



Village of Lombard

Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org

Minutes

Plan Commission

Donald F. Ryan, Chairperson
Commissioners: Ronald Olbrysh,
Martin Burke, Ruth Sweetser,
Stephen Flint and John Mrofcza
Staff Liaison: Jennifer Ganser

Monday, March 20, 2017

7:00 PM

Village Hall - Board Room

Call to Order

Chairperson Ryan called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Chairperson Ryan led the Pledge of Allegiance.

Roll Call of Members

Present 6 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Also present: Jennifer Ganser, AICP, Assistant Director of Community Development; Anna Papke, AICP, Sr. Planner, and Jason Guisinger, legal counsel to the Plan Commission.

Chairperson Ryan called the order of the agenda.

Ms. Ganser read the Rules of Procedures as written in the Plan Commission By-Laws.

Public Hearings

[170116](#)

PC 17-08: 1005-1027 E. Division Street

The petitioner, Over the Rainbow Association, requests that the Village take the following actions on the subject property located within the R2 Single-Family Residence District and the R3 Attached Single-Family Residence District:

1. For the property at 1027 E. Division Street, approve a map amendment from the R2 Single-Family Residence District to the R4 Limited General Residence District;
2. For the property at 1005 E. Division Street, approve a map amendment from the R3 Attached Single-Family Residence

- District to the R4 Limited General Residence District;
3. For both properties as noted above, approve a conditional use for a new planned development with the following companion variations and deviations, reflective of existing buildings and structures already located on the premises:
 - a. A deviation from Section 155.409(I) and Section 155.508(C)(6)(b) to reduce the transitional interior side yard building setback for an existing building from fifty feet (50') to fourteen feet (14');
 - b. A variation from Section 155.409(J), Section 155.508(C)(6)(b), and Section 155.707(A) to reduce the depth of the transitional landscape yard;
 - c. A variation from Section 155.707(B) to allow transitional landscape yard improvements;
 - d. A variation from Section 155.706(C)(1) to reduce the required perimeter parking lot landscaping for the south side of an existing parking lot, as depicted on the submitted site and landscape plan;
 - e. A deviation from Section 155.602(A)(3)(e) to allow off-street parking areas open to the sky to be located in a required front yard;
 - f. A deviation from Section 155.602(C), Table 6.2, to reduce the parking ratio for one-bedroom apartment units from one and a half parking spaces per unit to one parking space per unit; and
 4. Grant site plan approval authority to the Lombard Plan Commission pursuant to Section 155.511 (site plan approval) of the Lombard Zoning Ordinance. (DISTRICT #5)

A motion was made by Commissioner Sweetser, seconded by Commissioner Olbrysh, to continue this petition to the Special Meeting of the Plan Commission on March 27, 2017. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

[170118](#)

PC 17-11: 244 W. Roosevelt Road

The petitioner requests that the Village take the following actions on the subject property located within the B4A Roosevelt Road Corridor Zoning District:

1. Pursuant to Section 155.417(G)(2)(b)(i) approve a conditional use for an animal hospital and kennel;
2. Pursuant to Section 155.417(G)(3) approve a variation for a minimum lot area of 19,000 square feet, where 40,000 is required;
3. Pursuant to Section 155.417(G)(4) approve a variation for a minimum lot width of 132' where 150' is required;
4. Pursuant to Section 155.417(G)(5)(a) approve a variation for a front yard setback of 25' where 30' is required;

5. Pursuant to Section 155.417(G)(8) approve a variation for a transitional building setback of 30' where 40' is required; and
6. Pursuant to Section 155.707(A)(5)(a) approve a variation for a transitional landscape yard of 24' where 30' is required.
(DISTRICT #2)

Sworn in to present the petition were the petitioners Bob Edwards, Bill Zalewski, and Dr. Jeremy Buishas, and Jennifer Ganser of the Village of Lombard.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Mr. Edwards said he is from RWE Management Co. Dr. Buishas, property and business owner, wants to turn Carriage Animal Clinic into a full service clinic. The Village Board has reviewed their request to purchase the right-of-way to the east. Mr. Edwards reviewed the current site and building as well as the proposed addition to the east, south, and a second floor. A new curb cut would be added on Roosevelt Road and the current curb cut would be eliminated. There would be twenty-three parking spaces. He reviewed the elevations and floor plans. He noted that some of the relief exists on-site but is needed for Carriage to expand. He discussed the 15' separation needed for the water main and said that Public Works gave an exception to be slightly closer. He discussed the transitional yard and showed the parking lot encroachment.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. Carriage Animal Clinic is proposing a building expansion and they are interested in acquiring the Village owned right-of-way to the east, which is subject to Village Board approval, for parking. Even with the additional land, the property will not meet the minimum lot area or width of the B4A district, though they will be closer to compliance than the current lot. Staff supports this request and notes the animal hospital does not meet minimum lot area or width currently and that it has not impacted the business operations. The property is currently being used as an animal clinic and as the current use is a conditional use in the B4A zoning district, an expansion would also require a conditional use.

