The operations of the school are typical of most educational institutions. Staff finds that CP5A meets the standards for a conditional use to allow for an educational institution in the R2 District.

#### *Conditional Use for a Planned Development*

Establishing a planned development for the CP5A campus is consistent with other private school uses in the Village. The Village previously established planned developments for Christ the King in 2004, St. John's in 2005 and St. Pius X in 2007. As a Planned Development, the site can be brought into closer compliance with current Zoning Ordinance by allowing greater flexibility in site development. It is noted, however, that the planned development is specifically required in this case as the petitioner wishes to keep both principal structures on the property physically separate of one another. Per Section 155.208(B) of the Zoning Ordinance, more than one (1) principal structure on one (1) lot-of-record is not permitted in the R2 – Single Family Residential

District, except as part of a planned development. As the subject property is to be used as a master planned campus for a use other than single-family residential, the establishment of a planned development is deemed appropriate to allow the Plan Commission to have the opportunity to approve any future modifications and/or additions to the subject property.

#### Traffic/Parking Analysis

##### *Parking*

Pursuant to the Zoning Ordinance a total of 80 parking spaces are required. The proposed plans indicate a total of 99 parking spaces, which exceeds the amount of parking required by Code by 19 parking spaces. The petitioner has indicated that the additional parking spaces are needed to accommodate any overflow parking situations and prevent spillover parking onto the adjacent neighborhood streets. The petitioner has indicated that high school students do not drive to school. Staff believes that the minimum amount of parking spaces required by the Zoning Ordinance is sufficient. In order to ensure that the amount of parking is sufficient in the future, the number of high school students allowed to attend the CPSA will be capped at 240 students.

Staff has relayed their concern to the petitioner that the increased number of parking spaces is considered to be one of the factors leading to the deficiency in open space. As such, staff presented a parking versus open space scenario to the Plan Commissioners through a Plan Commission workshop on December 15, 2008. During the workshop, a number of the Plan Commission members had indicated that they favored the extra parking spaces in order to prevent the spillover parking onto adjacent residential properties. However, other members stated that they favored the idea of reducing the amount of proposed parking to meet the open space requirement for the underlying zoning district.

##### *Traffic*

The Village's traffic consultant KLOA reviewed the proposed development and conducted traffic counts on the adjacent neighborhood intersections to determine the impacts of the proposed development. They have completed a report which is also transmitted with the staff report (Exhibit A).

##### *Existing Drop Off/Pick Up Conditions*

Based on KLOA's observations, the peak time period for drop-off was between 8:00 and 8:30 A.M. During this half hour, KLOA observed a few back-ups extending onto Madison Street with approximately five to six vehicles temporarily waiting to turn left and access the school driveway thus blocking westbound through traffic on Madison Street. This only occurred three times during the 8:00 to 8:30 A.M. peak time. The traffic flow on the school outbound access drive was operating efficiently with a maximum of six vehicles queuing internally for a short period of time. It should be noted that some parents bypassed the drop-off lanes, parked their vehicle in the parking lot, walked in with their children or just parked in the parking lot to let their children out of their vehicle. There were various instances in which internal congestion was created as

vehicles exiting from the two-drop-off lanes had to merge into a single lane at the stop sign before turning left and proceeding north on the outbound access drive. This situation was compounded when parents that dropped their children off at the parking lot were also trying to merge in to the single file exit lane. It is important to note that this situation might have been more intense the days KLOA conducted their observations due to the heavy snowfall from previous days reducing the number of outbound lanes from two to one.

The peak time period for pickups occurred between 3:15 and 3:45 P.M. The queues at times extended all the way back around the west end of the building. It should be noted that for a few minutes, the backup spilled onto Madison Street and three to four vehicles were temporarily waiting to get in thus blocking Madison Street. The school contracts a Lombard Police Officer to assist in traffic control. The police officer arrived just before 3:15 P.M. to direct approaching vehicle pickups at the back doorway entrance and to safely allow children and adults to use the walkway. Between 3:30 and 4:00 P.M. as many as five vehicles were queuing outside onto Madison Street. It should be noted that pickups were also occurring along the access drives on the west and east side of the building.

#### *Proposed Drop Off/Pick Up Conditions*

CPSA's hours of operation are 8:00 a.m. to 3:30 p.m. The drop off/pick up functions would occur in an area between the new and existing buildings (central to the subject property) through the use of a twenty-two (22) foot drive aisle. As the student population will be increasing from 450 to 785 students (max), the proposed twenty-two (22) foot drive aisle would be wide enough to accommodate a drop off/pick up lane with adequate space to allow cars to pass one another, which should increase traffic flow. KLOA recommended in the traffic study that strong consideration should be given to internal staggering of classroom starting and ending times, which would alleviate drop-off and pick-up parking, queuing, vehicular/pedestrian conflicts, etc. As mentioned below, CPSA does not plan to stagger school hours unless necessary; however, they have made representation that they plan to stagger start/end times in conjunction with the Madison School, which is east of the subject property on Madison Street.

#### *KLOA Findings/Recommendations*

Based upon the above observations and review of the petitioner's proposed site plan, KLOA made several recommendations in their study. Staff would like to focus on four major internal site considerations addressed in the traffic study. Those issues are as follows:

#### 1) Student Enrollment

Staff worked with the petitioner and KLOA to remediate some of the internal site issues. As the student population affects the amount of vehicular traffic to and from the subject property, CPSA has agreed to cap the number of students. The current student population of CPSA is 450 students. With the addition of the new classrooms, future enrollment is expected to reach 785 students. As such, there will be 335 additional students on the

subject property during peak enrollment. CPSA has agreed to place a cap on the number of students enrolled in the school at 785.

## 2) Staggering of School Hours

As previously mentioned, the peak time period for drop-off was between 8:00 and 8:30 a.m. and the peak time period for pickups occurred between 3:15 and 3:45 p.m. To minimize existing and future potential congestion, KLOA recommended in the traffic study that strong consideration should be given to internal staggering of classroom starting and ending times, which would alleviate drop-off and pick-up parking, queuing, vehicular/pedestrian conflicts, etc. CPSA responded by stating, "If future enrollment dictates a need for CPSA to stagger their school start and end times at the different levels of the school (grade, middle, and high school), then CPSA will do so to alleviate traffic congestion". As such, the petitioner has not provided a detailed plan outlining their proposed staggered start/end times.

## 3) Drive Aisle Width

On the original site plan submitted by the petitioner, the internal drive aisles were proposed to be eighteen (18) feet wide. According to KLOA, the proposed drop-off lane needs to be at a minimum twenty-two (22) feet wide. When used for pickup in the afternoon, the additional four (4) foot width will provide a passing lane when vehicles are parked waiting for the students. CPSA complied with this recommendation and widened the proposed drive aisles to a width of twenty-two (22) feet to provide the passing lane that would allow for an increase in traffic flow on the subject property.

## 4) Cul-de-Sac Bulb

According to the originally submitted site plan, two-way traffic in the proposed parking lot on the southeast portion of the property would have no way of turning around. In the traffic study, KLOA recommended that a cul-de-sac bulb should be designed to provide turnaround at the south end. CPSA complied with this recommendation and added the cul-de-sac to the proposed plans as a means of allowing an increase in traffic flow on the southeastern portion of the subject property.

## Compatibility with Surrounding Land Uses

The subject property directly abuts single-family residences on three sides. As such, special attention should be given to the health, safety and welfare of those surrounding properties. Educational institutions are generally considered compatible with single-family residential uses and in Lombard they are almost exclusively located within residential neighborhoods.

CPSA has worked closely with the Village of Lombard since 2001 to draft the current site plan. Furthermore, the Village has recommended the following:

1. Keep all new structures (principal and accessory) towards the interior of the site to minimize the effect of the structures on the neighboring properties;
2. Reduce the height of the principal new structure to minimize the visual impact on surrounding properties;
3. Hold neighborhood meetings to access the concerns of the neighboring property owners in order to address those concerns.

As previously mentioned, the petitioner held two neighborhood meetings last year to discuss the proposed plans with adjacent property owners. During the meeting, neighbors had the opportunity to comment on the plans and address their concerns with the proposed project. Some of the specific comments made by the neighboring properties included; the impact of more students at CPSA and traffic on Madison Street, the impact of more students on CPSA on parking on neighboring side streets (since there is no parking allowed on Madison Street, the only public access to the site), the aesthetic view of the front of the property (especially with the addition of parking spaces in front of the building) and concerns regarding the impact of construction of the new building (noise, safety, and parking issues) on the neighboring properties. While staff finds the use to be compatible with adjacent properties and consistent with the locations of other residentially-located private schools throughout the Village, the plan, as proposed with deviations is not compatible with adjacent properties. The petitioner has worked closely with staff in an attempt to address the provisions of the Zoning Ordinance, but staff believes that the proposed project could still be completed without obtaining the building height and open space variations.

#### Screening

A number of private fences exist around the perimeter of the subject property, which screens those properties from the subject property. The petitioner is also proposing to add five (5) foot wide landscape buffer strips in certain areas around the perimeter of the subject property. The buffer strips are required to act as screening elements between the subject property and the adjacent residential properties.

#### Setbacks

All setback requirements for the proposed building have been met. Staff notes that if the conditional use approval for the planned development were to be approved, hypothetically the building could be built (minus the variations) as of right.



Lighting

As part of final site approval, the petitioner will be required to submit a photometric plan, which accurately portrays the amount of illumination projected from the proposed building and parking lot lights. Any new lighting shall meet the full provisions required by Code.

Stormwater

Currently no stormwater improvements exist on the subject property. The petitioner is proposing to add a detention pond on the northwest portion of the subject property at a depth of five (5) feet. The location of the detention pond is proposed in the northwest portion of the subject property as the natural slope in grade slopes from east to west. When the water collects in the western portion of the property (where the ball field is proposed) it would then be piped into the proposed detention pond. In the event that the detention pond was at capacity, any overflow would then be piped to the Village's stormwater sewer at the northwest corner of the subject property.

Surveyors Gap

Staff notes that there is an existing surveyor's gap that spans the entire length of the southern portion of the subject property. The gap ranges from six (6) feet wide at the eastern end of the subject property to ten (10) feet at the western end. However, the surveyor's gap is not considered to be part of this petition.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Public and Institutional uses for the subject property. As the principal use of the property is an educational facility, the use of the property adheres to the recommendation of the Comprehensive Plan as an institutional use. The petitioner's site modifications are also consistent with the existing institutional nature of the property.

Compliance with the Subdivision and Development Ordinance

Prior to achieving a full Certificate of Occupancy, the petitioner would be required to submit a final plat of consolidation for the proposed development. Also required by the Subdivision and Development Ordinance, the required amount of parkway trees in the right-of-way shall be installed prior to final occupancy. In the event that the petition was to be approved, CPSSA shall provide a total of eleven (11) parkway trees. As three (3) parkway trees already exist on the subject property, an additional eight (8) parkway trees shall be required.

Standards to Variations

In order to be granted a variation the petitioner must show that they have affirmed each of the "Standards for Variation." The following standards have not been affirmed:

1. *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.*

Staff finds that there are no conditions related to the property that prevent compliance with the established regulations. The property does not have physical surroundings, shape, or topographical features that differ substantially from other lots in the neighborhood. It is solely the demands of the petitioner that have warranted the requested relief.
3. *The purpose of the variation is not based primarily upon a desire to increase financial gain.*

The number of students enrolled in any school directly affects the amount of space needed on the property for classrooms and other ancillary amenities. As the subject school is a private school, the amount of revenue received by the school is dependant upon the number of students enrolled in the school. Under this principle, revenue would be higher with a higher student population. Staff finds that the size of the proposed expansion could be reduced, which would alleviate the need for an open space variation, if a lower number of students was to be anticipated and eventually admitted. Furthermore, the number of students attending school should reflect an appropriate carry capacity for the subject property and not be based upon revenue. In the 'Use Narrative' provided by the petitioner it states, "CPSA expects that the construction of the new school will lead to increased enrollment at the school, which will lead to increased funds for capital projects, both from tuition and donations."
4. *The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.*

Staff finds that the difficulties have been created by the petitioner as a result of a preference towards keeping the proposed building separate from the existing building, a desire to exceed the amount of required parking, and an architectural preference that does not allow the proposed building to meet the minimum building height requirement. Staff had informed the petitioner of the possible alternatives to alleviate the variations. As mentioned within this report, the open space requirement could be met if the additional 25% of open space was not be required (if the proposed building were to meet the maximum height requirement of thirty (30) feet) and an additional 5,800 square feet of open space was provided.
6. *The granting of the variation will not alter the essential character of the neighborhood.*

Staff finds that these variations will alter the essential character of the neighborhood by allowing excessive bulk and impervious surfaces on the subject property. Staff has identified ways that the building height and open space could be achieved to meet code.

## FINDINGS AND RECOMMENDATIONS

Staff has reviewed the petition and finds that petition does not meet the Standards for Variations set forth in the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **denial** of the open space and building height variations associated with PC 09-08. However, the Inter-Departmental Review Committee finds that petition does meet the Standards for Planned Developments, Conditional Uses and Map Amendments as set forth in the Zoning Ordinance and recommends that the Plan Commission make the following motion recommending **approval** of the conditional use for a planned development, a School, Private, Full-time; Elementary, Middle and High and map amendment associated with PC 09-08, subject to the conditions as outlined:

Based on the above findings, the Inter-Departmental Review Committee recommends that the petition as presented does not meet the Standards for Variations set forth in the Zoning Ordinance and recommends that the Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission and recommend to the Corporate Authorities **denial** of the open space and building height variations associated with PC 09-08.

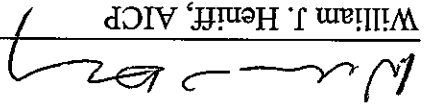
Based on the submitted petition and the testimony presented, the proposal does comply with the Standards for Planned Developments, Conditional Uses and Map Amendments required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission and that establishing conditional use for a planned development, conditional use for a School, Private, Full-time; Elementary, Middle and High and map amendment is in the public interest, and therefore, I recommend to the Corporate Authorities **approval**, in part, of the requests associated with PC 09-08, subject to the following conditions:

1. The site shall be developed substantially in accordance with the CP&A elevation, site, landscaping and floor plans package, prepared by Dome Structural Engineers, dated December 1, 2008, except as they shall be changed to meet Village Codes and the 50% open space and thirty (30) foot building height requirements.

2. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.

3. The petitioner shall address all recommendations in the KLOA report, which includes a detailed drop off/pick up schedule in a manner acceptable to the Director of Community Development, based upon the proposed traffic flow conditions along Madison Street and upon the subject property.
4. The number of grade school students shall be capped at 450 students and the number of high school students shall be capped at 240 students.
5. A final plat of consolidation shall be submitted to the Village for approval, making the site a lot of record.
6. The designated fire lane adjacent to the western and southern portion of the proposed building shall be blocked off at all times and accessed only by the Village of Lombard Fire Department.
7. The petitioner shall submit a photometric plan as part of building permit submittal showing compliance with Village Code.
8. The Plan Commission shall be granted site plan approval authority for the subject property.

Inter-Departmental Review Group Report Approved By:

  
William J. Heniff, AICP

Director of Community Development

WJH:MST:jld

att  
c. Petitioner

**Draft for Review**

MEMORANDUM TO: Michael Toth  
Village of Lombard

FROM: Michael A. Werthmann, PE  
Javier Millan

DATE: March 27, 2009 - Revised April 22, 2009

SUBJECT: Site Traffic Impact Analysis  
Proposed CPUSA School Expansion  
Lombard, Illinois

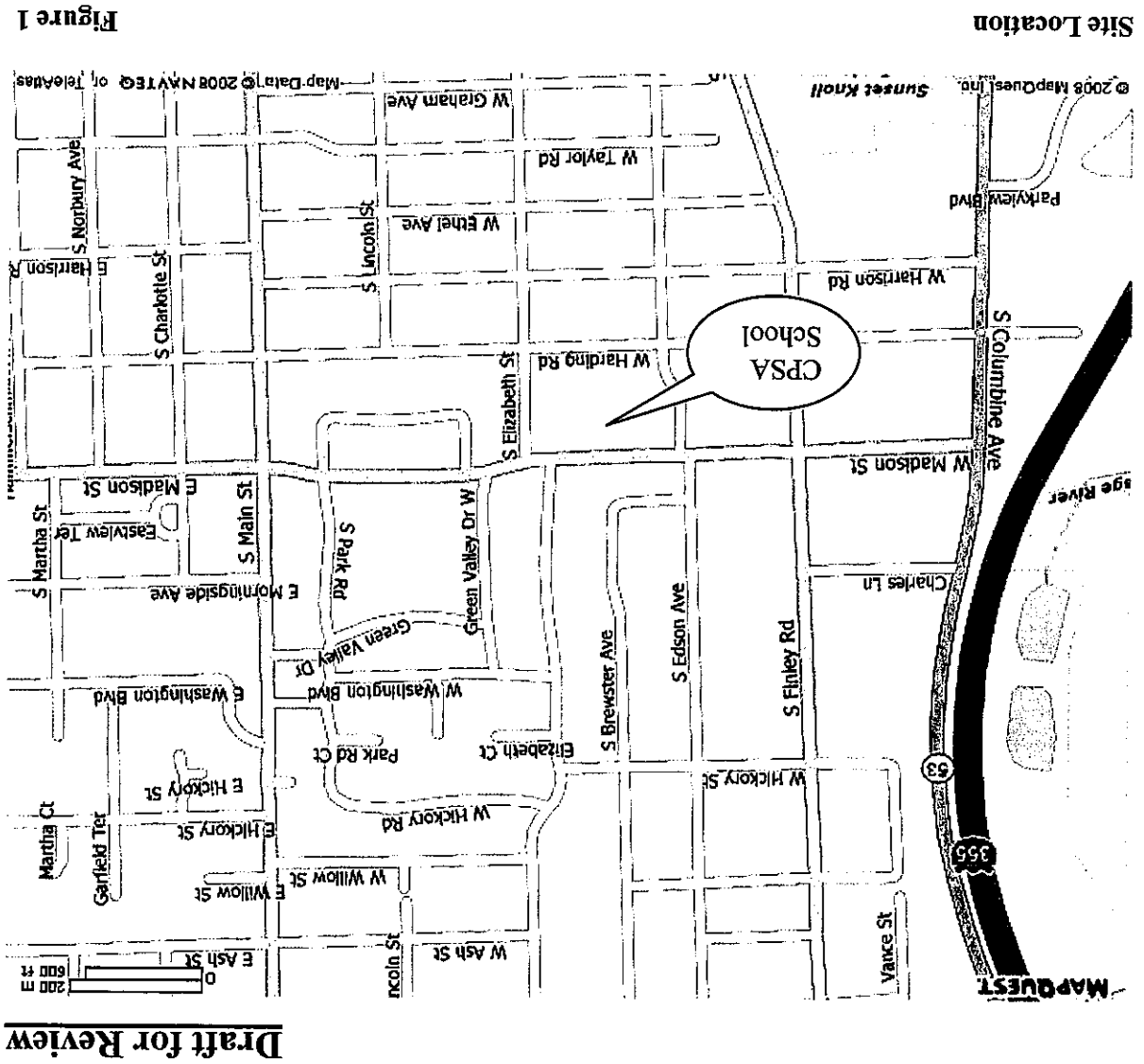
This memorandum summarizes the results of a site traffic impact analysis conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed expansion of the College Preparatory School of America (CPUSA) school located in Lombard, Illinois. The existing school, which is located on the south side of Madison Street just west of the north leg of Elizabeth Street, has a student population of approximately 450 students ranging from preschool to 12<sup>th</sup> grade. The school has nineteen teachers for k-8<sup>th</sup> grade children, seven teachers for high school students and five administration staff personnel. As proposed, the expansion will consist of an approximately 20,560 square foot building south of the existing building that will include a cafeteria, a gymnasium, a multi-purpose hall as well as classroom and general office area. It is anticipated that with this new building their maximum enrollment will be 785 children (including the existing 450 students). Furthermore, the teacher and staff population will increase by 17 additional employees.

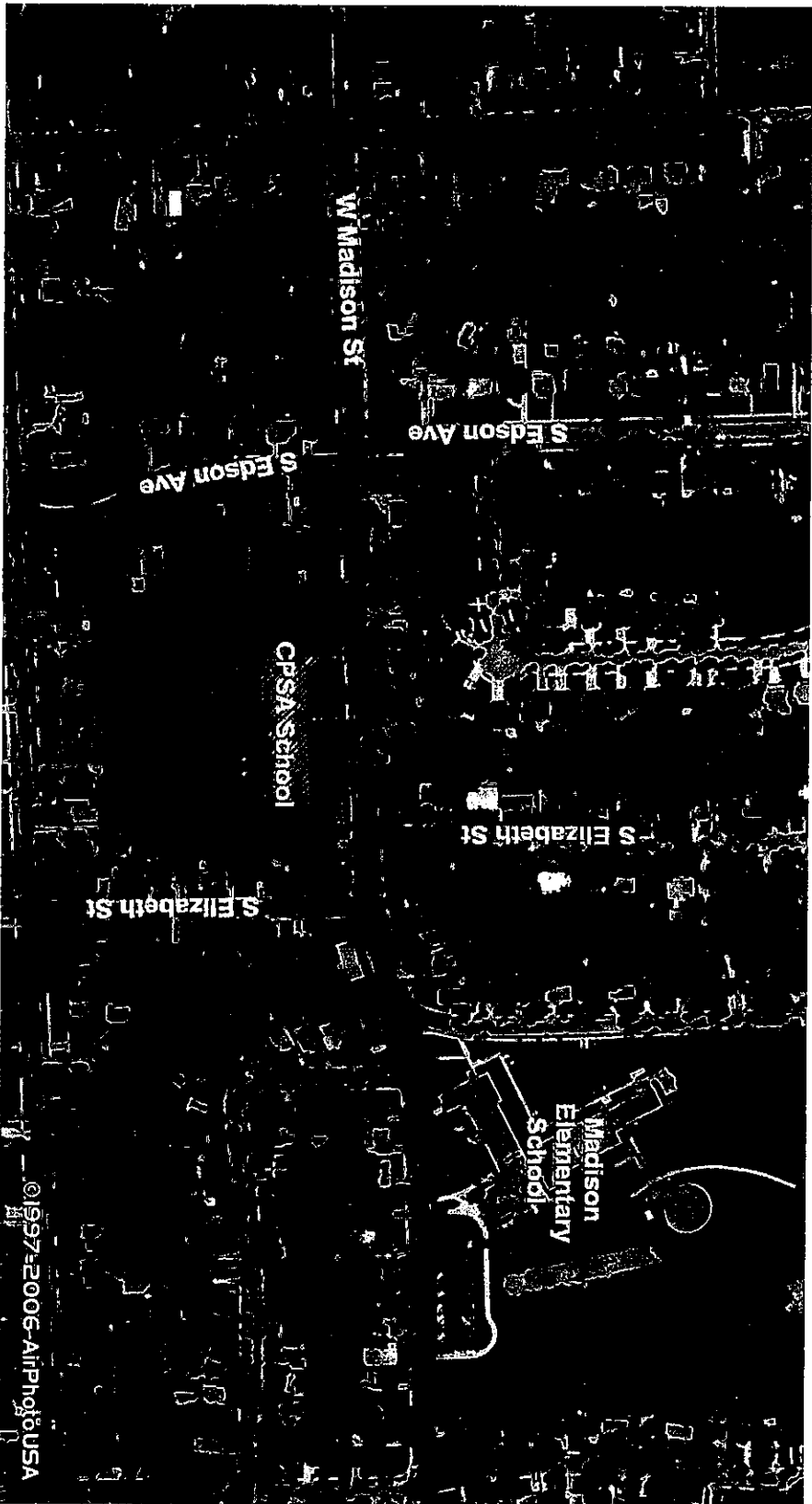
This study was conducted to assess the impact that the proposed school expansion will have on traffic conditions in the area and to recommend any roadway, loading, and circulation improvements and/or modifications necessary to accommodate expansion-generated traffic as well as alleviating existing conditions.

**Existing Conditions**

**Site Location**

As indicated previously, the existing school is located on the south side of Madison Street just west of the north leg of Elizabeth Street. The Madison Elementary School is located approximately 550 feet east of the CPUSA School on the north side of Madison Street. Land uses in the area primarily consist of single family homes. **Figure 1** shows the location of the site with respect to the surrounding roadway system. **Figure 2** shows an aerial of the site location.





