

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

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: William T. Lichter, Village Manager

DATE: October 25, 2005 (BOT) Date: November 3, 2005

TITLE: PC 05-38: 1801 S. Main Street

SUBMITTED BY: Department of Community Development *DAH*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration a petition requesting the following actions be taken on the subject property:

1. Ordinance approving the annexation of subject property pursuant to the provisions of Chapter 65, Section 5/7-1-13 of the Illinois Compiled Statutes; and
2. Ordinance approving rezoning of subject properties from the R1 Single-Family Residential District to R2 Single-Family Residential District.

(UNINCORPORATED)

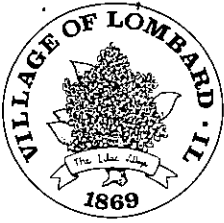
The Plan Commission recommended approval of this petition.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <i>William T. Lichter</i>	Date <i>10/26/05</i>

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 *Dalt*

DATE: November 3, 2005

SUBJECT: PC 05-38: 1801 S. Main Street

Attached please find the following items for Village Board consideration as part of the November 3, 2005 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC for PC 05-38; and
3. An Ordinance granting approval of an involuntary annexation of a wholly bounded single family residence into the Village; and
4. An Ordinance granting approval of a map amendment rezoning the property from the R1 Single Family Residence District to the R2 Single Family Residence District.



VILLAGE OF LOMBARD

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Lombard, IL 60148-3926
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www.villageoflombard.org

Village President

William J. Mueller

November 3, 2005

Village Clerk

Brigitte O'Brien

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

Trustees

Greg Alan Gron, Dist. 1
Richard J. Tross, Dist. 2
John "Jack" T. O'Brien, Dist. 3
Steven D. Sebby, Dist. 4
Kenneth M. Florey, Dist. 5
Rick Soderstrom, Dist. 6

Subject: PC 05-38: 1801 S. Main Street

Dear President and Trustees:

Village Manager

William T. Lichter

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. Associated with an involuntary annexation, the Village of Lombard is initiating a petition for the Corporate Authorities to approve a map amendment to rezone the property from the R1 Single-Family Residence District to the R2 Single-Family Residence District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on October 17, 2005.

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

William Heniff, Senior Planner, presented the petition on behalf of the Village of Lombard. He referenced the Inter-Departmental Review Committee (IDRC) Report, which is being submitted to the public record in its entirety. He noted that the subject property is bounded on all sides by property in the Village and the Village will be pursuing an involuntary annexation of the property. Associated with this action, the Plan Commission is being asked to consider the appropriateness of rezoning the subject property from the R1 Single-Family Residence District to the R2 Single-Family Residence District.

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

Referencing the IDRC Report, there were no comments from Public Works Engineering, Private Engineering, the Fire Department/Bureau of Inspectional Services, or Public Works Utilities.

Mr. Heniff then referenced the standards for Map Amendments. The subject property is an existing single-family residence surrounded by other single-family homes and those properties are all zoned R2. He also noted that the Comprehensive Plan calls for this area to be developed as Estate Residential (four units per acre). The property presently has a density of 3.3 units per acre. This property is not large enough or wide enough to permit a subdivision unless it is combined with one or more neighboring properties.

November 3, 2005

PC 05-38

Page 2

Mr. Heniff concluded by stating that staff recommends approval of the petition.

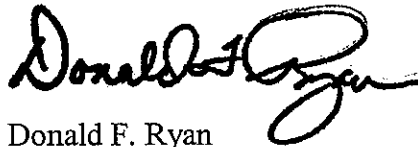
Chairperson Ryan opened the public hearing for discussion and questions by the Plan Commission.

Commissioner Sweetser made a motion for approval of the petition, which was seconded by Commissioner Zorn.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 05-38.

Respectfully,

VILLAGE OF LOMBARD



Donald F. Ryan
Lombard Plan Commission

att-

c. Petitioner
Lombard Plan Commission

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: October 17, 2005

FROM: Department of
Community Development

PREPARED BY: Jennifer Backensto, AICP
Planner I

TITLE

PC 05-38; 1801 S. Main Street: Associated with an involuntary annexation to the Village, the Village requests approval of a map amendment rezoning subject properties from the R1 Single-Family Residential District to R2 Single-Family Residential District.

GENERAL INFORMATION

Petitioner: Village of Lombard

PROPERTY INFORMATION

Existing Land Use: Single-family residence

Size of Property: 13,200 sq. ft.

