

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: August 9, 2004 (B of T) Date: August 19, 2004

TITLE: BOT 04-09: 130 S. Main Street

SUBMITTED BY: Department of Community Development *DL/wtl*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development staff transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests a variation to grant relief from the Lombard Code of Ordinances Chapter 151: "Flood Control"; Subsection 151.55 "Retention/Detention Basins". (DISTRICT #1)

Staff requests waiver of first reading.

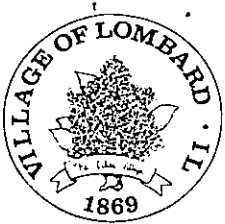
Staff recommends approval of this variation.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<i>W. T. Lichter</i>	Date	<i>8/10/04</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 P. Gorman, P.E., Development Engineer *DPG*

**DATE:** July 29, 2004

**SUBJECT:** BOT 04-08 & BOT 04-09: 401 W. St. Charles Rd. & 130 S. Main St.

Please present the attached items to the Board of Trustees for their review and approval at their August 19, 2004 meeting. The petitioners have requested variations from Chapter 151: "Flood Control"; Subsection 151.55 "Retention/Detention Basins" to provide off-site detention at the Village's Finley-Crescent Basin. BOT 04-08 should precede BOT 04-09 on the agenda.

### **BOT 04-09: 130 S. Main Street**

A total of 0.70 ac-ft of stormwater detention volume is required to develop the Elmhurst Hospital site at 130 S. Main Street. A previous variation was granted by Ordinance 5494 on May 20, 2004 to provide 0.60 ac-ft in the Finley-Crescent Basin. The remaining 0.10 ac-ft was to be provided on-site since the Basin's balance had been depleted after deducting the 0.60 ac-ft. However, as explained below for BOT 04-08, an additional 0.10 ac-ft has recently been made available. This ordinance would approve a variation to provide the remaining 0.10 ac-ft in the Finley-Crescent Basin.

The Redevelopment Agreement for the Elmhurst Hospital project states that the Village shall provide the required stormwater detention at an off-site location at no cost to the owner. As such, the Village had indicated its willingness to reimburse the Hospital for the cost of installing on-site detention pipes. Based on numerous recent projects, the anticipated cost was \$20,000. However, the contractor has given a much higher quote of \$76,640. Therefore, it is in the Village's interest to provide the remaining 0.10 ac-ft in the Finley-Crescent Basin.

### **BOT 04-08: 401 W. St. Charles Road**

I reexamined the detention volumes allocated in the Finley-Crescent Basin for various projects following a July 12<sup>th</sup> meeting that Dave Hulseberg and I had with DuPage County staff. County staff explained that their interpretation of the Countywide Stormwater & Floodplain Ordinance is that areas that are not "affecting" (i.e. changing) runoff volume or other characteristics do not meet the definition of "development" and, thus, do not require stormwater detention. The County also sent a letter to this effect. This interpretation enables Village to remove a volume of 0.10 ac-ft from the basin for the Telesis Design Group's parking lot project at 401 W. St. Charles Road. The interpretation does not change the volumes for any other projects.

The basin currently has 0.17 ac-ft deducted from its volume for the entire site. However, the drainage characteristics did not change for the pavement and building so these should not have been included in the aggregate area disturbed. The attached pre- and post-improvement plans indicate that only 5,588 sf area of new pavement was constructed. Based on DuPage County's Unit Area Detention Volumes method, this area requires 0.07 ac-ft of detention. Therefore, the attached Ordinance would approve a variation to provide 0.07 ac-ft off-site at the Finley-Crescent Basin for 401 W. St. Charles Road. Thus, this frees up a balance of 0.10 ac-ft that may be used for the Elmhurst Hospital project.

Below are tables that summarize these volumes:

<u>Project</u>	<u>Total Req'd</u>	<u>Prov'd On-Site</u>	<u>Prov'd in F-C Basin</u>
Telesis Project in '00	0.17	0.00	0.17
BOT 04-08 for Telesis	0.07	0.00	0.07 (0.17-0.10)
Elmhurst Hospital Project in May '04	0.70	0.10	0.60
BOT 04-09 for Elmhurst Hospital	0.70	0.00	0.70 (0.60+0.10)

#### **DuPage Countywide Ordinance**

DuPage County has pre-approved the provision of off-site detention in the Finley-Crescent basin for downtown redevelopment. Furthermore, the Telesis site is smaller than one acre so the Countywide Ordinance does not apply to that site. Therefore, a variation is not required from the Countywide Stormwater and Flood Plain Ordinance for either variation. A spreadsheet has been kept to document the volumes allocated for the various projects. These variations will deplete the Basin's available balance.