Aerial View of Site Location

Figure 2

**Draft for Review**

**Area Roadways**

The principal roadways that provide access to the area are described in the following paragraphs.

*Madison Street* is an east-west collector road that generally provides one lane in each direction. *Madison Street* has a posted speed limit of 25 mph (20 mph on school days when children are present). Parking is prohibited at all times on the north side of the road and restricted from 7:00 to 9:00 A.M. and from 4:00 to 6:00 P.M. except on weekends or holidays. *Madison Street* is under the jurisdiction of the Village of Lombard.

*Elizabeth Street* is a north-south residential street that provides one lane in each direction. At its intersection with *Madison Street*, *Elizabeth Street* is offset by approximately 140 feet. On-street parking is allowed on both sides of the street. *Elizabeth Street* has a posted speed limit of 25 mph and is under the jurisdiction of the Village of Lombard.

*Edson Avenue* is a north-south residential street that provides one lane in each direction. At its intersection with *Madison Street*, *Edson Avenue* is offset by approximately 45 feet. *Edson Avenue* is under stop sign control at its intersection with *Madison Street*. Parking is allowed on both sides of the street. *Edson Avenue* is under the jurisdiction of the Village of Lombard.

*CPSA Access Drives* are north-south one-way pair access drives. The outbound access drive is located approximately 55 feet west of the north leg of *Elizabeth Street* and provides two outbound lanes striped for an exclusive left-turn lane and an exclusive right-turn lane. Outbound movements are under stop sign control. The inbound access drive is located approximately 310 feet west of the outbound access drive.

**Existing Area Traffic Counts**

To determine the existing volumes on the area roads, KLOA, Inc. conducted manual traffic counts at the following intersections with *Madison Street*

- Edson Avenue
- CPSA Inbound Access Drive
- CPSA Outbound Access Drive/North Leg of *Elizabeth Street*
- South leg of *Elizabeth Street*



The CPSA school has one inbound access drive on the west side of the school and one outbound only access drive on the east side of the school. Based on our on-site observations, the school drop-off operation began at 7:50 A.M. with parents forming a single file lane along the back of the school. At 8:00 A.M., a school employee was out by the back door entrance directing traffic approaching the back doorway and the walkway access to safely allow children, parents, etc. to access the school building via the walkway. After 8:00 A.M., as incoming drop-off traffic was getting heavier, a second drop-off lane started to form alongside the initial drop-off lane.

### **Existing School Drop Off/Pick Up Activity**

Based on information provided to us by the school, high school students do not drive to school and as such the only parking demand the school should be generating is from the teachers and the school administration staff as well as parents that may come to the school for other business matters. Based on this and assuming every teacher/staff personnel drives their vehicle to school, the parking demand should be approximately 31 to 35 parked vehicles. KLOA, Inc. does not know if an extracurricular activity was occurring on the two days when the counts were conducted which would almost double the anticipated parking demand.

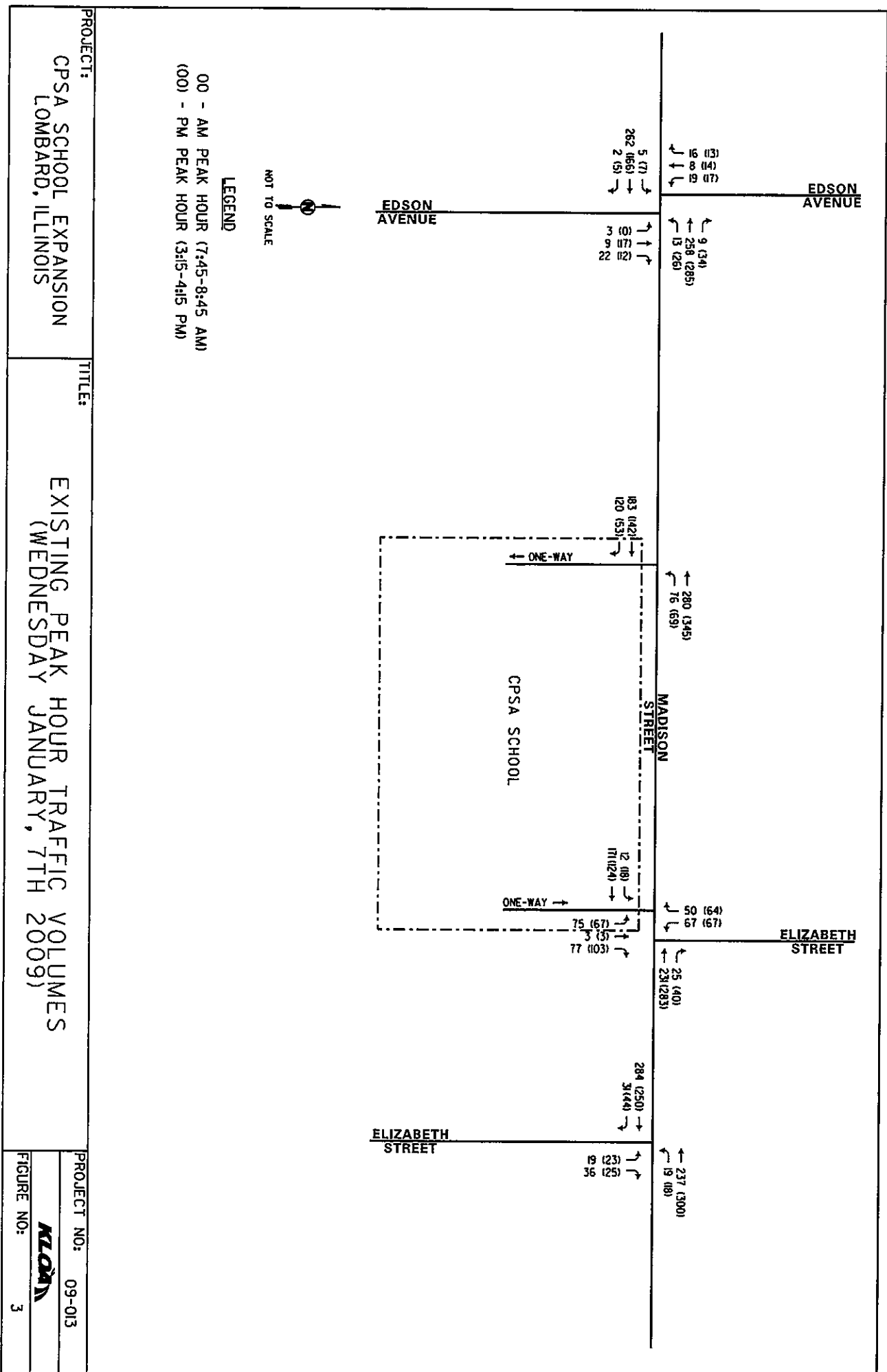
- On Thursday, January 8<sup>th</sup>, the peak parking demand was 60 vehicles.
- On Wednesday, January 7<sup>th</sup>, the peak parking demand was 54 vehicles.

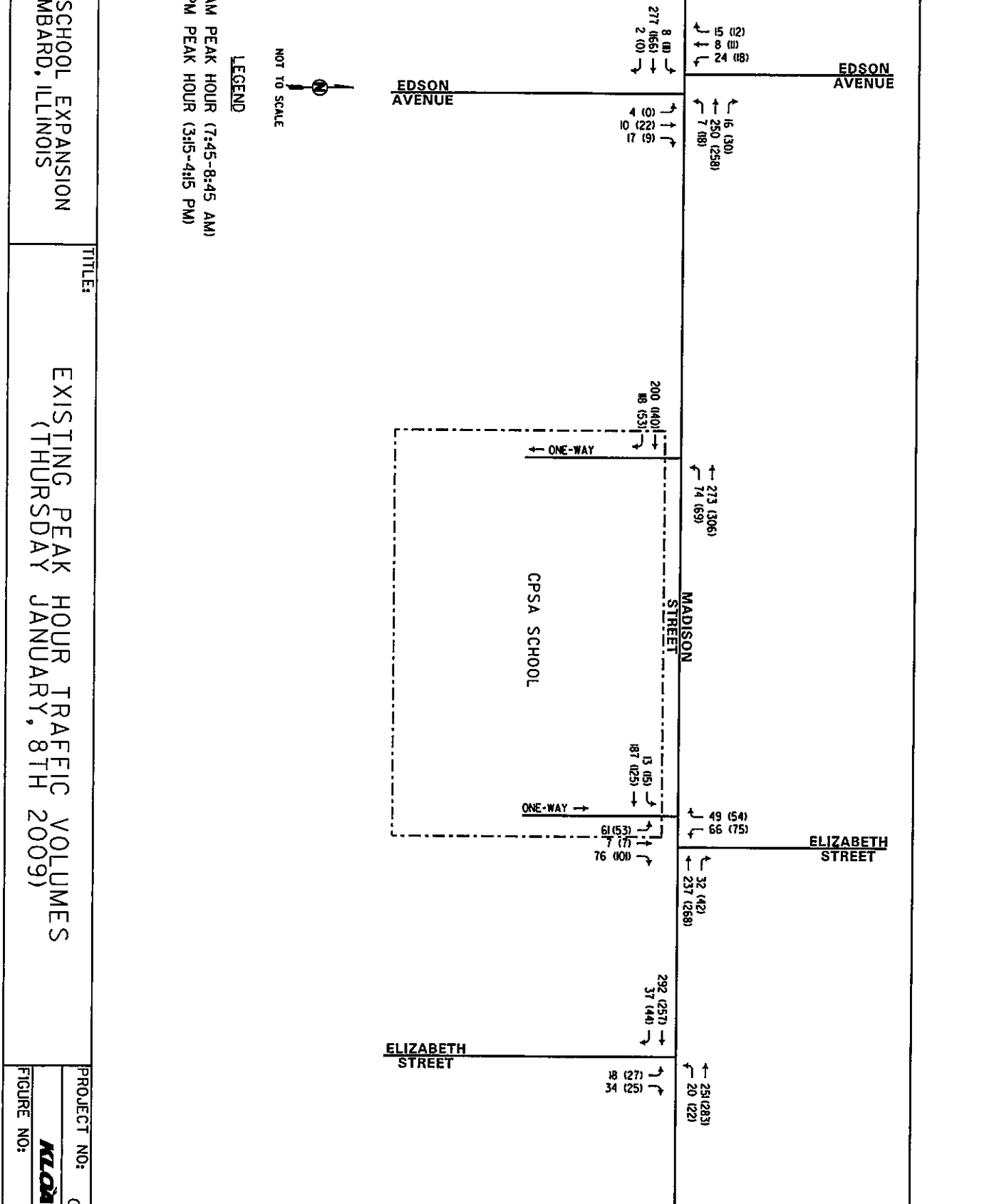
Parking for the school faculty and visitors is provided at the back of the building. The existing parking area provides 80 parking spaces. KLOA, Inc. conducted a parking occupancy survey the same days the traffic counts were conducted and found the following.

### **School Parking**

The school day starts at 8:10 A.M. and ends at 3:20 P.M. Monday through Friday. At the request of the Village of Lombard, we conducted traffic counts on two different days. The counts were conducted on Wednesday, January 7, 2009 and Thursday, January 8, 2009 during the morning (7:30 to 9:30 A.M.) and afternoon (2:30 to 4:30 P.M.) peak periods. It should be noted that the Madison Elementary School was also in session during these two days. Summaries of the traffic counts indicate that the morning peak hour of traffic occurs from 7:45 to 8:45 A.M. and the afternoon peak hour of traffic occurs from 3:15 to 4:15 P.M. **Figures 3 and 3A** illustrate the existing peak hour traffic volumes.

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Based on our observations, the peak time period for drop-off was between 8:00 and 8:30 A.M. During this half hour, we observed a few back-ups extending onto Madison Street with approximately five to six vehicles temporarily waiting to turn left and access the school driveway thus blocking westbound through traffic on Madison Street. This only occurred three times during the 8:00 to 8:30 A.M. peak time. The traffic flow on the school outbound access drive was operating efficiently with a maximum of six vehicles queuing internally for a short period of time. It should be noted that some parents bypassed the drop-off lanes, parked their vehicle in the parking lot, walked in with their children or just parked in the parking lot to let their children out of their vehicle. There were various instances in which internal congestion was created as vehicles exiting from the two-drop-off lanes had to merge into a single lane at the stop sign before turning left and proceeding north on the outbound access drive. This situation was compounded when parents that dropped their children off at the parking lot were also trying to merge in to the single file exit lane. It is important to note that this situation might have been more intense the days we conducted our observations due to the heavy snowfall from previous days reducing the number of outbound lanes from two to one.

The peak time period for pickups occurred between 3:15 and 3:45 P.M. The queues at times extended all the way back around the west end of the building. It should be noted that for a few minutes, the backup spilled onto Madison Street and three to four vehicles were temporarily waiting to get in thus blocking Madison Street. A police officer arrived just before 3:15 P.M. to direct approaching vehicle pickups at the back doorway entrance and to safely allow children and adults to use the walkway. Between 3:30 and 4:00 P.M. as many as five vehicles were queuing outside onto Madison Street. It should be noted that pickups were also occurring along the access drives on the west and east side of the building.

### Projected Expansion Generated Traffic Volumes

As proposed, the expansion will consist of an approximately 20,560 square-foot building south of the existing building that will include a cafeteria, a gymnasium, a multi-purpose hall as well as classroom and general office. It is anticipated that with this new building their maximum enrollment will be 785 children (including the existing 450 students) and that an additional 17 teacher/staff personnel will be added.

The estimates of traffic to be generated by the overall site are based upon the proposed land use type and size. The volume of traffic to be generated by the proposed expansion was estimated based on the actual traffic counts. Based on information provided by the school, the existing student population is 450 students. The school currently generates approximately 350 total trips (in and out) during the A.M. peak hour and 295 total trips during the P.M. peak hour. This translates into a trip generation rate of 0.78 trips per student during the A.M. peak hour and 0.65 trips per student during the P.M. peak hour. Based on this, the proposed expansion with an increase in the student population of 335 additional students ( $785 - 450 = 335$ ) would generate approximately 261 additional trips during the A.M. peak hour and 218 additional trips during the P.M. peak hour. Table 1 tabulates the additional trips anticipated with this expansion.

In order to determine how the area intersections are operating, intersection capacity analyses were conducted under both existing and total traffic volumes. The results of the capacity analyses are summarized in **Tables 2 and 3**. A summary of the levels of service and the corresponding vehicular delay range for unsignalized intersections are provided in the Appendix.

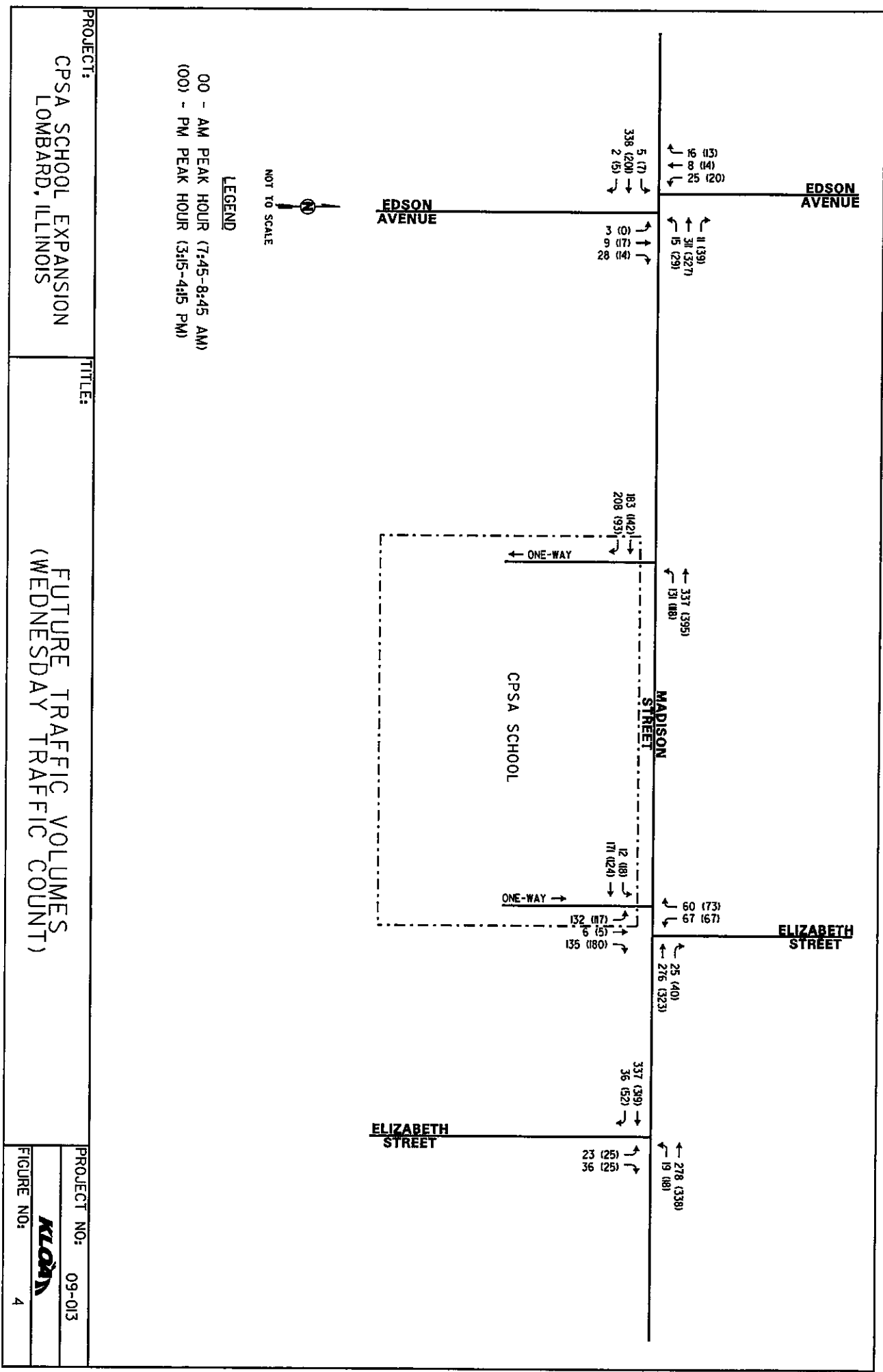
**Intersection Capacity Analyses**

**Evaluation and Recommendations**

The estimated additional traffic to be generated by the school at its maximum enrollment was assigned to the roadway system based on a review of the existing traffic counts. **Figures 4 and 4A** illustrate the total peak hour traffic volumes which include the existing traffic volumes plus the traffic to be generated by the additional students at the maximum design enrollment.

		Morning Peak Hour		Afternoon Peak Hour	
		Drop Off/Pick Up		Drop Off/Pick Up	
		In	Out	In	Out
Additional Enrollment (335 students)	143	118	89	129	129
Existing Enrollment (450 Students)	196	155	122	173	173
Total Trips	339	273	211	302	302

**Table 1**  
**SCHOOL DROP OFF/PICK UP ACTIVITY**



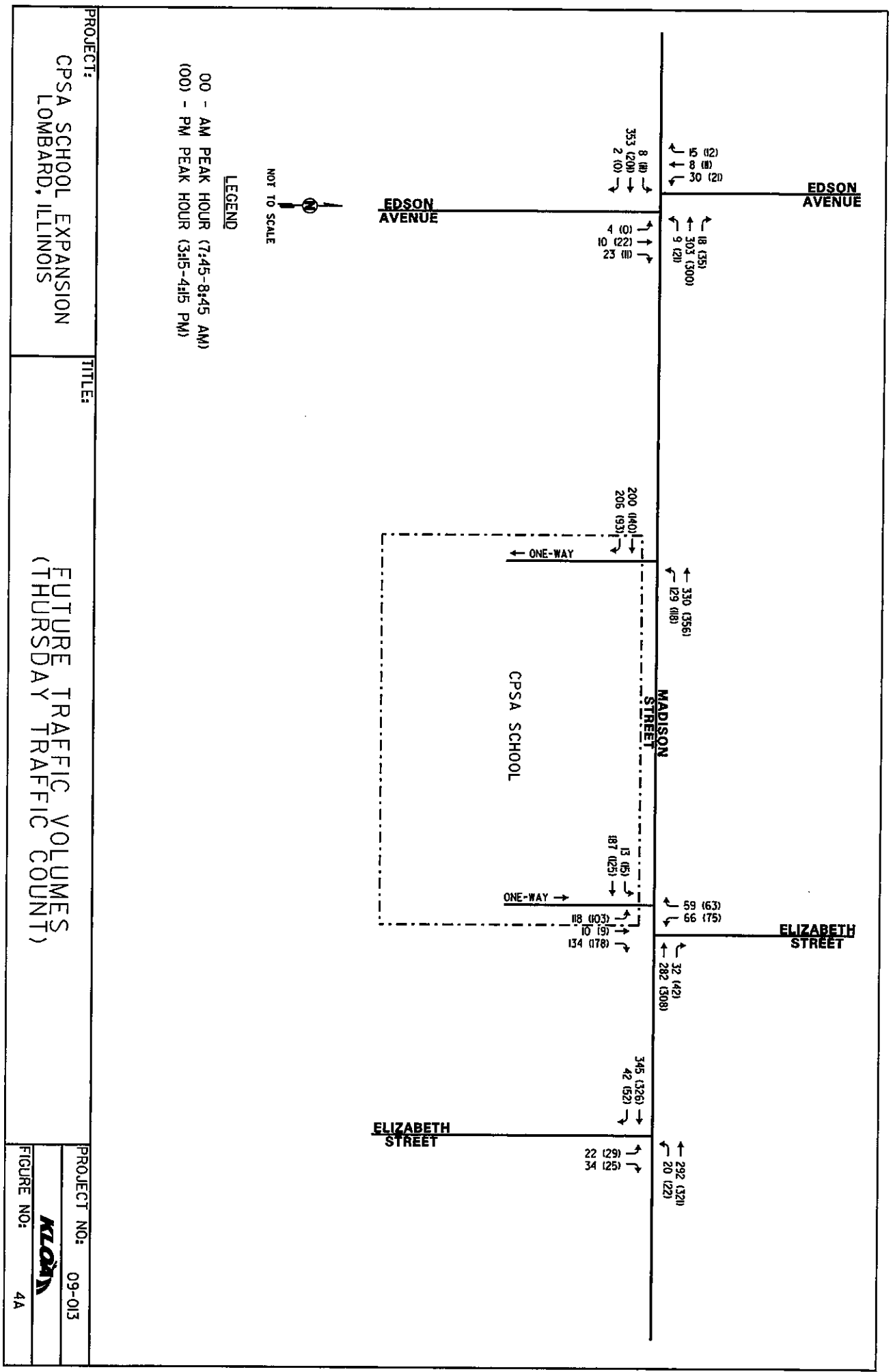


Table 2

**INTERSECTION LEVEL OF SERVICE (Wednesday Traffic Counts)**

Land Use	Existing Conditions	Morning Peak Hour	Afternoon Peak Hour
	Level of Service	Delay (seconds)	Level of Service
			Delay (seconds)
Elizabeth Street/Madison Street	N.B. - B	11.6	N.B. - B
Madison Street/Elizabeth Street	N.B. - B	12.0	N.B. - B
CPSA Outbound Access Drive	S.B. - B	13.7	S.B. - B
Madison Street/Edson Avenue	N.B. - B	11.5	N.B. - B
<b>Total Volumes</b>		13.2	13.4
Elizabeth Street/Madison Street	N.B. - B	12.6	N.B. - B
Madison Street/Elizabeth Street	N.B. - B	13.9	N.B. - B
CPSA Outbound Access Drive	S.B. - B	15.7	S.B. - C
Madison Street/Edson Avenue	N.B. - B	12.4	N.B. - B
		15.8	S.B. - B
			14.9

Table 3

**INTERSECTION LEVEL OF SERVICE (Thursday Traffic Counts)**

Land Use	Existing Conditions	Morning Peak Hour	Afternoon Peak Hour
	Level of Service	Delay (seconds)	Level of Service
			Delay (seconds)
Elizabeth Street/Madison Street	N.B. - B	11.7	N.B. - B
Madison Street/Elizabeth Street	N.B. - B	12.0	N.B. - B
CPSA Outbound Access Drive	S.B. - B	14.2	S.B. - B
Madison Street/Edson Avenue	N.B. - B	12.0	N.B. - B
<b>Total Volumes</b>		13.6	12.8
Elizabeth Street/Madison Street	N.B. - B	12.9	N.B. - B
Madison Street/Elizabeth Street	N.B. - B	14.0	N.B. - B
CPSA Outbound Access Drive	S.B. - B	16.3	S.B. - C
Madison Street/Edson Avenue	N.B. - B	12.9	N.B. - B
		16.3	S.B. - B
			14.3



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The results of the capacity analyses show that the subject intersections are currently operating at a very good level of service. With the additional traffic generated by the school at its maximum design enrollment, all of the intersections are projected to continue to operate at an acceptable level of service. Therefore, the roadway system has sufficient reserve capacity to accommodate the additional traffic that could be generated by the school if it ever meets its maximum design enrollment (785 students). It should be noted that, as previously discussed, some congestion and delay occurs during the peak drop off/pick up activity at the school particularly at the intersection of Madison Street with the school's inbound access drive. This in turn blocks from time to time the flow of through traffic along Madison Street. In order to mitigate this and reduce the potential for back-ups onto Madison Street, some changes to the proposed site plan will have to be made. This will be discussed in the following sections.

