

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


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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: March 28, 2017 (B of T) Date: April 6, 2017

TITLE: PC 17-08; 1005-1027 E. Division Street

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Over the Rainbow Association, requests that the Village take the following actions on the subject property located within the R2 Single-Family Residence District and the R3 Attached Single-Family Residence District:

1. For the property at 1027 E. Division Street, approve a map amendment from the R2 Single-Family Residence District to the R4 Limited General Residence District;
2. For the property at 1005 E. Division Street, approve a map amendment from the R3 Attached Single-Family Residence District to the R4 Limited General Residence District;
3. For both properties as noted above, approve a conditional use for a new planned development with the following companion variations and deviations, reflective of existing buildings and structures already located on the premises:
 - a. A deviation from Section 155.409(I) and Section 155.508(C)(6)(b) to reduce the transitional interior side yard building setback for an existing building from fifty feet (50') to fourteen feet (14');
 - b. A variation from Section 155.409(J), Section 155.508(C)(6)(b), and Section 155.707(A) to reduce the depth of the transitional landscape yard;
 - c. A variation from Section 155.707(B) to allow transitional landscape yard improvements;
 - d. A variation from Section 155.706(C)(1) to reduce the required perimeter parking lot landscaping for the south side of an existing parking lot, as depicted on the submitted site and landscape plan;
 - e. A deviation from Section 155.602(A)(3)(e) to allow off-street parking areas open to the sky to be located in a required front yard;

- f. A deviation from Section 155.602(C), Table 6.2, to reduce the parking ratio for one-bedroom apartment units from one and a half parking spaces per unit to one parking space per unit; and
- 4. Grant site plan approval authority to the Lombard Plan Commission pursuant to Section 155.511 (site plan approval) of the Lombard Zoning Ordinance.

The Plan Commission recommended approval of this petition by a vote of 5-0.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____

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



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

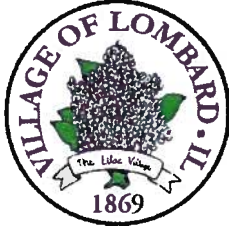
MEETING DATE: April 6, 2017

SUBJECT: **PC 17-08, 1005-1027 E. Division Street**

Please find the following items for Village Board consideration as part of the April 6, 2017 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 17-08;
3. An Ordinance granting approval of map amendments (rezoning) to R4; and
4. An Ordinance granting approval of a conditional use for a planned development with deviations and variations, and granting site plan approval authority to the Lombard Plan Commission.

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the April 6, 2017 Board of Trustees agenda for a first reading.



VILLAGE OF LOMBARD

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Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

April 6, 2017

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

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

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

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

Subject: PC 17-08, 1005-1027 E. Division Street

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. Over the Rainbow Association (petitioner), requests that the Village take the following actions on the subject property located in the R2 Single Family Residence District and R3 Attached Single-Family Residence District:

1. For the property at 1027 E. Division Street, approve a map amendment from the R2 Single-Family Residence District to the R4 Limited General Residence District;
2. For the property at 1005 E. Division Street, approve a map amendment from the R3 Attached Single-Family Residence District to the R4 Limited General Residence District;
3. For both properties as noted above, approve a conditional use for a new planned development with the following companion variations and deviations, reflective of existing buildings and structures already located on the premises:
 - a. A deviation from Section 155.409(I) and Section 155.508(C)(6)(b) to reduce the transitional interior side yard building setback for an existing building from fifty feet (50') to fourteen feet (14');

- b. A variation from Section 155.409(J), Section 155.508(C)(6)(b), and Section 155.707(A) to reduce the depth of the transitional landscape yard;
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 - f. A deviation from Section 155.602(C), Table 6.2, to reduce the parking ratio for one-bedroom apartment units from one and a half parking spaces per unit to one parking space per unit; and
4. Grant site plan approval authority to the Lombard Plan Commission pursuant to Section 155.511 (site plan approval) of the Lombard Zoning Ordinance.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 27, 2017. Sworn in to present the petition were: Anna Papke, Senior Planner; Eric Huffman with Over the Rainbow (petitioner); Steve Friedland with Applegate & Thorne-Thomsen, attorney representing petitioner; and Dennis Langley with Weese Langley Weese Architects, architect representing petitioner.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Steve Friedland introduced himself as the attorney representing the development team.

Eric Huffman, with Over the Rainbow (OTR), provided an overview of his organization as well as the other properties that OTR owns in the Chicago region. He said the main focus of OTR is to serve individuals with severe physical disabilities who are able to live independently. He provided a brief overview of OTR's funding sources and operations.

Mr. Huffman said that the subject property was formerly operated as the Deicke Home, which was a HUD-funded organization. He said that HUD had reached out to OTR when the property became available for redevelopment, asking if OTR would be interested in repurposing the site to serve OTR's mission. OTR determined the site will be suitable for redevelopment into 14 independent apartment units. Mr. Huffman said that the building on the site has good bones, and

will lend itself well to adaptive reuse. He mentioned that OTR intends to call the development Arboretum West Apartments.

Steve Friedland outlined the elements of the petition before the Plan Commission. He noted that most of the deviations and variations requested by OTR are intended to address existing conditions on the site. The only new deviation would be for the parking ratio.

Dennis Langley, architect, provided an overview of the proposed redevelopment of the site. He showed a survey of the existing conditions on the site, and noted that the existing parking lot will be reconfigured to accommodate 14 parking spaces. There will also be improvements to the internal sidewalk network around the development. The school building on the east side of the property will be demolished and that area converted into green space.

