

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

TO: Lombard Plan Commission

HEARING DATE: October 15, 2007

FROM: Department of  
Community Development

PREPARED BY: William Heniff, AICP  
Senior Planner

**TITLE**

**PC 07-37; 400-500 E. St. Charles Road (Oakview Estates Planned Development):** The petitioner requests that the Village take the following actions on the subject property, located within the R4PD Limited General Residence District, Planned Development:

1. Pursuant to Section 155.504 (A) of the Zoning Ordinance, approve a major change to an approved planned development, as approved by Ordinance 5488. This major change would amend the planned development approval for the second proposed building (i.e., Phase II) to provide for up to 52 senior independent living residences, in lieu of a 40-unit condominium building;
2. Approve a further deviation from Section 155.408 (D) (4) to reduce the minimum square feet per dwelling unit from 1,202 square feet (36.2 units per acre) to approximately 1,045 square feet (41.68 units per acre); and
3. Approve a further variation from the planned development standards set forth in Section 155.508 (C) (5), allowing for an increase in the maximum number of dwelling units from 80 to 92 units.

**GENERAL INFORMATION**

Petitioner/Property Owner  
(for Phase II):

Highland Partners LLC  
145 S. Northwest Highway  
Park Ridge, IL 60068

**PROPERTY INFORMATION**

Existing Land Use: One 40-unit condominium building with accessory garage

Size of Property: Approximately 2.208 acres (entire planned development)

Comprehensive Plan: Recommends High Density Residential

Existing Zoning: R4PD Limited General Residence District, Planned Development

Surrounding Zoning and Land Use:

- North: Union Pacific Railroad, Great Western Trail
- South: CR Conservation Recreation District – Lombard Common; B4 Community Commercial District – Poolside Dogs & Lombard Hobbies
- East: Great Western Trail
- West: Union Pacific Railroad

**ANALYSIS**

**SUBMITTALS**

This report is based on the following documents filed on September 19, 2007 with the Department of Community Development:

1. Petition for Public Hearing.
2. Response to Standards with supplemental information regarding proposed project, prepared by applicant see Appendix A).
3. Site Plan and Landscape Plat of Survey, prepared by Neri Architects, dated July 27, 2006.

**DESCRIPTION**

PC 04-10 approved zoning actions for the property at 400-540 East St. Charles Road to provide for two 40-unit condominium buildings as part of the Oakview Estates Planned Development. The Phase I building (500 E. St. Charles Road) was completed in early 2006 and 31 of the 40 condominium units have been sold to date.

Since completion of the first building, Neri Development (through its Oakview Estates LLC) has represented that the market for additional condominium units has not materialized. As such, they have been looking at other development options for the site. Xilin Associates (pronounced SHAY-lin), a non-for profit entity, is seeking development possibilities for senior independent living residences in Lombard. They were made aware of the Oakview Estates site and are proposing to take over and construct the Phase II portion of the project for senior independent living apartments.

The zoning petition consists of an amendment of three items included within the 2004 approval. The first is a major change to a planned development to provide for a senior independent living facility. The other actions consist of further relief from density provisions approved in 2004.

## **INTER-DEPARTMENTAL REVIEW COMMENTS**

### **ENGINEERING**

From an engineering or construction perspective, Private Engineering Services stated that all required public improvements have been constructed as part of the development proposal. As such, PES does not have any comments on the development proposal. However, if any changes are proposed or made to the approved and constructed plans, Village permits will be required.

### **BUILDING AND FIRE**

The Fire Department/Bureau of Inspectional Services notes that building permits will be required for the proposed second building. The Fire Department will provide additional comments as part of the building permit submittal.

### **PLANNING**

#### **Compatibility with the Zoning Ordinance/Planned Development Approval**

Staff has determined that Xilin's proposal would constitute a major change to a planned development, as it changes the intent and development density of the project, and as such, the petitioner has filed for approval of the following actions:

- 1. A major change to an approved planned development, as approved by Ordinance 5488. This major change would amend the planned development approval for the second proposed building (i.e., Phase II) to provide for up to 52 senior independent living residences, in lieu of a 40-unit condominium building;*

From the exterior, the development proposal would not result in modifications to the 2004 approved site plan. However, the interior of the proposed Phase II building would change, as the units would be reduced in size to accommodate the senior housing concept. They are proposing to provide up to 52 senior units within the existing approved building footprint. However, the final number of units may be adjusted downward as the interior architectural plans are finalized. Additionally, the final placement of the windows in the Phase II building would be adjusted accordingly.