**Future Drop Off/Pick Up Activity**

As indicated, the current drop off/pick up operation has some deficiencies that generally have a negative impact internally and from time to time on Madison Street. Given that the proposed expansion will almost double the existing population, it is anticipated that the pick-up/drop-off activity will also be doubled. As such and in order to rectify some of the observed deficiencies we offer the following.

1. Given that current pick-up/drop-off area experiences problems (back-ups to Madison Street, double lanes, roadway utilized almost to its full capacity for both pick-up and drop-off today, etc.), the increased demand cannot be accommodated by the internal roadways as proposed.
2. The proposed drop-off lane needs to be at a minimum 22 feet wide. When used for pick up in the afternoon, this width will provide a passing lane when vehicles are parked waiting for the students.
3. The drive on the west side of the existing building needs to be 22 feet wide. This width is necessary to accommodate a passing lane.
4. The roadway around the proposed new building will be restricted to Fire Department traffic only and will not provide relief to the drop-off/pick-up situation.
5. Parking spaces in the south portion of the new parking lot on the east side of the proposed building should be set aside to accommodate parents picking up and dropping off from the child care in that part of the building. There is adequate width to provide a cul-de-sac type of turnaround (i.e., 60 foot diameter) at the west end to facilitate drop-off/pick-up traffic.
6. In order for pick-ups to not interfere with parked vehicles in the north (existing) building parking lot, the western end should be closed just prior to the school being discharged.

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7. To minimize existing and future potential congestion, consideration should be given to staggered classroom starting and ending times. This will alleviate drop-off and pick-up parking, queuing, vehicular/pedestrian conflicts, etc.
8. With the future increases in school enrollment, it will be essential that safety contract personnel be utilized at key locations to ensure orderly movement of vehicles during both morning drop-off and afternoon pick-up periods. Current back-ups onto Madison Street are minimal today and should not be exacerbated in the future.

- If backups in the morning start to reach Madison Street, a person should be located there to possibly direct traffic through the north parking lot for additional drop-off capacity.
- A person also needs to be located at the main door to facilitate drop offs as well as directing traffic passing by to reach the child care drop-off area on the east side of the new building.
- A third person may be necessary at the exit to Madison Street to direct traffic, particularly if use is made of the parking area north of the building for drop offs.
- The critical time period will be in the afternoon when pickups occur. With the substantial increase in enrollment, there is inadequate space along the internal roadway to provide storage for vehicles arriving prior to the end of the school day. It is essential to leave open a passing lane for parents picking up at the child care location in the east parking lot.
- Though not desirable, it may be necessary to use the north parking lot as a staging area for pickup as well. It is essential that personnel at critical locations control the pick-up staging such that traffic does not block the passing lanes. This is particularly important if all of the available queuing areas are occupied by waiting vehicles prior to school being let out. We have observed such situations at other schools. Traffic trying to enter the school grounds at such times will need to be waved off so as not to sit on Madison Street blocking traffic.
- If the school wants to increase the queuing areas by providing two lanes of waiting vehicles, they must widen the roadway around the school to continue to provide a passing lane. The width of the roadway would need to be at least 30 feet wide.

**Alternate Exit Drive Configuration**

At the request of the Village of Lombard, KLOA also reviewed and evaluated the potential for restricting the school's exit drive to outbound right-turn movements only. Based on the projected future traffic volumes, this restriction would reduce the number of through vehicles on Madison Street at its intersection with the school's inbound access drive by approximately 130 vehicles during the morning peak hour and 120 vehicles during the afternoon peak hour. By virtue of reducing the through traffic on Madison Street, the projected queues of traffic will be reduced but will still occur. This is due to the inadequate space along the internal roadway to provide storage for vehicles arriving prior to the start and end of the school day. Furthermore, by restricting the exit drive to outbound right-turn movements only and assuming that 2/3 of the exiting traffic that would normally go west on Madison Street would turn right on Madison Street and then right on the south leg of Elizabeth Street, this would increase the southbound traffic on the south leg of Elizabeth Street from 50 vehicles during the morning peak hour to 143 and from 62 vehicles during the afternoon peak hour to 148. It is our opinion that this would add unnecessary trips on residential streets such as Elizabeth Street.

As we have previously discussed, the only way to make sure the pick-up/drop-off operation does not spill out onto Madison Street would be to implement staggered entrance and dismissal hours. This coupled with a minimum width of 22 feet for the pick-up/drop-off lane and staff or police officers directing traffic internally will ensure that back-ups onto Madison Street are either completely eliminated or reduced to a minimum.

**Future Parking Demand**

The existing school provides approximately 80 parking spaces. Based on our parking surveys, the existing school has a peak parking demand of approximately 60 vehicles or 75 percent of the current supply. Based on information provided by the school, none of the high school students drive to school and as such this parking demand is generated by the current school teachers and staff personnel. Therefore, the existing peak parking demand can be attributed to the current number of teachers and staff as well as parents dropping in to the school. Assuming that every teacher and staff employee drives their vehicle to school, this would yield a parking demand of 31 vehicles. The additional 29 vehicles can be attributed to parents visiting the school.

Under future conditions, CPSA is planning to provide 104 parking spaces. This number of parking spaces exceeds the required number of parking spaces for school uses by approximately 24 spaces. A review of their proposed plan indicates that the proposed expansion will increase the student population by approximately 74 percent (450 + 74%  $\approx$  785 students). If we applied the same percentage increase to the existing parking demand, this would yield a future peak parking demand of 104 vehicles. Given the fact that KLOA, Inc. does not know if an extracurricular activity was taking place on both days when the parking survey was conducted, we believe that if an extracurricular activity is planned at the school it should occur outside the school hours of operation. This would ensure that there will be sufficient parking to accommodate the school demand during the school hours of operation and the parking demand of their extracurricular activities such as an occasional assembly.

## Draft for Review

### Conclusion

The following provides a summary of the results and findings of the traffic study.

- The expansion will consist of 20,560 square foot building with an increase of 335 additional students and 17 additional employees.
- The results of the capacity analyses show that all of the intersections in the study area are currently operating at a very good level of service. Furthermore, the roadway system has sufficient reserve capacity to accommodate the additional traffic that will be generated by the school if it reaches its maximum design enrollment (785 students).
- Some congestion and delay occurs during the peak drop off/pick up activity at the school. Based on our field observations and our review of the proposed site plan, the drop-off lanes should be at a minimum 22 feet wide to allow for a passing lane in the event that parents want to exit the drop-off/pick-up lanes. This would enhance the internal traffic flow and may reduce the potential for back-ups onto Madison Street. To ensure that the pick-up/drop-off operates efficiently, it will require personnel at several locations to control the movement and queuing of vehicles.
- The following recommendations were developed to further enhance the school's current drop off/pick operation.

- Parking spaces in the south portion of the new parking lot on the east side of the proposed building should be set aside to accommodate parents picking their children up from the child care in that part of the building.
- The parking lot on the east side of the proposed building should be designed to provide a turnaround (cul-de-sac) at the south end.
- In order for pickups to not interfere with parked vehicles in the north (existing) building parking lot, the western end should be closed just prior to the school being discharged. Without access around the new school building, because of fire lane requirements, this area may need to be utilized for drop-off and pick-up activity.
- To minimize existing and future potential congestion, serious consideration should be given to staggered classroom starting and ending times. This will alleviate drop-off and pick-up parking, queuing, vehicular/pedestrian conflicts, etc.
- With the future increases in school enrollment, it will be essential that safety contract personnel be utilized at key locations to ensure orderly movement of vehicles during both morning drop-off and afternoon pick-up periods. Current back-ups onto Madison Street are minimal today and should not be exacerbated in the future.

# Appendix

LEVEL OF SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS	
Level of Service	Average Total Delay (SEC/VEH)
A	≤10
B	>10 and ≤15
C	>15 and ≤25
D	>25 and ≤35
E	>35 and ≤50
F	>50

Source: *Highway Capacity Manual, 2000.*

**Response to Standards for Planned Developments with Deviations**

1) *Any reduction in the requirements of this Ordinance is in the public interest.*

The R2 – Single Family Residential District permits structures up to 30 feet. The proposed building would have a peak roof height of 35 feet above grade. The proposed deviation is requested to accommodate an access stairway. The petitioner has represented in their response to standards that the deviation would allow access to the rooftop for maintenance, repair and emergency purposes. However, the petitioner has also stated that the proposed building can be designed without the projecting stairway and still properly function. As such, staff finds that the roof height deviation is a result of an unnecessary desire.

The underlying R2 – Single Family Residential District regulations require a minimum of 50% open space for each property. Section 155.508(C)(7) requires that open space in a planned development must be at least 25% more than is required in the underlying district if a deviation is associated with the petition. As such, the additional 25% of open space would not be required if the proposed building were to meet the maximum height requirement of thirty (30) feet; however, the 50% minimum open space requirement would still need to be addressed. The petitioner has represented in their response to standards that the reduction in open space would allow reduce the amount of on-site parking. Pursuant to the Zoning Ordinance a total of 80 parking spaces are required. The proposed plans indicate a total of 99 parking spaces, which exceeds the amount of additional parking required by Code by 19 parking spaces. The petitioner has indicated that the additional parking spaces are needed to accommodate any overflow parking situations and prevent spillover parking onto the adjacent neighborhood streets. The petitioner has indicated that high school students do not drive to school. Staff believes that the minimum amount of parking spaces required by the Zoning Ordinance is sufficient.

2) *The proposed deviations would not adversely impact the value or use of any other property.*

Staff finds that these deviations will alter the essential character of the neighborhood by allowing excessive bulk and impervious surfaces on the subject property. Staff has identified ways that the building height and open space could be achieved to meet code.

- 3) *That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district.*

As previously mentioned, the underlying R2 - Single Family Residence District regulations require a minimum of 50% open space for each property. Section 155.508(C)(7) requires that open space in a planned development must be at least 25% more than is required in the underlying district if a deviation is associated with the petition. As such, the total amount of open space that would be required on the subject property (if a building height deviation were required) would be a total 62.5%. When combined with the coverage of the existing property improvements, the proposed property improvements would bring the total amount of open space on the subject property to 46.85%. This equates to roughly 5,793 square feet in open space deficiency based on the 50% requirement and 28,768 square feet on the 62.5% requirement. The petitioner stated in their response to standards that they would be unable to meet the 62.5% open space requirement. Although the proposed plans cannot meet the 62.5% open space requirement, staff believes that the petitioner is able to meet the underlying zoning district requirement of 50% open space.



# PC 09-08: 331 W. Madison Street (CPSA)



Addresses

Centerline

JURIS

--- DPC TRAIL

--- RIVER

--- R&R

--- TOLLWAY

Parcels

limits-poly

• Active Cases

--- Boundary Agreement

178 ft



FILE COPY

**USE NARRATIVE**

Introduction

The Petitioner, College Preparatory School of America (CPSA) is requesting approval of a site plan for its property located at 331 W. Madison, which features construction of a new 16 room school building, which includes classrooms, labs, and a gymnasium.

CPSA is requesting a map amendment to rezone the property site from a CR district to an R2 single family district with a conditional use for a private, full time, elementary, middle, and high school, which is a permitted conditional use. The property site would also require a planned development since there would be two principal structures (the existing school and the new building) on one consolidated lot of record. The Petitioner is also requesting the following exceptions to the planned development standards for conditional use:

- 1) In the R2 single family district, the minimum open space requirement is fifty percent (50%). The planned development standards require 25% more open space, which equates to an open space requirement of 62.5%. The CPSA site plan provides for 47% open space.

- 2) The maximum building height in the R2 single family district is 30 feet. The new CPSA building will comply with that height requirement, except where there is stairwell providing access to the building roof. The stairwell, as designed, measures 35 feet in height, while the rest of the building is 30 feet.

Property History

This property has been used primarily as a school building since around 1930. It was the Lombard School District 44 "Green Valley School" for most of those years, until the school was closed due to declining enrollment. In 1993, Community Education in Excellence, Inc. purchased the property from School District 44, and obtained a Certificate of Occupancy with a land use designation of education facility, and opened the private "College Preparatory School of America" (otherwise known as CPSA). The property has been zoned as CR (Conservation/Recreation) during this time, with the school in operation as a legal, nonconforming use. After purchasing a neighboring lot, CPSA filed a petition in 2001 to consolidate its lots into a planned development with the intention to erect a future building, but withdrew its petition after public hearing, and the subsequent attacks of September 11. The current school provides a preschool, elementary, middle school, and high school curriculum to its students. The current site consists of five (5) legal lots over approximately four (4) acres of land, with a school building, parking lots, and a playground.

CPSA was founded in 1994. In its 15 years in Lombard, CPSA has had over 300 high school graduates, over eighty-five percent (85%) of which have gone on to attend a four year college. CPSA graduates have attended Harvard, MIT, Yale, Northwestern, and the University of Chicago, among others. The average high school graduating class size at CPSA is only 30 students, yet those students are consistently exceptional. In each of the last five years, CPSA graduated multiple National Merit Semi-Finalists and a National Merit Scholar, an accomplishment unmatched by any other area high schools. In one recent year, CPSA had 3 National Merit Scholars (out of a class of 30). In Spring, 2008, the Daily Herald named its "All-Academic Team" comprising 40 students in the Chicago land area. Of the forty students chosen, only ten were from Dupage County, and 2 were from CPSA, the only school with more than one student on the team.

Alumni of CPSA include physicians, scientists, lawyers, and other leaders, including a Vice President at Discover Card and a doctor at the Mayo Clinic. The school has been in existence long enough that some of its Alumni are now sending their children to CPSA. CPSA prides itself on strict academic standards, and challenging its students to be exceptional. Its teachers, parents, and students are dedicated to these goals. Consequently, there is no crime, no vandalism, and no drug use at CPSA, and very few discipline issues. The success and achievements of CPSA has led to increased enrollment, and caused many families to move to Lombard to be closer to this fine school. At this time, the present school is at full capacity, and the Board members and other community members of CPSA have been fundraising to expand the school and its offerings to its existing and future students. The proposed site plan presents an opportunity for this school to make these improvements and expansion at the current location in Lombard instead of looking for an alternative location.

### History of the Site Plan

CPSA has worked closely with the Village of Lombard Department of Community Development and other staff to draft the current site plan. Since 2001, the Village of Lombard staff has recommended that CPSA:

1. Keep all new structures (principal and accessory) towards the interior of the site to minimize the effect of the structures on the neighboring properties;
2. Reduce the height of the principal new structure to minimize the visual impact on surrounding properties;
3. Hold neighborhood meetings to access the concerns of the neighboring property owners in order to address those concerns.

The current site plan provides for construction of a 61,000 square foot building on the southeast portion of the property. The building would consist of 16 classrooms, two of which would be dedicated to preschool, 4 labs, a gymnasium, a multi-purpose room, and a library. The current parking lot at the site would be reconfigured and would provide for 104 parking spaces on site located at the front of the old school, and the west side of the new building. The site plan incorporates recommendations from Village of Lombard Fire Department to include full emergency access to all four sides of the new building. The

### Neighborhood Meetings

plan calls for one way traffic into and out of the site with a drop off point in between the two building in order to maximize the traffic cue on site and reduce traffic on Madison Street, as well as reducing the noise impact on neighboring properties. The site plan has been through many revisions based upon the feedback and recommendations of the Village of Lombard Community Development staff. CPSA has paid for a traffic study to adjudge the impact of the new building on neighborhood traffic.

CPSA conducted two neighborhood meetings at the CPSA site on Sunday, June 15, 2008, and Thursday, July 17, 2008. Invitations to the neighborhood meetings were sent to all property owners within a 250 foot radius of CPSA, including all neighbors whose properties are directly adjacent to the property site. Over 50 people attended the two meetings, in which CPSA gave a short presentation detailing the plans for the new building, and staked and flagged the dimensions of the new building on site to help neighbors with visualization. CPSA provided diagrams and storyboards, including a sight impact diagram referencing the height of the new building. CPSA agents and board members then responded to questions and concerns raised by the neighbors. Most of the feedback to the CPSA expansion plan was positive, and many neighbors expressed support for the project. The major concerns voiced by neighbors (with CPSA's response in bold) were:

1. Concerns regarding the impact of more students at CPSA on traffic on Madison Street, especially considering the close proximity of CPSA to Madison Elementary School.  
CPSA explained the traffic flow in and out of the property site, and how these flow patterns are designed to limit traffic on Madison Street by creating a cue for drop off and pick up of students in between the two buildings.

2. Concerns regarding the impact of more students on CPSA on parking on neighboring side streets, since there is no parking allowed on Madison Street, the only public access to the site.  
CPSA revealed its plan to place as many parking spots on the property site as it can to limit overflow parking on side streets. Although the use of the site requires only 84 parking spaces, the CPSA plan includes 104 parking spaces, which is sufficient to handle teacher and student parking for both school buildings on a normal school day, and to provide for extra parking spaces for special events at the school which will draw parents.

3. Concerns regarding the aesthetic view of the front of the property, especially with the addition of parking spaces in front of the building.  
CPSA advised the neighbors that it would consider placing a landscape berm with bushes and other vegetation to improve the look of the front of the building and "hide" the view of the parked cars in front of the building.

CPSA believes it is a high priority to reduce the traffic on Madison Street, and to reduce overflow parking on neighborhood streets. There is no street parking on Madison, so additional offsite parking would have to occur on residential side streets such as Elizabeth and Edson, and require CPSA patrons to walk to the school. The additional 20 parking spaces would be contained within the property site, and reduce the need for CPSA visitors and students to park on nearby streets. CPSA anticipates that the 104 parking spaces would be sufficient to meet the parking needs of the school on most school days and during most extra-curricular activities. Although open space is important, the project will have forty-seven percent (47%) open space on the site. CPSA is also willing to "land bank" certain parking spaces, and install them at a later time, if needed, though its preference is to have all 104 parking spaces now. Although the plan could reach fifty percent (50%) open space by reducing the parking spaces, there is no scenario will the project can have the 62.5% open space required by the planned development standards. The benefit of placing more spaces on site and reducing impact on the neighborhood outweighs the gain in open space that would occur if 20 parking spaces are removed.

1. The Commissioners raised several questions regarding the number of parking spaces on the property site versus the amount of open space. The site plan could have more open space if the number of parking spaces were reduced from the proposed 104 spaces to the required 84 parking spaces.

On December 15, 2008, the Village of Lombard Department of Community Development presented the CPSA site plan to the Village of Lombard Plan Commission as a Workshop agenda item. The Community Development staff presented the site plan and requested feedback from the plan commission members. Comments provided by the plan commission members included the following (with CPSA's response in bold):

Plan Commission Workshop

4. Concerns regarding the impact of construction of the new building (noise, safety, and parking issues) on the neighboring properties.
- CPSA promised to respect the neighbors during the construction period, by limiting the hours of construction, providing notice of the construction times, minimizing safety hazards, and by adjusting the construction schedule to minimize its effect on the current students and school year.

2. The Commissioners are concerned about the impact of the new school building on traffic on Madison Street, especially considering the proximity of Madison Elementary School, which lies less than a mile away.  
 This is a major concern of CPSA, as well. CPSA has paid for a traffic study to determine the impact of more students at the new school building on Madison Street traffic. The site plan provides for a structured one-way entry and exit from the site with drop off for students between the two buildings. This allows cars waiting to drop off or pick up students to cue on the property site, and off of Madison Street. CPSA is willing to stagger start and end times for its school days to differ from the start and end times at Madison School and reduce traffic jams on Madison Street. CPSA is also willing to coordinate extra-curricular activities in the evenings so that they do not coincide with activities at Madison School.
3. The Commissioners questioned whether or not the parking spaces could be moved from the front of the building to west side of the site, and the water detention area be moved to the front of the building.  
 Engineering studies indicate that the placement of the water detention area on the west side of the property will be the most useful in detaining water in the event of a major storm, since that is the low part of the property. The water detention basin on the west side of the property will also help draw and detain water from the neighbor's properties on the west and south sides of the property sites during storms, which is a selling point to the neighbors.
4. The Commissioners were concerned about the 20 parking spaces located on the east side of the property along the property line, and the impact of these parking spaces on the properties to the east. They asked if the parking spaces could be shifted to the west side of the new building, or the footprint of the building shifted to move the parking spots to the east.  
 At the recommendation of Village of Lombard staff, CPSA's plan has located its new building as far to the center of the property site as possible to reduce the impact of the building size and noise on neighboring properties. The Fire Department requires a wide drive aisle along the west, south, and east sides of the new building to allow easy emergency access to all four sides of the building. The traffic on the west and south sides would be limited to emergency vehicles, and drop off and pick up traffic would occur on the north side of the building, between the two school buildings. The twenty parking spaces located on the east end of the new building would be restricted for teacher parking. It is important to note that at the present time, there is already parking along the east end of the property, along with a school playground, which will be moved to the interior of the site under the new plan. The existing and proposed parking spaces on the east end of the property are adjacent to the backyards of the neighbors to the east, who live on Elizabeth Street. CPSA has offered to provide landscape covering for these parking spots to the east if the neighbors raise concerns about sight and noise.

Use Narrative prepared by:

CPSA is proud to have been a part of the Lombard community for the past 15 years. Construction of a new school building on the existing property site is integral to the future growth plan of CPSA in Lombard. CPSA looks forward to the approval of its plan, and hopes to continue to bring a top-level, private, educational alternative to residents of Lombard and the surrounding areas.

Conclusion

- 5. The Commissioners raised concerns about the proximity of the new school building to the property lines, and other impact of the building on the neighbors.
- The proposed school building is 65 feet from the east property line. The elevation of the new building is the same as the existing building. The emergency road access is 20 feet, as requested by the Lombard Fire Department and there will be emergency access to all four sides of both buildings. The setback line (5 feet to the east) requirements are met under the plan. There is 25 feet of parking area east of the new building.
- 6. Some of the Commissioners suggested exploring "green" options for the property, including a rain garden, porous pavement, and sustainable use of water.
- Although CPSA is open to the idea of "green" technologies and uses, many of these concepts are expensive and do not fit within the budget of this project. If "green" ideas can be incorporated into plan at a similar budget, then CPSA is willing to explore them.
- 7. The Commissioners raised concerns about the appearance of the existing school building, which is quite old, and upgrades that are needed there.
- CPSA is involved in long range planning for the improvement of the existing school building as well as the construction of the new building. As with most schools, funds are limited, but some of the improvements planned for the current building include installation of a sprinkler system throughout the building, and installation of new windows. CPSA expects that the construction of the new school will lead to increased enrollment at the school, which will lead to increased funds for capital projects, both from tuition and donations.

RESPONSES TO STANDARDS FOR PLANNED DEVELOPMENTS

The Petitioner, College Preparatory School of America (CPSA), is requesting that the Village of Lombard approve a Planned Development according to the standards established in Section 155.508 of the Village of Lombard Zoning Ordinance. The following are the responses of CPSA to each of these standards:

Except as provided below, no planned development shall be approved unless the Village Plan Commission and the Village Board find that the development meets the standards for conditional uses, and the standards set forth in this Section. Notwithstanding the foregoing, the Village Board may approve a planned development which does not comply with these standards or with the standards for conditional use, if the Board finds that the application of such standards, to the development being considered, would not be in the public interest.