#### **Recommendation**

Public hearings for the variances have been advertised as required by Code. Staff recommends approval of the variances. Furthermore, a waiver of first reading is requested for both in order to accommodate the construction schedule for the Elmhurst Hospital project.

DG:dg

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



**VILLAGE OF LOMBARD**

255 E. Wilson Ave.  
Lombard, Illinois 60148  
630/620-5700 FAX: 630/620-8222  
TDD: 630/620-5812  
www.villageoflombard.org

**Village President**  
William J. Mueller

July 28, 2004

**Trustees**

Joan DeStephano, Dist. 1  
Richard J. Tross, Dist. 2  
Karen S. Koenig, Dist. 3  
Steven D. Sebby, Dist. 4  
Kenneth M. Florey, Dist. 5  
Rick Soderstrom, Dist. 6

**Village Manager**  
William T. Lichter

Ms. Carolyn O. Ferry  
Elmhurst Memorial Healthcare  
200 Berteau Avenue  
Elmhurst, IL 60626

**RE: Elmhurst Memorial Lombard Health Center – Stormwater Detention**

Dear Ms. Ferry:

Due to a reinterpretation of detention requirements by DuPage County, the Village of Lombard has been able to free up enough detention volume in the downtown regional basin to accommodate the final 0.10 ac-ft that is required for this project. An ordinance to this effect will be on the Village Board's agenda for August 19, 2004. Per the Development Agreement, the Village of Lombard is responsible to provide the detention volume required for the project at no cost to Elmhurst Memorial Healthcare. The staff report for the ordinance is attached.

Provided that the ordinance is approved, a detention system will not be needed on the project site. The design engineer should revise the construction plans accordingly. The as-built plans shall reflect this change.

Staff will present the ordinance and be available to answer any questions at the Village Board meeting. Therefore, it is not necessary for you to attend that meeting. I can be reached at 630/620-5973 if you have any questions.

"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."

Respectfully,

VILLAGE OF LOMBARD

David P. Gorman, PE  
Development Engineer

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

DG:dg

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attachment: Staff Report for BOT 04-09

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

Matt Fisette, Civil Engineer I

Eric Hoogerwerf, Development Services Inspector

Robyn Dermon, Health Futures Development Group, 4610 S. Ulster St., Suite 150, Denver, CO 80237

John F. Smetana, Esq., MKS Attorneys at Law, 225 W. Hubbard Street, Suite 650, Chicago, IL 60610

