

# Village of Lombard

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



## Minutes

**Monday, January 25, 2021**

**7:00 PM**

**Village Hall**

## Plan Commission

***Commissioners:***

***Ruth Sweetser, Stephen Flint,  
Leigh Giuliano, Bill Johnston and  
Kevin Walker***

***Staff Liaison: Jennifer Ganser***

## **NOTICE OF MEETING MODIFICATION DUE TO COVID-19**

**In light of the Disaster Declaration issued by the Governor of the State of Illinois relative to the COVID-19 pandemic, and pursuant to Public Act 101-0640, the Chairperson of the Plan Commission has determined that an in-person meeting of the Plan Commission, or a meeting conducted under the Open Meetings Act requirements, relative to a quorum of the members of the Plan Commission being physically present at a meeting when some members of the Plan Commission are participating remotely, is not practical or prudent because of the disaster.**

**Pursuant to Governor Pritzker's Executive Order 2020-07, as extended by Executive Orders 2020-18, 2020-33 and 2020-39, 2020-44, 2020-52, 2020-55, 2020-59, 2020-71, 2020-74 and pursuant to Public Act 101-0640, Plan Commission members may attend and participate in the public hearing remotely, and physical attendance at this public hearing will be restricted solely to specified Village officials, staff and consultants. Residents may view the meeting live on television, at Comcast Channel 6 or AT&T Channel 99, or on online at [www.villageoflombard.org/220/view-meetings-live](http://www.villageoflombard.org/220/view-meetings-live).**

**All interested persons will be given the opportunity to participate in the public hearing via telephone or submission of public comments or evidence in advance of the meeting**

- **email to [communitydevelopment@villageoflombard.org](mailto:communitydevelopment@villageoflombard.org)**
- **calling and leaving a voicemail at 630-620-5760**
- **letter mail to:**

**Community Development Department**

**Attn: Plan Commission**

**Village of Lombard**

**255 E. Wilson Avenue**

**Lombard IL 60148**

**Persons interested in participating in the hearing via telephone**

shall contact the Village in advance by any of the above methods to obtain information necessary for telephonic participation in the hearing. The Village requests that comments be submitted to the Village by 4:00 p.m. on Monday, January 25, 2021.

Notwithstanding this request, all comments received before the public comment portion of the public hearing will be read into the public meeting record. The physical attendance restrictions in place for this meeting have been adopted to comply with Governor Pritzker's Executive Orders regarding social distancing and the need to maximize residential self-isolation to slow the spread of COVID-19 to the greatest extent possible.

### Call to Order

*Vice Chairperson Flint called the meeting to order at 7:00 p.m*

### Pledge of Allegiance

*Vice Chairperson Flint led the Pledge of Allegiance*

### Roll Call of Members

**Present** 5 - Ruth Sweetser, Stephen Flint, Leigh Giuliano, Bill Johnston, and Kevin Walker

*Also present: Jennifer Ganser, AICP, Assistant Director of Community Development*

*Commissioners: Ruth Sweetser, Leigh Giuliano, Kevin Walker and Bill Johnston attended remotely.*

*Vice Chairperson Flint called the order of the agenda.*

*Ms. Ganser read the Rules of Procedures as written in the Plan Commission*

### Public Hearings

[210012](#)

**PC 21-04: Text Amendment - Clear Line of Sight Definition - Request to Withdraw petition**

The petitioner, the Village of Lombard, is requesting text amendments to Section 155.802 of the Lombard Code of Ordinances, and any other relevant sections for clarity, to amend the definition for “Clear line of sight areas.” (DISTRICT ALL)

**A motion was made by Bill Johnston, seconded by Ruth Sweetser, that PC 21-04 petition be withdrawn. The motion carried by the following vote:**

**Aye:** 5 - Ruth Sweetser, Stephen Flint, Leigh Giuliano, Bill Johnston, and Kevin Walker

[210011](#)

**PC 21-01: Text Amendment to the Zoning Ordinance - Collection Boxes**

The petitioner, the Village of Lombard, is requesting the following:

1. A text amendment to delete “collection centers, attendant” from the following zoning districts: Sections 155.415(C) B3 Community Shopping District, 155.416(C) B4 Corridor Commercial District, 155.417(G)(2)(b) Roosevelt Road Corridor B4A District, and 155.420(C) I Limited Industrial District;
2. A text amendment to Sections 155.415(B) B3 Community Shopping District, 155.416(B) B4 Corridor Commercial District, 155.417(G)(1)(b) Roosevelt Road Corridor B4A District, and 155.420(B) I Limited Industrial District of the Lombard Village Code to allow for “collection boxes” to be listed as a permitted use;
3. Add a new definition for “collection boxes” in Section 155.802;
4. Remove the definition of “collection center, attendant” in Section 155.802; and
5. Any other relevant sections for clarity. (DISTRICT ALL)