A. General Standards

1. *Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located.*  
The property at 331 W. Madison, Lombard, is currently zoned CR (Conservation/Recreation) with a legal nonconforming use as a private school. Petitioner is simultaneously requesting a map amendment zoning change to R2, with a conditional use for a "private, full time, elementary, middle and high school", which is a permitted use.

2. *Community sanitary sewage and potable water facilities connected to a central system are provided.*  
The existing school facilities are currently served by Village of Lombard utilities, and the proposed new building would tap into those utilities as indicated in the submitted plans.

3. *The dominant use in the proposed planned development is consistent with recommendations of the Comprehensive Plan of the Village for the area containing the subject site.*  
The use of the proposed planned development will remain the same as the current site, which is the primary use of the existing building and the new building as a "private, full time, elementary, middle and high school". This is a permitted, conditional, use under the R2 zoning designation. The new development will include a new classroom building with gymnasium, which will expand the services to be provided by CPSA and increase the enrollment at the school. This



continued use is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.

4. *That the proposed planned development is in the public interest and is consistent with the purposes of the Zoning Ordinance.*

Along with the proposed Planned Development, CPSA is requesting a proposed Map Amendment change to rezone the property as R2, with a conditional use for a "private, full time, elementary, middle and high school". This proposed Map Amendment is at the recommendation of the Village of Lombard staff to make the long time use of the property consistent with its zoning designation. The proposed Planned Development will not threaten the health, safety, comfort, convenience, or general welfare of the residents, businesses, and property owners of Lombard. It is in the public interest of the Village of Lombard to have a high-level private school with a new facility in this area.

5. *That the streets have been designed to avoid:*

- a. *Inconvenient or unsafe access to the planned development;*
- b. *Traffic congestion in the streets which adjoin the planned development;*
- c. *An excessive burden on public parks, recreation areas, schools, and other public facilities which serve or are proposed to serve the planned development.*

The proposed Planned Development is designed to minimize traffic on Madison Street, which is the sole traffic access to the property. The plan for the new building and campus for CPSA details the inflow and outflow of drop off traffic to CPSA, and is designed to cue as many vehicles as possible inside the property site and away from Madison Street. Traffic will be one way into the site, and one way out of the site. In addition, the CPSA plan proposes 104 parking spaces (which is more than is required) on the property site to limit the impact of parked cars on neighborhood streets. These proposals will make access to the property convenient and safe, and reduce traffic congestion on Madison and other neighboring streets.

B. Standards for Planned Development with Use Exceptions:

Not applicable.

C. Standards for Planned Developments with Other Exceptions

The CPSA plan, as proposed, will require two exceptions:

- A. Open Space: In the R2 single family district, the minimum open space requirement is 50%. The planned development standards require 25% more open space, which equates to a requirement of 62.5% open space. The CPSA plan provides for 47% open space.

- B. Building Height: The maximum building height provided for in an R2 single family district is 30 feet. The new CPSA building will comply with that height requirement, except where there is a stairwell which allows roof access. The stairwell, as designed, measures 35 feet in height but it is the only part of the building to exceed 30 feet.

The Village Board may approve planned developments which do not comply with the requirements of the underlying district regulations governing lot area, lot width, bulk regulations, parking and sign regulations, or which require modification of the subdivision design standards when such approval is necessary to achieve the objectives of the proposed planned development, but only when the Board finds such exceptions are consistent with the following standards:

- 1. *Any reduction in the requirements of this Ordinance is in the public interest.*

In order to meet the R2 open space requirements of 50%, CPSA could reduce some of the approximately 24 surplus parking spaces proposed for the property. This would result, however, in less vehicles being parked on the property site, and more vehicles needing to be parked on surrounding neighborhood streets. CPSA believes it is the public interest to place as many parking spaces on the property site as possible to reduce the traffic and parking congestion on the surrounding streets.

It is also in the public interest to allow access to the roof of the proposed building for maintenance, repair, and emergency purposes. CPSA has limited the 35 foot height only to area which will contain a stairwell for access to the roof. The only other option would be to have a hatch access to the roof, which is less desirable and not in the public interest.

- 2. *The proposed exceptions would not adversely impact the value or use of any other property.*

The requested exceptions do not adversely impact the value or use of any other property.

3. *That such exceptions are solely for the purpose of promoting better development which will be beneficial to the residents or occupants of the planned development as well as those of the surrounding properties.*

The planned development is designed to maximize the benefits to the users of the CPSA schools by providing more services, including classrooms, ample parking spaces, and better traffic flow in and out, as well as within the property site. The proposed new building is being built toward the center of the CPSA property in order to reduce its effects on surrounding properties. A new school building will enhance the value of the CPSA property, and should increase the property value of the surrounding properties.

4. *That the overall floor area of the planned development shall not exceed by more than 40% the maximum floor area permitted for the individual uses in each applicable district.*

The floor area of the new building meets the planned development requirements.

5. *That in residential planned developments the maximum number of dwelling units allowed shall not exceed by more than 40% the number of dwelling units permitted in the underlying district.*

Not applicable.

6. *That all buildings are located within the planned development in such a way as to dissipate any adverse impact on adjoining buildings and shall not invade the privacy of the occupants of such buildings and shall conform to the following:*

a. *The front, side or rear yard setbacks on the perimeter of the development shall not be less than that required in the abutting zoning district(s) or the zoning district underlying the subject site, whichever is greater.*

b. *All transitional yards and transitional landscape yards of the underlying zoning district are complied with.*

c. *If required transitional yards and transitional landscape yards are not adequate to protect the privacy and enjoyment of property adjacent to the development, the Plan Commission shall recommend either or both of the following requirements.*

1) *All structures located on the perimeter of the planned development must set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses;*

2) All structures located along the entire perimeter of the planned development must be permanently screened with sight-proof screening in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.

The CPSA plan meets all Village of Lombard set back requirements. The proposed new school building is located towards the interior of the site to minimize impact on surrounding properties. The property site abuts the backyards of each of the neighboring residential properties, so there are no situations where people looking out of the new school building will be able to look into residential homes, or vice-versa. CPSA is also willing to install sight-proof screening on the west side of the property near the side parking lot, if necessary.

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

The minimum open space requirement for R2 zoning is 50%. The planned development standards require 25% more open space, which equates to a requirement of 62.5% open space. The CPSA plan provides for 47% open space. There is no way that the plan would be able to meet the 62.5% requirement. The plan could be adjusted to meet the R2 requirement of 50% open space by reducing the number of parking spaces from the proposed 104 spaces to the minimum required parking spaces of 84. Village of Lombard staff has also suggested that CPSA could "landbank" up to 24 parking spaces for future use. In this option, CPSA would have the zoning approved to allow for extra parking at a later date. CPSA would prefer to have the plan approved for all 104 parking spaces. Petitioner feels strongly that the variation of the open space requirement will be offset by the benefits of putting more parking spaces on the property site, and reducing the traffic and impact on Madison Street and other neighboring streets. Reducing traffic congestion in this situation is a higher priority than the open space, which at 47% in the current plan is only 3% short of the underlying R2 open space requirement of 50% open space. It is in the public interest to approve the plan with the open space exception.

The requested conditional uses will not impede the normal and orderly development and improvement of surrounding properties in this primarily residential neighborhood. The Village of Lombard zoning ordinance recognizes that cultural facilities/institutions, public recreational and social facilities, religious institutions, and private full-time elementary schools are all allowable conditional uses with an R2 zoning district.

*That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*

3.

The conditional use of the property does not change any uses of any property in the immediate vicinity. Although the construction of a new building will bring more students to CPUSA, the continued use of the property as a private school does not diminish or impair property values. CPUSA is well recognized as a top private secondary school which has produced multiple National Merit Semi-Finalists in each of the last five school years. 85% of the students at CPUSA matriculate to a 4-year university. Many parents of CPUSA students move to Lombard so that they can live close to the school, which arguable increases the property values of the surrounding neighborhood.

*That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located;*

2.

The conditional uses being requested by the Petitioner are consistent with the use of the property as a school dating back to 1930. This property, originally the Green Valley Public School, was purchased by the Petitioner and converted to the College Preparatory School of America (CPUSA) in 1994. The requested conditional uses will allow the Petitioner to continue to operate the school and to expand the facilities and resources of the school on the current site. This use is not detrimental to, and does not endanger the public health, safety, morals, comfort, or general welfare.

*That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;*

1.

No conditional use shall be recommended by the Plan Commission unless it finds:

The Petitioner, College Preparatory School of America (CPUSA), is requesting that the Village of Lombard approve the Conditional Uses of the property located at 331 W. Madison Street in accordance with the standards established in Section 15.103 (F)(8) of the Village of Lombard Zoning Ordinance. The following are the responses of CPUSA to each of these standards:

## RESPONSES TO STANDARDS FOR CONDITIONAL USES

Petition for Public Hearing by CPUSA, 331 W. Madison, Lombard, IL 60148

FILE 2007

**RESPONSES TO STANDARDS FOR CONDITIONAL USES, p. 2**

4. *That the adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;*

The detailed plans attached to the Petition provide for adequate public utilities, access roads, and drainage. These plans have been reviewed by the Village of Lombard staff, and modifications suggested by the staff in regard to these areas have been included in the plans. Even with the construction of a new school building, there is plenty of space on the existing property to meet all of the Village of Lombard needs for public utilities, access roads, and drainage.
5. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;*

The property is located on Madison Street. The detailed plans submitted with the Petition have been designed to provide ingress and egress to the property while minimizing traffic congestion on Madison Street. In addition, the Petitioner has paid for a traffic study to determine the impact of the additional school building at CPSA on the surrounding public streets, particularly Madison Street. There is additional concern because of the location of the District 44 elementary Madison School in close proximity. Petitioner is willing to work with the Village of Lombard to adjust start and end times of the CPSA school, if necessary to minimize traffic congestion.
6. *That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard; and,*

The Comprehensive Plan currently designates the property as Conservation/Recreation (CR). The Village of Lombard staff has requested that the zoning be changed to R2 with a conditional use to bring the property in line with the Comprehensive Plan. The Village of Lombard Zoning Ordinance clearly states that private schools with an educational purpose as an accepted conditional use. The Petitioner's use of the property for the CPSA school is consistent with the Comprehensive Plan.
7. *That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.*

The Petitioner has attached detailed plans for the property to this Petition, and the plans have been reviewed by the Village of Lombard staff, and modified by the Petitioner in accordance with staff recommendations. Petitioner remains flexible to additional recommendations from the Plan Commission.

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Petition for Public Hearing by CP&SA, 331 W. Madison, Lombard, IL 60148

RESPONSES TO STANDARDS FOR MAP AMENDMENTS (REZONING)

The Petitioner, College Preparatory School of America (CP&SA), is requesting that the Village of Lombard approve a Map Amendment (re zoning) of the property located at 331 W. Madison Street from CR to R2 residential with a permitted conditional use for a "private, full time, elementary, middle and high school" in accordance with the standards established in Section 155.103 (E)(8) (a) of the Village of Lombard Zoning Ordinance. The following are the responses of CP&SA to each of these standards:

Where a map amendment is proposed, the Plan Commission shall make findings based upon the evidence presented to it in each specific case with respect to, but not limited to, the following matters:

1. *Compatibility with existing uses of property within the general area of the property in question;*

This property has been used as a school (principally "Green Valley Public Elementary School") dating back to 1930. The property was purchased from School District 44 by CP&SA in 1993 and has been used as a private school since that time. The property has historically been zoned CR (Conservation/Recreation) with a legal nonconforming use. The Village of Lombard is recommending that rezoning the property to R2 (Residential) with a conditional use for a "private, full time, elementary, middle and high school" to better reflect the actual and historic use of the property. The R2 zoning is compatible with existing uses of the property within the general area of the property.

2. *Compatibility with the zoning classification of property within the general area of the property in question;*

This property is surrounded on all sides by properties zoned as R2 residential, so a change in zoning to R2 with a conditional use would be compatible with the general area of the property in question.

3. *The suitability of the property in question to the uses permitted under the existing zoning classification;*

The existing zoning classification of the property is CR (Conservation/Recreation) with a legal non conforming use. Although the zoning of a school property as CR is not unusual in Lombard (nearby Madison School and Hammerschmidt School are also zoned CR), the Village of Lombard feels that CR is more correctly used in Lombard to designate public park areas. The zoning classification of the property to R2 (Residential) with a conditional use for a "private, full time, elementary, middle and high school" is preferred.

4. *Consistency with the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification;*

As discussed above, the current thought is that a zoning classification of the property to R2 (Residential) with a conditional use for a "private, full time, elementary, middle and high school" is a more accurate and descriptive zoning classification for the current and historic use of the property than CR with a legal nonconforming use.

5. *The compatibility of the surrounding property with the permitted uses listed in the proposed zoning classification;*

The surrounding properties are all zoned as R2-residential. The conditional use of this property as a "private, full time, elementary, middle and high school" is a permitted use in an R2 zoning district, and would, therefore, be compatible with the surrounding property.

6. *The objectives of the current Comprehensive Plan for the Village of Lombard and the impact of the proposed amendment of the said objectives;*

The Village of Lombard is recommending this map amendment to change the property to R2 (Residential) with a conditional use for a "private, full time, elementary, middle and high school" so that the zoning of the property in accordance with the Comprehensive Plan for the Village of Lombard. The new zoning will reflect the actual use of the property, which has not changed.

7. *The suitability of the property in question for permitted uses listed in the proposed zoning classification.*

This property has been used as school campus since 1930, and has been used by Petitioner in that capacity since 1993. The historic use of the property falls squarely under the permitted conditional use of a "private, full time, elementary, middle and high school". There is no plan to change the historic use of the property, because it has been suitable to the property.



Tomas & Kathryn Johansson  
303 W. Harding Rd.  
Lombard, IL 60148  
Phone 630-613-9495  
Mobile 815-919-4652

April 27, 2009

PC 09-08 (CPSA Petition)

Planning Commission  
Lombard Village Hall  
255 E. Wilson Avenue  
Lombard, IL 60148

In reference to Petition per above no.

As property owner in close vicinity of the petitioner's property, we oppose the petitioned changes for the following reasons:

**Point 1 & 2** – re-zone to R2 - then approve a conditional use to allow for the school in the R2 Zone.

The school's operation needs to conform to the existing CR zoning, which can be accomplished by re-approving conditional use in the CR zone.  
To rezone to R2-residential status suggests future goals for the property use other than now presented.

**Point 3 a&b** – The lot is clearly too small for the proposed expansion, and most of the 47% will be used for parking (requiring deletion of green space in a park / residential area. Allowing a higher building than code close to one-family homes does affect surrounding property values negatively.

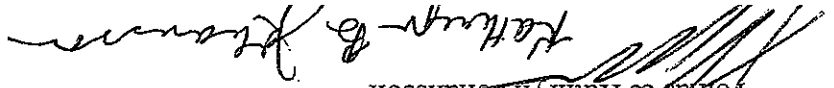
I commend a successful private school such as CPSA. I wish for CPSA to be able to continue to expand in Lombard and to continue successfully for many years to come.  
I believe Lombard could offer CPSA a much better alternative lot, to build a new state-of-the-art School on;

- With considerably more space for future expansion, and parking space/parking garage.
- With better street connections, than Madison-Elisabeth, to handle the increased traffic.
- Maybe closer to the Metra-station, so students could walk to-from the school from Metra.
- Since existing school buildings at 331 W. Madison Street, are old and in need of up-grade I believe it would be advantageous for the school to start with a fresh building, at a larger lot.

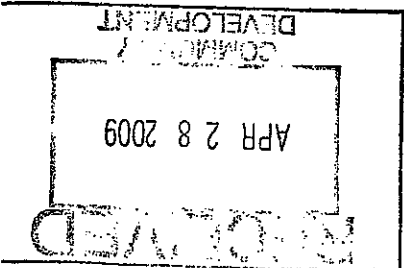
The value of the lot presently occupied by CPSA could be recovered by applying a plan for one family houses in a cul-de-sac pattern, probably 20 nice one-family homes, to the lot.

Respectfully yours

Tomas & Kathryn Johansson







Kenneth F. Doles  
623 South Elizabeth  
Lombard, IL 60148  
[630] 953-9135

April 27, 2009

Village of Lombard  
Department of Community Development  
255 E. Wilson Avenue  
Lombard, IL 60148

Dear Plan Commission,

**Reference: Notice of Public hearing – PC 09-08**

Due to a prior commitment, I will be unable to attend the hearing on May, 4, 2009. There are questions I would like to have addressed for a clarification and better understanding regarding the requested actions by the College Preparatory School of America (CPSA) for the site located at 331 W. Madison Street, Lombard, IL.

1. Approval of a map amendment to rezone the subject property from CR Conservation Recreation District to R2 Single-Family Residence District.

See item #2 below.

2. Approval of a conditional use to allow for a School, Private, Full-time Elementary, Middle and High in the R2 Single-Family Residence District and:

- o Does R2 Single-Family Residence District allow for K – High School education facilities only?
- o Does R2 Single-Family District preclude student residential dormitory facilities without further redistricting/rezoning, petitioning and public hearings?
- o Does R2 Single Family district permit or preclude the site from creating, or constructing a house of worship in conjunction with a school?
- o If R2 districting permits and CPSA plans are for resident student facilities, there needs to be additional public hearings and this petition should not be allowed at this time without further detail and resident input.

- a) To allow a variation from Section 155.407 (H) and Section 155.508 @ (7), reducing the minimum required open space to 47% where a minimum of 62.5% is required and:

- o Does this reduction of open space include or exclude the envisioned replacing of the front lawn of the existing school with a parking lot and berm? If the parking lot IS NOT included and the proposed lot is not acceptable to the residents residing on the north side of Madison Street (directly across the street from the school) this variation should not be allowed.

b) To allow a variation from Section 155.407 (G) to allow for a building height of up to thirty-five feet (35') from grade, where thirty feet (30') maximum height is allowed by right.

- o Before I would accept this request for variation, I would like to see the impact on the view and line-of-sight from Elizabeth Street for BOTH the residences on the east and west sides of the street. The term "from grade" - where is the "grade"? Where the playground is now, or some point above or below that and where?

Summary:


I see two (2) areas here:

1. The request to correct the district designation to R2 Single-Family. This I believe has a direct tie-in to point #2.

2. The requests for variations that relate to the overall plans and vision for the site by CP&A. The master plan and objectives need to be formally presented to the village and local community (the previous presentation by CP&A, although appreciated, well done and informative were conceptual). Granting variations piecemeal is not appropriate or acceptable without issues, questions and concerns of the local residents and the village being addressed as part of a formal comprehensive plan. The requests in this subject of the public meeting are premature at this point, in my opinion. All of the details and specifics need to be known first.

Thank you for your time and consideration.

Yours truly,



Kenneth F. Doles

cc. Trustee Richard Soderstrom  
District 6

# Petition to [Action Petitioned For]

**Petition summary and background**  
 We, the residents of Lombard, residing on Harding, Elizabeth, Edson and Madison Roads, oppose the new construction and rezoning of the property at 331 W. Madison. A few, but not limited to concerns are, increase traffic, building height, property value, reduced open space, privacy, and maintaining a residential appearance in the neighborhood.

**Action petitioned for**  
 We, the undersigned, are concerned citizens who urge our leaders to act now to oppose the new construction at 331 W. Madison Road.

Printed Name	Signature	Address	Comment	Date
LAURENCE RIZZO	<i>L.R. Rizzo</i>	308 W. HARDING	keep the neighborhood	5/2/09
JOE RIZZO	<i>Joe Rizzo</i>	308 W. HARDING		5/2/09
Betty Hanke	<i>Betty Hanke</i>	311 W. Harding		5/2/09
Gladia Smogur	<i>Gladia Smogur</i>	345 W. Harding		5/2/09
James Felbinger	<i>James Felbinger</i>	346 W. HARDING		5/2/09
RODOLPH JUREK	<i>Rodolph Jurek</i>	336 W. HARDING		5-2-09
FRANK JUREK	<i>Frank Jurek</i>	336 W. HARDING		5-2-09
Kelly McGinnis	<i>Kelly McGinnis</i>	336 W. HARDING		5-2-09
JAMES LAPUSKA	<i>James Lapuska</i>	320 W. HARDING		5/2/09
Tony Jones	<i>Tony Jones</i>	519 W. HARDING		5/2/09
<i>E. J. Jones</i>	<i>E. J. Jones</i>	330 W. Harding Rd		5-2-09
CARL SCHWESL	<i>Carl Schwesl</i>	614 S. ELIZABETH ST.	ADDITION WITH AND TOO MUCH TRAFFIC.	5/2/09

Printed Name	Signature	Address	Comment	Date
Courtney Schwab	<i>CSSB</i>	614 S. Elizabeth St.		5/2/09
Cathy Wright	<i>Cathy Wright</i>	624 S. Elizabeth		5/2/09
Don Wright	<i>Don Wright</i>	624 S Elizabeth		5-2-09
Dee Wright	<i>DEE WRIGHT</i>	624 S. ELIZABETH		5-2-09
Kristen Jennings	<i>Kristen Jennings</i>	301 W Madison		5-3-09
Joel McElmurry	<i>Joel McElmurry</i>	145 W. Madison St.		5-7-09
C. MARTINS	<i>Frank J. Martins</i>	210 W. Madison ST		5-2-09
INCA SARRAITE	<i>Inge Korpelaite</i>	356 W MADISON ST.		5-2-09
Sigita Mangunaitis	<i>Sigita Mangunaitis</i>	356 W. Madison st.		5/22/09
Scott Osborne	<i>Scott Osborne</i>	345 W Madison st		5-2-09
M Soled	<i>Melody Soled</i>	414 W Madison st		5-2-09
Joyce Peterson	<i>Joyce Peterson</i>	491 W. Spauldin St		5/2/09
RYAN SURSON	<i>Ryan Surson</i>	610 S. EDSON AVE		5/2/09
H. Beck	<i>Harold Beck</i>	636 S Edson		
M. Spieker	<i>M. Spieker</i>	644 S Edson		

## Petition to [Action petitioned for]

Petition summary and background	We, the residents of Lombard, residing on Harding, Elizabeth, Edson and Madison Roads, oppose the new construction and rezoning of the property at 331 W. Madison. A few, but not limited to concerns are, increase traffic, building height, property value, reduced open space, privacy, and maintaining a residential appearance in the neighborhood.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders to act now to oppose the new construction at 331 W. Madison Road.

Printed Name	Signature	Address	Comment	Date
Julie Glazice		304 W. Harding Road		5-2-09
Kathy Lasota		317 W Harding Road		5-2-09
JAY DEXL		325 W Harding Rd		5-2-09
Mary DEXL		325 W. HARDING RD.		5-2-09
Susan Middel		331 W. Harding Rd.		5-2-09
Ray Middel		331 W. Harding Rd.		5-2-09
ROBERT SMITH		350 W HARDING RD		5-2-09
Lynne Doles		623 S. Elizabeth		5-2-09
Ken Doles		623 S. ELIZABETH		5-2-09
Tom Gull		251 W Harrison		5-2-09
MARY SAMPSON		619 S. Elizabeth St.		5-2-09
WAFER KILGUS		1316 Madison St		5-2-09

Printed Name	Signature	Address	Comment	Date
LINDA HANSEN	Judith Hansen	121 W. Madison Lombard		5/2/09
Matthew Henning	Matthew Henning	214 W. Madison Lombard		5/2/09
JEFF DIBOLSON	Jay DeBols	5985 ELIZABETH		5/2/09
Donna Weiss	Donna Weiss	596 S. Edison Lombard		5/2/09
Kurt Johnson	Kurt Johnson	420 W MADISON		5/2/09
LINDA JOHNSON	Linda Johnson	420 W Madison		5/2/09
Kate Lommer	Kate Lommer	432 W. Madison		5/2/09
Angel Berthman	Angel Berthman	439 W. Madison		5/2/09
EP Szarka	EP Szarka	615 So Madison Ave		5/2/09
Sharon Reynolds	Fran Szarka	615 S. Edison Ave		5/2/09
MARGARET SMITH	Kathleen E. Smith	350 W. Harding Rd.		5/2/09
Ben Jones	Ben Jones	319. V. Harding Rd.		5/2/09
Tammy Lasson	Tammy Lasson	317 W. MADISON RD.		5-2-09
SOB GLAZIER	for Margerich.	304 W. HANOVER RD		5-3-09









**MEMORANDUM**

**TO:** LOMBARD PLAN COMMISSION  
Donald Ryan, Chairperson

**FROM:** Michael S. Toth, Planner I *M.T.*

**DATE:** June 8, 2009

**SUBJECT:** PC 09-08; 331 W. Madison Street (CPSA)

At the May 21, 2009 Village Board meeting, the Village Board remanded PC 09-08 back to the Plan Commission in its entirety, so that additional public comment and testimony can be offered to answer and/or address the comments relative to the petition. The petition is scheduled to be heard at the June 8, 2009 Plan Commission meeting. This memorandum outlines the process and steps associated with this action and provides direction to the Commissioners relative to this petition.