With approval of the zoning relief in 2004, the amended proposal would meet all setback requirements for the project. The Phase II building would be in the same location as the Phase II condominium building was proposed to be located.

The petitioner's plan is to establish senior independent apartment units operated by a management entity. While a building maintenance staff will be available, no assisted living or congregate living activities would be part of this proposal. As a result, staff would consider this request as apartment units. The Zoning Ordinance does not distinguish between varying types of multiple-family

residential uses – condominiums and apartments are functionally considered as the same type of land use.

The approved plans would provide for 120 parking spaces for the development (1.5 spaces per dwelling unit for units with 2 bedrooms or less \* 80 units). The proposed change to senior housing would allow the petitioner to decrease the required parking to 1 space per 4 units, as provided for elderly housing. The petitioner still intends to provide first level parking in the building to supplement the parking provided at grade west of the proposed building. However, a few spaces within the building are likely to be removed to provide for a larger meeting room area for tenants. Therefore, the proposal will meet parking requirements, even with the increase in the number of overall units.

To address the pedestrian access issues, the 2004 approval required the granting of a cross-access link from the subject property to the Great Western Trail. Recognizing the nature of the proposed housing in this petition, staff recommends as a condition of approval that the pedestrian access link be constructed as part of this approval.

2. *A further deviation to reduce the minimum square feet per dwelling unit from 1,202 square feet (36.2 units per acre) to approximately 1,045 square feet (41.68 units per acre); and*

3. *A further variation from the planned development standards, allowing for an increase in the maximum number of dwelling units from 80 to 92 units.*

The R4 District requires multiple-family dwellings to have 2,800 sq. ft. of lot area for each dwelling unit. The proposed development has only 1,202 sq. ft. of lot area for each dwelling unit. As part of the 2004 approval, relief was granted from the provisions above. The 2004 petition noted that the majority of R4-zoned properties within the Village abut single-family residential properties, which requires additional space to accommodate transitional yard and transitional building setback requirements. As this project does not need to allow for such transitional elements, the lot area deviation was warranted.

This petition requests approval of a further amendment to the density requirements. Staff notes that the rationale for the density relief noted above is still applicable to this petition as well. Given the nature of the proposed housing component, the average unit size is intended to be less, although the overall density of buildings and structures on the property remains unchanged.

#### **Compatibility with Adjacent Properties**

The intent of the development proposal is to ensure that from the exterior the development will be essentially the same as what was proposed in 2004. The constructed on-site access driveways provide for the same traffic circulation pattern. Staff notes that if this petition is approved that the petitioner should secure cross-access agreements with the adjacent property as well.

**Compatibility with the Comprehensive Plan**

The 2004 petition also included an amendment to the Village's Comprehensive Plan. The Comprehensive Plan states that new medium and high-density housing should be located in selected "nodal" locations or in areas that serve as a transitional use between low-density residential and nonresidential uses.

The approved medium-density residential designation was adopted as the property and designation provides a buffer between the single-family homes surrounding Lombard Common and the Union Pacific Railroad. The increase in the number of units would not conflict with the Plan's designation. The proposal also meets the Village's general goal of providing a variety of housing options as well as opportunities for affordable housing for seniors.

**Supplemental Information**

**Background Regarding Xilin Associates**

Xilin Associates has provided the attached background materials regarding their organization. For this project, their intent is to provide senior independent living housing for residents that meet lower income requirements as established by Department of Housing and Urban Development for DuPage County. They will be seeking additional financial assistance through the IDHA. The petitioner has represented that preference provisions will be given for Lombard residents as part of the tenant selection process. An overview of their management plan is also provided in the attachments. They have also confirmed with the York Township Assessor's Office that the project would not be tax exempt.

**Development Agreement Provisions**

While not under the purview of the Plan Commission, a companion development agreement is contemplated for the project. Along with the 2004 zoning approvals, the Board also approved a TIF Development Agreement for additional improvements within the St. Charles Road public right-of-way. The original agreement provided for reimbursement of up to \$400,000 in additional increment generated by the development and the project has created \$55,008 in property tax increment above the base equalized assessed valuation to date.

The petitioner is proposing to seek approval of a modified agreement that would seek up to \$300,000 in increment to facilitate the project. The original 2004 agreement would be terminated, with no funds being paid out on the original agreement. Staff will be working with the petitioner to craft an agreement for the Board's consideration. However, before the agreement can be approved by the Village Board, a meeting of the St. Charles Road TIF 2 – East Joint Review Board (JRB) will need to be held, and the JRB will provide a recommendation to the Board accordingly.