The petitioner is restricted to the east by an existing water main and the building cannot extend further east than shown in the plans. Therefore a variance to the front yard setback is being proposed at a

five feet (5') reduction to twenty-five feet (25'). The property abuts a CR District the rear yard setback is forty feet (40'). However, the existing building is setback at thirty feet (30') and the addition will match and align with the existing building line. Also, the petitioner is being required by Village staff to add a five feet (5') turn around area in the parking lot. This area, combined with the last parking space being striped for no parking, would allow someone to back up and turn around to exit the property, if all the parking spaces were taken. Due to the property abutting property in the CR District, a greater setback is required per Code. As this is the only area where the variance is being requested, staff supports the variance.

The petitioner has met with DuPage County and Village staff regarding stormwater during a pre-application meeting. Conditions of approval consistent with 104 E. St. Charles Rd (PC 16-20) have been added to ensure neighborhood compatibility. These include limiting the time of day animals can be outdoors, prohibiting caging and boarding outdoors, and ensuring that the fence is maintained in a good state of repair at all times.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

A motion was made by Commissioner Burke, seconded by Commissioner Flint, to recommend to the Corporate Authorities approval of this petition subject to following eight (8) conditions.

- 1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 2. That the petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report: Architecture and Site Plans, prepared by Linden Group, dated 2/27/2017; and Preliminary Engineering Plans, prepared by Advantage Consulting Engineers, LLC, dated 2/24/17;**
- 3. Pursuant to the Zoning Ordinance, the project construction shall commence within one (1) year from the date of approval of the ordinance, or this approval shall become null and void unless a time extension has been granted by the Village Board;**
- 4. Caging or boarding of animals shall not be allowed in the outdoor area. The outdoor area shall be reserved as an area where animals can roam freely;**
- 5. The outdoor area shall be maintained with an eight foot (8') solid fence that shall be maintained in a good state of repair at all times;**
- 6. No animals shall be allowed outside between 10:30pm and 7:00am;**
- 7. That the petitioner shall submit a photometric plan during permit review; and**
- 8. A Plat of Consolidation must be recorded before permits shall be released.**

The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

[170117](#)**PC 17-09: 659 N. Edgewood Avenue**

The petitioner, Luxica, LLC, requests that the Village take the following actions on the subject property located within the R2 Single-Family Residence District:

1. Approve a variation from Section 155.407(F)(1) to reduce required front yard setback for an existing detached single-family dwelling from thirty feet (30') to twenty-nine feet (29'); and
2. Approve a variation from Section 155.407(F)(4) to reduce required rear yard setback for an existing detached single-family dwelling from thirty-five feet (35') to twenty-seven feet (27'), if warranted; and
3. Approve a plat of resubdivision. (DISTRICT #4)

Sworn in to present the petition were: Anna Papke, Senior Planner; and Chris Czarnowski, representing the petitioner.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chris Czarnowski, 134 N. Charlotte Street, Lombard, IL, addressed the Commission on behalf of Luxica, the petitioner. He said the petitioner intends to subdivide the subject property into two lots. The subdivision requires one variation to address the front setback of the existing house relative to Le Moyne Avenue. He noted that the existing front setback is less than one foot shorter than the Zoning Ordinance requires (the existing house has a 29.2-foot setback compared to the 30-foot requirement). He noted that the petitioner originally requested a second variation for the rear yard of the existing house, but that this variation is no longer necessary due to the amendment to rear yard setbacks in the R2 district approved by the Village Board [on March 16, 2017]. Mr. Czarnowski stated that the new home to be built on the second lot will not require any variations. The only variation being requested is for an existing structure.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.

Michael Kirby addressed the Commission. He did not think that the petitioner had demonstrated a hardship relative to the request for a variance. He said that the resubdivision will change the look of the neighborhood, as it will create a lot with a house that is different from other development in the area.