**BACKGROUND**

At the May 4, 2009 Plan Commission meeting, the Plan Commission held a public hearing to consider zoning actions for the College Preparatory School of America (CPSA) proposed school expansion project. The Plan Commission considered the petition and public testimony raised at the meeting and through its deliberations recommended approval of the petition, in substantial part, subject to conditions.

Subsequent to the Plan Commission and prior to the Village Board meeting, a neighborhood meeting was held with surrounding property owners where some additional comments and concerns regarding the development proposal and its potential impacts on adjacent properties were generated. The nature of the comments and concerns varied; but seemed to focus on adjacent neighbor impacts such as buffering/screening, traffic, building height and operational activities.

The Village Board, at their May 21, 2009 meeting remanded this item back to the Plan Commission in its entirety, to allow an opportunity for the issues raised in subsequent discussions to be considered by the Plan Commission in a public hearing format. This action ensures that the public hearing record has been perfected and that the public hearing provisions established in *Klaeren v. Lisle* are satisfactorily addressed.

**REFERENCE MATERIALS**

For the Commissioner's reference, staff is providing a copy of the following information:

1. Copies of the IDRC staff report as previously presented to the Commissioners;
2. Notes and minutes from the May 4, 2009 Plan Commission meeting;
3. Notes of the May 21, 2009 Village Board Meeting;
4. All correspondence related to PC 09-08, transmitted from or received by the petitioner following the original public hearing, for reference purposes, including an updated plan set prepared by the petitioner and consisting of the following:
  - a. Site plan
  - b. Building Elevation Plan
  - c. Correspondence between the petitioner and staff

**MEETING FORMAT**

The format of the Plan Commission meeting will be as follows:

1. Staff will outline the reason for the Special Meeting and will note the actions to be considered as part of the meeting. Staff will provide a brief history of the petition and will summarize the zoning actions and development regulations associated with the petition.
2. The petitioner (CPSA) will be given an opportunity to present their petition and offer additional testimony regarding their use and operation. Once completed, an opportunity to cross-examine the petitioner by anyone in the public will be provided and shall relate specifically to the petitioner's presentation and the submitted materials.
3. Upon completion of petitioner's cross-examination, any objector will be offered the opportunity to speak. Once completed, an opportunity to cross-examine the objector by anyone in the public will be provided and shall relate specifically to the objector's presentation.
4. Staff will present the remand memorandum. Once completed, an opportunity to cross-examine staff by the petitioner and anyone in the public will be provided.
5. After completion of the cross-examination, the public participation period will be closed. The Plan Commissioners shall then be given an opportunity to discuss the petition.

Questions may be asked to staff, objectors or the petitioner. The Plan Commission should provide a response to each of the issues raised by the petitioner and/or objectors.

6. The Plan Commissioners shall then vote to uphold their original recommendation or amend their recommendation as deemed necessary. The Commissioners could amend the language as they deem appropriate, provided that the reasons for approval or denial are tied to the standards for conditional uses, variations, map amendments and planned developments. The Commissioners do have the ability to add any additional conditions they deem appropriate should they recommend approval.

7. The recommendation will be forwarded to the Village Board for consideration at their June 18, 2009 meeting.

## STAFF REVIEW

Staff has prepared a list of items for the Plan Commission to consider for this petition. These represent some of the various concerns raised by the surrounding residents. The comments in italics were concerns raised at the various neighborhood meetings and in letters submitted by surrounding neighbors. The comments below reflect the current response:

**\*\* It should be noted that this item was remanded back to the Plan Commission in its entirety. Therefore additional comments not mentioned below may be discussed as part of the public testimony. A representative from CPSA will be present at the Plan Commission hearing to provide testimony regarding these items.**

## 1. Traffic

*A. Increased traffic, particularly at the southeast corner of the site.*

CPSA indicated that most of the drop off & pick up for the K-12 classes would occur in the middle of the site (in between the two buildings and in the new parking area north of the existing building). CPSA also stated that the preschool drop off & pick up would occur at the southeast corner of the site. The petitioner did discuss their traffic flow as part of the initial hearing, but should provide a more detailed explanation of their drop off & pick up areas for clarity.

*B. Traffic backup onto Madison.*

A detailed traffic study was completed by the Village's consultant (KLOA), which highlights recommendations that are to be incorporated into CPSA's site plan. Staff gave a copy of the traffic study to some of the adjacent property owners to share with neighbors. The petitioner's current plan does incorporate most of the recommendations; however, the Village still recommends a staggered drop off & pick up schedule as a condition of approval. Per the

Village's consultant, this should eliminate any stacking onto Madison. CPSA has indicated they prefer not to publish a set class schedule at this time. CPSA has agreed to stagger start and end times from those of Madison School. The petitioner has indicated that they would like to retain the flexibility to adjust class schedules and start and end times of different ages based on need, as determined by increased enrollment and/or increased traffic issues. Staff would still recommend that as a condition of approval, the petitioner provide a detailed drop off/pick up schedule based upon the recommendations in the KLOA report and based upon the proposed traffic flow conditions along Madison Street and upon the subject property.

## **2. Screening**

*A. Not enough screening/landscaping along the eastern and southern property lines.*

CPSA has submitted a revised landscape and site plan showing a new six foot (6') solid fence along the eastern portions of the site. The fence would also be located on the along southern lot line, however it would stop at the midpoint. In addition, the revised landscape does show some additional plantings, however details of the type and size of plantings has not been provided. The petitioner has indicated that they are not sure yet if all the neighbors on the south and east want the fence and/or landscaped screening. The petitioner has indicated a willingness to work with the neighbors to provide screening that meets the desires of the neighbors on those sides. Staff recommends that as a condition of approval, all plantings along the parking lot and drive aisles that directly abuts residentially zoned properties be screened with evergreen and/or dense deciduous shrubs across the entire frontage at a planting height of a minimum of 4 feet. This is consistent with the requirements of the Zoning Ordinance. In addition, staff recommends that the type of evergreens and/or shrubs shall have the ability to grow to a minimum height of 15 feet.

*B. Landscaping shall be dense trees/shrubs that can grow higher than a fence. The proposed drainage swale along the east property line will impede the growth of any landscaping.*

The revised site plan submitted by the petitioner does show the addition of a storm sewer with several inlets along the east property line. In addition, staff recommends that the plant material shall meet the provisions outlined above. Please note that additional comments may be generated during final engineering review regarding the use of a storm sewer in lieu of only a swale. In the event the petition is approved with a condition requiring landscape screening that conflicts with the final engineering plans, the petitioner would still be required to provide the necessary screening. It would be up to the petitioner to revise their plan to meet all conditions of approvals and final engineering requirements.

*C. Perspective of the landscaping along the eastern property line.*

The petitioner has not provided the Village with a revised perspective plan, however they did indicate that they plan to address the matter at the June 8<sup>th</sup> meeting.

### **3. Loading Dock**

*A. Residents along the southern and eastern property lines are concerned about truck traffic and the utilization of the loading dock.*

CPSA indicated that they will sparingly use the loading dock and that most of their supplies are provided in vans or small trucks only. Please note that the loading dock is a zoning requirement; however, the location of the loading dock was proposed by the petitioner.

### **4. Garbage Dumpster**

*A. Location of the garage dumpster.*

CPSA has revised their plans to reflect a new dumpster location. The new dumpster location will be located directly off of the western drive aisle, adjacent to the detention pond. The new location is more centralized on the site, which would place it further away from the residential properties. The Zoning Ordinance requires the dumpster to be fully screened on all four (4) sides. The relocation should mitigate many of the concerns raised by residents. Also, a condition of approval for St. Johns School (PC 05-06) was that trash collection shall not occur on the school property prior to 8:00 a.m. Staff recommends that the same condition of approval required of St. John's will be added as part of this petition.

### **5. After School Activities**

*A. CPSA has nighttime activities.*

CPSA has indicated that there will be afterschool activities that would be ancillary to the school, which includes: student projects, sports and awards ceremonies. They do indicate that since it is a religious based school, there are prayer services offered five times a day. However, those participating in prayers are generally students, teachers, administrators, and a few parents who live in the neighborhood. Staff notes that it is the petitioner's intent is to utilize the property as a parochial school as its principal use, similar to other schools in the community. However, if the petitioner were to modify their operations to provide for public assembly for worship purposes, a conditional use for a religious institution would be required. The petitioner has stated that is not the intent of the school addition.

### **6. Building Height**

*A. Proposed building height will be higher than the surrounding residences and block sunlight.*

CPSA has provided a detailed illustration of how the building height will not cast a shadow on the surrounding properties. The illustration demonstrates that even when the sun is at its lowest point, a shadow would be cast at a maximum of fifty-two feet (52') away from the building, which would still be seventeen feet (17') from the nearest property line. In addition, CPSA offered to fly a 30 foot balloon at the southeast corner of the proposed building site on Saturday, June 6, 2009 for the neighbors to observe the height from surrounding properties and streets.

## 7. HVAC System

*A. HVAC units will be loud and they will be visible to the neighbors.*

CPSA indicated that the biggest HVAC unit will be located on the ground floor at the northeast corner of the new building. They also stated that two (2) units will be located on the roof of the new building; however, they will be screened per Section 155.221 of the Zoning Ordinance. In addition, CPSA's architect has indicated that they will provide decibel readings for the proposed rooftop units at the June 8<sup>th</sup> Plan Commission meeting

## 8. Atrium Window

*A. Residents along the eastern and southern property lines are concerned about the large windows overlooking their homes.*

On the newly-submitted elevation plans, CPSA is now proposing semi-transparent windows to block the views onto adjacent properties. The plans now show semi-transparent glass panels on the lower-half of the second story windows and atrium. The petitioner's architect has indicated that this semi-transparent glass will still allow for light to enter the building but will prevent the occupant of the building from looking out onto the adjacent properties.

## 9. Capped Student Population

*A. How will the capping of students be monitored.*

As a condition of approval, staff recommends that grade school students shall be capped at 450 students and the number of high school students shall be capped at 240 students. The total student population, including the pre-school, shall not exceed 785 students. To monitor this condition, staff can obtain student population numbers through the Illinois State Board of Education and pre-school numbers through DCFS.

## 10. Parking Lot Lighting

*A. Residents are concerned about parking lot lighting spilling over onto the adjacent properties.*



CPSA will be required to meet the full provisions of Section 155.602(A)(10)(d) of the Zoning Ordinance, which pertain to parking lot lighting standards. Section 155.602(A)(10)(d) specifically states that in no case shall parking lot lighting exceed 0.5 foot-candles at any property line which is shared by a residentially-zoned property. As such, the Ordinance does not allow for excessive light spillover onto residential properties. Furthermore, CPSA will be required to submit a photometric plan, for Village review, as part of their permit submittal.

### 11. Phasing & Construction

*A. Residents were concerned that the project was going to be built in phases over the years.*

CPSA indicated that the entire project would be built in one (1) phase. Any improvements to the existing building (windows and air-conditioning) may come at a later date, after they are done with the project.

#### *B. Construction Hours.*

Village Code restricts construction activity Monday-Sunday 7 a.m. to 8 p.m.

### 12. Surveyor's Gap

A question was raised regarding the surveying gap located south of the subject property. The plans show that the proposed use will not include the gap area and the petitioner does not intend on including this area as part of their petition.

### 13. Fire Access

On all new buildings the Fire Department requires at least three sided access. In addition, the Fire Chief may require 'continuous access around a building' or four (4) sided access. Fire Lanes must be a minimum of 18' wide and must be set back 15' from the structure. At times parking lots can meet these two requirements such as St. Johns School did (PC 05-06). In the case of CPSA, the area between the proposed new building and the existing building could not be utilized as fire access land since there is not enough building separation and there are overhead obstructions which would prevent fire apparatus from maneuvering aerial ladders.

### ACTION TO BE TAKEN

At such time that the Plan Commission is ready to make a motion, the Commissioners have the following options:

1. *If the motion is to uphold the recommendations from the May 4, 2009 Plan Commission meeting, the Commissioners can use the language below or amend it as they deem*

*appropriate. The Plan Commission does have the ability to add or strike any conditions as they deem appropriate.*

Based on the submitted petition and the testimony presented, the Plan Commission found that the proposal **complies** with the Standards for Variations as set forth in the Zoning Ordinance and, therefore, move that the Plan Commission does not accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission and therefore, recommends to the Corporate Authorities **approval** of the building height variation and that a minimum of fifty percent (50%) open space be provided, associated with PC 09-08.

Further, based on the submitted petition and the testimony presented, the proposal does comply with the Standards for Planned Developments, Conditional Uses and Map Amendments required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission and that establishing a planned development, map amendment, and conditional use is in the public interest and enhances the development, and therefore, I recommend to the Corporate Authorities **approval** of the requests associated with PC 09-08, subject to the following conditions:

1. The site shall be developed substantially in accordance with the CP&A elevation, site, landscaping and floor plans package, prepared by Dome Structural Engineers, dated December 1, 2008, except as they shall be changed to meet Village Codes and provide 50% open space and shall be subject to the review and approval of the Director of Community Development.
2. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.
3. The petitioner shall address all recommendations in the KLOA report, which includes a detailed drop off/pick up schedule in a manner acceptable to the Director of Community Development, based upon the proposed traffic flow conditions along Madison Street and upon the subject property.
4. The number of grade school students shall be capped at 450 students and the number of high school students shall be capped at 240 students. The total student population, including the pre-school, shall not exceed 785 students.
5. A final plat of consolidation shall be submitted to the Village for approval, making the site a lot of record.

6. The designated fire lane adjacent to the western and southern portion of the proposed building shall be blocked off at all times and accessed only by the Village of Lombard Fire Department and the refuse company for trash pickup.

7. The petitioner shall submit a photometric plan as part of building permit submittal showing compliance with Village Code.

8. The Plan Commission shall be granted site plan approval authority for the subject property.

9. Trash collection shall not occur on the school property prior to 8:00 a.m.

10. A revised landscape plan shall be submitted in a manner acceptable to the Director of Community Development. All plantings along the parking lot and drive aisles that directly abuts residentially zoned properties shall be screened with evergreen and/or dense deciduous shrubs across the property line at a planting height of a minimum of 4 feet and consistent with Section 155.706 (C) (2) (a) (1) of the Zoning Ordinance. Evergreens and/or the dense deciduous shrubs shall be of a species that can grow to a minimum height of 15 feet.

*The Plan Commission should note any other findings of fact to be part of the public record as deemed necessary.*

2. *If the motion is for denial of the petition in its entirety or in part, the Commissioners could amend the language as they deem appropriate, provided that the reasons for denial are tied to the standards for conditional uses, variations, map amendments and planned developments. The Commissioners should state their reasons for the denial of the petition.*

Based on the submitted petition and the testimony presented, the proposal **does not** comply with the Standards for Planned Developments, Standards for Planned Development with Variations, Conditional Uses and Map Amendments required by the Lombard Zoning Ordinance and that granting the planned development is not in the public interest and does not enhance the development; and, therefore, I move that the Plan Commission **does not** accept the findings of the Inter-departmental Review Report as the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **denial**, of the requests associated with PC 09-08.



MINUTES FROM  
THE MAY 4, 2009  
PLAN  
COMMISSION  
MEETING



# Village of Lombard

Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
[villageoflombard.org](http://villageoflombard.org)



## Meeting Minutes

Monday, May 4, 2009

7:30 PM

Village Hall

## Plan Commission

Donald F. Ryan, Chairperson  
Commissioners: Martin Burke,  
Stephen Flint, Ronald Olbrysh,  
Ruth Sweetser, Andrea Cooper and Richard Nelson  
Staff Liaison: Christopher Stilling

090246

**PC 09-08: 331 W. Madison Street (CPSA)**

Requests the Village take the following actions on the subject property:

1. Approval of a map amendment to rezone the subject property from CR Conservation Recreation District to R2 Single-Family Residence District.

2. Approval of a conditional use to allow for a School, Private, Full-time; Elementary, Middle and High in the R2 Single-Family Residence District; and;

3. Approval of a conditional use for a planned development with the following deviations:

- a. To allow a variation from Section 155.407 (H) and Section 155.508 (C) (7), reducing the minimum required open space to 46.85% where a minimum of 62.5% is required; and

- b. To allow a variation from Section 155.407 (G) to allow for a building height of up to thirty-five feet (35') from grade, where thirty feet (30') maximum height is allowed by right. (DISTRICT #6)

Andrew Draus, 350 S. Fairfield Avenue, Lombard, attorney for the petitioner presented the petition. He thanked the public for coming regardless of whether they were in support or against his client stating that it is nice to see they are taking an active role in government.

Mr. Draus indicated that the subject of the petition tonight is the College Preparatory School of American (CPSA) located at 331 W. Madison Avenue. He indicated that the building has been used primarily by the school district since 1930. He provided the history of the site and how CPSA came to be at this location in 1994. He noted that the current zoning of the parcel is CR, which is what the parcel has been zoned the entire time, and how it is operating as a legal nonconforming use. CPSA has 5 legal lots comprising of approximately 4 acres containing a school building, parking lot, a playground and 450 students.

Mr. Draus mentioned how CPSA's curriculum and environment has attributed to the success of its students. He stated that a high percentage of students graduate from CPSA and go on to college. He also mentioned students' achievements and accomplishments such as being National Merit Scholars and being selected to the all American Academic Team, as well as how the students become professional members of the community.

The alumni of CPSA represent various professions and they are now sending their children here. CPSA has strict academic standards with people dedicated to these goals. There is no crime, vandalism, or drugs and there very few discipline issues. There has been an increase in demand for enrollment as a result of families who have moved to Lombard so that their children can attend the school. They have conducted various fundraising events in order for the proposed improvements to come to fruition. Representatives of CPSA have been working with Village staff over a period of time in order to bring this plan before you today.

Mr. Draus then introduced Jamsheed Jahedi, Architect-Engineer, from Dome Structural Engineers who would discuss the proposed plan in further detail.

Jamsheed Jahedi, Architect and Engineer for the project, 105 Ogden Avenue, Clarendon Hills, thanked everyone. He indicated that he would present a PowerPoint presentation outlining the project.

fence shall be maintained in good state of repair at all times.



Two years ago their office was asked to create a necessary drawing and design for a new building on campus. The owners' goals were to create a facility that:

- \* Offers higher standard of K-12 education in a more delightful environment
- \* Remains neighbor friendly while responding to steady growth of the students body
- \* Continues adding credential to the school and the Village of Lombard
- \* Increases the land value of the school and neighboring properties

Mr. Jahedi showed an aerial view of the school as well as a zoning map which indicated the school's current zoning - CR. He stated that the property is really more consistent with the surrounding zoning of R2.

Next was an aerial of the existing conditions. He explained the orientation of the slide in that Madison Street was to the right. The existing building is very old (90 years) and 32,000 square feet. The site has 80 parking spaces and is served by two access drives area and he indicated the entrance as well as the exit.

The next slide showed the new addition. He explained that it is the same photo, but they superimposed the new building with the existing building. The new building is going to be built where the existing parking is with part of the building extending to the south, which is currently a grass area. The exit and entrance will stay the same. The two buildings will be connected by an underground corridor to facilitate travel between the two buildings. He then showed the next slide which was the proposed site plan. The site plan illustrated the two buildings, new parking areas, detention area and baseball field.

The traffic flow slide showed both the existing and proposed traffic patterns, which were indicated with arrows. He showed the traffic flow on the existing site as well as the proposed site and indicated it is pretty much the same. The parking has been moved to a different location and there is a new driveway, which will be strictly used by the Fire Department and is not part of the public drive. This drive was required by the Fire Department.

The existing parking is shaded with color and he indicated the location of the 80 parking spaces. The new parking has the same amount of area, but has been moved from the south of the building to the north of the building. They extended the parking to the east and south. Approximately 19 parking spaces will be added. This is a more efficient design of the site. Mr. Jahedi explained that by having these additional parking spaces on site, it would eliminate the need for parking on the street.

He showed a cross section of the property looking from Madison. They will have landscaping similar to a berm about 2 feet high, which will be complemented with another 2-3 feet of shrubbery. This will total approximately 5-6 feet in height, which is acceptable as a screening device by the Village.

The parking space comparison slide superimposed the existing and proposed parking spaces in order to get a visual indication of how much parking they are adding. He acknowledged they were not adding a significant amount of parking.

The Occupancy & Parking Calculations slide - Mr. Jahedi stated that Village Code requires 80 parking spaces on site. He noted that the number of total parking spaces required for the existing building is 43 and they have 80. With the new facility consisting of two buildings, 32,000 square feet for the existing building and 61,000 square feet for the proposed building, the required number of parking spaces per Village Code is 80. If the Village looks strictly at Code, we are adding 60,000 square feet, but are still within

Code by providing only the existing 80 parking spaces. If we use common sense, we see that right now the parking never gets full, but it does get close to maximum capacity. The neighbors would feel better and have more experience in determining whether additional parking spaces should be added to the site or not. CP&A proposes to keep the 19 additional parking spaces in order to negate the spillage of parked cars in the neighborhood. They think that having the additional parking helps the community at large in solving some of the parking problems although they respectfully leave this decision to the discretion of the Plan Commission members.

He described the proposed site plan indicating they have an outdoor sports facility shown as a baseball field, which could also be used by the neighbors. The detention pond located in the northwest part of the site will control stormwater on site. Mr. Jahedi showed the drainage slide and stated that the site will retain the entire run off provided by a 100-year storm. The detention pond is located on the lowest part of property. The 100-year storm is the maximum amount of coverage the jurisdiction asked the engineer to design for. The intensity is very high. There are two detention ponds shown, the lower part will handle the 50-year storm event and if higher there is a second detention pond which is part of the sports field. We are improving the drainage of the site much more than currently exists. The neighbors will not see water run off from this property. The light blue line around the site is a swale, which is designed to bring water off the site to the street and into the sewers.

Emphasizing the variances they are asking for he showed the proposed site plan. They are asking for a rezoning from the CR zoning designation to the R2 residential district, a conditional use for a planned development, a variation to the open space and a building height variation to allow 35 feet where 30 feet is allowed.

Simple Rezoning versus PUD - This slide shows a hypothetical analysis of the percentage of open space required when applying for a simple rezoning to the R2 versus applying for a conditional use for a Planned Development. A simple rezoning to the R2 where they connect the two buildings would require they need to meet 50% open space. Their plan provides 47% open space, leaving them 3% short. If we go the other route and apply for a Planned Unit Development with 2 separate buildings, the open space requirement is higher at 62.5%. Their plan proposes 47%, leaving them much shorter. The height restriction of 30' is the same for both routes. The Village prefers they apply for the planned unit development and CP&A prefers the simple rezoning. He asked the Commissioners to think about these two differences, but respectfully leaves this decision to their discretion.

Open Space - Area Calculations - This slide shows the percentage of open space provided by the CP&A's original design versus the percentage of open space needed after factoring in the additional requirements the Village has asked for. By providing Department requires, as well as the cul-de-sac, this increases the impervious area and result in a larger open space requirement percentage. They are willing to spend additional money and provide green pavement components for the parking lot or the Fire Department access driveway. He mentioned how he is well trained, has appropriate certification and is a very strong advocate of the green building movement. He was disappointed to learn that the Village does not give credit for adding pervious areas. They are still willing to put the pervious pavement in their parking lot in effort to reduce the percentage and increase the open space on site to more than 50%. He asked the Commissioners to look at this concept since they are ready to do it and bring the 50% higher to maybe 62%.

