

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: May 12, 2004 (B of T) Date: May 20, 2004

TITLE: BOT 04-05: 130 S. Main Street

SUBMITTED BY: Department of Community Development *DH/WJ*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development staff transmits for your consideration its recommendation regarding the above-referenced petition. This petition requests a variation to provide 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.

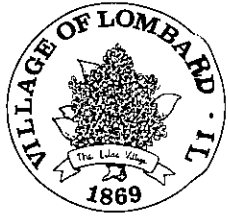
Staff recommends approval of this variation.

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>5/13/04</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: May 12, 2004

SUBJECT: BOT 04-05: 130 S. Main Street

Please present the attached item to the Board of Trustees for their review and approval at their May 20, 2004 meeting. A total of 0.70 acre-feet of stormwater detention volume will be required to develop the property for a medical office building. The petitioner requests a variation from Chapter 151: "Flood Control"; Subsection 151.55 "Retention/Retention Basins" to provide 0.60 acre-feet off-site at the Village's Finley-Crescent detention basin.

The Redevelopment Agreement for this 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 entire balance of 0.60 acre-ft in the Finley-Crescent basin will be allocated to this project. The remaining 0.10 acre-ft (0.70 minus 0.60) will be provided on their property in an underground detention vault. The engineer's cost estimate for the vault is \$18,252.00. The Village will reimburse the owner for the vault from the stormwater detention fund for the East Branch DuPage River.

DuPage County has pre-approved the provision of off-site detention in the Finley-Crescent basin for downtown redevelopment. Therefore, a variation is not required from the Countywide Stormwater and Flood Plain Ordinance. A spreadsheet has been kept to document the volumes allocated for the various projects.

The public hearing for the variance has been advertised as required by Code. Staff recommends approval of the variance. Furthermore, a waiver of first reading is requested in order to accommodate the construction schedule.

DG:dg

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

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 acre-feet of detention volume is required for the project.
2. Village of Lombard balance sheet for the Finley/Crescent stormwater basin showing that a maximum of 0.60 acre-feet of detention volume may be allocated for the project.
3. Plans entitled "Proposed Improvements for Elmhurst Memorial Lombard Health Center" by Webster, McGrath & Ahlberg Ltd. dated 9/12/03 and last revised 4/15/04 showing that an on-site detention vault will provide 0.10 ac-ft of detention volume.

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

The petitioner has requested a variation to Chapter 151: "Flood Control"; Subsection 151.55 "Retention/Detention Basins" so that the property may be developed without requiring too large of a detention facility on-site. The Redevelopment Agreement for this project states that the Village shall accommodate the required detention for this project at an off-site location at no cost to the project owner. That location is the Finley/Crescent Basin. Therefore, that basin's entire available balance of 0.60 acre-ft shall be dedicated to this project.

The remaining 0.10 acre-ft (0.70 minus 0.60) will be accommodated in a detention vault on the project site. Per the terms of the Redevelopment Agreement, the Village is responsible to fund

the vault. This cost is estimated to be \$18,252.00 and will be funded from available funds in the stormwater detention fund for the East Branch DuPage River watershed.

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 0.60 acre-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 0.60 acre-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

DAH/DG:dg
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c. Petitioner

ORDINANCE NO. _____

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

(BOT 04-05: 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".

WHEREAS, a public hearing has been conducted by the Board of Trustees on May 20, 2004 pursuant to appropriate and legal notice; 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 0.60 acre-ft of detention volume off-site in the Village's Finley-Crescent Basin.

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 0.60 acre-ft of detention volume shall be deducted from the available balance in the Finley-Crescent Basin.

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 _____, 2004.

First reading waived by action of the Board of Trustees this ____ day of _____, 2004.

Passed on second reading this ____ day of _____, 2004.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2004.

William J. Mueller, Village President

ATTEST:

Barbara A. Johnson, Deputy Village Clerk