Mr. Langley presented the landscape plan. He noted that the petitioner will be keeping most of the mature trees on site, with the exception of a few that will be lost due to reconfiguration of the driveway. All landscaping around the perimeter of the property will remain. Foundation landscaping near the building will be enhanced.

Mr. Langley presented the building elevation. The existing residential building on the site will be converted into 14 apartments. All the apartments will be barrier free to accommodate residents' needs. Most of the interior systems will be new (plumbing, AC, etc.). The existing elevator will remain, and the basement level will be used for support services. The petitioner will refresh the masonry on the exterior of the building.

Steve Friedland addressed the petitioner's request for rezoning the property to R4. He noted that the R4 zoning will be compatible with the previous and proposed future use of the site, and that it will be a transition between the business district to the west and the single-family residential district to the south and east. He said that the planned development designation will be an appropriate way to regulate the site, and the related deviations and variations will address existing conditions. He said the proposed parking ratio reduction from 1.5 to 1.0 space per unit will adequately serve the building's resident population, and that the Village's traffic consultant had reached the same conclusion.

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

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The petitioner, Over the Rainbow Association (OTR), is proposing to redevelop the subject property, which formerly operated as the Deicke Home. The property is currently two parcels of record. There are two buildings on the site: the residential building on the west side and the administrative building on the east side of the site. The residential building will be converted into 14 independent living apartment units. The administrative building will be demolished.

In order to facilitate the redevelopment, the petitioner is seeking to rezone the two properties from R2 and R3 to R4 Limited Residential District. The petitioner also requests a conditional use for a planned development with variations and deviations, the majority of which will address existing conditions on the site.

The petition was reviewed by the Village's interdepartmental review committee. Comments from this review have been passed on to the petitioner, and will be addressed in the final review and permitting process.

The Planning Division reviewed the proposed rezoning and notes that the surrounding area is characterized by a mixture of zoning designations and existing land uses. Property to the north and west is a combination of businesses and higher density residential development. Property to the south and east is an existing single-family residential neighborhood. The proposed R4 zoning district would be an appropriate transition between the more intense development and the single-family neighborhood.

Staff finds the property meets the requirements for planned developments. The majority of the variations and deviations requested by the petitioner will address existing conditions on the site related to building setbacks, transitional yards and landscaping. Staff has no objection to these requests.

The petitioner is also requesting a deviation to reduce the parking ratio of the site from 1.5 spaces per unit to 1.0 space per unit. The petitioner states that many of their residents will not drive, and therefore the development will need less parking than a typical apartment building. The Village's traffic consultant, KLOA, performed a parking evaluation on the site based upon data from other properties operated by the petitioner, and concluded that average peak parking demand at OTR properties is about 0.61 spaces per unit. Based on this information, staff expects the proposed 14 parking spaces will adequately serve the development. The petitioner has agreed to land bank land on the east side of the site for a future parking lot in the event that there is a greater demand for parking in the future. Staff recommends approval of this deviation on the condition that the additional spaces are constructed if they become necessary.

Staff recommended approval of the petition subject to the conditions listed in the staff report.

Ms. Papke noted that staff had received one letter of objection from a nearby property owner, which was included with the staff report.

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

Commissioner Olbrysh said that the proposed redevelopment of the site will be an improvement to the neighborhood. He asked for confirmation that the school building (building on east side of site) will be demolished. The petitioner confirmed this is the case.

Commissioner Olbrysh asked about plans for landscaping on the south side of the site. Mr. Langley said it will be landscaped with lawn and other plantings.

On a motion by Commissioner Olbrysh, and a second by Commissioner Flint, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 17-08, subject to the following seven (7) conditions:

1. That the approvals for zoning map amendments, conditional use for a planned development with deviations and variations, and granting of site plan approval authority to the Plan Commission, are valid only for the subject property at 1005-1027 E. Division Street;
2. That the petitioner shall develop the site in accordance with the following plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code:
 - a. Site plan, prepared by Weese Langley Weese Architects, Ltd., dated January 30, 2017 and February 20, 2017; and
 - b. Landscape plan, prepared by Weese Langley Weese Architects, Ltd., dated February 14, 2017.
3. That the deviation to reduce the parking ratio to 1.0 space per apartment unit shall be granted on the condition that the petitioner installs an additional seven parking spaces on the site in the event the Village determines they are necessary;
4. That the petitioner shall submit a lighting plan during permit review;
5. That the petitioner shall submit a plat of consolidation for the two parcels;
6. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
7. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, or this approval for a conditional use for a planned development with deviations and variations and granting of site plan approval authority to the Plan Commission shall become null and void unless a time extension has been granted by the Village Board.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

March 27, 2017

Title

PC 17-08

Property Owner

West Suburban Assn. for
Retarded Children, Inc.; Deicke
Home, LLC
1005 E. Division Street
Lombard, IL 60148

Petitioner – Developer

Over the Rainbow Association
2040 Brown Avenue
Evanston, IL 60201

Property Location

1005-1027 E. Division Street

Zoning

R2 – Single-Family Residence
R3 – Attached Single-Family
Residence

Existing Land Use

Formerly a group home for
individuals with disabilities

Comprehensive Plan

Low and Low-Medium Density
Residential

Approval Sought

Rezoned to R4; approval of a
conditional use for a Planned
Development with variations and
deviations; site plan approval
granted to Plan Commission

Prepared By

Anna Papke, AICP
Senior Planner



LOCATION MAP

DESCRIPTION

The petitioner, Over the Rainbow Association (OTR), proposes to redevelop the subject property into a 14-unit apartment development serving individuals with disabilities. The subject property was previously operated as the Deicke Home, a group home for individuals with disabilities. The Deicke Home has ceased operations on this site.