Approval of this project will be contingent on approval of a companion development agreement amendment, the conditions and terms of which will be discussed by the Board of Trustees prior to any approval of this petition and the relief requested herein.

## FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee finds that the petition meets the standards for planned development and variations; and therefore recommends that the Plan Commission make the following motion recommending **approval** of this petition subject to the conditions as outlined:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings of the Inter-department Review committee as the findings of the Plan Commission and that the planned development amendment is in the public interest; and therefore recommend to the Corporate Authorities **approval** of the requests associated with PC 07-37, subject to the following conditions:

1. The site shall be developed substantially in accordance with the site plans prepared by Neri Architects, dated July 27, 2006.
2. The petitioner shall secure a cross-access agreement with the adjacent Oakview Estates property for motor vehicle and pedestrian access and circulation.
3. As part of the development proposal, the petitioner shall construct a pedestrian access link connecting the subject property to the proposed to be constructed Great Western Trail Bridge and shall meet Illinois Accessibility Code provisions.
4. The petitioner shall enter into a companion development agreement with the Village to address any Village financial contributions and/or obligations associated with the project.
5. All other conditions or provisions associated with the original planned development approval not amended by this petition shall remain in full force and effect.

Inter-Departmental Review Group Report Approved By:

---

David A. Hulseberg, AICP  
Assistant Village Manager/Director of Community Development

Appendix A: Supplemental Information Provided by Petitioner

**Project Description**  
**Oakview Estates Senior Residences**

**Organizational Information**

Inspired by a desire to help their children learn more about American culture, a small group of Chinese immigrants established the Xilin Association in 1989 in Naperville. Initially, Xilin provided language and arts classes. Now in its 18<sup>th</sup> year of service in DuPage County, Xilin has experienced tremendous growth and now provides many services to any eligible person needing assistance including:

Senior Programs

- Senior Case Management for 900 seniors in 2006
- Adult daycare to 35 adults daily
- Senior meals serving 11,000 meals per year
- Senior Social Clubs with over 200 Senior members

Health and Education Programs

- Breast cancer education and screening for 800 workshop attendees and over 300 screenings in 2006
- Osteoporosis education and screenings for 400 workshop attendees and 250 screenings in 2006
- Senior Health Fair with 200 attendees in 2006
- Health related workshops with 500 attendees in 2006

Children and Family Education Programs

- Academic classes for math, English language classes, Chinese as a second language, ACT/SAT classes
- After school programs for all age students
- Xilin Academy operates on Saturdays and Sundays for over 300 students to receive additional educational services
- Xilin also provides services to local families adopting children from China.

Culture and Art Performing Programs

- Culture and Art Performance classes including dance, music, and martial arts
- Special Annual Events
  - Lantern Festival in Naperville with 3000 in attendance for 2007
  - Assemblies and specialized multicultural programs for local schools, libraries, and corporations.

Xilin has witnessed a growing need for affordable housing for seniors. Xilin serves many families whose aging relatives have to move away from their children and grandchildren in order to find affordable housing outside of DuPage County.

Senior housing is the natural next step for Xilin since seniors and their families are struggling to find and maintain quality, attainable housing in a service rich environment near home.

### **Project Information**

The Xilin Association wishes to construct Oakview Estates Senior Residences at 500 E. St. Charles Road and Grace Street, in Lombard, Illinois.

The residences would be restricted to independent seniors age 62 and older.

Oakview Estates Senior Residences would include:

- Approximately 50 rental units, mainly one-bedroom units
- Accessible and adaptable units to ease aging in place and to provide a friendly, fulfilling, and safe senior lifestyle
- A community room for senior services, social gatherings, and events
- A nicely landscaped site plan matching existing Planned Development
- Rents attainable to seniors on fixed incomes (typically less than 60% of the area median income in DuPage County)

### **Services to Seniors and Their Families**

Seniors at Oakview Estates Senior Residences will be provided services to help them age in place in an elegant and friendly manner. Activities geared to promote the social, physical, recreational, emotional, and intellectual needs of each senior resident will be provided. Residents can choose to participate in all or none of the activities. Xilin has an established senior service program currently in place.

Families of the residents can have peace knowing their loved ones are being housed and offered services close to home in a colorful and rich environment.

### **Age and Income Restrictions**

Since the property would be age restricted, only persons age 62 and older are eligible to live in the building. At least one spouse would need to meet the age restriction. If siblings or friends wanted to live together, both individuals would need to meet the age and income restrictions.