The Height Comparison. Mr. Jahedi stated they are within the 30' height limit for the

entire building with the exception of one staircase, which goes up to the roof. The roof consists of fans which blow fresh air into the gym and cafeteria. They will be 3-5' in height and are not included in the building height calculation. They will need a staircase to get up to the roof and this staircase is the result of the extra 5'. They prefer to not incorporate a hatch into the roof, as suggested by Village staff, as the staircase makes easier access. The amount of area that they are taking above 30' is 300 square feet or 1.4% of the footprint. He asked the Plan Commissioners to consider this and compare it for themselves.

The next couple of slides show were elevations from the northeast, east and south. He commented that they will be 50-70 feet away from the nearest residential property line and the other two sides will see green.

The basement plan includes an area for the gym, which includes a full basketball court with bleachers and a cafeteria with a kitchen as well other things. The gym and cafeteria are two volumetric designs. They have a large height and in an effort to disguise them they were designed in the basement. As a result the neighbors won't see the gym and the building will be visually pleasing.

The first floor plan consists of the upper part of the gym, which is basically open to the basement, a preschool, administrative offices and classrooms. He noted the staircase that goes down to the basement as well as the tunnel that would take students from one building to the other.

The second floor plan consists of amenities for the school including: various labs, a library with an atrium, classrooms and a multi-purpose room.

Concluding, Mr. Jahedi noted the attributes of project.

Attorney Draus noted the storyboards located behind them. Since the Commissioners could not see the storyboards, Mr. Jahedi referred back to his PowerPoint presentation and showed where the height variation would be located on the building. He explained how they calculated the height or average grade of the building. He noted the highest part of the building indicating that this is the stairs, which lead to the roof, are to be used for facilitating the repair and maintenance of the roof. He noted that the stairway was strategically placed in the middle of the building, placed at the furthest distance away from the neighbors.

Attorney Draus mentioned the fact that CPSA held neighborhood meetings and they have been meeting with the Village for two years trying to incorporate concerns voiced by both parties. Concluding, Mr. Draus indicated that the board members from CPSA were in the audience and were available to answer any questions on behalf of the owner.

Chairperson Ryan opened the meeting for public comment.

To speak in favor of the petition were:

Fazal Ahmed, 20 W. 17th Street, Lombard, stated that he is a resident of Lombard and has children in the school. The school not only provides an excellent education, but also contributes to a person's physical and mental health. He felt they should not be crammed into a building. He stated the need for a new building, as the existing building is aged. Having the new building is not only advantageous for them, but also for the Village as it will increase property value. He wants to stay in town due to its diversity but they need a better cleaner environment, which will result in making a name for the town.

Mohammed Azharuddin, 1069 S. Westmore Avenue, Lombard, stated he lives in the Westmore Avenue Apartment Complex, having moved from Texas because of the school's teachings and credentials. He has two children in the school and their standards are two years above the public school. He requested that they not deny the opportunity for the children to have more labs and a better learning experience.

Sabet Siddiqui, 531 W. Harding Road, Lombard, noted his profession and mentioned that he was building a house, which is one of the moderate to bigger homes in Yorkshire Woods. He indicated how he used to commute long distances in order to have his children attend the school. He asked the Commissioners to approve the proposal. The school maintains extremely high scores and they need your help to have a decent facility.

Dr. M. Javed Ansari, 114 Oakton Drive, Lombard, stated that his family consisting of four children moved from Massachusetts for the purpose of attending this school. He mentioned there was a two-year waiting list to get in. The children's education and reputation of the school is nationwide. He has never seen such a school in this area and noted the product the school puts out. He humbly requests the Plan Commissioners to arrive at a favorable decision to help the community and make its citizens proud.

Fatima Nazeer, 43 W. Ann Street, Lombard, indicated she is an alumni of CPSA as is her husband. She stated she attended Benedictine University and he went to Northwestern. They are proud to have been a member of the CPSA community, as the school has had many accomplishments, as well as a citizen of Lombard. She referred to the Character Counts pillars on the wall and indicated that you will find those qualities mentioned at CPSA. She asked the Commissioners to consider everything said.

Mukarram Sheikh, 1328 S. Rebecca Road, Lombard, noted his profession and stated that four years ago he did not know the Village of Lombard. When his family lived in Tennessee they searched for one of the best school in the country where they could maintain their faith as well as obtain the best academic education. They do not have many facilities from which to choose unlike other religions. The program at CPSA made them move here even though the building was something to be desired. They love CPSA, Lombard, the Park District, and the shopping. They are buying property here. He believes that an education is a holistic process and they want to add community service projects, but don't have the available space. They need to go to the next level. He believed that not only will the new proposal benefit them, but will also benefit the neighbors. The school attracts the best in the community and is a win/win situation. He mentioned Daniel Tani and how proud it makes you feel no matter where you came from that he is a product of Lombard who attended Glenbard East. We must be ready so that when the next leader comes, we will all feel proud. He asked the Commissioners to approve the building in order to attract the best talent to Lombard.

Anjum Mirza, 1306 S. Finley Road, Lombard stated he lives in International Village. He has two children in the school. Prior to them moving, his wife had to travel close to 100 miles a day to bring them to school. He humbly requests that they approve the request and give them a chance.

Muddassir Saeed, 2090 S. Valley Road, Lombard, gave his background and educational history. He stated he attended Peter Hoy School, Lombard Jr. High and Glenbard East High School. He loves the community of Lombard as it has a lot to offer and has three children in the school. DuPage County is an affordable place to live and has a good standard and asks that they support the school.

Rashid Zaffer, 1790 Porter Court, stated she lived adjacent to the school and her

husband and other family members attended CPSA. It is a great school located in a great community and asks for approval of the request as it will be great for the whole neighborhood.

M.A. Majeed, 509 W. Wilson Avenue, Lombard, stated that Naperville was recently named the number one city in which to live. He did reside there, but decided to move here instead. He sends his children to CPSA. He emphasized that in the proposed plan there are two issues - the height and the open space. The code requires that they need 80 parking spots and the architect is suggesting 99. We have a choice, as does the Plan Commission and the neighbors, to either contain the parking on the premises or have it spillover onto the streets. There is another school two blocks south and there is no street parking allowed on Madison. There are other schools in the community such as Sacred Heart where street parking is allowed. It comes down to an issue of parking spilling over on the street or having open space. In his opinion, it is better to have the parking contained on the property so the neighborhood won't be affected.

Mohammed Kothawala, 213 W. Harding Road, Lombard, stated he lives two blocks behind the school. They built a house and are happy to be in the neighborhood. He has two children in the school. He sees parents come from different directions to drop off their children and as a result, he does not see much of a traffic problem.

To speak against the petition were:

Ed Pszanka, 615 S. Edson, Lombard, stated he lives adjacent to the school property. He has lived in Lombard for 40 years. He mentioned the new housing that has recently been constructed in the neighborhood. He's tired of constantly looking at a garbage dump and a blank wall. He complained of issues dealing with water run off onto his property, people raising the topography of their land, houses being built too close to property lines and too high. There is a Building Code in place and it should be followed. He stated he was not notified of any of the meetings. He was worried about the retention pond attracting geese, mosquitoes and bugs as well as being unsightly. He is an organic gardener and he does not want that water overflowing onto his property.

Chairperson Ryan mentioned that he was notified of this meeting, but there is no requirement that he be notified of meetings between the petitioners and Village staff.

Mr. Jahedi responded to Mr. Pszanka's comments about the retention pond. He indicated it will be a dry grassy area with no water. It is engineered to retain water during a storm and within a 24-hour period the water will drain back to the Village system. In this way, we are not overloading the Village system at one time.

Mr. Pszanka indicated that when CPSA bought the building in 1994, there was a ditch by the baseball field that took water and brought it along the property line down to Madison. The ditch is now filled up.

Attorney Drais indicated that the retention area has a drain in it so it is not designed for the water to remain. It collects excess water from neighboring properties. It is a Village requirement.

Candice Rizzo, 308 Harding, Lombard, stated she has been a resident for 25 years and they have recently added onto their home. They have abided by all the Village zoning and guidelines. They are very proud of their home and consider it their major investment. She is also here to speak on behalf of her husband and their neighbors. She has a petition opposing the proposal. Their concerns are:

\* Increased traffic on Madison as well as the route that might be taken around the

neighborhood to get to the school

- \* the height of the building - her house backs up to it so they would be directly affected
- \* privacy and the use of her property - her backyard is open and the school will have activity year round.
- \* property values haven't increased or decreased, but if they sell their house, the new owner won't want the view of the proposed parking lot with traffic being routed behind the school.
- \* garbage that would be generated.
- \* they should maintain the residential look and appearance of the neighborhood.
- \* the proposal is too large of a building squeezed onto a small piece of property and not becoming to the neighborhood.

She went to houses within a four block radius of the school and is submitting the petition on their behalf relative to those concerns. She asked the Commissioners to consider these issues.

Joe Glazier, Jr., 304 W. Harding, Lombard, asked if they would be able to build future residences on the site without a public hearing if the rezoning to R2 was approved. The northwest corner of his property would be affected by noise and traffic with more being put on the southeast corner of the site. The placement of rooftop mechanicals would be closer to his home and would generate more noise. The placement of the atrium will overlook the surrounding homes and would have a direct site line to his patio eliminating his privacy. They are asking to double the number of students and reduce the open space. There is too much proposed for the space available.

Attorney Drais responded to the rezoning request. He stated that there are no plans to put residential dormitories on the property. That would require another public hearing. Christopher Stilling, Assistant Director, stated that if the rezoning and the planned development were approved, they would not be allowed to build residences. He explained how a planned development is tied to a specific plan and if they deviated from that plan, they would have to come back to the Plan Commission for an amendment to the planned development, which would entail another public hearing.

Mr. Glazier then asked for an explanation about the zoning regulations between an R2 and the CR. Mr. Stilling stated that the CR zoning is intended to provide for the location of such things as public parks, forest preserves, and other open-space uses and is more in line with a publicly-owned facility. The zoning of R2 is in line with private schools and residential areas and is typical of what has been done in the past. Attorney Drais stated that the conditional use request would provide for having a private school.

Fran Pszanka, 615 S. Edson, Lombard, indicated she lives right behind where the retention pond is planned to go and asked if it will come right up to their property line. Also, she asked if there is anything that states that it has to stay away from them. She noted that if the sewer system is not good enough to take the water away, why have the pond? She mentioned previous meetings whereby it was mentioned that something would be done to remove the water. Also, she was concerned about the safety issue with having a pond on the playfield as she heard it was 5' deep. Mr. Stilling responded to the placement of the detention pond and noted that the petitioner's plan indicates there is a 5' setback. Currently, the property has no controlled detention on site so the water travels with the slope of the property. Water detention is governed by DuPage County as well as the Village.

Mr. Jahedi responded that the detention pond is like a ball so that when there is too much water it is kept in the ball until such time that it drains slowly into the system. This system serves the site better than what it does now. The depth of the pond is 5' and the slope is 3:1, which is the maximum DuPage County allows a slope to be. The slope is

walkable and the children can run up and down it. It makes it a good area for play and is not a safety issue.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, introduced two items into the public record: the KLOA traffic report, which is the final version not the draft version as it states, and Response to Standards to Deviations. He noted that only three standards were addressed because they were not met by the petitioner.

Mr. Toth then continued stating that staff has drafted this IDFC report to submit to the public record in its entirety. The College Preparatory School of America (CPSA) has been experiencing an increased demand for classroom space. As such, the school is proposing to construct a second building on the subject property. As proposed, the new building would be approximately 61,000 square feet and located south of the existing building, which would remain. The new building would include a cafeteria, gymnasium, a multi-purpose hall as well as classroom and general office area. To accommodate the increased student population, additional parking would be provided. As a result, the required amount of open space is not being provided. Therefore, the petitioner is seeking a variation to reduce the required amount of open space. In addition, the proposed second building would exceed the maximum allowed building height of thirty (30) feet to thirty-five (35) feet to accommodate a projecting stairway.

As part of their request and at the suggestion of Village staff, CPSA is requesting a map amendment to rezone the subject property from CR - Conservation Recreation District to the R2 - Single-Family Residence District. In addition, the petitioner is seeking conditional use to establish the property as a planned development.

CPSA obtained a Certificate of Occupancy on February 10, 1993 as an Educational Facility; however, they never obtained conditional use approval to lawfully establish the full-time private school. Therefore, CPSA has been operating under legal non-conforming status since their inception. As part of this petition, CPSA is requesting conditional use approval to legally establish the existing full-time, private school. use approval to legally establish the existing full-time, private school.

CPSA is located in an established residential neighborhood and is located in close proximity to Madison Elementary School. The hours of operation are similar to the public school hours of 8:00 a.m. to 3:30 p.m. The school year starts in August and ends in June. The addition of the new building will allow 335 more students to attend the school, which would bring the total student population to 785. The drop off/pick up functions would occur between both buildings (central to the subject property) through the use of a twenty-two (22) foot drive aisle. The Fire Department requires that all new buildings provide access to three sides of the new structure(s). As such, CPSA would be required to install a drive aisle around the perimeter of the proposed structure. This fire lane will be blocked off at all times, only to be used by the Fire Department.

As proposed, the existing building would not require ADA or Life Safety Code improvements to its interior as part of this petition. The petitioner's have indicated that the existing building would remain "as is".

The proposed building would have a peak roof height of 35 feet above grade. The R2 - Single Family Residential District permits structures up to 30 feet. The proposed deviation is requested to accommodate an access stairway. The petitioner has stated that the proposed building can be designed without the projecting stairway and still properly function. As such, staff finds that the roof height deviation is a result of an unnecessary desire and therefore, staff does not support the proposed roof height

Establishing a planned development for the CPSA campus is consistent with other private school uses in the Village. The Village previously established planned developments for Christ the King in 2004, St. John's in 2005 and St. Pius X in 2007. As a Planned Development, the site can be brought into closer compliance with current Zoning Ordinance by allowing greater flexibility in site development. It is noted, however, that the planned development is specifically required in this case as the petitioner wishes to keep both principal structures on the property physically separate of one another. Per Section 155.208(B) of the Zoning Ordinance, more than one (1) principal structure on one (1) lot-of-record is not permitted in the R2 - Single Family Residential District, except as part of a planned development. As the subject property is

An educational institution is listed as a conditional use in the R2 Single-Family Residence District. This request is to provide conforming use status for the school, as it pertains to the Lombard Zoning Ordinance. The operations of the school are typical of most educational institutions. Staff finds that CPSA meets the standards for a conditional use to allow for an educational institution in the R2 District.

Staff believes that the CPSA property is more consistent with the R2 Single-Family Residence District requirements. The R2 District is intended to accommodate existing single-family neighborhoods in the core of the Village. This zoning designation is consistent with the surrounding neighborhoods. In addition, similar requests have been granted to other private educational institutions located in the Village such as St. Pius X, St. John's, and Sacred Heart. Staff finds that the CPSA property meets the standards for rezoning.

The property is currently zoned CR Conservation Recreation District. The CR District, by definition, is intended to provide for the location of public parks, forest preserves, wildlife reservations and ecological sanctuaries and other open-space uses or resources to serve the needs of the citizens of the Village of Lombard. Again, emphasis on public usage.

Ninety-nine (99) parking spaces are proposed on site. Pursuant to the Zoning Ordinance, 80 spaces are required. The additional 19 spaces can be considered to be a preferential request made by the petitioner, which represents roughly 3,078 square feet of impervious surface that could be dedicated as open space. Also, during the neighborhood meeting conducted by the petitioner, one of the issues brought up by neighbors was the aesthetic view of the front of the property, more specifically the addition of parking spaces in front of the building. As the northernmost row of parking consists of 24 parking spaces, eliminating some of those parking spaces could allow for additional open space and provide additional landscape buffering. Staff will only support a minimum of 50% open space, which meets the underlying R2 zoning district requirement.

The underlying R2 - Single Family Residence District regulations require a minimum of 50% open space for each property. Section 155.508(C)(7) requires that open space in a planned development must be at least 25% more than is required in the underlying district if a deviation is associated with the petition. As such, the additional 25% of open space would not be required if the proposed building were to meet the maximum height requirement of thirty (30) feet; however, the 50% minimum open space requirement would still need to be addressed. When combined with the coverage of the existing property improvements, the proposed property improvements would bring the total amount of open space on the subject property to 46.85%. This equates to roughly 5,793 square feet in open space deficiency based on the 50% requirement and 28,768 square feet on the 62.5% requirement.

deviation.



to be used as a master planned campus for a use other than single-family residential, the establishment of a planned development is deemed appropriate to allow the Plan Commission to have the opportunity to approve any future modifications and/or additions to the subject property.

Pursuant to the Zoning Ordinance a total of 80 parking spaces are required. The proposed plans indicate a total of 99 parking spaces, which exceeds the amount of parking required by Code by 19 parking spaces. The petitioner has indicated that the additional parking spaces are needed to accommodate any overflow parking situations and prevent spillover parking onto the adjacent neighborhood streets. The petitioner has indicated that high school students do not drive to school. Staff believes that the minimum amount of parking spaces required by the Zoning Ordinance is sufficient in order to ensure that the amount of parking is sufficient in the future, the number of high school students allowed to attend the CPSA will be capped at 240 students, which is the total number of high school students indicated on the plan.

Staff has relayed their concern to the petitioner that the increased number of parking spaces is considered to be one of the factors leading to the deficiency in open space. As such, staff presented a parking versus open space scenario to the Plan Commissioners through a Plan Commission workshop on December 15, 2008. During the workshop, a number of the Plan Commission members had indicated that they favored the extra parking spaces in order to prevent the spillover parking onto adjacent residential properties. However, other members stated that they favored the idea of reducing the amount of proposed parking to meet the open space requirement for the underlying zoning district.

The Village's traffic consultant KLOA reviewed the proposed development and conducted traffic counts on the adjacent neighborhood intersections to determine the impacts of the proposed development. They have completed a report which is also transmitted with the staff report. See traffic study.

Based on KLOA's observations, the peak time period for drop-off was between 8:00 and 8:30 A.M. During this half hour, KLOA observed a few back-ups extending onto Madison Street with approximately five to six vehicles temporarily waiting to turn left and access the school driveway thus blocking westbound through traffic on Madison Street. The peak time period for pickups occurred between 3:15 and 3:45 P.M. The queues at times extended all the way back around the west end of the building. It should be noted that for a few minutes, the backup spilled onto Madison Street and three to four vehicles were temporarily waiting to get in thus blocking Madison Street. The school contracts a Lombard Police Officer to assist in traffic control. The police officer arrived just before 3:15 P.M. to direct approaching vehicle pickups at the back doorway entrance and to safely allow children and adults to use the walkway. Between 3:30 and 4:00 P.M. as many as five vehicles were queuing outside onto Madison Street. It should be noted that pickups were also occurring along the access drives on the west and east side of the building.

CPSA's hours of operation are 8:00 a.m. to 3:30 p.m. The drop off/pick up functions would occur in an area between the new and existing buildings (central to the subject property) through the use of a twenty-two (22) foot drive aisle. As the student population will be increasing from 450 to 785 students (max), the proposed twenty-two (22) foot drive aisle would be wide enough to accommodate a drop off/pick up lane with adequate space to allow cars to pass one another, which should increase traffic flow. KLOA recommended in the traffic study that strong consideration should be given to internal staggering of classroom starting and ending times, which would alleviate drop-off and pick-up parking, queuing, vehicular/pedestrian conflicts, etc. As mentioned

below, CPSA does not plan to stagger school hours unless necessary; however, they have made representation that they plan to stagger start/end times in conjunction with the Madison School, which is east of the subject property on Madison Street.

Based upon the above observations and review of the petitioner's proposed site plan, KLOA made several recommendations in their study. Staff would like to focus on four major internal site considerations addressed in the traffic study.

1) Student Enrollment - Staff worked with the petitioner and KLOA to remediate some of the internal site issues. As the student population affects the amount of vehicular traffic to and from the subject property, CPSA has agreed to cap the number of students. The current student population of CPSA is 450 students. With the addition of the new classrooms, future enrollment is expected to reach 785 students. As such, there will be 335 additional students on the subject property during peak enrollment. CPSA has agreed to place a cap on the number of students enrolled in the school at 785.

2) Staggering of School Hours - As previously mentioned, the peak time period for drop-off was between 8:00 and 8:30 a.m. and the peak time period for pickups occurred between 3:15 and 3:45 p.m. To minimize existing and future potential congestion, KLOA recommended in the traffic study that strong consideration should be given to internal staggering of classroom starting and ending times, which would alleviate drop-off and pick-up parking, queuing, vehicular/pedestrian conflicts, etc. CPSA responded by stating, "If future enrollment dictates a need for CPSA to stagger their school start and end times at the different levels of the school (grade, middle, and high school), then CPSA will do so to alleviate traffic congestion". As such, the petitioner has not provided a detailed plan outlining their proposed staggered start/end times.

3) Drive Aisle Width - On the original site plan submitted by the petitioner, the internal drive aisles were proposed to be eighteen (18) feet wide. According to KLOA, the proposed drop-off lane needs to be at a minimum twenty-two (22) feet wide. When used for pickup in the afternoon, the additional four (4) foot width will provide a passing lane when vehicles are parked waiting for the students. CPSA complied with this recommendation and widened the proposed drive aisles to a width of twenty-two (22) feet to provide the passing lane that would allow for an increase in traffic flow on the subject property.

4) Cul-de-Sac Bulb - According to the originally submitted site plan, two-way traffic in the proposed parking lot on the southeast portion of the property would have no way of turning around. In the traffic study, KLOA recommended that a cul-de-sac bulb should be designed to provide turnaround at the south end. CPSA complied with this recommendation and added the cul-de-sac to the proposed plans as a means of allowing an increase in traffic flow on the southeastern portion of the subject property.

As previously mentioned, the petitioner held two neighborhood meetings last year to discuss the proposed plans with adjacent property owners. During the meeting, neighbors had the opportunity to comment on the plans and address their concerns with the proposed project. Some of the specific comments made by the neighboring properties included; the impact of more students at CPSA and traffic on Madison Street, the impact of more students on CPSA on parking on neighboring side streets (since there is no parking allowed on Madison Street, the only public access to the site), the aesthetic view of the front of the property (especially with the addition of parking spaces in front of the building) and concerns regarding the impact of construction of the new building (noise, safety, and parking issues) on the neighboring properties.

While staff finds the use to be compatible with adjacent properties and consistent with the locations of other residentially-located private schools throughout the Village, the plan, as proposed with deviations is not compatible with adjacent properties. The

petitioner has worked closely with staff in an attempt to address the provisions of the Zoning Ordinance, but staff believes that the proposed project could still be completed without obtaining the building height and open space variations.

The Comprehensive Plan recommends Public and Institutional uses for the subject property. As the principal use of the property is an educational facility, the use of the property adheres to the recommendation of the Comprehensive Plan as an institutional use. The petitioner's site modifications are also consistent with the existing institutional nature of the property.

Staff finds that there are no conditions related to the property that prevent compliance with the established regulations. The property does not have physical surroundings, shape, or topographical features that differ substantially from other lots in the neighborhood. It is solely the demands of the petitioner that have warranted the requested relief.

The number of students enrolled in any school directly affects the amount of space needed on the property for classrooms and other ancillary amenities. As the subject school is a private school, the amount of revenue received by the school is dependant upon the number of students enrolled in the school. Under this principle, revenue would be higher with a higher student population

Staff finds that the difficulties have been created by the petitioner as a result of a preference towards keeping the proposed building separate from the existing building, a desire to exceed the amount of required parking, and an architectural preference that does not allow the proposed building to meet the minimum building height requirement

Staff finds that these variations will alter the essential character of the neighborhood by allowing excessive bulk and impervious surfaces on the subject property. Staff has identified ways that the building height and open space could be achieved to meet code.

Standards Not Complied With

(1) Any reduction in the requirements of this Ordinance is in the public interest.

The R2 - Single Family Residential District permits structures up to 30 feet. The proposed building would have a peak roof height of 35 feet above grade. The proposed deviation is requested to accommodate an access stairway. The petitioner has represented in their response to standards that the deviation would allow access to the rooftop for maintenance, repair and emergency purposes. However, the petitioner has also stated that the proposed building can be designed without the projecting stairway and still properly function. As such, staff finds that the roof height deviation is a result of an unnecessary desire.