The petitioner proposes to rehabilitate an existing building on the property into 14 independent living apartment units. There will be no fulltime staff associated with the new apartment facility. An existing parking lot will be reconfigured to provide on-site parking for the apartments. The building on the east side of the site (1027 E. Division Street), which was previously used for administrative functions by the Deicke Home, will be demolished with the area being reserved for open space (or parking if warranted).

EXISTING CONDITIONS

There are two buildings and a parking lot on the subject property. The structures on the site were previously used to operate a group home for individuals with disabilities, but are currently vacant.

Project Details

Parcel Size: 1.21 acres
Development Description: Rehab existing group home into 14 apartment units; demolish school/admin building on east end of site.

Requested Actions

1. Approve a rezoning to R4 for 1005 E. Division Street;
2. Approve a rezoning to R4 for 1027 E. Division Street;
3. Approve a conditional use for a planned development with companion deviations and variations; and
4. Grant site plan approval authority to the Lombard Plan Commission.

Submittals

1. Petition for public hearing, dated February 13, 2017;
2. Response to standards for map amendments and planned developments with deviations/variations, submitted with petition;
3. Plat of survey, prepared by Krisch Land Surveying, LLC, prepared January 23, 2017;
4. Site plan, prepared by Weese Langley Weese Architects, Ltd., dated January 30, 2017 and February 20, 2017; and
5. Landscape plan, prepared by Weese Langley Weese Architects, Ltd., dated February 14, 2017.

APPROVAL(S) REQUIRED

1. For the property at 1027 E. Division Street, approve a map amendment from the R2 Single-Family Residence District to the R4 Limited General Residence District;
2. For the property at 1005 E. Division Street, approve a map amendment from the R3 Attached Single-Family Residence District to the R4 Limited General Residence District;
3. For both properties as noted above, approve a conditional use for a new planned development with the following companion variations and deviations, reflective of existing buildings and structures already located on the premises:
 - a. A deviation from Section 155.409(I) and Section 155.508(C)(6)(b) to reduce the transitional interior side yard building setback for an existing building from fifty feet (50') to fourteen feet (14');
 - b. A variation from Section 155.409(J), Section 155.508(C)(6)(b), and Section 155.707(A) to reduce the depth of the transitional landscape yard;
 - c. A variation from Section 155.707(B) to allow transitional landscape yard improvements;
 - d. A variation from Section 155.706(C)(1) to reduce the required perimeter parking lot landscaping for the south side of an existing parking lot, as depicted on the submitted site and landscape plan;
 - e. A deviation from Section 155.602(A)(3)(e) to allow off-street parking areas open to the sky to be located in a required front yard;
 - f. A deviation from Section 155.602(C), Table 6.2, to reduce the parking ratio for one-bedroom apartment units from one and a half parking spaces per unit to one parking space per unit; and
4. Grant site plan approval authority to the Lombard Plan Commission pursuant to Section 155.511 (site plan approval) of the Lombard Zoning Ordinance.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments on this petition. Should the petition be approved, additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department has the following comments on this petition. Should the petition be approved, additional comments may be forthcoming during permit review.

1. The proposed renovation to the existing two-story building at 1005 E. Division Street and the subsequent use has been reviewed as an Institutional Occupancy, Group 1;
2. Building and fire code requirements will be addressed according to the occupancy use group identified above.

Private Engineering Services (PES):

Private Engineering Services has the following comments regarding the proposed project. Should the petition be approved, additional comments may be forthcoming during permit review.

1. Although the Village code allows for 1-way 90-degree parking, it is highly suggested that if 1-way is desired that angle parking be utilized to help enforce the direction of traffic flow through the parking lot and minimize driver confusion. Otherwise, it is very likely for the lot to actually function as a 2-way drive and would not meet those requirements.
2. The eastern driveway appears that it may not meet the 60-degree angle requirement for driveways. Based on angle in Bluebeam, it appears it is at about 45-degrees.
3. The Village and DuPage County stormwater ordinances would be required to be met. Net new calculations will be required to verify the requirements.

Public Works:

The Department of Public Works has no comment on this petition. Should the petition be approved, additional comments may be forthcoming during permit review.

Planning Services Division:

The Planning Services Division notes the following:

1. Surrounding Zoning, Land Use Compatibility and Request for Rezoning

	Zoning	Land Use
North	B2 and R5	Car repair business and multi-family apartment buildings
South	R2	Single-family neighborhood
East	R2	Single-family neighborhood
West	R3	Single-family home and duplexes

The neighborhood surrounding the subject property contains a mixture of uses. Property to the northwest, along Westmore/Meyers Road, is zoned B2 and developed with small-scale commercial uses. Property immediately north of the site, across Division Street, is developed with apartment buildings. Property to the southwest is developed with duplexes and the area to the south and east is an established single-family neighborhood.