In the Tenant Selection Plan, elderly is designated as 62 and above whose household head, spouse, or sole member is at least 62 years of age.

### **Preference to Lombard Residents**

Preference on the waiting list will be given to people with special needs, households with the lowest incomes until that target is met, and those with Lombard residency. We are seeking a letter from HUD indicating the Lombard preference will be approved. This is not uncommon.

### **Rental Assistance**

The DuPage Housing Authority has encouraged Xilin to apply for rental assistance for approximately 13 of the units for seniors with special needs. These households will pay 30% of



their adjusted monthly income as rent. This is a significant positive impact for this project.

### **Long Term Care and Management of Property**

The primary lender in the project would be the Illinois Housing Development Authority through Low Income Housing Tax Credit equity. There is long term management and compliance monitoring for a minimum of 31 years to ensure the building is well maintained, seniors are income eligible, and the rent restrictions are being met. Since Xilin is a not-for-profit corporation, the promise to serve seniors will remain forever.

The lenders in this project will require three reserves to be established at closing to insure the building is well maintained. They are a replacement reserve, real estate tax reserve, and an insurance reserve. These reserves are placed in an account at the Illinois Housing Development Authority and are not accessed unless they are needed for unexpected costs.

In the annual operating budget, another replacement reserve will be established at IHDA that will provide approximately \$300 a year per unit for planned repairs.

### **Management**

Xilin will hire a professional property management firm with experience in affordable senior housing, specifically with federal tax credit compliance. The management firm will insure compliance with income and rent restrictions and property maintenance through Housing Quality Standards and local codes. The management firm will also be a friendly face in the on-site management office and will be the liaison with Xilin's senior services and with outside agencies to provide a happy and safe environment for the residents. We are currently interviewing property management firms to make a decision on which firm will best meet the needs of the property.

The Illinois Housing Development Authority will have annual on-site inspections to evaluate the physical condition of the property, monitor the tenant files, and otherwise maintain the general well being of the property.

The management company will also screen clients for their appropriateness in the building. This will be an independent elderly project. Seniors with acute health care needs that require medical or nursing care are not appropriate for this building.

It is Xilin's intent to become a good and valued neighbor in Lombard. They anticipate seniors being a low intensity impact neighbor, specifically involving fewer moves, less traffic, less noise, less waste generation, and with limited guests' visitation. It is key to find a property manager that will screen tenants who do not meet these anticipated neighborhood impacts.

The Xilin Association Naperville Center offers a wide range of services including the following:

### **Telephone Hotline for Information & Referral**

1. During the office hours between 9:00 am and 5:00 pm, Xilin provides public benefit and health information, assists people with the procedures of filling an application, and gives referrals to other services.

2. Senior Employment (Title V) Program – Referrals for part-time jobs for low-income adults aged 55 and over, as well as information on transportation and housing services for seniors available to DuPage County residents.

### **Benefit Workshops**

If you are a member of a community organization, school, church, or temple, we provide free workshops for your group to learn about the availability of public benefits. We offer computer-generated Benefit Checkup programs that provide individualized profiles of benefit eligibility for U.S. citizens and permanent residents. Please contact us to complete a questionnaire to discover what benefits you are qualified for.

### **Health Education Workshops and Services**

We also conduct workshops on breast cancer awareness and prevention. Low-income, uninsured workshop participants could sign up for free mammogram screening. Seniors and their caregivers can be susceptible to occasional mental health problems related to age, such as fear, restlessness, helplessness, etc. We offer free mental health workshops and depression screening conducted by mental health professionals.

### **Bone Density Screening**

According to National Osteoporosis Foundation, “After the mid-30’s, slow bone loss occurs.... Half of all women older than 50 will have an osteoporosis-related fracture.” Xilin Association provides free bone density screening and education for women 30 years and older at our Naperville office. We also conduct screenings at community health fairs.

### ***Food and Nutrition Program***

Our Senior Nutrition Program provides meals that are served in a group setting. We provide referrals to similar programs in your community as well as assisting applying for Food Stamp program and free home-delivered meals for homebound seniors.

### **Case Management Services**

For those who have difficulties accessing public benefit services, we assist with completing the application, and following -up on your application for several services.

### **Adult Day Services**

Xilin Adult Day Service provides therapeutic activities, health related services, and an individualized care plan for medically and/or cognitively frail elderly adults age 60 and above from

Lombard Plan Commission

Re: PC 07-37

Page 11

8:30 am to 2:30 pm. Free transportation is available for all seniors approved by DuPage County senior services. Nutritious meals are also provided as part of the program.