

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

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: March 8, 2006 (B of T) Date: March 16, 2006

TITLE: BOT 06-04: 300 E. Roosevelt Road Stormwater Variation

SUBMITTED BY: Department of Community Development *Staff*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development staff transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner has requested a variation to grant relief from the Lombard Code of Ordinances Chapter 151: "Flood Control"; Subsection 151.55 "Retention/Detention Basins". (DISTRICT #6)

The petitioner requests a waiver of the first reading.

Staff recommends approval of the variation with conditions.

Fiscal Impact/Funding Source: None required.

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<i>William T. Lichter</i>	Date	<i>3/9/06</i>



MEMORANDUM

SUBJECT: BOT 06-04: Stormwater Variation for 300 E. Roosevelt Road

DATE: March 8, 2006

FROM: David P. Gorman, P.E., Development Engineer *DPG*

TO: William T. Lichter, Village Manager

Please present the attached items to the Board of Trustees for review and approval at their March 16, 2006 meeting. The petitioner, McDonald's Corporation, has requested a variation from Chapter 151: "Flood Control"; Subsection 151.55 "Retention/Detention Basins" to waive the requirement for on-site detention.

The petitioner has applied for a permit to reconstruct 0.54 ac of the property, including the building. Village Code requires 0.09 ac-ft of 2-yr detention for the project but the Countywide Ordinance does not require detention since the area disturbed by construction will be less than 25,000 sq. ft. Village Code Subsection 151.57 requires a fee if a variation is granted by the Village Board to waive the requirement for on-site detention. The variation fee would be \$14,580.00 (based on a rate of \$162,000 per ac-ft) plus a \$150 processing fee for a total of \$14,730.00.

The proposed construction would increase the pervious area (green space) of the property from 16% to 21%. Stormwater runoff from the site travels through Southland Pond to Sugar Creek, and then to Salt Creek. There are no known flood damages downstream of the site so the improvements will not be problematic for downstream properties. However, the Village is considering some drainage improvements along Sugar Creek and the fees collected from this Ordinance could contribute to the funding.

Recommendation:

Staff recommends that the Board of Trustees approve the variation request to Subsection 151.55 for on-site detention with the condition that the fees be remitted as required by Subsection 151.57. The Ordinance has been drafted accordingly. The fees would be deposited into the Village's stormwater detention fund for the Salt Creek watershed.

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cc: David A. Hulseberg, AICP, Director of Community Development

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Board of Trustees
FROM: Department of Community Development
PREPARED BY: David P. Gorman, PE
Development Engineer

TITLE
BOT 06-04: 300 E. Roosevelt Road: Request for a variation to provide relief from Chapter 151: "Flood Control"; Subsection 151.55 "Retention/Detention Basins".

GENERAL INFORMATION

Petitioner: Marchis Engineering, Ltd.
100 E. State Parkway
Schaumburg, IL 60173

Owner: McDonald's Corporation
4320 Winfield Road, Suite 400
Warrenville, IL 60555

PROPERTY INFORMATION

Property Identification Number: 06-17-316-003

Existing Land Use: Restaurant

Size of Property: 1.05 acres

Existing Zoning: B4 Corridor Commercial District

Surrounding Zoning and Land Use: North: C/R Conservation/Recreation District; developed as Southland Park
South: Unincorporated DuPage County zoned B2 General Commercial; developed as Highland Manor Motel
East: B4 Corridor Commercial District; developed as a mixed use retail commercial/multiple family residential building
West: B4 Corridor Commercial District; developed as a commercial use (Cash Store) and a legal non-conforming residence.

ANALYSIS

SUBMITTALS

This report is based on the following documents:

1. Undated letter from Marchis Engineering, Ltd. to the Village of Lombard received on February 1, 2006 requesting a variation to pay a fee in lieu of providing on site detention.

2. Stormwater Management Submittal dated December 12, 2005 concluding that the proposed improvements will require 0.09 ac-ft per Village Code 151.55.

DESCRIPTION

The proposed development consists of replacing the existing building and the parking lot immediately adjacent to the building. The construction will disturb 0.539 ac of the 1.02 ac property. The work in the disturbed area will require 2-yr stormwater detention according to Village Code since the existing site is greater than 80% impervious. The petitioner has requested a variation to waive the requirement for on-site detention with the condition that a fee in lieu of detention will be remitted.