The petitioner requests the Village amend the zoning designation of the subject property from R2 and R3 to R4 in order to accommodate redevelopment of the site with an apartment building. Given the mix of uses and zoning designations in the immediate area, staff concludes that a zoning designation of R4 on the subject property is an appropriate transition between the higher intensity zoning designations to the north and west and the R2 zoning district located to the south and east. Similarly, the proposed apartment development, which will utilize an existing building, will act as a transition between the commercial and higher intensity residential development to the north and west of the site and the single-family neighborhood to the south and east.

2. Comprehensive Plan Compatibility

The Comprehensive Plan designates the majority of the property, at 1005 E. Division Street, as suitable for low-medium density residential development. The proposed apartment building will be located on this portion of the property.

The Comprehensive Plan designates the property at 1027 E. Division Street as suitable for low density residential development. The existing building on this portion of the property will be demolished. No additional structures are planned for this portion of the site.

3. Zoning Ordinance Compatibility

Staff notes the following with respect to this petition's consistency with the Zoning Ordinance:

- As discussed above, the petitioner has requested the property be rezoned to the R4 Limited General Residence District. The proposed 14-unit apartment building is a permitted use in the R4 zoning district.

- The petitioner is repurposing an existing building on the site. The petitioner will reuse many existing features of the property, such as the parking lot, landscaping areas and walking path, with no or slight modifications. Some of these features do not meet current Zoning Ordinance requirements. The petitioner therefore requests approval of a planned development with companion variations and deviations for the subject property to address those features of the site that do not comply with the Zoning Ordinance. These variations and deviations are discussed in Section 4.
- The petitioner will need to provide a parking lot lighting plan at time of permitting. Staff will review to ensure parking lot lighting meets code requirements and does not negatively impact neighboring properties.
- The landscape plan provided by the petitioner lacks transitional landscaping along the east side of the site at the point where an existing building will be demolished but not replaced. This item can be addressed during permit review.

4. Request for Conditional Use Approval for a Planned Development with Companion Variations and Deviations

The petitioner proposes to make the subject property into a planned development. Staff finds the proposed planned development meets the standards enumerated in Section 155.508 of the Zoning Ordinance for planned developments.

The petitioner also requests a number of deviations and variations in tandem with the planned development in order to address existing conditions on the site. With the exception of the request to reduce the parking ratio, the requested deviations and variations do not arise from the petitioner's plan for redevelopment on the site, but rather through the site's existing conditions.

A. A deviation from Section 155.409(1) and Section 155.508(C)(6)(b) to reduce the transitional interior side yard building setback for an existing building from fifty feet (50') to fourteen feet (14')

The west side of the existing building does not meet the transitional yard setback requirement for multi-family buildings in the R4 district that abut properties used for single-family homes. This deviation addresses an existing condition and will have no material effect on neighboring properties. Staff supports the deviation.

- B. *A variation from Section 155.409(J), Section 155.508(C)(6)(b), and Section 155.707(A) to reduce the depth of the transitional landscape yard*

This variation applies to the west and south sides of the property, where the existing site configuration does not provide the requisite transitional landscape yard. Staff supports this variation, which addresses an existing condition.

- C. *A variation from Section 155.707(B) to allow transitional landscape yard improvements*

The walking path and pavilion located in the rear yard of the subject property are within the required transitional landscape yard. The petitioner seeks a variance to allow these improvements to remain for use by future residents. Staff has no objection to this variation.

- D. *A variation from Section 155.706(C)(1) to reduce the required perimeter parking lot landscaping for the south side of an existing parking lot, as depicted on the submitted site and landscape plan*

The petitioner will reuse the existing parking area, with some modifications to striping and circulation. The parking lot currently does not provide the requisite landscaping along its south perimeter due to a lack of space between the parking lot and the property line. Staff supports this variation.

- E. *A deviation from Section 155.602(A)(3)(e) to allow off-street parking areas open to the sky to be located in a required front yard*

The existing parking area is located within the required front yard setback in the R4 zoning district, which requires a deviation. Staff supports this deviation.

- F. *A deviation from Section 155.602(C), Table 6.2, to reduce the parking ratio for one-bedroom apartment units from one and a half parking spaces per unit to one parking space per unit*

The petitioner will reuse the existing parking area on the west side of the subject property. The parking lot is currently configured with seven to eight angled spaces. The petitioner proposes to modify the parking area to provide 14 perpendicular parking spaces. This will result in a parking ratio of 1.0 space per apartment unit. The Zoning Ordinance requires 1.5 parking spaces per apartment unit.

The apartments at this property will be rented exclusively to individuals with disabilities. The petitioner states that many of the residents will not drive or own vehicles, and therefore the parking demand is less than would be expected with most apartment buildings.

The Village retained KLOA, Inc., to conduct a parking evaluation of the site. KLOA concluded the following:

- On average, 27% of residents living at Over the Rainbow properties drive and own vehicles. An additional 25% of residents receive assistance from personal care attendants, some of who may drive to the site.
- Data gathered from eight other properties owned by Over the Rainbow shows that average peak parking demand for these properties is 0.61 spaces per apartment unit. Based on this data, KLOA concludes that 14 spaces will be sufficient to serve the 14 apartment units proposed on the subject property.