The underlying R2 - Single Family Residence District regulations require a minimum of 50% open space for each property. Section 15.508(C)(7) requires that open space in a planned development must be at least 25% more than is required in the underlying district if a deviation is associated with the petition. As such, the additional 25% of open space would not be required if the proposed building were to meet the maximum height requirement of thirty (30) feet; however, the 50% minimum open space requirement would still need to be addressed. The petitioner has represented in their response to standards that the reduction in open space would allow reduce the amount of on-site parking. Pursuant to the Zoning Ordinance a total of 80 parking spaces are required. The proposed plans indicate a total of 99 parking spaces, which exceeds the amount of parking required by Code by 19 parking spaces. The petitioner has indicated that the additional parking spaces are needed to accommodate any overflow parking situations and prevent spillover parking onto the adjacent neighborhood streets. The petitioner has indicated that high school students do not drive to school. Staff believes that the

minimum amount of parking spaces required by the Zoning Ordinance is sufficient.

2) The proposed deviations would not adversely impact the value or use of any other property. Staff finds that these deviations will alter the essential character of the neighborhood by allowing excessive bulk and impervious surfaces on the subject property. Staff has identified ways that the building height and open space could be achieved to meet code.

3) That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district. When combined with the coverage of the existing property improvements, the proposed property improvements would bring the total amount of open space on the subject property to 46.85%. This equates to roughly 5,793 square feet in open space deficiency based on the 50% requirement and 28,768 square feet on the 62.5% requirement. The petitioner stated in their response to standards that they would be unable to meet the 62.5% open space requirement. Although the proposed plans cannot meet the 62.5% open space requirement, staff believes that the petitioner is able to meet the underlying zoning district requirement of 50% open space.

Staff recommends denial of the variation for open space and building height and approval of the planned development, conditional use and rezoning with conditions. He noted that condition #1 should be changed to read:

1. The site shall be developed substantially in accordance with the CPSA elevation, site, landscaping and floor plans package, prepared by Dome Structural Engineers, dated December 1, 2008, except as they shall be changed to meet Village Codes and the 50% open space and thirty (30) foot building height requirements and shall be subject to the review and approval of the Director of Community Development.

Attorney Drais commented on the staff report stating that the petitioner has worked closely with staff for over two years. Those two variations have been part of the plan since that time and they only found out Thursday that the petition would be approved without the variations. He exemplified the St. John's building, which was a similar situation in which there was a new building with a private school being proposed and staff, the Plan Commission and the Board approved the height and open space variation. Their open space was 30 percent and he asks for equitable treatment today. He reiterated that the request for the height variation only applies to a small portion of the building, 300 square feet, which will be contained to the middle of the property and have minimal effect on surrounding properties. This is important because it is an aesthetically better building which would allow stairwell access to the roof for repairs and maintenance and is more practical than a hatch option.

He then commented on the open space variation. This issue came up several times - the open space has been reduced as a result of a request by the Village to install a cut-de-sac bulb, expanding the entryway to 22' and the requirements by the Fire Department to have a full access around the building. All these requests have reduced the open space percentage. In the cost/benefit analysis, CPSA feels that the more parking spaces that are on the property the better it will be for traffic in the neighborhood. They raised this issue the most and they are trying to minimize traffic on the neighborhood. When there is a need for parking spaces they can be used. They believe that the benefit outweighs the 3% percent open space variation.

Lastly, he commented on the issue that came up in the public comment portion about additional traffic on the south side of the building. The area around the new building to the south is only for Fire Department access. If you are a neighbor on the backside you won't have to worry about cars there.

Concluding, Attorney Drais asked the Plan Commission to consider the plan with the two variations as it would be a better contained site.

Mr. Stilling responded to Attorney Drais by stating that the goal of staff is achieve conformance to Village Code. With regard to the requested expansion of the drive aisles and the fire department access, these are things that are part of a functioning site plan.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Burke asked staff to confirm the 30% open space variation that Attorney Drais mentioned in regard to other developments in town like St. John's. Mr. Stilling stated he was not sure of the exact number, but there have been more recent petitions that met the open space requirement. Staff tries to see opportunities and if close would help them achieve it. Commissioner Burke stated that the petitioner makes a compelling argument about the roadway surrounding the building as well as the cul-de-sac. The Village's demands have caused them to require the open space request and has exacerbated the project. Mr. Stilling stated that the Fire Department access roadway is directly related to fire codes and this request is made no matter what. Mr. Toth stated that the petitioner's requests warranted the variations. The petitioner's desire to separate the buildings and add the height variation kicked in the 62.5% open space requirement. It had a trickle effect.

Commissioner Burke commented that the request for the 35' height variation only applies to a 300 square foot portion of building which is insignificant and in line with things we have provided variances for in the past. He asked what the distance is from the location of where the height variation would be on the building to the nearest property line. Mr. Jahedi stated it was approximately 150 feet from the 35 height to the nearest property line.

Commissioner Sweetser agreed with Commissioner Burke's comments relative to the height variation being a relatively small part of the building and she does not find it objectionable. She does however take exception to the open space. With regard to the petitioner's comments about how the Village's requirements contributed to them not meeting the open space requirement, she believed that you don't start a design until you find out the Village's requirements rather than the other way around. Open space could be met by removing a couple of parking spaces. She referred to KLOA's traffic report about the queuing issues and how adding parking spaces won't help the situation. The increased enrollment will also make it worse. During special events the school might need to have extra parking on the streets but this happens often with most schools. She favored the petitioner meeting the open space and was not concerned about the height requirement.

Commissioner Cooper stated she was concerned about the Village's response about the porous pavement. Mr. Stilling indicated that we have spoken with the Fire Marshall and they discourage that kind of application. If a large tower truck was called to the scene and had to extend its outriggers, there could be a pressure point issue and the outriggers could sink into the pavers. Since the building is a multi-story facility they want to err on the side of caution with the use of porous pavers. He noted that pursuant to the Zoning Ordinance those pavers, though perceived as open space, would not count toward open space calculations.

Commissioner Burke asked what the cul-de-sac was needed for. Mr. Stilling indicated that it would be used as a turn around. If all the parking spaces are occupied in that area, there would be no way for a vehicle to turn around. This came to be the most

reasonable solution. Commissioner Burke asked if this was a Fire Department requirement. Mr. Stilling answered no and that it doesn't meet the radius for that.

Commissioner Burke referenced the issue of queuing in the KLOA traffic report. He stated that he is familiar with the routes taken to get to the school and if there is a backup in front of the school it would be similar to any other parochial school in town. As a neighbor you either wait your turn or you take a different route. He doesn't see this as being too much of an issue.

Commissioner Sweetser confirmed that her previous comment was not tied to the queuing even though it might have sounded like it did.

Chairperson Ryan asked if the parking in the front of the building would be used as a drop off. Mr. Stilling stated it could be and suggested that closing off and designating a couple of parking spaces only for drop off and pick up, similar to what Creative Day did, might help. KLOA reviewed all these issues and made the recommendation of widening the drive aisle and staggering school hours. If the petitioner does stagger the school hours, queuing should be minimized.

Commissioner Sweetser asked if the Village has incorporated LEED standards into Village Code. Mr. Stilling stated that the Village does not have anything specific to that and are not well versed in their building codes or giving bonuses. Commissioner Sweetser commented that LEED standards should be incorporated into Village Code as it is important.

Chairperson Ryan referenced the parking in front of the building and how the queuing could go to the front and that could eliminate one issue. If there is no parking in the front, it can be a hazard. As far as the height issue, if the petitioner eliminated the extra height and went with a trap, the open space percentage could drop to 50%. Mr. Stilling stated that if they meet the height and 50% open space, the variation would not be applicable.

Commissioner Sweetser asked for clarification on the use of previous pavers and the objection by the Fire Department. She questioned if their objection was based on possible damage to the surface of the pavers, the petitioner would know that going in so if it had to be replaced it could. Mr. Stilling responded that there were a number of factors. Commissioner Sweetser asked if there were any projections about whether the amount of previous pavement would cause an inability to use the equipment or be a hazard to the firefighters. Mr. Stilling stated they needed 18' for the outriggers. If the parking spaces are all occupied and they have to use the access drive, they preferred to err on the side of caution.

Commissioner Sweetser questioned that if the drive along the west and south side is not used by anyone other than the Fire Department and that area was designated previous pavement is there any way the Fire Department would be in danger. Mr. Stilling stated that the Fire Department was adamant to have it all pavement. Commissioner Sweetser confirmed that staff didn't know the specific reason why. If it's just a matter of the surface being damaged, then it might be worth it to gain the extra area.

Commissioner Cooper asked for clarification on the refuse location being in the southeast corner of the building. Mr. Jahedi stated it was to be located in the southwest corner of the building in the middle. Chairperson Ryan indicated it was right before the baseball field. Commissioner Cooper stated her concern for choosing this location due to its close proximity to adjacent properties. She also stated that this location would be in the emergency zone so the Fire Department access driveway would be used on a weekly or biweekly basis. Mr. Jahedi indicated that this road would be chain linked and

would have to be opened for trash pickup. Mr. Stilling indicated that this issue was discussed with the Fire Department who indicated that refuse pickup would be okay, but it could not be used for student drop off. Mr. Jahedi stated that the reason that this location was chosen was because of its closeness to the kitchen exit, which would have the most waste.

Commissioner Burke also pointed out that the Fire Department access drive would have to be used for deliveries. Mr. Stilling stated that portion of it would be.

Commissioner Burke questioned condition number 4 and how the numbers shown did not add up to the cap of 785 students. He asked if staff was adding in the daycare facility. Mr. Toth stated that the numbers were taken off the submitted plan, which is on the cover of the site plan. Mr. Jahedi stated that the cap is 785 students including the preschool. Commissioner Burke questioned the cap and indicated that it could be any number on the preschool. Mr. Toth stated that the condition could be changed to clarify.

Commissioner Cooper commented that there is a 5' setback along the site and she questioned the choice of vegetation along the perimeter, which was to act as a buffer. Being that the building is a large structure, it didn't seem that the choice of vegetation would suffice. Mr. Stilling answered that one of our conditions indicates that it be in conformance with the Zoning Ordinance especially along Madison, which has to be screened.

Mr. Jahedi stated that the east and south property lines are higher than the property so the slope is from the southeast to the northwest. In those two areas you have an advantage with the topography. He offered to install a fence, if needed. Chairperson Ryan commented that it would be up to the discretion of the Community Development Director.

Commissioner Sweetser asked if the screening as it relates to trees on the south and west side would be one every 40 feet. Mr. Stilling explained the Zoning Ordinance requirement as it relates to trees and indicated that the intent is that it be fully screened. If the plant is transparent they will be diligent that the intent of the code is met. Commissioner Sweetser commented on the issue of the fence. She stated she is not insisting that a fence be the solution, but could be an option. Also, as far as the atrium and the neighbor's privacy being compromised, there could be ways to make the lower level windows opaque.

Commissioner Cooper asked if the perimeter of the detention pit would have to be fenced. Mr. Jahedi answered that it is a shallow slope 3:1 and does not need a fence. It's a workable slope, looks pleasant, and doesn't need a fence. The Commissioners and legal counsel then discussed how the motion and the conditions should be worded or amended if they wanted to approve the rezoning and conditional use as well as the 35' height variation, but require the petitioner meet 50% open space.

It was moved by Commissioner Burke, seconded by Commissioner Sweetser, that this matter be recommended to the Board of Trustees for approval of the building height variation and that a minimum of fifty percent (50%) open space shall be provided. The motion carried by the following vote:

Aye: 4 - Sweetser, Burke, Nelson and Cooper

Absent: 2 - Flint and Olbrysh

It was moved by Commissioner Burke, seconded by Commissioner Nelson, that this matter be recommended to the Board of Trustees for approval relative to establishing the conditional use for a planned development, conditional use for a School, Private, Full-time: Elementary, Middle and High and a map amendment, subject to the amended condition(s). The motion carried by the following vote:

Aye: 4 - Sweetser, Burke, Nelson and Cooper

Absent: 2 - Flint and Oibrysh

1. The site shall be developed substantially in accordance with the CPSA elevation, site, landscaping and floor plans package, prepared by Dome Structural Engineers, dated December 1, 2008, except as they shall be changed to meet Village Codes and provide 50% open space and shall be subject to the review and approval of the Director of Community Development.

2. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.

3. The petitioner shall address all recommendations in the KLOA report, which includes a detailed drop off/pick up schedule in a manner acceptable to the Director of Community Development, based upon the proposed traffic flow conditions along Madison Street and upon the subject property.

4. The number of grade school students shall be capped at 450 students and the number of high school students shall be capped at 240 students. The total student population, including the pre-school, shall not exceed 785 students.

5. A final plat of consolidation shall be submitted to the Village for approval, making the site a lot of record.

6. The designated fire lane adjacent to the western and southern portion of the proposed building shall be blocked off at all times and accessed only by the Village of Lombard Fire Department and the refuse company for trash pickup.

7. The petitioner shall submit a photometric plan as part of building permit submittal showing compliance with Village Code.

### Business Meeting

The business meeting convened at 10:20 p.m.

### Approval of Minutes

On a motion by Sweetser and seconded by Burke the minutes of the April 20, 2009 meeting were unanimously approved by the members present.

### Public Participation

There was no public participation.

## DuPage County Hearings

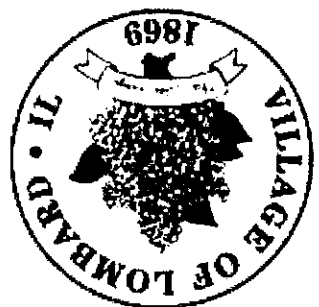


NOTES FROM THE  
MAY 21, 2009  
BOARD OF  
TRUSTEES  
MEETING



# Village of Lombard

Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
[villageoflombard.org](http://villageoflombard.org)



## Meeting Minutes

Thursday, May 21, 2009

7:30 PM

DRAFT

Village Hall Board Room

## Village Board of Trustees

Village President: William J. Mueller  
Village Clerk: Brigitte O'Brien  
Trustees: Greg Gron, District One, Richard J. Tross, District Two, Zachary Wilson District Three, Dana Moreau, District Four, Laura Fitzpatrick, District Five and Bill Ware, District Six

Reconvene

President Mueller called a recess at 8:10 pm for a time to greet guests.

The recessed regular meeting held Thursday, May 21, 2009 in the Board Room of the Lombard Village Hall was called to order by President William Mueller at 8:25 pm. Upon roll call:

**Present:** Village President William J. Mueller, Village Clerk Brigitte O'Brien, Trustee Greg Gron, Trustee Richard J. Tross, Trustee Dana Moreau, Trustee Laura Fitzpatrick, Trustee Zachary Wilson and Trustee Bill Ware

090283  
[Play Video](#)

**Proclamation - Buddy Poppy Day**

Village Clerk Brigitte O'Brien read the proclamation for Buddy Poppy Day. President Mueller presented he proclamation to Tom Zilla, the retiring commander of the VFW, George Wilkes and John Pierce. Tom Zilla thanked the Village for recognizing Buddy Poppy Day. He indicated the VFW was out selling poppies today. He invited residents to come to Yorktown on Saturday where they will be set up. He encouraged everyone to attend the rededication of the cemetery and the dedication of the Veterans Memorial on Monday.

090296  
[Play Video](#)

**Proclamation - Memorial Day**

Village Clerk Brigitte O'Brien read the proclamation for Memorial Day. President Mueller again reminded residents of the Memorial Day Service to be held at the Cemetery at 11 am and then at the Commons Park at noon. He noted that Abe Lincoln will be there. He encouraged residents to attend in honor of the Veterans.

090294  
[Play Video](#)

**Presentation - Churchill Woods Dam Removal Project**

President Mueller called Assistant Director of Public Works Dave Gorman to the front. Assistant Director Dave Gorman introduced Steven McCracken of the DuPage River Salt Creek Work. Steve McCracken proceeded to give an overview and powerpoint of the project. Trustee Gron asked if this would alleviate flooding. Steve McCracken responded that the current levels will only change upstream. Trustee Moreau questioned how immediate would the impact be on habitat. Steve McCracken responded that there would be an immediate impact. Trustee Tross questioned if the dam was removed and that pushes water back, if there would be pockets. He asked how this affects clear water/stormwater sent to the basins and rivers. Steve McCracken stated there would be no impact on water quality.

Andy Drais, 350 S. Fairfield, Attorney for the CPSA, congratulated the newly elected and re-elected Village Board members. He stated he was working with the CPSA and had met with the neighbors at several meetings that had been held. Various issues that were brought up from the meetings and the traffic study that was done have been incorporated into the project. He asked the Village Board to move forward on this item and not to remand it back to the Plan Commission. He stated he was unclear as the reasoning for remanding it back to the Plan Commission.

**Resolutions**

- I. 090163 **Lombard Town Centre - 2009 Request for Funding**  
 1. Request for \$75,000 to fund Lombard Town Centre's activities.  
 2. Resolution Providing for Funding for Lombard Town Centre as the Official Illinois Main Street Program Organization Serving the Village of Lombard.
- J. 090268 **112 W. St. Charles Road - Downtown Retail Business Grant**  
 Request to approve a Downtown Retail Business Grant in an amount not to exceed \$10,300. (DISTRICT #1)
- K. 090273 **FY2009 Total Landscape Maintenance, Change Order No. 1**

This Matter was adopted on the Consent Agenda.  
Enactment No: Resolution 103-09

This Matter was adopted on the Consent Agenda.  
Enactment No: Resolution 102-09

This Matter was passed on second reading on the Consent Agenda.  
Enactment No: Ordinance 6340

**Ordinances on Second Reading**

- H. 090225 **PC 09-07: 355 Eisenhower Lane South (Soaring Eagle Academy)**  
 Requests that the Village grant a conditional use, pursuant to Section 155.420 (C) of the Zoning Ordinance to allow a "Private School" within the I - Limited Industrial District. (DISTRICT #3)
- G. 090246 **PC 09-08: 331 W. Madison Street (CPSA) (Per the request of Trustee Ware, this petition is being remanded to the Plan Commission in its entirety)**  
 Requests the Village take the following actions on the subject property:  
 1. Approval of a map amendment to rezone the subject property from CR Conservation Recreation District to R2 Single-Family Residence District.  
 2. Approval of a conditional use to allow for a School, Private, Full-time; Elementary, Middle and High in the R2 Single-Family Residence District, and;  
 3. Approval of a conditional use for a planned development with the following deviations:  
 a. To allow a variation from Section 155.407 (H) and Section 155.508 (C) (7), reducing the minimum required open space to 46.85% where a minimum of 62.5% is required; and  
 b. To allow a variation from Section 155.407 (G) to allow for a building height of up to thirty-five feet (35') from grade, where thirty feet (30') maximum height is allowed by right. (DISTRICT #6)

This Matter was remanded to the Plan Commission on the Consent Agenda.



CORRESPONDENCE  
RECEIVED AFTER  
THE MAY 4, 2009  
PLAN COMMISSION  
MEETING

May 13, 2009

Dear Village Board, Plan Commission, and Village Staff,

After attending the public hearing for PC09-08 331 West Madison St. (CPSA) I felt there still were a number of concerns were not addressed or misunderstood, for that further clarification is needed.

**Traffic Concerns that relate to the increase number of students and hours of operation.** It was brought up at the public hearing that the hours would be normal school hours. However the facility is used for additional activities everyday. CPSA has a list on their web-site ([www.cpsa/lombard.il.com](http://www.cpsa/lombard.il.com)) of hours the building is in use. With these increase hours there would be an increase in traffic. With the current plan this increase in traffic is brought closer to the surrounding neighbors. I don't believe the total impact of traffic was addressed during the traffic study.

**There are number of privacy and noise concerns that for the most part were not clarified.** First the location of the loading dock and refuse enclosure which were moved to surrounding neighbors, with no set hours of use. Second, roof top HVAC would be now be closer to surrounding neighbors. With increase building use this would mean constant noise concerns. Third, placement of a second floor atrium which would overlook surrounding neighbors backyards. Forth, there was no mention of building and parking lot lights that would affect surrounding neighbors.

**The impact of the size and height of the building would have on the surrounding homes.** i.e.: lost of sun light and line of sight concerns.

**There was no mention of the amount of time allowed for construction.** i.e.: phasing of constructions and the affects it would have on the neighborhood.

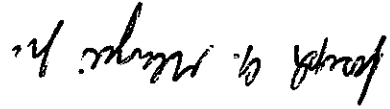
**The accountability as it relates to the number of students.** Who will be verifying the set number is not exceeded?

**There was input from the neighbors on the size and type of screening to be used.**

In summary I hope you would take my concerns along with my neighbors into consideration before this proposal moves forward. It is my hope that the neighbors, CPSA, and the Village of Lombard can work together to achieve a final goal.

Thank you for your time and consideration.

Yours truly,



Joseph A. Glazier Jr.  
304 West Harding Road  
Lombard, IL 60148  
(630) 261-9515





- The hours of operation are not as stated and need to be clarified and specified - daily school hours, days of operations, garbage pickup and delivery hours/frequency.

- Given the time constraints it seems the commission could not have analyzed or considered the comments or the petition presented by the local residents during the hearing and included them in their evaluation prior to casting their vote. (Issues expressed by the affected local residents and myself as well as their impact on the Village of Lombard that must be addressed prior to total acceptance of the PUD and beginning the project.)

- There was no reason or rational given by the commission in not accepting or questioning the staff's recommendations.

- The questions and concerns raised by the local residents were never thoroughly addressed or completely ignored.

The following bullet points are concerns, issues and questions voiced during the May 11, 2009 meeting and to me after the meeting, so they are not my issues alone. I have watched the replay of the video of the May 4 meeting and my observations are as follows:

First, let me reference the Planning Commission meeting of May 4, 2009. I was unable to attend the meeting due to a prior commitment. However, I did deliver a letter to the Department of Community Development on April 27, 2009 listing some issues and concerns I had about the CPUSA PUD plans and variations requests. (Please note that I never had my letter acknowledged, nor the questions and concerns stated answered.)

This letter is being written as a follow up to the neighborhood meeting on May 11, 2009, and because I will be out of town and unable to attend the May 21, 2009 Village Board Meeting to speak to the requested variations by CPUSA.

Reference: Notice of Public hearing – PC 09-08

Village of Lombard  
255 East Wilson Avenue  
Lombard, IL 60148

May 15, 2009

Kenneth F. Dotter  
623 S. Elizabeth  
Lombard, IL 60148  
# [630] 953-9135  
C [630] 624-9135  
kendotter@comcast.net

**From:** kendotter@comcast.net  
**Sent:** Friday, May 15, 2009 12:08 PM  
**To:** Mueller, William; Gron, Greg; Tross, Richard; Soderstrom, Richard  
**Cc:** Heniff, William  
**Subject:** PUD CPUSA PC 09-08

Heniff, William

This PUD, although admirable in concept, needs numerous specific details addressed and assurances and

- Probably one of the most important questions is – What are the benefit(s) to Lombard?
- What is considered a "phased construction" plan by CPSA. This PUD must have a definite timetable for development and completion.
- What are the plans for the existing building? Remember, when District 44 sold the property it was deemed not viable as a school (physical facility) for educating children.
- Total student enrollment should be identified and capped.
- *Remember this is not a Lombard school, it is a school in Lombard – it is a business. CPSA has been very successful and appears to do an outstanding job in developing and educating students and should be highly commended. However, when one looks at how and why the Lombard schools were developed from a logistics perspective – they are NEIGHBORHOOD schools. Students live in the neighborhoods and either walk to school, are bused or occasionally driven. Has CPSA provided the Village with a transportation profile? How many of the students live within the District 44 or Glenbard East boundaries (extremely important to know to understand traffic patterns), how many are driven to school, how many walk to school, how many are bussed (by observation, 0)*
- The number of cars creates an air quality issue because of the density and proximity to the residences.
- The addition of parking to the front of the existing school and a buffer of some sort has not been specifically addressed or presented.
- The traffic pattern and impact has not been adequately studied or presented or understood.
- Traffic patterns and parking density have not been adequately addressed:
- The noise level of the HVAC equipment when in operation because of the proximity to the homes.
- The visibility of the HVAC equipment above the parapet wall for the surrounding homes.
- Demonstrate the view of the school from Elizabeth Street looking west based upon the proposed evaluation.
- Specific landscaping/fencing solution(s), effectiveness for noise and privacy, and guarantee of on-going maintenance.
- Neighbor (east and south sides) privacy.
- The nature of the operation must be specified; student education, student education/religious?

restrictions incorporated to be a viable project for the community and Lombard. Presently it has all the earmarks of something either too ambitious or overly grandiose being shoehorned into a neighborhood that will negatively impact the surrounding community quality of life and property values.