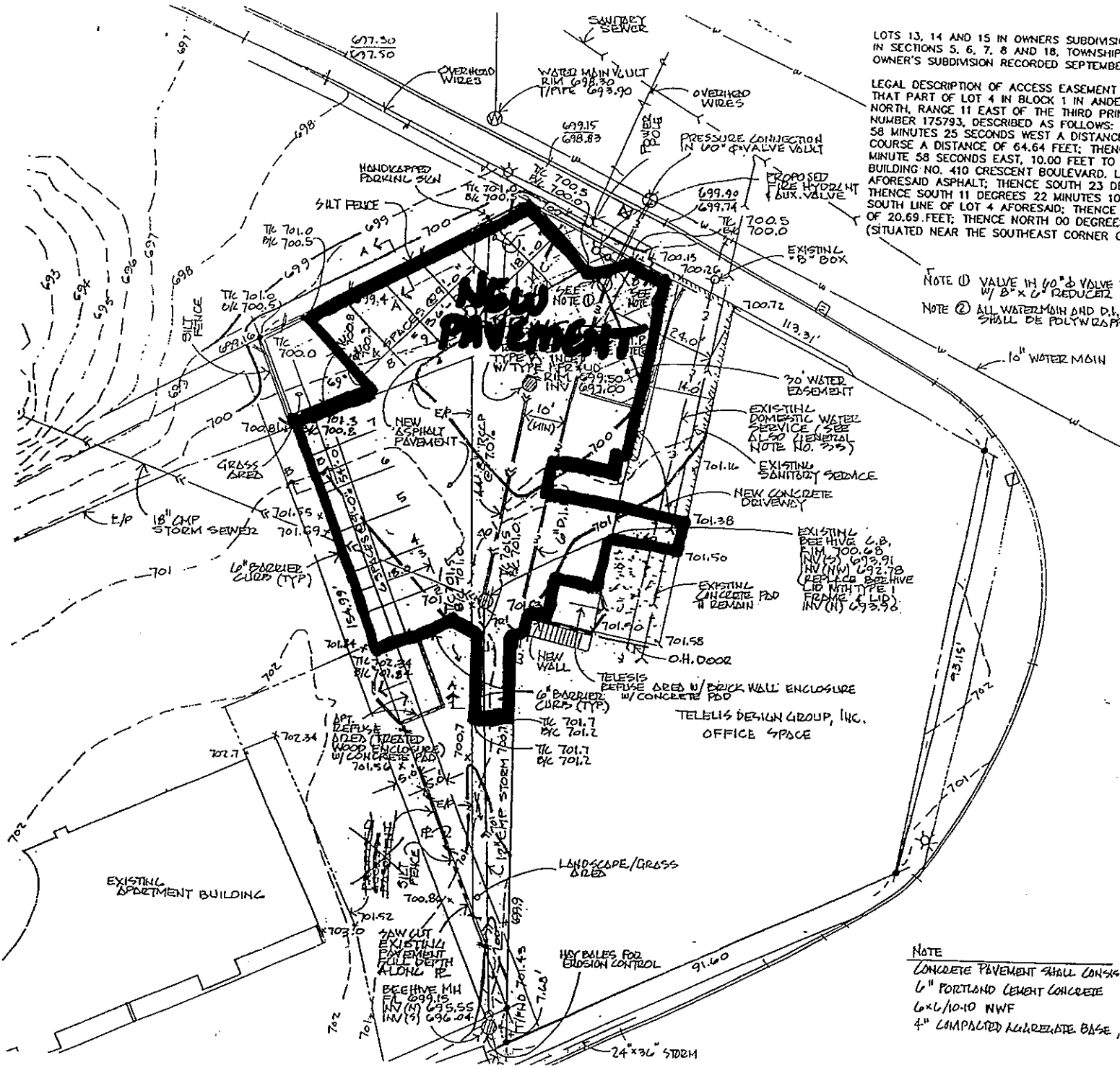
Donald L. McGrath, PE, Webster, McGrath & Ahlberg, 207 S. Naperville Road, Wheaton, IL 60187

Jason Engel, Assistant Project Manager, The Neenan Company via hand delivery to job site

LOTS 13, 14 AND 15 IN OWNERS SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP OWNER'S SUBDIVISION RECORDED SEPTEMBER