Based on the KLOA parking evaluation, staff finds that 14 parking spaces will adequately serve the proposed apartment building. The petitioner has agreed to land bank an area of the site for additional spaces in the event that a demand for additional parking arises. The petitioner has provided a site plan showing that seven additional spaces could be accommodated on the east side of the apartment building. These spaces would bring the parking ratio on the site into conformance with the 1.5 space per unit parking ratio required by the Zoning Ordinance. Staff supports the requested parking ratio deviation on the condition that the petitioner installs the additional seven spaces in the event they are needed.

5. *Request to Grant Site Plan Approval Authority to the Plan Commission*

The petitioner requests the Village grant site plan approval authority for development within the proposed planned development to the Plan Commission. Staff supports this request.

SITE HISTORY (NON SIGN-RELATED)

- PC 77-11: Rezone Property to R-4, with a conditional use to allow a boarding school and educational institution for disabled children**
- PC 79-9: Rezone property to R5, with a conditional use to allow an educational institution for disabled children**
- ZBA 80-2: Variation to reduce rear and interior side yard setbacks for construction of building at 1027 E. Division Street [now 1005 E. Division Street]**
- PC MV 81-1: Variation to Building Moratorium Ordinance #2475 to allow construction of residential care facility for adults with disabilities**

ZBA 85-15: Variation to front yard setback to allow construction of a canopy/roof over front entrance of building at 1005 E. Division Street

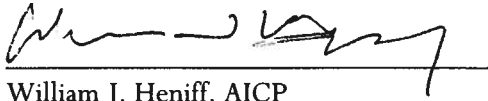
FINDINGS & RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards for zoning map amendments, conditional use for a planned development with deviations and variations, and granting of site plan approval authority to the Plan Commission, as established by the Lombard Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and testimony presented, the proposed zoning map amendments, conditional use for a planned development with deviations and variations, and granting of site plan approval authority to the Plan Commission, **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Committee Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 17-08, subject to the following conditions:

1. That the approvals for zoning map amendments, conditional use for a planned development with deviations and variations, and granting of site plan approval authority to the Plan Commission, are valid only for the subject property at 1005-1027 E. Division Street;
2. That the petitioner shall develop the site in accordance with the following plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code:
 - a. Site plan, prepared by Weese Langley Weese Architects, Ltd., dated January 30, 2017 and February 20, 2017; and
 - b. Landscape plan, prepared by Weese Langley Weese Architects, Ltd., dated February 14, 2017.
3. That the deviation to reduce the parking ratio to 1.0 space per apartment unit shall be granted on the condition that the petitioner installs an additional seven parking spaces on the site in the event the Village determines they are necessary;
4. That the petitioner shall submit a lighting plan during permit review;
5. That the petitioner shall submit a plat of consolidation for the two parcels;
6. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and

7. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, or this approval for a conditional use for a planned development with deviations and variations and granting of site plan approval authority to the Plan Commission shall become null and void unless a time extension has been granted by the Village Board.



William J. Heniff, AICP
Director of Community Development

EXHIBIT

- KLOA parking evaluation

c. Petitioner

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MEMORANDUM TO: Anna Papke
Village of Lombard

FROM: Javier Millan
Senior Consultant

March 1, 2017

SUBJECT: Parking Evaluation
Over the Rainbow Apartment
Lombard, Illinois

This memorandum summarizes the results of a parking evaluation conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed Over the Rainbow Association proposed apartment development for people with disabilities to be located in Lombard, Illinois. The site is located at 1005 – 1027 East Division Street just east of Westmore-Meyers Road and used to be occupied by a residential development for people with mental disabilities. The plans call for redeveloping the site with an apartment building with 14 units for people with disabilities. As proposed, the development is to provide a total of 14 parking spaces for a parking ratio of one to one.

The purpose of this memorandum is to evaluate the parking adequacy of the proposed parking supply.

Building Program and Population

The Over the Rainbow Association Apartment project will provide 14 one-bedroom affordable living units for individuals with disabilities. Some of the residents of the building will be physically-impaired and use wheelchairs for mobility. Similar to other Over The Rainbow properties, only a small proportion of residents (27% on average) will drive and own a vehicle. Another 25 percent of residents, on average, are assisted by personal care attendants, some of whom will drive to the site. The remaining residents will make use of public transportation, taxi services or will use the pedestrian system, to travel to work or for shopping, entertainment, recreation, and other trips.

Village of Lombard Parking Requirements

The Village of Lombard Zoning Code requires 1.5 parking spaces per dwelling unit for one bedroom apartments regardless of the number of units. With a total of 14 units, the proposed development is required to provide a total of 21 parking spaces.

Compliance with Zoning Ordinance

As previously mentioned, the proposed apartment development will provide 14 off-street parking stalls on the site, including 13 standard stalls and one accessible stall. Based on a review of the Village ordinance, the proposed development will require a variance of 7 parking stalls.

Projected Parking Demand

While the project is considered a multiple family dwelling, the Village's off-street parking requirement for this land use does not accurately reflect the parking demand from the tenant-type that this affordable apartment project will serve.

To estimate the peak parking demand from the proposed Over the Rainbow Association Apartments, KLOA, Inc. obtained parking information on eight existing and comparable Over The Rainbow Association properties in northern Illinois, including facilities in Evanston, Chicago, Waukegan, Harvard, Matteson, Rockford, and Freeport. As shown in **Table 1**, these facilities, on average, provide 22 dwelling units and 24 parking stalls for a parking supply of 1.09 stalls/unit. The peak demand for the parking stalls, however, ranged from 0.38 stalls/unit to 0.82 stalls/unit with an average peak parking demand ratio of 0.61 stalls/unit. As such, while the 14 parking spaces to be provided as part of the development do not meet the Village's parking requirements, the surveys have shown that the proposed 14 parking spaces will be sufficient to meet the peak parking demand of the supportive housing development.