Comprehensive Plan: Recommends Estate Residential

Existing Zoning: DuPage County R-4 Single-Family Residence District

Surrounding Zoning and Land Use:

North: R2 Single Family Residence District – single-family homes

South: R2 Single Family Residence District – single-family homes

East: R2 PD Single Family Residence District Planned Development – currently under construction as the Yorkshire Woods single-family subdivision

West: R2 Single Family Residence District – single-family homes

ANALYSIS

SUBMITTALS

This report is based on the following documents:

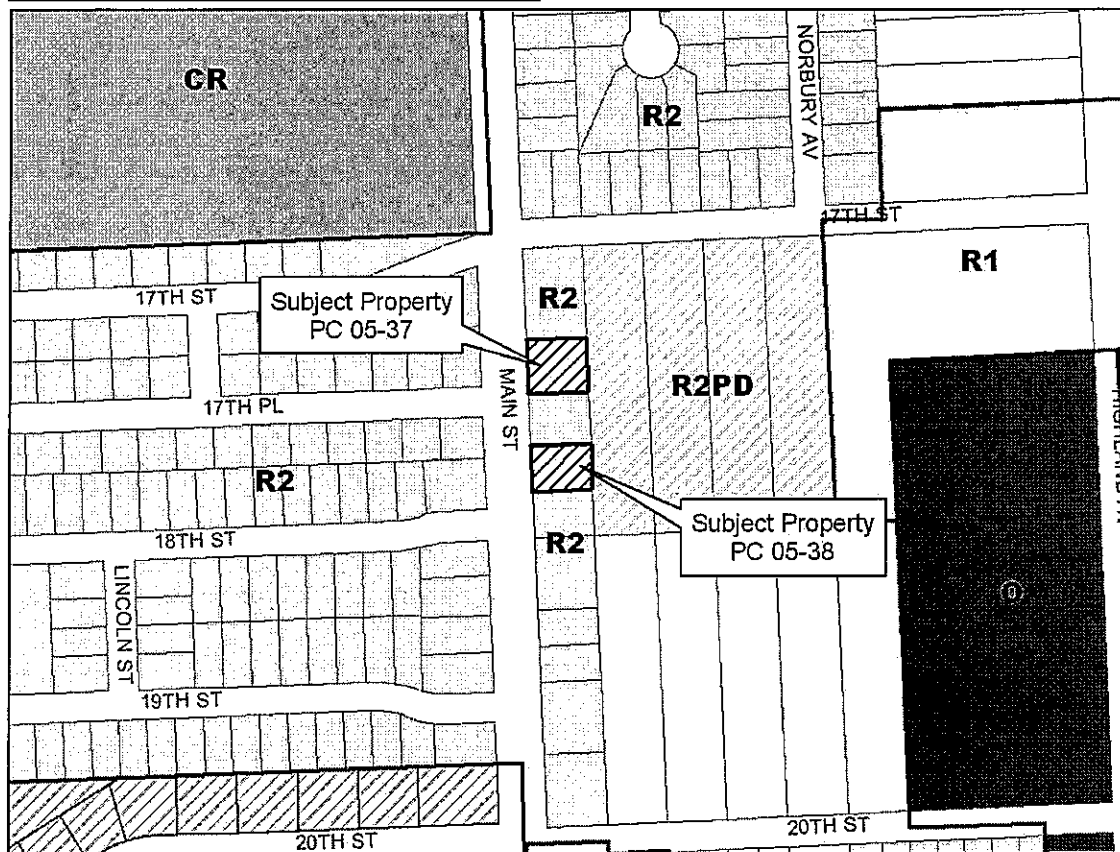
1. Plat of Annexation, prepared by Glen D. Krisch Land Surveyor, Inc., last revised September 23, 2005.

DESCRIPTION

The subject property is currently within unincorporated DuPage County. In 1976, the property owners (who are still the current property owners) signed a Utility Agreement so that they could connect to Village water. The involuntary annexation of this property is scheduled to be considered as part of a public hearing at the November 3, 2005 Board of Trustees meeting.

The Plan Commission is being asked to consider the appropriateness of rezoning the subject property from the R1 Single-Family Residence District to the R2 Single-Family Residence District.

Subject Property and Surrounding Zoning



INTER-DEPARTMENTAL REVIEW COMMENTS

Fire and Building

The Fire Department/Bureau of Inspectional Services has no comments at this time.

Engineering – Public Works

The Public Works Engineering Division has no comments.