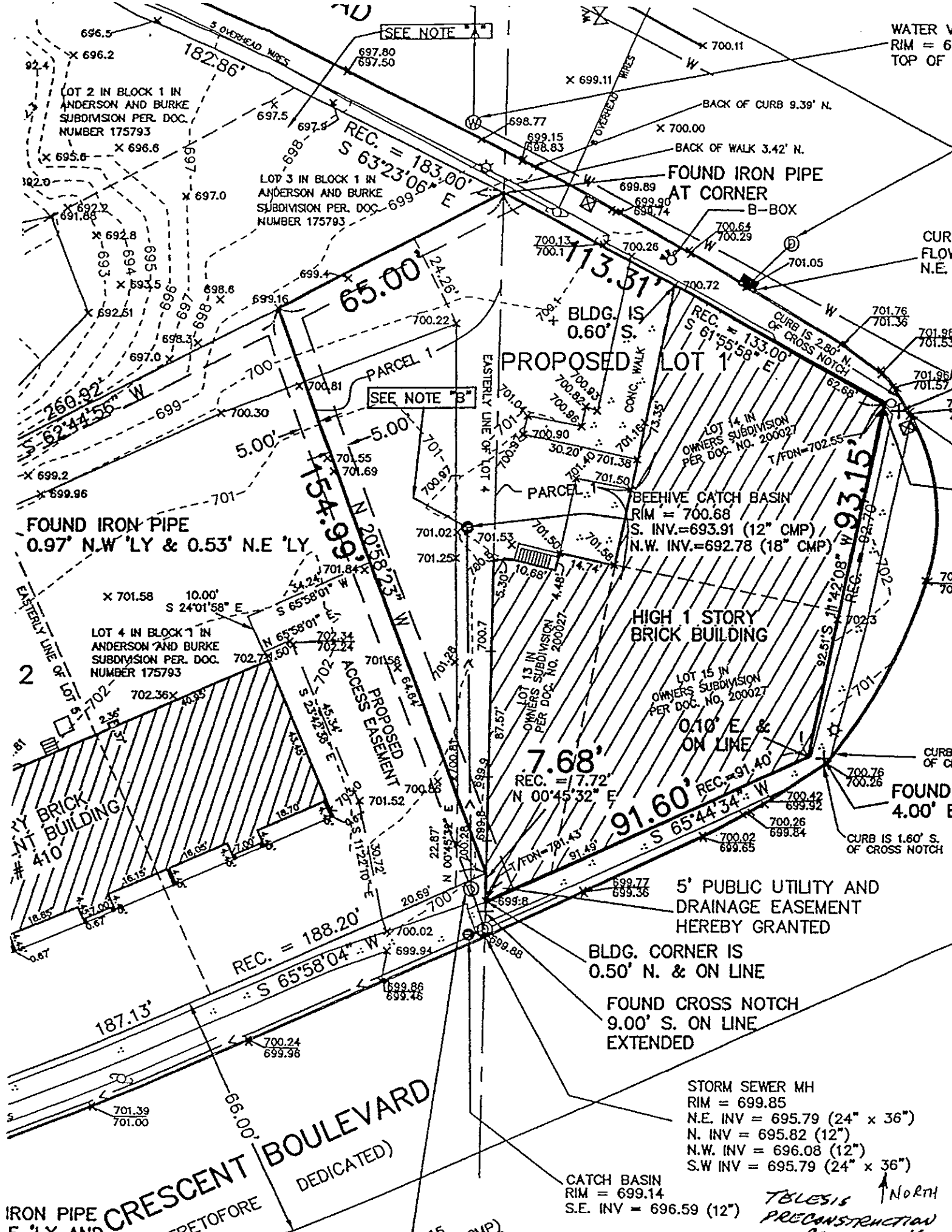
LEGAL DESCRIPTION OF ACCESS EASEMENT THAT PART OF LOT 4 IN BLOCK 1 IN ANDEN NORTH, RANGE 11 EAST OF THE THIRD PRIN NUMBER 175793, DESCRIBED AS FOLLOWS: 58 MINUTES 25 SECONDS WEST A DISTANCE COURSE A DISTANCE OF 64.64 FEET; THEN MINUTE 58 SECONDS EAST, 10.00 FEET TO BUILDING NO. 410 CRESCENT BOULEVARD. LI AFORESAID ASPHALT; THENCE SOUTH 23 DE THENCE SOUTH 11 DEGREES 22 MINUTES 10 SOUTH LINE OF LOT 4 AFORESAID; THENCE OF 20.69 FEET; THENCE NORTH 00 DEGREES (SITUATED NEAR THE SOUTHEAST CORNER O

NOTE ① VALVE IN 60" & VALVE 1 W/ 8" x 6" REDUCER  
 NOTE ② ALL WATER MAIN AND D.I. SHALL BE POLYWRAP



NOTE  
 CONCRETE PAVEMENT SHALL CONSIST OF  
 6" PORTLAND CEMENT CONCRETE  
 6"x6"x10-10 NWF  
 4" COMPACTED AGGREGATE BASE