Table 1

PARKING DEMAND FROM COMPARABLE OVER THE RAINBOW PROPERTIES

Location	# Units	Parking Supply	Peak Parking Utilization	Resulting Parking Demand Ratio (spaces/unit)
Hill Arboretum Apartments 2040 Brown Ave., Evanston, IL	33	34	17	0.52
Belden Apartments 754 W. Belden Ave., Chicago, IL	8	8	3	0.38
Gustafson Apartments 2811 Sunset Ave., Waukegan, IL	24	17	14	0.58
Northern Point Apartments 600 S. Howard St., Harvard, IL	17	34	14	0.82
Rainbow Village Apartments 5212 Southwick Dr., Matteson, IL	25	25	17	0.68
Harrison Square Apartments 5488 Wansford Way, Rockford, IL	20	22	14	0.70
Dirck Drive Apartments 1760 S. Dirck Dr., Freeport, IL	23	25	18	0.78
Rolling Prairie Apartments 1746 S. Dirck Dr., Freeport, IL	25	25	18	0.72
AVERAGE	22	24	14	0.61

Conclusion

Given the parking characteristics of supportive housing developments, the 14 parking spaces to be provided by the Over The Rainbow Association apartment development will be sufficient to meet the total parking demands of the supportive housing development. This is due to the very low number of residents that own a vehicle. Further, the parking surveys at similar developments provide further evidence to the limited parking demand experienced at a similar supportive housing development.

Addendum to Zoning Application

1005-1027 Division, Lombard

Over the Rainbow Association

I. Description of Request: The applicant seeks certain approvals to permit the rehabilitation and reuse of the existing 2-story building located at 1005 Division with 14 accessible dwelling units. The approvals include:

- Map Amendment for the subject property from R2 Single-Family Residence District and R3 Attached Single-Family Residence District to R4 Limited General Residence District.
- Conditional Use for a Planned Development.
- Variations as noted below.
- Administrative Plat of Consolidation

II. Map Amendment Standards: The applicant provides the following responses to the standards in Section 155.103(E)(8)(a) of the Lombard Zoning Ordinance.

A. Compatibility with existing uses of property within the general area of the property in question.

Response: The most recent use of the property was as residential development for people with disabilities. The applicant intends to rehabilitate and reuse the existing residential building to provide 14 units of housing for people with disabilities. Those uses are compatible.

B. Compatibility with the zoning classification of property within the general area of the property in question.

Response: The property has been used for a similar purpose such that the rezoning will not result in a significant change of use. The property is located across the street from existing multi-family housing in the R5 zoning district that is built to a greater density than the R4 zoning will permit. There is also B2 zoning and commercial uses adjacent to the site. The proposed R4 zoning is compatible with and will provide an appropriate transition to the R2 properties to the south and east of the site.

C. The suitability of the property in question to the uses permitted under the existing zoning classification.

Response: The prior use of the property as housing for developmentally disabled persons was not conforming to the existing R3 zoning. The proposed rezoning to R4 will make the property more conforming.

D. 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.

Response: The proposed use is in many ways a continuation of the prior use of the property and is consistent with the trend of development of the property.

E. The compatibility of the surrounding property with the permitted uses listed in the proposed zoning classification.

Response: As noted above, the property surrounding the subject site includes a number of zoning classifications, including R5, R2 and B2. The proposed R4 zoning is an appropriate transitional zoning district for the area.

F. The objectives of the current comprehensive plan for the Village of Lombard and the impact of the proposed amendment on the said objectives.

Response: The 2014 Village Comprehensive Plan designated the subject property as Low-Medium Density Residential. The subject property was further identified as part of Area 7, with the recommended action to designate the property “as Low-Medium Density Residential to better reflect the existing land uses and surrounding patterns”. Furthermore, one of the visions of the Comprehensive Plan is to foster a diverse housing stock, specifically to develop a variety of housing types.

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

Response: The proposed use is permitted in the R4 district.

III. Planned Development Standards. The applicant provides the following responses to the standards in Section 155.508(A) of the Lombard Zoning Ordinance.

A. 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

Response: There are a few deviations that will need to be approved with the final development plan for which the project will satisfy the standards in Section 155.508 (C) of the Lombard Zoning Ordinance.

B. Community sanitary sewage and potable water facilities connected to a central system are provided.

Response: Community sanitary sewage and potable water facilities connected to a central system are provided at the property.

C. The dominant use in the proposed planned development is consistent with the recommendations of the comprehensive plan of the village for the area containing the

subject site.

Response: The use of the property will be residential. The comprehensive plan designates the subject property as Low-Medium Density Residential. The proposed use is consistent with the comprehensive plan.

D. That the proposed planned development is in the public interest and is consistent with the purposes of this zoning ordinance.

Response: The applicant proposes to develop the site with 14 accessible dwelling units for people with disabilities. This use is in the public interest. It will provide a needed use to individuals in the community whose needs are not met by conventional housing developments. The general purpose of the zoning ordinance is to protect and promote the health, safety, comfort, convenience, and general welfare of the people. The proposed use will serve this purpose.

