

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: November 7, 2005 (B of T) Date: November 17, 2005

TITLE: PC 04-31: 1501 S. Main Street (Christ the King Church & School)

SUBMITTED BY: Department of Community Development *WTL*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance granting a one-year time extension to Ordinance 5578 which granted a conditional use for a Planned Development with deviations. (DISTRICT #3)

Staff is requesting waiver of first reading.

Please place this item on the November 17, 2005 Board of Trustees agenda.

Fiscal Impact/Funding Source:

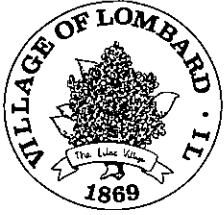
Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X *William T. Lichter* _____ Date *11/9/05*

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: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP, Director of Community Development *DGH*

DATE: November 17, 2005

SUBJECT: Extension of Ordinance 5578 (PC 04-31; Christ the King Church/School)

The Board of Trustees approved Ordinance 5578 (PC 04-31) on November 18, 2004 which approved a planned development with landscaping and signage deviations for the property at 1501 S. Main Street (i.e., Christ the King Church and School). Per the provisions of Section 155.103 (F)(11) of the Zoning Ordinance, if construction has not begun within one (1) year from the date of approval, the conditional use is null and void unless an extension is granted by the Board of Trustees. A copy of Ordinance 5578 is attached for your reference.

After being advised that the relief was about to expire, the petitioner submitted a letter requesting an extension of the relief for an additional year. As stated in the attached correspondence, the petitioner has encountered delays in securing bidding approval through the Joliet Diocese and final approvals from DuPage County pertaining to existing wetlands on the subject property. The petitioner has filed for building permits for the parish center addition and they hope to begin construction in Spring, 2006.

Staff believes that granting an extension is in the best interest of the Village, provided that the petitioner adheres to conditions incorporated in the Ordinance 5578. Should the relief expire, any future property owner or petitioner would need to go through the entire public hearing process to build on the property. As the petitioner's plans were deemed to be desirable and acceptable by the Village, we believe that granting the extension would provide the possibility of development to occur on the property in a more timely manner.

RECOMMENDATION:

Staff recommends that the Village Board approve an Ordinance extending the time period for the previously approved conditional use for an additional year, with a waiver of first reading of the aforementioned Ordinance.

CHRIST THE KING PARISH

1501 South Main Street Lombard, IL 60148 Phone (630) 629-1717
CTKLombard@comcast.net



October 27, 2005

Mr. William J. Heniff, AICP
VILLAGE OF LOMBARD
255 E. Wilson Ave.
Lombard, IL 60148-3926

RE: PC 04-31: 1501 S. Main St. (Christ the King Church/School) Extension of Approval Ordinances

Dear Mr. Heniff:

Reference to your letter of October 24, 2005, I am requesting an extension of previous zoning approvals for our building project.

We have had many different items delay the start of this project, permission from the Diocese of Joliet, bidding process, and most of all, is our ongoing work with DuPage County. As of the past week we are moving ahead on all fronts and are looking at Spring of 2006 starting date.

Sincerely,

Anthony Spatafore
Deacon Anthony Spatafore
Project Facilities Manager

cc: Rev. Peter Jarosz, Pastor

ORDINANCE NO. 5578

**AN ORDINANCE GRANTING A CONDITIONAL USE
FOR A PLANNED DEVELOPMENT IN AN R2 DISTRICT,
WITH DEVIATIONS FROM THE LOMBARD ZONING ORDINANCE**

PC 04-31: 1501 S. Main Street (Christ the King Church)

(See also 5577 & 5579)

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 President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned R2 Single-Family Residence District; and,

WHEREAS, an application has heretofore been filed requesting approval of a conditional use for a planned development, with landscaping and signage deviations from the Lombard Zoning Ordinance (Title 155 of the Village Code), so as to allow for the construction of a Parish Center various site improvements and a future school addition, all on the property described in Section 1 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on October 18, 2004 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 the deviations from the Zoning and Sign Ordinances as 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 the ordinance is limited and restricted to the property generally located at 1501 South Main Street, Lombard, Illinois and legally described as follows:

THE SOUTH 406.0 FEET AS MEASURED ON THE WEST LINE OF THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE WEST LINE OF HARRISON HOMES, INC. LOMBARD VILLA UNIT #1, ALSO LOT D IN SAID HARRISON HOMES, INC. LOMBARD VILLA UNIT #1, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THEREFROM THE SOUTH 40.00 FEET AND EXCEPT THE WEST 50.00 FEET, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 702001, IN DU PAGE COUNTY, ILLINOIS.