↑ NORTH  
 TELEESIS  
 POST-CONSTRUCTION



WATER V.  
RIM = 69  
TOP OF F

SEE NOTE A

LOT 2 IN BLOCK 1 IN  
ANDERSON AND BURKE  
SUBDIVISION PER. DOC.  
NUMBER 175793

LOT 3 IN BLOCK 1 IN  
ANDERSON AND BURKE  
SUBDIVISION PER. DOC.  
NUMBER 175793

FOUND IRON PIPE  
AT CORNER

SEE NOTE B

FOUND IRON PIPE  
0.97' N.W 'LY & 0.53' N.E 'LY

LOT 4 IN BLOCK 1 IN  
ANDERSON AND BURKE  
SUBDIVISION PER. DOC.  
NUMBER 175793

HIGH 1 STORY  
BRICK BUILDING

LOT 14 IN  
OWNERS SUBDIVISION  
PER DOC. NO. 200027

LOT 15 IN  
OWNERS SUBDIVISION  
PER DOC. NO. 200027

BRICK BUILDING  
# 410

PROPOSED  
ACCESS EASEMENT

5' PUBLIC UTILITY AND  
DRAINAGE EASEMENT  
HEREBY GRANTED

BLDG. CORNER IS  
0.50' N. & ON LINE

FOUND CROSS NOTCH  
9.00' S. ON LINE  
EXTENDED

STORM SEWER MH  
RIM = 699.85  
N.E. INV = 695.79 (24" x 36")  
N. INV = 695.82 (12")  
N.W. INV = 696.08 (12")  
S.W. INV = 695.79 (24" x 36")

CATCH BASIN  
RIM = 699.14  
S.E. INV = 696.59 (12")

TBLESIS  
PRECONSTRUCTION  
CONDITIONS

IRON PIPE  
CRESCENT BOULEVARD  
HEREFORE DEDICATED

North

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

**TO:** Board of Trustees **HEARING DATE:** August 19, 2004  
**FROM:** Department of Community Development **PREPARED BY:** David P. Gorman, PE  
Development Engineer

**TITLE**

**BOT 04-09: 130 S. Main Street:** Request for a variation to provide relief from Chapter 151: “Flood Control”; Subsection 151.55 “Retention/Detention Basins”.

**GENERAL INFORMATION**

**Petitioner & Owner:** Elmhurst Memorial Healthcare  
200 Berbeau Avenue  
Elmhurst, Illinois 60626

**PROPERTY INFORMATION**

**Property Identification Numbers:** 06-07-213-011, 06-07-213-012 & 06-07-213-014

**Existing Land Use:** Retail Building, Office Building and Single Family Residence (all recently demolished)

**Size of Property:** 1.53 acres

**Existing Zoning:** B5 Central Business District

**Surrounding Zoning and Land Use:**

**North:** R2 Single Family Residential; Lombard Bible Church  
**South:** B5APD Downtown Perimeter Zoning Planned Development; First Church  
**East:** B5APD & B5A; Brust Funeral Home, Retail Center & First United Methodist Church  
**West:** B5 Central Business District; Village of Lombard Parking Lot

**ANALYSIS**

## **SUBMITTALS**

This report is based on the following documents:

1. Stormwater management report by Webster McGrath & Ahlberg Ltd. dated March 18, 2004 concluding that 0.70 ac-ft of detention volume is required for the project.
2. Village of Lombard Ordinance No. 5494 dated May 20, 2004 granting a variation to provide 0.60 ac-ft of storage in the Village's Finley-Crescent Basin.
3. Detention calculations for 401 W. St. Charles Road explaining that an additional 0.10 ac-ft has been freed up in the Finley-Crescent Basin that may be allocated for the development at the subject property, instead of the Village funding a detention vault on the project site.

## **DESCRIPTION**

The property is located at the northwest corner of Main Street and Maple Avenue. The property is the former site of a single-family residence, the Masonic Building and the Mid-City Beauty Supply building.

The development also includes the reconstruction of part of the Maple Street parking lot. However, the parking lot is a separate lot of record and the drainage characteristics will not change. Therefore, no detention is required for the Maple Street parking lot work. The area that requires detention is the 1.53 acres that will accommodate a new building and parking lot.

## **ENGINEERING**

A total of 0.70 ac-ft of stormwater detention volume is required for the development. A previous variation was granted by Ordinance 5494 on May 20, 2004 to provide 0.60 ac-ft in the Finley-Crescent Basin. The remaining 0.10 ac-ft was to be provided on-site since the Basin's balance had been depleted after deducting the 0.60 ac-ft. However, an additional 0.10 ac-ft has recently been made available by adjusting the detention allocation for a parking lot addition in 2000 at 401 W. St. Charles Road. This adjustment was made possible by a policy clarification by DuPage County staff regarding the area actually requiring detention. This ordinance would approve a variation to provide 0.10 ac-ft in the Finley-Crescent Basin for the subject property.