E. That the streets have been designed to avoid: (i) inconvenient or unsafe access to the planned development; (ii) traffic congestion in the streets which adjoin the planned development; (iii) an excessive burden on public parks, recreation areas, schools, and other public facilities which serve or are proposed to serve the planned development.

Response: This standard is not applicable to the site. The subject property has been used for the proposed use and is located directly on a Village public way.

IV. Standards for Planned Developments with Deviations. The applicant is requesting deviations from the underlying R4 District to: (1) reduce the transitional side yard building setback from 50 feet to 14 feet; (2) reduce the parking ratio from 1.5 per unit to 1 per unit; and (3) allow off-street parking in the required front yard. The applicant provides the following responses to the standards in Section 155.508(C) of the Lombard Zoning Ordinance.

A. Any reduction in the requirements of this Chapter is in the public interest.

Response: The development of accessible housing for people with disabilities is in the public interest and these deviations as necessary for the development.

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

Response: The transitional side yard deviation and the off-street parking encroachment in the front yard are the existing condition of the site. If these deviations remain it will not have any impact on the value or use of other property. The parking reduction is requested because the majority of the residents do not own or drive a car. Therefore, the parking reduction will not have an adverse impact on the surrounding area.

C. That such deviations 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.

Response: All of the deviations reflect the existing condition of the site. The purpose of requesting these deviations is to allow for the efficient redevelopment of the site by keeping the existing residential structure and the parking area in place.

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

Response: This standard is met.

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

Response: This standard is met.

F. 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:

1. 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.
2. All transitional yards and transitional landscape yards of the underlying zoning district are met.
3. 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:
 - a) 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;
 - b) 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

Response: This standard is met. The existing residential building will be reused.

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

Response: This standard will be met. Open space will be increased with the

development because the existing school building will be demolished.

V. Standards for Variations. The applicant requests the following variations: (1) variation to reduce depth of transitional landscape yard (mainly on the south and west sides of the property); (2) variation to reduce required perimeter parking lot landscaping on south side of existing parking; and (3) variation to allow structures/improvements in transitional landscape yard (walking path, gazebo, etc.) lot. The applicant provides the following responses to the standards in Section 155.103(C)(7) of the Lombard Zoning Ordinance.

A. 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.

Response: All of the requested variations reflect the existing condition of the property. Therefore, in order to comply with the district regulations, there would be a significant hardship to the applicant.

B. The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.

Response: Because the requested variations are the result to the existing condition of the site, they are unique and would not be generally applicable to other property within the same zoning classification.

C. The purpose of the variation is not based primarily upon a desire to increase financial gain.

Response: The applicant is a not-for-profit corporation and is not making this request to increase financial gain.

D. 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.

Response: As noted above, the requested variations are the result to the existing condition of the site. They were not created by the applicant.

E. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

Response: First, the requested variations are the result to the existing condition of the site so that leaving these conditions in place will not create a detriment. Further, the redevelopment of the site with 14 units of accessible housing will be a benefit to the

public welfare.

F. The granting of the variation will not alter the essential character of the neighborhood.

Response: The most recent use of the property was similar to the proposed use. The essential character of the neighborhood will not be altered in any way.

G. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Response: All of these standards will be met by the new development.

Alka Kapoor
1034 E Woodrow Ave
Lombard Il 20148

07 March 2017

Village of Lombard Community Development Department
Planning Commission
255 E Wilson Ave
Lombard Il 60148

REGARDING: 1005 & 1027 West Division ST, Lombard 60148

Notice of Public Hearing

I sincerely object to this project for the following reasons:

1. It does not fit the landscape / environment of the street
2. It is directly behind my house and will block my view.
3. I work from home and cannot be disturbed, the construction will disturb my work.
4. It will spoil the back view from my house.
5. It will infringe on my privacy, people can overlook into my property.
6. This is a very well knit and secure community I fear this project will disrupt the security & damage the spirit of our community.
7. I fear it will devalue the market value of my home.
8. I cannot consent to this building project.
9. I severely object to this planning permission.
10. I am out of town on a business trip on the dates of the hearing and will not be able to attend but hope my comments are taken into serious consideration
11. Please do not carry it forward. This is a community of independent, individual home dwellings.

Yours Sincerely

Alka Kapoor

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A MAP AMENDMENT (REZONING) TO THE
LOMBARD ZONING ORDINANCE TITLE 15, CHAPTER 155 OF THE CODE
OF LOMBARD, ILLINOIS**

(PC 17-08: 1005 and 1027 E. Division Street)

(See also Ordinance No.(s)_____)

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, an application has heretofore been filed requesting a map amendment for the purpose of rezoning the property located at 1005 E. Division Street, and described in Section 2 hereto, from R3 Attached Single-Family Residence District to R4 Limited General Residence District; and,

WHEREAS, an application has heretofore been filed requesting a map amendment for the purpose of rezoning the property located at 1027 E. Division Street, and described in Section 2 hereto, from R2 Single-Family Residence District to R4 Limited General Residence District; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on March 27, 2017, 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, 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:**

Ordinance No. _____
Re: PC 17-08
Page 2

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 below to R4 Limited General Residence District.

SECTION 2: This ordinance is limited and restricted to the properties generally located at 1005 and 1027 E. Division Street, Lombard, Illinois, and legally described as follows:

LOT 2 IN THE WEST SUBURBAN ASSOCIATION FOR RETARDED CHILDREN INC. RESUBDIVISION OF LOT 1 IN WEST SUBURBAN ASSOCIATION FOR RETARDED CHILDREN INC. ASSESSMENT PLAT IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 2, 1980 AS DOCUMENT NO. R80-19267, IN DUPAGE COUNTY, ILLINOIS.