Herb Gaddis addressed the Commission. He objected to the variance and resubdivision and said that the petitioner will realize a financial

gain, which is not in keeping with the requirements for variances. He said the resubdivision will not be compatible with the neighborhood.

Craig Wheatley, 532 E. Le Moyne Avenue, Lombard, IL, addressed the Commission. He said he was concerned about drainage issues that might result from the construction of a new home on the property if it is resubdivided.

Mary Nolan-Pleckham, 626 E. Le Moyne Avenue, Lombard, IL, addressed the Commission. She objected to the proposed resubdivision on the grounds that it will be out of character for the neighborhood. She said that while the subject property is somewhat bigger than other lots in the area, it is not twice as big, so subdividing it will create lots that are different than others in the area. She was also concerned about traffic congestion and property values. She mentioned that there is a streetlight near the property that might need to be moved if a second house is constructed. She also noted that the resubdivision would lead to financial gain for the petitioner.

Michael Pleckham, 626 E. Le Moyne Avenue, Lombard, IL, addressed the Commission. He expressed concern that the resubdivision will adversely affect neighborhood property values. He mentioned the new lots will be different sizes and configurations than other lots in the neighborhood.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked the petitioner to respond to the questions and concerns.

Mr. Czarnowski addressed the public comments. He said that the variance will only apply to the existing house, which was not constructed by the petitioner and therefore was not a self-imposed hardship. He said new construction on the second lot will not require any type of relief.

Regarding density and drainage, he said that new construction on the second lot will comply with all Village requirements for impervious surfaces, lot setbacks and other standards.

Regarding the lot sizes of the new lots, Mr. Czarnowski said the staff report pointed out that the subject property is larger than other lots in the area.

Regarding property values, Mr. Czarnowski said that the petitioner plans to construct a modest home, but he believed it will be valued higher than other homes in the neighborhood. He thought the new home would add value to the neighborhood.

Chairperson Ryan asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The petitioner, Luxica, LLC, is proposing resubdivide the subject property into two lots. There is currently a home on the west end of the subject property. The proposed resubdivision will enable the petitioner to construct a new single-family home on the east portion of the subject property.

Ms. Papke said that the resulting two lots will meet minimum lot area and lot frontage requirements for the R2 zoning district. The existing home will be on Lot 1 in the proposed resubdivision, and will not meet minimum front yard setback requirements. Therefore, the petitioner is seeking relief from the front setback requirement for the existing house in order to subdivide the property as proposed.

Ms. Papke noted that the public notice had referenced the possibility that the existing home would also require a rear setback variance. However, due to the Village Board's approval of an amendment to the rear setback requirement for the R2 district on March 16, 2017, that variance is no longer necessary, and was withdrawn from the petition by the applicant prior to the Plan Commission hearing.

The petition was reviewed by the Village's interdepartmental review committee. Comments from this review have been passed on to the petitioner, and will be addressed in the final review and permitting process.

The Planning Division reviewed the proposed resubdivision and notes that with the exception of the variance for the front yard setback, the two new lots will meet the requirements of the R2 zoning district. Staff reviewed the request for a variance for the front yard setback and finds that it meets the criteria for a variance. The petitioner has stated that future development on Lot 2 (the vacant lot) will meet the requirements of the Zoning Ordinance.

Staff recommended approval of the petition subject to the conditions listed in the staff report.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Sweetser noted that the petitioner's response to standards for variations had stated that neighborhood character would not be impacted by the variance. Commissioner Sweetser asked if staff agreed with this assessment and whether staff had taken the

homes on the north side of Le Moyne Avenue into consideration.

Ms. Papke said that the standard regarding neighborhood character was specific to the requested variance for the front yard setback of the existing home. As this variance will address an existing condition, staff does not believe it will impact neighborhood character. The variance will not apply to future development on the new lot. She noted that the subdivision itself did not require any variances. If the property were vacant, the proposed resubdivision would be approved administratively since the lots meet the lot frontage and area requirements for the district. However, because the existing house does not meet the front setback requirement, the proposed resubdivision and companion variance requires approval by the Village Board.

A motion was made by Commissioner Olbrysh, seconded by Commissioner Burke, to recommend to the Corporate Authorities approval of this petition subject to following two (2) conditions.

