

October 4, 2007

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

Subject: PC 07-29: Text Amendments to the Lombard Zoning and Sign Ordinances (R0 District) & Comprehensive Plan Amendments

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard is requesting the following actions be taken:

1. Approve text amendments to Chapter 155 of the Village Code (the Zoning Ordinance) and Chapter 153 of the Village Code (the Lombard Sign Ordinance) to create an R0 zoning district and establish development regulations for the proposed district. This amendment shall also include any necessary companion codification amendments required for clarity or consistency.
2. Approve amendments to the Village Comprehensive Plan as needed.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on September 17, 2007. William Heniff, Senior Planner, introduced the petition and submitted the IDRC staff report to the public record. He then showed a PowerPoint presentation (attached) discussing the petition. The Village of Lombard is proposing text amendments to the Zoning and Sign Ordinances to establish a new R0 Single-Family Residence District. This district would create a zoning category and regulations that provide for greater lot sizes and lower densities than the existing R1 District. It would be generally applied to annexed properties where the Village deems it desirable to keep the semi-rural nature. This petition is only intended to establish the R0 district itself. Should this district be established, it will provide the Village with the ability to apply the more restrictive designation to selected established neighborhoods. Specifically, the R0 District is intended to be applied as part of an anticipated annexation request by properties within the York Center Co-op neighborhood.

As a companion to the text amendments, an amendment is proposed to the Village's Comprehensive Plan to denote the desirability of the semi-rural lot sizes within the York Center Co-op area. The IDRC Report notes that specific comments regarding the applicability of the proposed text amendments will be offered at the time that the properties are being annexed.

He noted that a number of members have expressed to staff their desire to annex into the Village and establish an agreement that ensures that the existing character of their neighborhood would not be altered. Specifically, they requested that the Village establish provisions to memorialize their larger lot sizes and preserve the open feel of their neighborhood.

To address their concerns, staff proposes to create a new district that provides for even larger lot sizes than currently provided in the R1 District. Through this review, the proposed R0 District is intended to generally mirror DuPage County's R-3 Single Family regulations that are currently applied to the neighborhood. He noted two unique elements – a 50-foot rear yard setback and a 67 percent open space requirement. He then reviewed the proposed bulk regulations for the R0 District, noting the proposed 15,000 square foot and 1000 feet minimum lot requirement. This requirement would not create any nonconformities.

Should this district be established, it would become the most restrictive district and all properties would automatically be designated as R0 upon annexation. While the aforementioned references relate to the York Center Co-op properties, the Village Board would have the ability to consider other similar properties for R0 zoning as well.

He then discussed the proposed Comprehensive Plan changes to designate York Center Co-op area for estate residential with a lot density of less than three units per acre.

Chairperson Ryan then asked if there was anyone present who wished to speak for or against the petition.

Tom Lamberty of the York Center Community Co-operative noted the following concerns:

1. Why 15,000 square feet average lot area is being proposed over the 20,000 square foot lot size requirement.
2. Why there are references to changing of zoning upon annexation (pg. 9 of IDRC Report).
3. Why Section 155.208 is being amended (pg. 6 of IDRC Report).
4. How transitional building setbacks were being amended.

Referencing a separate memorandum prepared by staff to the Village Board, he also asked the following additional questions:

1. The impacts of dedicating the existing streets for public right of way purposes.
2. Concerns about the stormwater ordinance provisions.

3. Emergency access driveway provisions for selected properties along Pine Lane. This would be subject to review/approval by the affected property owners.

Mr. Heniff responded by noting the following:

1. He then noted that the 15,000 square foot requirement is the same as DuPage County requirements that are currently established for the York Center area. Staff originally noted a 20,000 square foot minimum requirement, but the 15,000 square foot requirement would not create nonconformities in the neighborhood. He noted that the 100 foot minimum lot width requirement would be the greater controlling factor. He also clarified the proposed planned development minimum lot width requirements, stating that the minimum lot width should be 45,000 square feet – consistent with the existing district codes that establish planned development lot widths as three times the minimum lot width and area.
2. The proposed changes to proposed zoning is intended to be a companion codification and would be applicable to all properties upon annexation. Right now properties are designated to be in the R1 District upon annexation. This is the most restrictive district. The proposed amendment would establish R0 as the district that all properties would be automatically annexed.
3. Section 155.208 is being amended to ensure that only one house is constructed on a given lot – this provision already applies to the R1 and R2 Districts. Without this amendment, multiple residences could be constructed on a given property.
4. The transitional setback provisions are being amendment to ensure that these provisions would also apply to R0 properties in the same manner that they are being applied to the R1 and R2 Districts now. Without this amendment, no transitional setbacks would be required on abutting commercial properties.

Referencing the remaining questions, Mr. Heniff noted that staff has been working on an annexation agreement with the York Center Co-op members and his questions pertained to the proposed agreement. Annexation agreements are under the purview of the Village Board. The Plan Commission would only consider companion zoning requests associated with annexations. Specific responses to the questions were:

1. The request to dedicate the existing street network for public right of way purposes is to ensure that the Village could undertake all necessary improvements within the street network upon annexation.
2. Regarding stormwater provisions, all properties are subject to the DuPage County Development and Stormwater Ordinance, regardless of jurisdiction.

3. Regarding the proposed emergency access driveway proposed by the Village, this would be an issue that the Village originally sought as part of the annexation process.

Chairperson Ryan then asked the Commissioners if they had any comments.

Commissioner Olbrysh noted that the focus is upon the York Center Co-op. He asked if the 15,000 square foot provision could be applied to Congress Knolls if those properties were to be annexed. Mr. Heniff said yes.

Commissioner Sweetser asked about the proposed annexation agreement for York Center Co-op. Mr. Heniff stated that only if there were zoning actions associated with the agreement would this matter be brought back to the Plan Commission.

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 and Sign Ordinances. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities approval of text amendments and Comprehensive Plan amendment associated with PC 07-29.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

att-

c. Petitioner
Lombard Plan Commission