Parcel Number: 06-20-105-001
(Hereinafter the "Subject Property").

SECTION 2: That a conditional use is hereby granted to provide for a planned development on the Subject Property, subject to compliance with the conditions set forth in Section 4 below.

SECTION 3: The following deviations are hereby granted relative to the Subject Property, subject to the conditions set forth in Section 4 below:

- A. A deviation from Section 155.705 (C) of the Zoning Ordinance requiring parkway trees along the 15th Street right-of-way;

- B. A deviation from Section 155.706 (C)(2)(a)(1) of the Zoning Ordinance requiring perimeter parking lot trees along the north side of the parking lot;
- C. A deviation from Section 155.706 (B)(2) of the Zoning Ordinance requiring parking lot islands to be dispersed throughout the parking lot;
- D. A deviation from Sections 153.213 and 153.219 (A) and (B) of the Sign Ordinance allowing for a manual changeable copy institutional sign of 50.5 square feet in size and 8 feet in height, where 32 square feet in size and 6 feet in height is permitted; and
- E. A deviation from Section 153.219 (D) of the Sign Ordinance allowing for two freestanding signs along 15th Street, where one freestanding sign is permitted.

SECTION 4: The conditional use for a planned development with deviations shall be granted subject to compliance with the following conditions:

1. The site shall be developed substantially in accordance with the site plans prepared by prepared by Patrick Engineering, Inc. dated September 17, 2004, Building Elevations, prepared by Plunkett Raysich Architects dated September 17, 2004. The Landscape Plan, prepared by Daniel Weinbach & Partners, LTD., dated July 14, 2004, the Signage package included as part of the petition prepared by Patrick Engineering, Inc. dated September 17, 2004, and as revised and updated by Patrick Engineering, Inc. and submitted October 18, 2004, and the Engineering Plan, prepared by Patrick Engineering, Inc. dated September 17, 2004.
2. All comments in the Inter-Departmental Review Committee Report shall be satisfactorily addressed as part of a building permit application.
3. That the petitioner shall enter into a development agreement with the Village for the subject property. Said agreement shall address the future obligations of the Church relative to the public improvements along 15th Street.
4. That the Phase II development shall be submitted to the Lombard Plan Commission for site plan approval prior to construction.

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Re: PC 04-31
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5. Other than the signage relief approved as part of this petition, all other signage shall meet the area and height requirements as noted within the Village Sign 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 4th day of November, 2004.

First reading waived by action of the Board of Trustees this _____ day of _____, 2004.

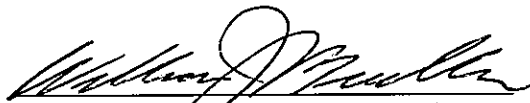
Passed on second reading this 18th day of November, 2004.

Ayes: Trustees Williams, Tross, Koenig, Sebby, Florey and Soderstrom

Nays: None

Absent: None

Approved this 18th, day of November, 2004.


William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE GRANTING
A TIME EXTENSION OF ORDINANCE 5578**

(PC 04-31: 1501 S. Main Street – Christ the King Church/School)

WHEREAS, on November 18, 2005, the President and Board of Trustees of the Village of Lombard adopted Ordinance 5586 granting conditional use approval for a planned development with variations and deviations from the Zoning Ordinance pertaining to relief from the landscape requirements (Section 155.700) as well as a deviation from Section 153.219 (D) of the Sign Ordinance allowing for two freestanding signs along 15th Street, where one freestanding sign is permitted for the property located at 1501 S. Main Street, Lombard (hereinafter the “Subject Property”); and

WHEREAS, pursuant to Section 155.103 (F)(11) of the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois, conditional uses are null and void if construction is not substantially underway within one year from the date of granting thereof, unless further action is taken by the Village Board; and,

WHEREAS, while the owner has secured title to the Subject Property and has razed the existing structures on the property, construction has not commenced and no building permit has been issued for the development granted by Ordinance 5578; and,

WHEREAS, the Village has received a letter requesting an extension of Ordinance 5578; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village of Lombard to grant said extension.

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: Ordinance 5578 is hereby amended and extended and shall be null and void unless a building permit is obtained and the project is substantially underway within twelve (12) months from the date of adoption of this Ordinance.

SECTION 2: All other provisions associated with Ordinance 5586 shall remain in full force and effect.

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Re: PC 04-31 – Extension
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SECTION 3: 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 _____, 2005.

First reading waived by action of the Board of Trustees this ____ day of _____, 2005.

Passed on second reading this ____ day of _____, 2005.

Ayes: _____

Nayes: _____

Absent: _____

Approved by me this ____ day of _____, 2005.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2005.

Brigitte O'Brien, Village Clerk