- 1. The setback relief granted herein shall apply only to the existing house on Lot 1 of the Angela's Acres Resubdivision, as drawn on the preliminary plat submitted by the petitioner; and**
- 2. Any buildings constructed on the proposed Lot 2 shall meet the provisions of the Zoning Ordinance.**

The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

[170119](#)

PC 17-12: Text Amendments to the Zoning Code

The petitioner, the Village of Lombard, is requesting text amendments to Section 155.602 Table 6.3, Section 155.603 Table 6-4, and Section 155.802 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the parking requirements and definitions for "convalescent, nursing or rest home" and similar uses.

(DISTRICTS- ALL)

Sworn in to present the petition was Jennifer Ganser, Assistant Director.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. Staff is proposing to update the parking section of the zoning ordinance for clarity. Proposed changes are as follows:

- 1. Amend the definition of a convalescent, nursing or rest home to provide for clarity.*
- 2. The parking requirements for a convalescent, nursing, or rest home would stay the same at one space per guest room, plus one space per employee on peak shift. Staff feels this provides for adequate parking.*
- 3. Delete the parking requirement for elderly housing. This term is not defined in the zoning ordinance nor is it listed as a permitted or conditional use anywhere in the zoning ordinance.*
- 4. Delete the loading requirement for elderly housing. This term is not defined in the zoning ordinance nor is it listed as a permitted or conditional use anywhere in the zoning ordinance.*
- 5. For purposes of discussion, staff views age-targeted independent living developments (such as 55+) as an apartment or townhome, etc. Staff notes that a building that targets those of a certain age may change over time and that independent living shall be parked as the zoning code requires for multi-family dwellings.*

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

A motion was made by Ruth Sweetser, seconded by Ronald Olbrysh, that this Ordinance be recommended to the Corporate Authorities for approval subject to conditions. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Business Meeting

The business meeting convened at 7:48 p.m.

Approval of Minutes

On a motion by Commissioner Mrofcza, and seconded by Commissioner Olbrysh, the minutes of the February 20, 2017 meeting were approved. The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Public Participation

There was no public participation.

DuPage County Hearings

There were no DuPage County hearings.

Chairperson's Report

The Chairperson deferred to the Assistant Director of Community Development.

Planner's Report

The Assistant Director of Community Development had no report.

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Subdivision Reports

There were no subdivision reports.

Site Plan Approvals

There were no site plan approvals.

[170120](#)

SPA 17-02: 2301 2720 S. Highland Avenue - City View at the Highlands

The petitioner requests that the Village grant site plan approval for proposed paint color changes. As the colors were discussed by the Plan Commission in PC 00-48, staff is bringing the item before the Plan Commission for approval. No building materials are changing and no variances are being requested. (DISTRICT #3)

Chairperson Ryan asked if any person would like to speak on behalf of this petition, or for public comment.

Michelle Cowell, the property manager for City View at the Highlands,

presented the petition. Ms. Cowell said that Marquette Management purchased the property back in September. They hired Color Design Concepts to select new exterior paint colors for City View at the Highlands. The new paint colors will accent the brick and stone architectural elements on the building as well as update the face of the community, by giving it a more modern-urban curb appeal for years to come. The color palates selected are in light and mid-tone grays and will complement the building and the neighborhood.

Chairperson Ryan asked if any person would like to speak in favor or against this petition. Hearing none, he requested the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. Ms. Ganser began by stating that the petitioner is requesting that the Village grant site plan approval for proposed paint color changes. As the colors were discussed by the Plan Commission in PC 00-48, staff is bringing the item before the Plan Commission for approval. No building materials are changing and no variances are being requested.

Chairperson Ryan asked if there were any questions of the staff report, and, hearing none, opened the meeting for comments among the Commissioners.

A motion was made by Commissioner Flint, seconded by Commissioner Mrofcza, to recommend that the Plan Commission approve this petition subject to the following one (1) condition:

- 1. The petitioner shall be authorized to modify the building exteriors in accordance with the plans elevations prepared by Color Design Concepts, undated, submitted as part of this request.**

The motion carried by the following vote:

Aye: 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

Workshops

There were no workshops.

Adjournment

A motion was made by Commissioner Sweetser, seconded by Commissioner Flint, to adjourn the meeting at 7:53 p.m. The motion passed by a unanimous vote.

*Donald F. Ryan, Chairperson
Lombard Plan Commission*

*Jennifer Ganser, Secretary
Lombard Plan Commission*