LOT 3 IN CASA BELLA RESUBDIVISION IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 7, 2000 AS DOCUMENT NO. R2000-018834, IN DUPAGE COUNTY, ILLINOIS.

1005 E. Division Street: 06-09-309-054
1027 E. Division Street: 06-09-309-053

SECTION 3: That the official zoning map of the Village of Lombard be changed in conformance with the provisions of this ordinance.

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 _____, 2017.

Passed on second reading this ____ day of _____, 2017, pursuant to a roll call vote as follows:

Ordinance No. _____

Re: PC 17-08

Page 3

Ayes: _____

Nays: _____

Absent: _____

Approved this _____, day of _____, 2017.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2017.

Sharon Kuderna, Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE GRANTING CONDITIONAL USE APPROVAL FOR A
PLANNED DEVELOPMENT WITH COMPANION VARIATIONS AND
DEVIATIONS FROM THE LOMBARD ZONING ORDINANCE; AND
GRANTING SITE PLAN APPROVAL AUTHORITY TO THE LOMBARD
PLAN COMMISSION**

(PC 17-08: 1005 and 1027 E. Division Street)

(See also Ordinance No(s)._____)

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, an application has heretofore been filed requesting approval of a conditional use for a planned development with companion variations and deviations from the Lombard Zoning Ordinance (Title 15, Chapter 155 of the Village Code), and granting of site plan approval authority to the Lombard Plan Commission, as set forth in Section 1 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on March 27, 2017, 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 conditional use for a planned development with companion variations and deviations described herein; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the request to grant site plan approval authority to the Lombard Plan Commission; 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 a conditional use for a planned development with the following companion variations and deviations from the Lombard Zoning Ordinance, and site plan approval authority, as set forth below are hereby granted for the Subject Property legally described in Section 2, subject to the conditions set forth in Section 3:

1. Approve a conditional use for a new planned development with the following companion variations and deviations, reflective of existing buildings and structures already located on the premises:
 - a. A deviation from Section 155.409(I) and Section 155.508(C)(6)(b) to reduce the transitional interior side yard building setback for an existing building from fifty feet (50') to fourteen feet (14');
 - b. A variation from Section 155.409(J), Section 155.508(C)(6)(b), and Section 155.707(A) to reduce the depth of the transitional landscape yard;
 - c. A variation from Section 155.707(B) to allow transitional landscape yard improvements;
 - d. A variation from Section 155.706(C)(1) to reduce the required perimeter parking lot landscaping for the south side of an existing parking lot, as depicted on the submitted site and landscape plan;
 - e. A deviation from Section 155.602(A)(3)(e) to allow off-street parking areas open to the sky to be located in a required front yard;
 - f. A deviation from Section 155.602(C), Table 6.2, to reduce the parking ratio for one-bedroom apartment units from one and a half parking spaces per unit to one parking space per unit; and
2. Grant site plan approval authority to the Lombard Plan Commission pursuant to Section 155.511 (site plan approval) of the Lombard Zoning Ordinance.

SECTION 2: That this ordinance is limited and restricted to the subject property generally located at 1005 and 1027 E. Division Street, Lombard, Illinois, and legally described as follows:

LOT 2 IN THE WEST SUBURBAN ASSOCIATION FOR RETARDED CHILDREN INC. RESUBDIVISION OF LOT 1 IN WEST SUBURBAN ASSOCIATION FOR RETARDED CHILDREN INC. ASSESSMENT PLAT IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 2, 1980 AS DOCUMENT NO. R80-19267, IN DUPAGE COUNTY, ILLINOIS.

LOT 3 IN CASA BELLA RESUBDIVISION IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 7, 2000 AS DOCUMENT NO. R2000-018834, IN DUPAGE COUNTY, ILLINOIS.

1005 E. Division Street: 06-09-309-054

1027 E. Division Street: 06-09-309-053

SECTION 3: This Ordinance is approved subject to compliance with the following conditions:

1. That the approvals for conditional use for a planned development with deviations and variations, and granting of site plan approval authority to the Plan Commission, are valid only for the subject property at 1005 and 1027 E. Division Street;
2. That the petitioner shall develop the site in accordance with the following plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code:
 - a. Site plan, prepared by Weese Langley Weese Architects, Ltd., dated January 30, 2017 and February 20, 2017; and
 - b. Landscape plan, prepared by Weese Langley Weese Architects, Ltd., dated February 14, 2017.
3. That the deviation to reduce the parking ratio to 1.0 space per apartment unit shall be granted on the condition that the petitioner installs an additional seven parking spaces on the site in the event the Village determines they are necessary;
4. That the petitioner shall submit a lighting plan during permit review;

5. That the petitioner shall submit a plat of consolidation for the two parcels;
6. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
7. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, or this approval for a conditional use for a planned development with deviations and variations and granting of site plan approval authority to the Plan Commission shall become null and void unless a time extension has been granted by the Village Board.

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 _____, 2017.

Passed on second reading this _____ day of _____, 2017, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2017.

Keith T. Giagnorio, Village President

ATTEST:

Ordinance No. _____
Re: PC 17-08
Page 5

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2017.

Sharon Kuderna, Village Clerk