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

*Vice Chairperson Flint asked for public comment.*

*Vice Chairperson Flint asked for the staff report.*

*Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. Collection Boxes with an attendant are currently a conditional use in the following zoning districts: B3, B4, B4A, and I. Based on recent court cases and correspondence with Village Counsel, staff is requesting to make collection boxes a permitted use. Unattended charitable recycling bins (collection boxes) are protected under the first amendment as free speech (charitable solicitations) and therefore may not be banned or unreasonably regulated. Staff proposes to make collection boxes a permitted use in the following zoning districts: B3, B4, B4A, and I as an accessory use.*

*Vice Chairperson Flint opened the meeting for comments among the Commissioners.*

**On a motion by Commissioner Johnston, and a second by Commissioner Walker, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 21-01.**

**The motion carried by the following vote:**

**Aye:** 5 - Ruth Sweetser, Stephen Flint, Leigh Giuliano, Bill Johnston, and Kevin Walker

[210013](#)

**PC 21-05: Text Amendment - Fences in the Corner Side Yard**

The Plan Commission transmits its recommendation to approve text amendments to Section 155.205(A)(1) of the Lombard Village Code, and any other relevant sections for clarity. The proposed amendments would allow fences six feet in height in corner side yards in residential districts where the maximum is currently restricted to four feet in height.

(DISTRICT ALL)

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

*Vice Chairperson Flint asked for public comment.*

*Vice Chairperson Flint asked for the staff report.*

*Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The proposed amendments would authorize the placement of fences within corner side yards at a height of six (6) feet in residential zoning districts. The existing provisions restrict fences to be a maximum of four (4) feet in height in corner side yards in residential zoning districts. In the last 20 years, when requiring fence permits began, the Village Board approved thirty-three out of thirty-five (93%) requests for a fence variance in the corner side yard. The proposed text amendment is intended to remove language that would then allow the height of fences to six (6) feet in all yards with the exception of front yards or rear yards abutting front yards (reverse corner side yards). The clear line of sight area around driveways and corners would not change. In those instances, that area would need to be of an open style or the fence would need to be angled outside of the clear line of sight area.*

*Vice Chairperson Flint opened the meeting for comments among the Commissioners.*

*Commissioner Sweetser asked if embellishments can be placed on top of the fence. Ms. Ganser responded that any embellishments would*

*have to be included in the overall height of six feet maximum for a fence and noted that the zoning code allows for three inches of variance for grade changes.*

**On a motion by Commissioner Giuliano, and a second by Commissioner Johnston, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 21-05.**

**The motion carried by the following vote:**

**Aye:** 5 - Ruth Sweetser, Stephen Flint, Leigh Giuliano, Bill Johnston, and Kevin Walker

[210014](#)

**PC 21-06: Text Amendment to the Zoning Ordinance - Open Space**

The petitioner, the Village of Lombard, is requesting a text amendment to Section 155.508(C), and any other relevant sections for clarity, to remove a provision on additional open space in Planned Developments.

The provision requires Planned Developments to have at least 25 percent more open space than that required in the underlying zone district. The Village proposes to remove this provision and make the required amount of open space the same, regardless if a property is a Planned Development or not. (DISTRICT ALL)

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

*Vice Chairperson Flint asked for public comment.*

*Vice Chairperson Flint asked for the staff report.*

*Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. Staff proposes to delete this provision that requires a Planned Development to have 25% more open space than a property in the same zoning district that is not a Planned Development. Staff recognizes that open space is important, however, based on the development it may not always be achievable to provide for extra open space or in the best interest of a development. This could hinder a project that wants to provide for amenities like a paved walking path or community building. Stormwater provisions through DuPage County and the Village of Lombard will still need to be met and would remain unchanged with this text amendment.*

*Vice Chairperson Flint opened the meeting for comments among the Commissioners.*

**On a motion by Commissioner Johnston, and a second by Commissioner Walker, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 21-06.**

**The motion carried by the following vote:**

**Aye:** 5 - Ruth Sweetser, Stephen Flint, Leigh Giuliano, Bill Johnston, and Kevin Walker

[210015](#)

**PC 21-07: Text Amendment to the Zoning Ordinance - Revocation dates**

The petitioner, the Village of Lombard, is requesting a text amendments to Section 155.103(C)(10), Section 155.103(F)(11), and Section 155.103(F)(12), and any other relevant sections for clarity, to change the provisions on zoning revocation dates for variations and conditional uses from a one year period to a two year period. (DISTRICT ALL)