The Redevelopment Agreement for the Elmhurst Hospital project states that the Village shall provide the required stormwater detention at an off-site location at no cost to the owner. As such, the Village had indicated its willingness to reimburse the Hospital for the cost of installing



on-site detention pipes. Based on numerous recent projects, the anticipated cost was \$20,000. However, the contractor has given a much higher quote of \$76,640. Therefore, it is in the Village's interest to provide the remaining 0.10 ac-ft in the Finley-Crescent Basin.

The DuPage County Department of Development & Environmental Concerns has pre-approved the storage volume in the Finley/Crescent Basin for off-site detention for downtown developments. Therefore, no additional approval is required from the County for this variation.

The Private Engineering Services (PES) Division of the Department of Community Development has reviewed the requested variation. Per Subsection 151.56 (G), the acting Director of Public Works has also reviewed the requested variation and provided the following comments:

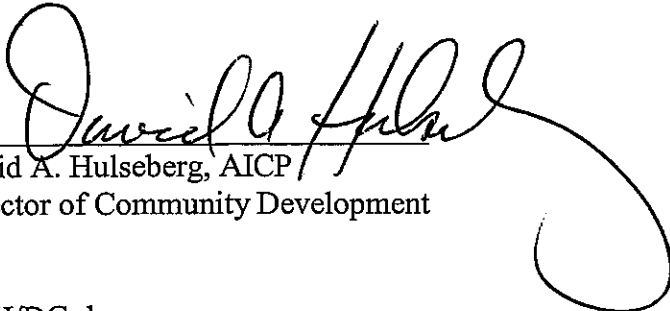
1. That the normal fee of \$150.00 to process the variation (151.56.D) be waived.
2. That 0.10 ac-ft of detention volume shall be deducted from the available balance in the Finley-Crescent Basin.

#### **FINDINGS AND RECOMMENDATIONS**

Based on the above considerations, staff recommends approval of the variation with the following conditions:

1. That the normal fee of \$150.00 to process the variation (151.56.D) be waived.
2. That 0.10 ac-ft of detention volume shall be deducted from the available balance in the Finley-Crescent Basin.

Inter-Departmental Review Group Report approved by:



David A. Hulseberg, AICP  
Director of Community Development

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING A VARIATION OF THE LOMBARD CODE OF  
ORDINANCES CHAPTER 151 "FLOOD CONTROL";  
SUBSECTION 151.55 "RETENTION/DETENTION BASINS"**

(BOT 04-09: 130 S. Main Street, 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 August 19, 2004 pursuant to appropriate and legal notice; and

WHEREAS, there is an available stormwater detention volume balance of 0.10 ac-ft in the Village's Finley-Crescent Basin; 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 allocate 0.10 ac-ft of detention volume off-site in the Village's Finley-Crescent Basin. This amount is in addition to the 0.60 ac-ft that had been allocated in the Basin per Ordinance 5494 on May 20, 2004.

Section 2: That this ordinance is limited and restricted to the property located at 130 S. Main Street, Lombard, IL and legally described as follows:

THE WEST 74.4 FEET OF LOTS 12, 13 AND 14 OF CAVERNO'S SUBDIVISION OF PART OF BLOCK 21 OF THE TOWN OF LOMBARD IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS (PIN: 06-07-213-011) AND

LOTS 6 THROUGH 11, INCLUSIVE, IN CAVERNO'S SUBDIVISION, BEING A RESUBDIVISION OF PART OF BLOCK 21 IN THE TOWN OF LOMBARD, BEING A SUBDIVISION IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT OF SAID CAVERNO'S SUBDIVISION RECORDED MAY 17, 1912 AS DOCUMENT 108107 IN DUPAGE COUNTY, ILLINOIS (PIN: 06-07-213-014) AND

THE EAST 74.2 FEET OF LOTS 12, 13 AND 14 OF CAVERNO'S SUBDIVISION OF PART OF BLOCK 21 OF THE TOWN OF LOMBARD IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS (PIN: 06-07-213-012).

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 waived.
- B. That a total of 0.10 ac-ft of detention volume shall be deducted from the available balance in the Finley-Crescent Basin.

Section 6: 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 \_\_\_\_\_, 2004.

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

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

Ayes: \_\_\_\_\_

Nayes: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Barbara A. Johnson, Deputy Village Clerk