You are most strongly urged to delay approval of this PUD until the above issues and others can be openly discussed in a public forum by all effected parties. Please refer this back to the commission and staff for clarification and resolution.

Thank you for your time and consideration.

Yours truly,

Kenneth F. Doles

pc. Joseph Glazier  
304 W. Harding Road  
Lombard, IL 60148



- Given the time constraints it seems the commission could not have analyzed or considered the comments or the petition presented by the local residents during the hearing and included them in their evaluation prior to casting their vote. (Issues expressed by the affected local residents and myself as well as their recommendations.)
- There was no reason or rational given by the commission in not accepting or questioning the staff's recommendations.
- The questions and concerns raised by the local residents were never thoroughly addressed or completely ignored.

The following bullet points are concerns, issues and questions voiced during the May 11, 2009 meeting and to me after the meeting, so they are not my issues alone. I have watched the replay of the video of the May 4 meeting and my observations are as follows:

First, let me reference the Planning Commission meeting of May 4, 2009. I was unable to attend the meeting due to a prior commitment. However, I did deliver a letter to the Department of Community Development on April 27, 2009 listing some issues and concerns I had about the CPUSA PUD plans and variations requests. (Please note that I never had my letter acknowledged, nor the questions and concerns stated answered.)

This letter is being written as a follow up to the neighborhood meeting on May 11, 2009, and because I will be out of town and unable to attend the May 21, 2009 Village Board Meeting to speak to the requested variations by CPUSA.

Reference: Notice of Public hearing – PC 09-08

Village of Lombard  
255 East Wilson Avenue  
Lombard, IL 60148

May 15, 2009

Kenneth F. Dotter  
623 S. Elizabeth  
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# [630] 953-9135  
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kendoles@comcast.net

**From:** kendoles@comcast.net [mailto:kendoles@comcast.net]  
**Sent:** Friday, May 15, 2009 12:08 PM  
**To:** Mueller, William; Gron, Greg; Tross, Richard; Soderstrom, Richard  
**Cc:** Heniff, William  
**Subject:** PUD CPUSA PC 09-08

**From:** Stilling, Christopher  
**Sent:** Wednesday, June 03, 2009 1:41 PM  
**To:** Stilling, Christopher  
**Subject:** FW: PUD CPUSA PC 09-08

Stilling, Christopher

You are most strongly urged to delay approval of this PUD until the above issues and others can be openly discussed in a public forum by all effected parties. Please refer this back to the commission and staff for clarification and resolution.

This PUD, although admirable in concept, needs numerous specific details addressed and assurances and restrictions incorporated to be a viable project for the community and Lombard. Presently it has all the earmarks of something either too ambitious or overly grandiose being shoehorned into a neighborhood that will negatively impact the surrounding community quality of life and property values.

- Probably one of the most important questions is – What are the benefit(s) to Lombard?
- What is considered a "phased construction" plan by CPSA. This PUD must have a definite timetable for development and completion.
- What are the plans for the existing building? Remember, when District 44 sold the property it was deemed not viable as a school (physical facility) for educating children.
- Total student enrollment should be identified and capped.
- Remember this is not a Lombard school, it is a school in Lombard – it is a business. CPSA has been very commended. However, when one looks at how and why the Lombard schools were developed from a logistics perspective – they are NEIGHBORHOOD schools. Students live in the neighborhoods and either walk to school, are bused or occasionally driven. Has CPSA provided the Village with a transportation profile? How many of the students live within the District 44 or Glenbard East boundaries (extremely important to know to understand traffic patterns), how many are driven to school, how many walk to school, how many are bused (by observation, 0)
  - The number of cars creates an air quality issue because of the density and proximity to the residences.
  - The addition of parking to the front of the existing school and a buffer of some sort has not been specifically addressed or presented.
  - The traffic pattern and impact has not been adequately studied or presented or understood.
- Traffic patterns and parking density have not been adequately addressed:
- The noise level of the HVAC equipment when in operation because of the proximity to the homes.
- The visibility of the HVAC equipment above the parapet wall for the surrounding homes.
- Demonstrate the view of the school from Elizabeth Street looking west based upon the proposed evaluation.
- Specific landscaping/fencing solution(s), effectiveness for noise and privacy, and guarantee of on-going maintenance.
- Neighbor (east and south sides) privacy.
- The nature of the operation must be specified; student education, student education/religious?
- The hours of operation are not as stated and need to be clarified and specified - daily school hours, days of operations, garbage pickup and delivery hours/frequency.
- impact on the Village of Lombard that must be addressed prior to total acceptance of the PUD and beginning the project.)

Thank you for your time and consideration.

Yours truly,

Kenneth F. Doles

pc. Joseph Glazier  
304 W. Harding Road  
Lombard, IL 60148





CORRESPONDENCE  
BETWEEN THE  
PETITIONER AND  
STAFF



Stilling, Christopher

Everyone,

This afternoon, representatives from CPSA met with Village staff and Joe Glazier (representing some of the neighbors) to discuss the neighborhood concerns related to the proposed CPSA expansion. The comments in italics were concerns raised at the meeting. The comments in bold reflect the current response:

**Traffic**

- *Increased traffic, particularly at the southeast corner of the site. CPSA will provide a more detailed explanation of their drop off & pick up areas. Most of the drop off & pick up for the K-12 classes will be occurring in the middle of the site (in between the 2 buildings and in the new parking area north of the existing building). CPSA stated that the preschool drop off & pick up would occur at the southeast corner of the site.*
- *Traffic backup onto Madison. Staff gave Mr. Glazier a copy of the traffic study completed by the Village's consultant which highlights recommendations to be incorporated into the CPSA plan. The petitioner's current plan does incorporate most of the recommendations, however the Village still recommends a staggered drop off & pick up schedule as a condition of approval. Per the Village's consultant, this should eliminate any stacking onto Madison.*

**Screening**

- *Not enough screening/landscaping along the eastern and southern property lines. CPSA offered to provide a revised landscape plan showing a minimum 6' fence along the eastern and southern portions of the site. In addition, the revised landscape will show additional plantings. Landscaping shall be dense trees/shrubs that can grow higher than a fence. The proposed drainage swale will impede the growth of any landscaping. CPSA offered to change the swale into an underground pipe that could allow for denser landscape material. The revised plan should be included in the upcoming June 8<sup>th</sup> Plan Commission meeting. Village Engineering staff still will need to review the revised plan.*
- *Perspective of the landscaping along the eastern property line. CPSA indicated that they will attempt to revise their perspective to include the additional landscaping. This plan should be included in the upcoming June 8<sup>th</sup> Plan Commission meeting.*

**Loading Dock**

- *Residents along the southern and eastern property lines are concerned about truck traffic and the utilization of the loading dock. CPSA indicated that they will hardly use the loading dock and that most of their supplies are provided in vans or small trucks. The offered to provide a more detailed explanation of the unloading of supplies and also provide pictures of the trucks that may be used. Please note that the loading dock is a zoning requirement.*

**Garbage Dumpster**

- *Location of the garage dumpster. CPSA will revise their plans to relocate the dumpster to a more central location on the site, further away from the residential properties. Please note that the zoning ordinance will require the dumpster to be fully screened on all sides.*

**After School Activities**

- *CPSA has nighttime activities. CPSA indicated that most of the activities taking place after school are teachers and students working on projects together, sometimes until 9PM.*
- *Parking for nighttime activities. CPSA offered to require that nighttime activities use the north parking lot only.*

Christopher Stilling  
Assistant Director of Community Development  
Village of Lombard  
255 E Wilson Avenue  
Lombard, IL 60148  
Tel: (630) 620-5717  
Fax: (630) 629-2374

Sincerely,

Please let me know if you have any questions.

These talking points will be used as the basis for the upcoming Plan Commission meeting on June 8<sup>th</sup>. If anything was missed, it still may be discussed at that meeting, however, please let me know so I can include it in my report. Revised plans should be provided to the Village by the end of the day on **Friday, May 29<sup>th</sup>**.

- **Residents were concerned that the project was going to be built in phases over the years. CP&A indicated that the entire project would be built in one (1) phase. Any improvements to the existing building (windows and air-conditioning) may come at a later date, after they are done with the project.**
- **Construction Hours. Village Code allows construction activity Monday-Sunday 7AM to 8PM.**

**Phasing & Construction**

- **Residents are concerned about parking lot lighting spilling over onto the adjacent properties. CP&A will be required to meet Village Code which does not allow for any spillover onto residential properties. CP&A will be required to submit a photometric plan as part of their permit submittal, for Village review.**

**Parking Lot Lighting**

- **How will the capping of students be monitored. As a condition of approvals, staff recommends that grade school students shall be capped at 450 students and the number of high school students shall be capped at 240 students. The total student population, including the pre-school, shall not exceed 785 students. To monitor this condition, staff can obtain student population numbers through the Illinois State Board of Education and pre-school numbers through DCFS.**

**Capped Student Population**

- **Residents along the eastern and southern property lines are concerned about the large windows overlooking their homes. CP&A offered to provide opaque windows to block the view. They indicated that they will provide a revised plan showing which windows will have opaque glass. This plan should be included in the upcoming June 8<sup>th</sup> Plan Commission meeting.**

**Atrium Window**

- **HVAC units will be loud and they will be visible to the neighbors. CP&A indicated that the biggest HVAC unit will be located on the ground floor at the northeast corner of the new building. They also showed a plan on how it will be screened. They also stated that 2 units will be located on the roof of the new building, however they will be screened per Village Code. In addition, CP&A will provide decibel readings for the proposed rooftop units for the June 8<sup>th</sup> Plan Commission meeting.**

**HVAC System**

- **Proposed building height will be higher than the surrounding residences and block sunlight. CP&A will fly balloons representing the building height at the proposed corners of the new building to provide a perspective to the surrounding residents. In addition, they will provide a more detailed explanation of how the building height will not cast a shadow on the surrounding properties.**

**Building Height**



We found the real 'Hotel California' and the 'Seinfeld' diner. What will you find? Explore [WhereItsAt.com](http://WhereItsAt.com).

-Andy Drais  
Attorney for CPSA

Please let me know if you need any additional information from me.

9. CPSA is fine with the majority of your e-mail (all items not mentioned above).
  8. Jamshid has provided, by separate e-mail, updated drawings and plans.
  7. As stated earlier, CPSA would like the plan commission to revisit the issue of a variance for 46.85% open space, as opposed to 50% open space, in order to place 19 more parking spaces on the property, and to limit parking on neighboring streets during extra curricular activities.
  6. Opaque glass is one possible option on the atrium windows-- CPSA recognizes that they need to provide windows that prevent visibility in or out up to eye level in the atrium.
  5. CPSA will fly a 30 foot balloon at the southeast corner of the proposed building site this Saturday, June 6, for the neighbors to observe the height from surrounding properties and streets.
  4. After school activities are ancillary to the purpose of the building as a school, including student projects, sports, and awards ceremonies. It is a religious based school, so there are prayers five times a day. However, those participating in prayers generally are students, teachers, administrators, and a few parents who live in the neighborhood.
  3. Anticipated deliveries to the school will come in small trucks and vans--is there really a necessity to show pictures of small trucks and vans?
  2. CPSA is not sure yet if all the neighbors on the south and east want the fence and/or tree screening, or the details of that screening. CPSA is willing to work with the neighbors to provide screening that meets the desires of the majority of the neighbors on those sides.
  1. CPSA is not going to publish a set class schedule at this time. CPSA will agree to stagger start and end times from those of Madison School. CPSA would like to retain the flexibility to adjust class schedules and start and end times of different ages based on need, as determined by increased enrollment and/or increased traffic issues. We are not comfortable having set start and end times being set in stone as part of the Village plan.
- The CPSA response to your e-mail sent May 27 after the meeting with Joe Glazier:

Chris

**From:** Lawdraus@aol.com  
**Sent:** Tuesday, June 02, 2009 2:14 PM  
**To:** Stilling, Christopher; xrttech@comcast.net  
**Cc:** Heniff, William; Ware, William; Toth, Michael  
**Subject:** Re: CPSA Neighborhood Meeting

**Stilling, Christopher**





**AN ORDINANCE APPROVING A MAP AMENDMENT (REZONING)  
TO THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(PC 09-08: 331 W. Madison Street)

(Also see Ordinance Nos. \_\_\_\_\_)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title XV, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, an application has heretofore been filed requesting a map amendment for the purpose of rezoning the property described in Section 2 hereto from CR Conservation/Recreation District to the R2 Single Family Residential District; and,

WHEREAS, a public hearing thereon has been conducted by the Village of Lombard Plan Commission on May 4, 2009, 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 rezoning described herein; and,

WHEREAS, at the Village Board meeting on May 21, 2009, the President and Board of Trustees remanded the petition back to the Plan Commission to consider additional information and testimony; and,

WHEREAS, the Plan Commission at its June 8, 2009 meeting considered the additional testimony and materials; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the rezoning 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 of the Code of Lombard, Illinois, otherwise known as the Lombard Zoning Ordinance, be and is hereby amended so as to rezone the property described in Section 2 hereof to R2 Single Family Residential District.

SECTION 2: That the map amendment listed in Section 1 above is limited and restricted to the property adjacent to and generally located at 331 W. Madison Street, Lombard, Illinois and legally described as follows:

PARCEL 1: THE NORTH 215 FEET OF THE WEST 80 FEET OF THE EAST 210 FEET OF LOT 4 IN BLOCK 7 IN LOMBARD FARMS SUBDIVISION, BEING A SUBDIVISION IN SECTIONS 7 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 1917 AS DOCUMENT NO. 129539; IN DUPAGE COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 06 18 200 010

PARCEL 2: THE EAST 130 FEET OF LOT 4 IN BLOCK 7 IN LOMBARD FARMS SUBDIVISION, BEING A SUBDIVISION IN SECTIONS 7 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 1917 AS DOCUMENT NO. 129539; IN DUPAGE COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 06 18 200 011

PARCEL 3: THAT PART OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION; THENCE SOUTH, ALONG THE EAST LINE THEREOF, 446.92 FEET; THENCE SOUTH 89 DEGREES WEST, 1846.55 FEET, MORE OR LESS, TO THE EAST LINE OF LOT 4 IN BLOCK 7 IN LOMBARD FARMS SUBDIVISION, FOR A POINT OF BEGINNING; THENCE NORTH 01 DEGREE WEST, 415.55 FEET; THENCE NORTH THENCE NORTH 89 DEGREES EAST, 130 FEET, THENCE SOUTH 01 DEGREE EAST, 415.55 FEET, THENCE SOUTH 89 DEGREES WEST, 130 FEET, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 06 18 200 012

PARCEL 4: THAT PART OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 18; THENCE SOUTH, ALONG THE EAST LINE OF SAID SECTION 18, A DISTANCE OF 446.92 FEET (RECORDED BEING 446.82 FEET) TO THE SOUTH LINE OF GREEN VALLEY, BEING A SUBDIVISION OF PARTS OF SECTION 7 AND 18 TOWNSHIP AND RANGE AFORESAID, PER DOCUMENT NO. 465288, THENCE SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID GREEN VALLEY, A DISTANCE OF 14.47 FEET THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID GREEN VALLEY, A DISTANCE OF 14.47 FEET EAST OF (MEASURED ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF GREEN VALLEY) THE EAST LINE OF LOT 4 IN THE BLOCK 7 OF

LOMBARD FARMS SUBDIVISION PER DOCUMENT NO. 128539, THENCE NORTH 00 DEGREES 26 MINUTES 22 SECONDS WEST ALONG THE WEST LINE OF BLOCK 12 IN SAID GREEN VALLEY, AND PARALLEL WITH THE EAST LINE OF SAID LOT 4, A DISTANCE OF 425.41 FEET (RECORDED BEING 415.55 FEET) TO THE NORTHWEST CORNER OF BLOCK 12 IN SAID GREEN VALLEY, THENCE NORTH 89 DEGREES 02 MINUTES 31 SECONDS EAST ALONG THE NORTH LINE OF BLOCK 12 IN SAID GREEN VALLEY, A DISTANCE OF 14.46 FEET TO THE NORTHWEST CORNER OF BLOCK 12 IN THE AFORESID SUBDIVISION OF BLOCK 12 TO 20, GREEN VALLEY AND LOT 2, BLOCK 11, GREEN VALLEY THENCE SOUTH 00 DEGREES 26 MINUTES 26 SECONDS EAST ALONG THE WEST LINE OF BLOCK 12 IN SAID RESUBDIVISION, A DISTANCE OF 415.40 FEET (RECORDED BEING 4215.55 FEET) TO THE POINT OF BEGINNING, IN YORK TOWNSHIP, DUPAGE COUNTY, ILLINOIS.  
PERMANENT INDEX NUMBER: 06 18 200 012 (FOR PARCELS 3 AND 4)

Parcel Numbers: 06-18-200-008, -009, -010, -011, & -012

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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

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

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2009

Brigitte O'Brien, Village Clerk

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING CONDITIONAL USE APPROVAL  
FOR A PLANNED DEVELOPMENT WITH COMPANION DEVIATIONS AND  
VARIATIONS, AND A CONDITIONAL USE FOR A SCHOOL, PRIVATE, FULL-  
TIME: ELEMENTARY, MIDDLE AND HIGH**

PC 09-08: 331 W. Madison

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned R2 Single Family Residential District; and,

WHEREAS, an application has been filed requesting approval of a conditional use for a planned development with deviations, and a conditional use for a School, Private, Full-time: Elementary, Middle and High described herein; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on May 4, 2009 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 a conditional use for a planned development with deviations and variations, and a conditional use for a School, Private, Full-time: Elementary, Middle and High described herein; and,

WHEREAS, at the Village Board meeting on May 21, 2009, the President and Board of Trustees remanded the petition back to the Plan Commission to consider additional information and testimony; and,

WHEREAS, the Plan Commission at its June 8, 2009 meeting considered the additional testimony and materials; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of a conditional use for a planned

development with deviations and variations, and a conditional use for a School, Private, Full-time: Elementary, Middle and High 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 conditional uses for a planned development with the following conditional use, variations and deviations are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

1. Approval of a conditional use to allow for a School, Private, Full-time: Elementary, Middle and High in the R2 Single-Family Residence District, and;
2. Approval of a conditional use for a planned development with the following deviations:
  - a) To allow a variation from Section 155.407 (H) and Section 155.508 (C) (7), reducing the minimum required open space to 50% where a minimum of 62.5% is required; and
  - b) To allow a variation from Section 155.407 (G) to allow for a building height of up to thirty-five feet (35') from grade, where thirty feet (30') maximum height is allowed by right.

SECTION 2: That the ordinance is limited and restricted to the property generally located at 331 W. Madison, Lombard, Illinois and legally described as follows:

PARCEL 1: THE NORTH 215 FEET OF THE WEST 80 FEET OF THE EAST 210 FEET OF LOT 4 IN BLOCK 7 IN LOMBARD FARMS SUBDIVISION, BEING A SUBDIVISION IN SECTIONS 7 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 1917 AS DOCUMENT NO.129539; IN DUPAGE COUNTY, ILLINOIS.  
PERMANENT INDEX NUMBER: 06 18 200 010

PARCEL 2: THE EAST 130 FEET OF LOT 4 IN BLOCK 7 IN LOMBARD FARMS SUBDIVISION, BEING A SUBDIVISION IN SECTIONS 7 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 15, 1917 AS DOCUMENT NO. 129539; IN DUPAGE COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 06 18 200 011

PARCEL 3: THAT PART OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION; THENCE SOUTH, ALONG THE EAST LINE THEREOF, 446.92 FEET; THENCE SOUTH 89 DEGREES WEST, 1846.55 FEET, MORE OR LESS, TO THE EAST LINE OF LOT 4 IN BLOCK 7 IN LOMBARD FARMS SUBDIVISION, FOR A POINT OF BEGINNING; THENCE NORTH 01 DEGREE WEST, 415.55 FEET; THENCE NORTH THENCE NORTH 89 DEGREES EAST, 130 FEET, THENCE SOUTH 01 DEGREE EAST, 415.55 FEET, THENCE SOUTH 89 DEGREES WEST, 130 FEET, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 06 18 200 012

PARCEL 4: THAT PART OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 18; THENCES SOUTH, ALONG THE EAST LINE OF SAID SECTION 18, A DISTANCE OF 446.92 FEET (RECORDED BEING 446.82 FEET) TO THE SOUTH LINE OF GREEN VALLEY, BEING A SUBDIVISION OF PARTS OF SECTION 7 AND 18 TOWNSHIP AND RANGE AFORESAID, PER DOCUMENT NO. 465288, THENCE SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID GREEN VALLEY, A DISTANCE OF 14.47 FEET THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID GREEN VALLEY, A DISTANCE OF 14.47 FEET TO THE SOUTHWEST CORNER OF BLOCK 12 SAID GREEN VALLEY, BEING A POINT 130.00 FEET EAST OF (MEASURED ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF GREEN VALLEY) THE EAST LINE OF LOT 4 IN THE BLOCK 7 OF

LOMBARD FARMS SUBDIVISION PER DOCUMENT NO. 128539, THENCE NORTH 00 DEGREES 26 MINUTES 22 SECONDS WEST ALONG THE WEST LINE OF BLOCK 12 IN SAID GREEN VALLEY, AND PARALLEL WITH THE EAST LINE OF SAID LOT 4, A DISTANCE OF 425.41 FEET (RECORDED BEING 415.55 FEET) TO THE NORTHWEST CORNER OF BLOCK 12 IN SAID GREEN VALLEY, THENCE NORTH 89 DEGREES 02 MINUTES 31 SECONDS EAST ALONG THE NORTH LINE

OF BLOCK 12 IN SAID GREEN VALLEY, A DISTANCE OF 14.46 FEET TO THE NORTHWEST CORNER OF BLOCK 12 IN THE AFORESID SUBDIVISION OF BLOCK 12 TO 20, GREEN VALLEY AND LOT 2, BLOCK 11, GREEN VALLEY THENCE SOUTH 00 DEGREES 26 MINUTES 26 SECONDS EAST ALONG THE WEST LINE OF BLOCK 12 IN SAID RESUBDIVISION, A DISTANCE OF 415.40 FEET (RECORDED BEING 4215.55 FEET) TO THE POINT OF BEGINNING, IN YORK TOWNSHIP, DUPAGE COUNTY, ILLINOIS.  
PERMANENT INDEX NUMBER: 06 18 200 012 (FOR PARCELS 3 AND 4)

Parcel Numbers: 06-18-200-008, -009, -010, -011, & -012

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The site shall be developed substantially in accordance with the CPSA elevation, site, landscaping and floor plans package, prepared by Dome Structural Engineers, dated June 2, 2009, except as they shall be changed to meet Village Codes and provide 50% open space and shall be subject to the review and approval of the Director of Community Development.
2. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.
3. The petitioner shall address all recommendations in the KLOA report, which includes a detailed drop off/pick up schedule in a manner acceptable to the Director of Community Development, based upon the proposed traffic flow conditions along Madison Street and upon the subject property.
4. The number of grade school students shall be capped at 450 students and the number of high school students shall be capped at 240 students. The total student population, including the pre-school, shall not exceed 785 students.
5. A final plat of consolidation shall be submitted to the Village for approval, making the site a lot of record.
6. The designated fire lane adjacent to the western and southern portion of the proposed building shall be blocked off at all times and accessed only by the Village of Lombard Fire Department and the refuse company for trash pickup.



7. The petitioner shall submit a photometric plan as part of building permit submittal showing compliance with Village Code.

8. The Plan Commission shall be granted site plan approval authority for the subject property.

9. Trash collection and deliveries shall not occur on the school property prior to 8:00 a.m.

10. A revised landscape plan shall be submitted in a manner acceptable to the Director of Community Development. All plantings along the parking lot and drive aisles that directly abuts residentially zoned properties shall be screened with evergreen and/or dense deciduous shrubs across the property line at a planting height of a minimum of 4 feet and consistent with Section 155.706 (C) (2) (a) (1) of the Zoning Ordinance. Evergreens and/or the dense deciduous shrubs shall be of a species that can grow to a minimum height of 15 feet.

SECTION 4: 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 \_\_\_\_\_, 2009.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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

Naves: \_\_\_\_\_

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

William J. Mueller, Village President

Brigitte O'Brien, Village Clerk