Engineering – Private Engineering

The Private Engineering Services Division has no comments on this petition.

Utilities

The Utilities Division of the Department of Public Works has no comments.

Planning

Staff finds that the proposed rezoning meets the Standards for Map Amendments as set forth in the Zoning Ordinance:

- 1) *Compatibility with existing uses of property within the general area of the property in question;* The subject property is an existing single-family residence surrounded by other single-family homes.
- 2) *Compatibility with the zoning classification of property within the general area of the property in question;* All of the surrounding properties are within the R2 District.
- 3) *The suitability of the property in question to the uses permitted under the existing zoning classification;* The subject property is a single-family residence, which is permitted within the R1 District.
- 4) *Consistency with the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification;* The properties to the east were annexed into the Village and rezoned to from the R1 District to the R2 District earlier this year (Yorkshire Woods Subdivision).
- 5) *The compatibility of the surrounding property with the permitted uses listed in the proposed zoning classification;* The surrounding properties are single-family residences, which are permitted within the R2 District.
- 6) *The objectives of the current Comprehensive Plan for the Village of Lombard and the impact of the proposed amendment on the said objectives;* The Comprehensive Plan calls for this area to be developed as Estate Residential (four units per acre). The property presently has a

density of 3.3 units per acre. This property is not large enough or wide enough to permit a subdivision unless it is combined with one or more neighboring properties.

- 7) *The suitability of the property in question for permitted uses listed in the proposed zoning classification.* The subject property is a single-family residence, which is permitted within the R2 District.

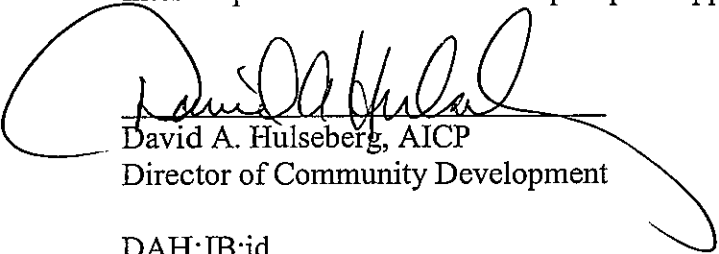
FINDINGS AND RECOMMENDATIONS

Based on the above findings, 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 the testimony presented, the requested relief complies with the standards required by the Lombard Zoning Ordinance; and,

Therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 05-38.

Inter-Departmental Review Group Report Approved By:



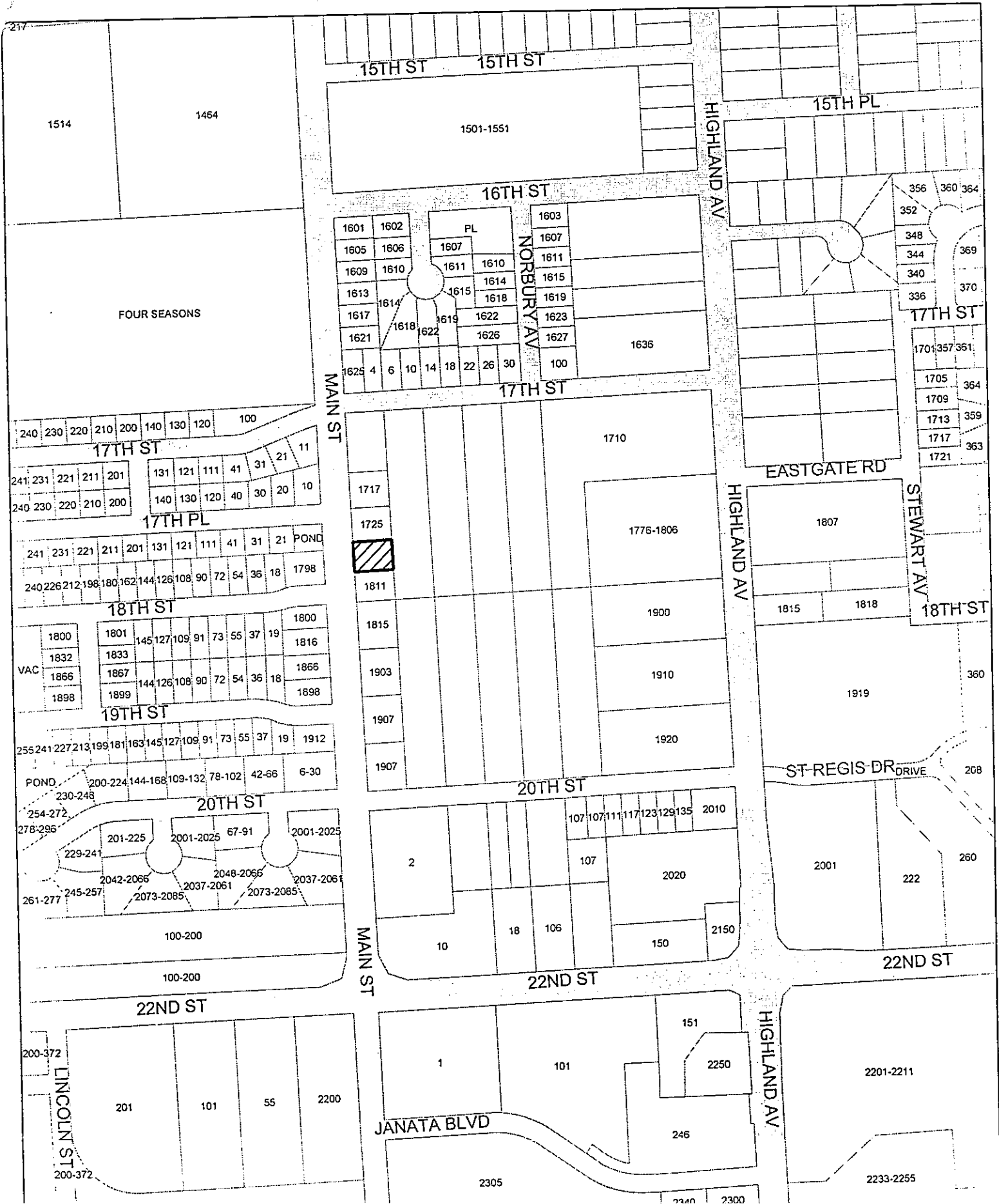
David A. Hulseberg, AICP
Director of Community Development