ENGINEERING

Village Code requires 0.09 ac-ft of detention for the project but the Countywide Ordinance does not require detention since the disturbed area will be less than 25,000 sf. Village Code Subsection 151.57 requires a fee if a variation is granted by the Village Board to waive the requirement for on-site detention. The detention fee would be \$14,580.00 (based on a rate of \$162,000 per ac-ft) plus a \$150 processing fee for a total of \$14,730.00.

The proposed construction would increase the pervious area (green space) of the property from 16% to 21%. Stormwater runoff from the site travels through Southland Pond to Sugar Creek, and then to Salt Creek. There are no known flood damages downstream of the site so the improvements will not be problematic for downstream properties. However, the Village is considering some drainage improvements along Sugar Creek and the fees collected from this Ordinance could contribute to the funding.

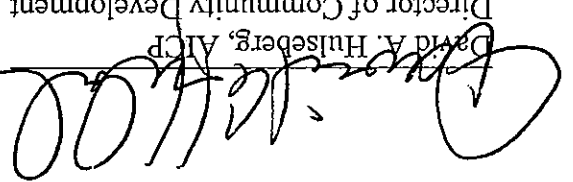
The Private Engineering Services (PES) Division of the Department of Community Development has reviewed the requested variation. Per Subsection §151.56 (G), the Director of Public Works has also reviewed the variation and he concurs with the findings and recommendations below.

FINDINGS AND RECOMMENDATIONS

Staff recommends that the variation be approved with these conditions:

1. That the normal fee of \$150.00 to process the variation (§151.56.D) shall be required and deposited into the Village's Stormwater Fund for the Salt Creek Watershed.
2. That the normal fee in-lieu-of detention amount of \$14,580.00 (§151.57) shall be required and deposited into the Village's Stormwater Fund for the Salt Creek Watershed.

Inter-Departmental Review Group Report approved by:


David A. Huiseberg, AICP
Director of Community Development
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c. Petitioner

ORDINANCE NO. _____
AN ORDINANCE GRANTING A VARIATION OF THE LOMBARD CODE OF
ORDINANCES CHAPTER 151 "FLOOD CONTROL";
SUBSECTION 151.55 "RETENTION/DETENTION BASINS"

(BOT 06-04: 300 E. Roosevelt Road, Lombard, IL)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Code of Lombard, Illinois, and;

WHEREAS, a request has been made for the Village of Lombard to grant a variation from Chapter 151 "Flood Control"; Subsection 151.55 "Retention/Detention Basins"; and;

WHEREAS, a public hearing has been conducted by the Board of Trustees on March 16, 2006 pursuant to appropriate and legal notice; and

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of staff 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 variation is hereby granted from the provisions of Chapter 151 of the Code of Lombard, Illinois, for the property described in Section 2 below to waive the requirement to provide 0.09 ac-ft of detention for the 0.54 ac of area to be disturbed by construction on the subject property.

Section 2: That this ordinance is limited and restricted to the property located at 300 E. Roosevelt Road, Lombard, IL and legally described as follows:

THE WEST 183 FEET OF THE EAST 645.3 FEET OF THE SOUTH 350 FEET (EXCEPT THOSE AREAS WITHIN THE STEWART AVENUE AND ROOSEVELT ROAD PUBLIC RIGHTS-OF-WAY) OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

CONTAINING 52,500 SQ. FT. (1.21 ACRES)

PN: 06-17-316-003

Section 3: That this ordinance shall be subject to the following conditions:

A. That the normal fee of \$150.00 to process the variation (§151.56.D) shall be required and deposited into the Village's Stormwater Fund for the Salt Creek Watershed.

B. That the normal fee in-lieu-of detention amount of \$14,580.00 (§151.57) shall be required and deposited into the Village's Stormwater Fund for the Salt Creek Watershed.

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 _____, 2006.

First reading waived by action of the Board of Trustees this _____ day of _____, 2006.
Passed on second reading this _____ day of _____, 2006.

Ayes: _____
Nayes: _____
Absent: _____

Approved by me this _____ day of _____, 2006.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk