

May 6, 2004

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

Subject: PC 04-13; 208-230 S. Westmore-Meyers Road

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition.

The petitioner requests approval of the following actions:

1. For the property located at 208 S. Westmore-Meyers Road:
 - a. Approve a map amendment rezoning the property from the B2 General Neighborhood Shopping District to the R2 Single-Family Residential District.
 - b. Approve a 2-lot Minor Plat of Resubdivision with a variation to reduce the minimum lot width from 60 feet to 50 feet for each lot.
2. For the property located at 220 S. Westmore-Meyers Road, approve a map amendment rezoning the property from the B2 General Neighborhood Shopping District to the R2 Single-Family Residential District.

As a companion to this request, the Village also requests approval of the following actions:

3. For the properties at 214, 226 and 228 S. Westmore-Meyers Road, approve a map amendment rezoning the property from the B2 General Neighborhood Shopping District to the R2 Single-Family Residential District.
4. For the property located at 230 S. Westmore-Meyers Road:
 - a. Approve an amendment to the Village of Lombard Comprehensive Plan, designating the property for low density residential use.

- b. Approve a map amendment rezoning the property from the B2 General Neighborhood Shopping District to the R2 Single-Family Residential District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on April 19, 2004.

Christine L. Stade, 1141 Stoddard, Wheaton, Illinois presented the petition. She and her husband lived at 532 S. Lombard Avenue. They currently own the properties at 208 and 220 S. Westmore-Meyers Road. They are requesting the rezoning of these properties from the B2 to the R2 District. She then read the letter she sent to the Plan Commission describing the history of the project (a copy of this correspondence is attached to the IDRC staff report). She stated that it would certainly be in Lombard's favor not to have a vacant lot remain.

James H. Stade, 1141 Stoddard, Wheaton, read a letter included with the petition relative to the subdivision of the land (a copy of this correspondence is attached to the IDRC staff report). He stated that subdivision of the 208 S. Westmore-Meyers property is being requested so that two single family homes could be constructed on the site. He noted that many of the lots in the area are fifty feet in width and that the single-family residences would be designed to meet setback requirements.

After conclusion of the petitioner's presentation, William Heniff, Senior Planner for Community Development, presented the companion petition for the other properties that were included within the public hearing request.

He noted that the subject properties are located along the west side of the 200 block of Westmore-Meyers Road. The properties have historically been used for residential purposes, but have been zoned with B business designations since at least the 1960s. In consideration of the petitioner's request, staff initiated companion map amendments for other properties on this block, which should be considered as part of the rezoning request. A detailed discussion of all the properties is included within the report.

Referencing the IDRC report, he noted that the subject properties are located in an area served by a combined sanitary/storm sewer system. Should any of these properties be developed with non-single family residential structures, the respective property owner will need to apply for a variation to connect to the combined system. Additionally, they would need to provide on-site stormwater detention improvements to address stormwater runoff. Should the properties be rezoned to the R2 District and single-family residences are constructed on the two proposed lots at 208 S. Westmore-Meyers Road, stormwater detention improvements would not be required.

He then referenced an existing and proposed zoning map and an aerial photo. While the subject properties have been historically developed as residences, they have had commercial zoning since

at least the 1960s. The Comprehensive Plan recommends that except for the 230 property, the subject properties used as Low Density Residential uses.

The rezoning request to R2 Single Family residential would be compatible with the residential properties on Maple Avenue and to the west on Ahrens Court. Immediately east of the subject properties are properties zoned in the Village's R3 and R4 General Residence Districts. The rezoning request would designate these properties to a zoning district more compatible with the adjacent residential properties, than the current B2 zoning district designation.

He then discussed the specifics of each lot. The 208 property was previously improved with a single-family residence. In 1999 the home was razed and the property has sat vacant since that time. The property is 100 feet wide by 320.24 feet deep (32,024 sq. ft.) in size. The petitioner has sought interested parties to develop the site for business purposes. However, when the underlying B2 bulk and transitional requirements are applied to the property and when site development constraints are applied to the lot (e.g., stormwater detention improvements, Fire Department access/circulation and parking requirements), the development options for the site become limited.

As far as the lot width request is concerned, the petitioner is requesting relief to allow the property to be evenly subdivided into two fifty-foot wide lots. Each of these lots would retain their existing depth of 320.24 feet, thereby making each lot about 16,012 square feet in size, or more than twice required by the R2 provisions.

In consideration of the lot width relief, staff reviewed the lot width dimensions of other neighboring residential lots and finds that the abutting properties along Ahrens Court and three of the lots along Maple Avenue are 50 feet in width. Additionally staff notes that the abutting lots at 214 and 230 S. Westmore-Meyers Road are 50 feet in width (the lots were created via a deed division). Therefore, the 50-foot lot width in this area is not without precedent.

Should the relief be granted, staff will require the petitioner to prepare a final plat of resubdivision for Village signature and recording that subdivides the lot into two lots of record, with each lot meeting the provisions of the Subdivision and Development Ordinance.

The 214 S. Westmore-Meyers Road property is sandwiched between the two properties owned by the petitioner. It is 50 feet wide by 320 feet deep and is improved with a one-story, four-unit apartment building. The apartment building is already legal non-conforming as apartments are not permitted uses when located on the first floor in the B2 District. Should the map amendment be approved, the apartment can remain as a legal non-conforming use. However if the building was damaged or destroyed, the R2 District provisions would apply. He also noted that the apartment building is about two feet off of the north property line at its closest point. No companion relief is being considered at this time – the location of the structure on the property will remain legal non-conforming.

Should the building be razed, the Zoning Ordinance allows for a new single family residence to be erected on the lot as it is at least 80 percent of the proposed R2 District lot width requirements. He referenced a letter submitted to the Plan Commission from the property owner's attorney stating that supports the petition. He noted that staff did send a letter to the property owner that the lot could be improved with a single-family residence if the apartment building is razed.

Regarding 220 S. Westmore-Meyers Road, should the map amendment request be approved, the use of the property would become legal conforming use. The property would meet all bulk requirements of the R2 District.

The 226 S. Westmore-Meyers Road property is 65 feet wide and 229 feet deep (14,919 sq. ft.). This property is currently used as a single-family residence. Should the map amendment request be approved, the use of the property would become a legal conforming use. Staff notes that the property would meet the bulk requirements of the R2 District.

The 228 S. Westmore-Meyers Road property is a flag lot. At the right-of-way, the parcel is ten feet wide. This portion of the property is improved with a driveway that serves as public access to the single-family residence to the rear of the property. At the rear of the property, the tract is 75 feet in width. This single-family residence is not visible from Westmore-Meyers Road.

Reserve lots are not permitted in the Zoning and Subdivision and Development Ordinances. However, given the nature of the property, rezoning the property to the R2 District would create less of an impact on neighboring properties than if the property retained its B2 designation. In that instance, the property owner could assert their rights to construct a commercial establishment with access only on a ten foot strip of land, which would be quite undesirable.

The 230 S. Westmore-Meyers Road property is improved with a single-family residence which is being converted into an engineering office. As the conversion met the B2 requirements, staff approved the permit. However, in light of the other pending actions for this block, staff is recommending that a similar map amendment should also occur on this property as well.

The Comprehensive Plan identified this parcel for Commercial and Office use. When one reviews the entire block face, the 230 property has more in common from a design standpoint than the insurance office (i.e., residential structures, no parking in front of structures, access driveways to side of structures, etc.). Should a map amendment be approved for this site, the owner would have the ability to continue using the property as a legal non-conforming office use. He could also sell the property as a permitted single-family residence.

In closing, Mr. Heniff noted that the proposed companion map amendments are being presented in consideration of the petitioner's request for a map amendment. Staff believes that the entire block face should have a unified zoning classification, and the requests being brought forward here are intended to create greater consistency between the Zoning Ordinance and the Comprehensive Plan.

Chairperson Ryan opened the meeting for public comment.

Deborah Zaleky, 925 E. Maple, stated that she lives adjacent to the 208 S. Westmore-Meyers property and approves of the R2 zoning request.

George Green, owner of 226 S. Westmore-Meyers noted that he was in favor of the petition. He indicated that he has a piano studio he runs in his building and was worried that it might be considered undesirable or that it would not be allowed. In response to the question, Mr. Heniff stated there are two ways this could activity could be reviewed – either as a legal non-conforming use or as a home occupation.

There was no one who spoke against the petition.

Chairperson Ryan then opened the meeting for discussion among the Commissioners.

Commissioner Olbrysh stated that changing the designation to R2 makes sense. The Village needs to look at surrounding properties - there are a lot of fifty foot wide lots in the area, so it is doable with the right architect. It is also nice to see some construction activity on the 208 S. Westmore-Meyers property as well. He is in favor of the R2 change.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed conditional use complies with the standards of the Zoning Ordinances. Therefore, the Plan Commission, by a roll call vote of 5 to 0, recommended to the Corporate Authorities, **approval** of the PC 04-13. Moreover, the Plan Commission recommends approval of the minor plat of subdivision with the variation in lot width subject to the following condition:

1. That the petitioner shall submit to the Village for Village Board review and approval, a final plat of resubdivision for the 208 S. Westmore-Meyers Road property dividing the property into two parcels of fifty-feet in width. Said plat of resubdivision shall meet all provisions of the Zoning and Subdivision and Development Ordinances.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

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c. Petitioner
Lombard Plan Commission

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