DAH:JB:jd

Location Map



PC 05-38: 1801 S. Main Street



ORDINANCE _____

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS**

(PC 05-38: 1801 S. Main Street)

(See also Ordinance No.(s) _____)

WHEREAS, the following described unincorporated territory is completely surrounded by the Village of Lombard; and

WHEREAS, the following described unincorporated territory is comprised of less than sixty (60) acres of land area; and

WHEREAS, the Village of Lombard desires to annex the following described unincorporated territory pursuant to 65 ILCS 5/7-1-13; and

WHEREAS, notice of said contemplated annexation was published in the Daily Herald newspaper on October _____, 2005, said newspaper being a newspaper of general circulation within the territory to be annexed; a copy of the Publisher's Certificate relative to said publication being attached hereto as Exhibit "A", and made part hereof; and

WHEREAS, written notice of said contemplated annexation was sent by certified mail, return receipt requested, to the York Township Highway Commissioner, each member of the Board of Trustees of York Township and each property owner within the territory; an Affidavit of Service relative to said notice being attached hereto as Exhibit "B", and made part hereof, and the return receipt cards being attached hereto as Exhibit "C", and made part hereof; and

WHEREAS, all necessary legal requirements are in full compliance with the terms of 65 ILCS 5/7-1-13; and

WHEREAS, it is in the best interest of the Village of Lombard that the following described unincorporated territory be annexed thereto;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That the following described territory:

THE SOUTH 100.0 FEET OF THE NORTH 532.0 FEET OF TRACT 30 IN
FREDERICK H. BARTLETT'S HILLSDALE FARMS, A SUBDIVISION OF THE
WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20 AND THE EAST
50.0 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION
19, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 22, 1941
AS DOCUMENT 422592 IN DUPAGE COUNTY, ILLINOIS.

Parcel Index Numbers: 06-20-301-004

being indicated on the Plat of Annexation attached hereto as Exhibit "D", and made part hereof,
is hereby annexed to the Village of Lombard, DuPage County, Illinois.

SECTION 2: The the Village Clerk is hereby directed to record with the Recorder and
file with the County Clerk a certified copy of this Ordinance, together with all Exhibits attached
hereto.

SECTION 3: The the Village Clerk is hereby directed to give written notice of this
annexation, by certified mail return receipt requested, to the election authority having jurisdiction
in the annexed territory and to the post office branches serving the annexed territory.

SECTION 4: The Village Clerk is hereby directed to record with the Recorder of Deeds
and to file with the County Clerk, a certified copy of this Ordinance, and the original Plat of
Annexation.

SECTION 5: This ordinance shall be in full force and effect from and after its passage
and approval 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.

Ordinance No. _____
Re: PC 05-38 Annexation
Page 3

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

Ayes: _____

Nays: _____

Absent: _____

Approved 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

ORDINANCE _____

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

(PC 05-38: 1801 S. Main 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 XV, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, Section 155.105 (E)(3) of the Zoning Ordinance grants authority to the Village Board, the Plan Commission, the Zoning Board of Appeals or other Village officials to initiate a petition for a map amendment to the Zoning Map of the Village; and

WHEREAS, the Village is requesting a map amendment for the purpose of rezoning the property described in Section 2 hereto from the R1 Single-Family Residence District to R2 Single-Family District; and,

WHEREAS, a public hearing thereon has been conducted by the Village of Lombard Plan Commission on October 17, 2005 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:

SECTION 1: That Title XV, Chapter 155 of the Code of Lombard, Illinois, otherwise known as the Lombard Zoning Ordinance, be and is hereby amended so as to rezone the property described in Section 2 hereof from the R1 Single-Family Residence District to the R2 Single-Family Residence District.

SECTION 2: This ordinance is limited and restricted to the property generally located at 1801 S. Main Street, Lombard, Illinois and legally described as follows:

THE SOUTH 100.0 FEET OF THE NORTH 532.0 FEET OF TRACT 30 IN FREDERICK H. BARTLETT'S HILLSDALE FARMS, A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20 AND THE EAST 50.0 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 22, 1941 AS DOCUMENT 422592 IN DUPAGE COUNTY, ILLINOIS.

Parcel Index Number: 06-20-301-004

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 _____, 2005.

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

Ordinance No. _____
Re: PC 05-38 Map Amendment
Page 3

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

Ayes: _____

Nays: _____

Absent: _____

Approved 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

ORDINANCE _____

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS**

(PC 05-38: 1801 S. Main Street)

(See also Ordinance No.(s) _____)

WHEREAS, the following described unincorporated territory is completely surrounded by the Village of Lombard; and

WHEREAS, the following described unincorporated territory is comprised of less than sixty (60) acres of land area; and

WHEREAS, the Village of Lombard desires to annex the following described unincorporated territory pursuant to 65 ILCS 5/7-1-13; and

WHEREAS, notice of said contemplated annexation was published in the Daily Herald newspaper on October _____, 2005, said newspaper being a newspaper of general circulation within the territory to be annexed; a copy of the Publisher's Certificate relative to said publication being attached hereto as Exhibit "A", and made part hereof; and

WHEREAS, written notice of said contemplated annexation was sent by certified mail, return receipt requested, to the York Township Highway Commissioner, each member of the Board of Trustees of York Township and each property owner within the territory; an Affidavit of Service relative to said notice being attached hereto as Exhibit "B", and made part hereof, and the return receipt cards being attached hereto as Exhibit "C", and made part hereof; and

WHEREAS, all necessary legal requirements are in full compliance with the terms of 65 ILCS 5/7-1-13; and

WHEREAS, it is in the best interest of the Village of Lombard that the following described unincorporated territory be annexed thereto;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That the following described territory:

THE SOUTH 100.0 FEET OF THE NORTH 532.0 FEET OF TRACT 30 IN FREDERICK H. BARTLETT'S HILLSDALE FARMS, A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20 AND THE EAST 50.0 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 22, 1941 AS DOCUMENT 422592 IN DUPAGE COUNTY, ILLINOIS.

Parcel Index Numbers: 06-20-301-004

being indicated on the Plat of Annexation attached hereto as Exhibit "D", and made part hereof, is hereby annexed to the Village of Lombard, DuPage County, Illinois.

SECTION 2: The the Village Clerk is hereby directed to record with the Recorder and file with the County Clerk a certified copy of this Ordinance, together with all Exhibits attached hereto.

SECTION 3: The the Village Clerk is hereby directed to give written notice of this annexation, by certified mail return receipt requested, to the election authority having jurisdiction in the annexed territory and to the post office branches serving the annexed territory.

SECTION 4: The Village Clerk is hereby directed to record with the Recorder of Deeds and to file with the County Clerk, a certified copy of this Ordinance, and the original Plat of Annexation.

SECTION 5: This ordinance shall be in full force and effect from and after its passage and approval 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.

Ordinance No. _____
Re: PC 05-38 Annexation
Page 3

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

Ayes: _____

Nayes: _____

Absent: _____

Approved 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