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

*Vice Chairperson Flint asked for public comment.*

*Vice Chairperson Flint asked for the staff report.*

*Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The zoning ordinance requires that projects that receive zoning relief to be “substantially under way within 12 months” of the date of Board approval, or the relief is null and void. Many times, due to weather, property closings, financing, or another issue, the petitioner requests a one-year time extension from the Board. In the last 20 years, there are no instances where the Village Board denied the request for a time extension. There have been over 60 time extension requests since 2000. Therefore, staff would like to amend the sections to change from 12 months to 24 months.*

*Vice Chairperson Flint opened the meeting for comments among the Commissioners.*

*Vice Chairperson Flint asked if the time extensions were mainly conditional uses. Ms. Ganser said most likely. They were mostly new buildings that had delays due to weather or financing. She noted that Covid has caused a delay with recent projects. Commissioner Sweetser asked if this was approved, if a petitioner would still be able to ask the Board for a time extension. Ms. Ganser said yes, they would go through staff to the Village Board. She said staff always asks the petitioner for the reasoning of the extension and would continue to do so.*

**On a motion by Commissioner Sweetser, and a second by Commissioner Giuliano, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 21-07.**

**The motion carried by the following vote:**

**Aye:** 5 - Ruth Sweetser, Stephen Flint, Leigh Giuliano, Bill Johnston, and Kevin Walker

[210016](#)

**PC 21-08: Car Wash - 352 E. Roosevelt Road**

The petitioner is requesting the following:

1. A conditional use for a motor vehicle service (car wash) pursuant to Section 155.417(G)(2)(b) of Village Code; and
2. A variance for a transitional building setback of 30', where 40' is required, for a payment canopy on the north side pursuant to Section 155.417(G)(8) of Village Code. (DISTRICT 6)

*Sworn in to present the petition was Jennifer Ganser, Assistant Director, and the petitioners Mike Elliott, Al Wolny, Alan Jacobs, and Nick Spallone.*

*Mr. Jacobs said he is the attorney for the project. He listed the requested zoning relief. He said Maxfield's restaurant would be demolished for the new car wash. He reviewed the standards for the project. He noted the IDRC comments and said his team has no issues with them.*

*Vice Chairperson Flint asked for public comment.*

*Vice Chairperson Flint asked for the staff report.*

*Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner is proposing to develop the subject property for a new automatic car wash. The existing vacant restaurant building would be demolished. The site will meet the requirements of the Zoning Ordinance with regard to parking spaces and vehicle stacking for the car wash lanes. A variance is requested for a transitional building setback of 30', where 40' is required, for the payment canopy on the north side. The canopy will be open, limiting its visual impact. Staff supports this variation. The car wash building meets all bulk requirements. The petitioner has provided a landscaping plan. There is a transitional landscape yard to the north where the project abuts CR zoned property from the Park District. Staff asked KLOA to review the traffic circulation on the property. KLOA made comments noted in the staff report that the petitioner will need to address during permit review.*

*Vice Chairperson Flint opened the meeting for comments among the Commissioners.*



On a motion by Commissioner Sweetser, and a second by Commissioner Giuliano, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 21-08 subject to the four (4) conditions in the staff report:

1. That the petitioner shall be required to apply for and receive building permits prior to construction;
2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
3. That the petitioner shall satisfactorily address all comments noted by KLOA, as referenced in this report; and
4. This relief shall be valid pursuant to timing in Sections 155.103(C)(10) and (F)(11).

The motion carried the following vote:

Aye: 5 - Ruth Sweetser, Stephen Flint, Leigh Giuliano, Bill Johnston, and Kevin Walker

## Business Meeting

### Approval of Minutes

A motion was made by Commissioner Johnson, seconded by Commissioner Giuliano, the minutes of the December 21, 2020 meeting be approved. The motion carried by the following vote:

Aye: 5 - Ruth Sweetser, Stephen Flint, Leigh Giuliano, Bill Johnston, and Kevin Walker

### Public Participation

There was no public participation

### DuPage County Hearings

There was no DuPage County hearings

### Chairperson's Report

*The Chairperson deferred to the Director of Community Development*

### Planner's Report

*There was no Planners 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 was no Site Plan Approvals*

## **Workshops**

*There were no Workshops*

## **Adjournment**

**A motion was made by Commissioner Johnson, seconded by Commissioner Walker, to adjourn the meeting at 7:39 p.m. The motion passed by an unanimous vote.**

**Aye:** 5 - Ruth Sweetser, Stephen Flint, Leigh Giuliano, Bill Johnston, and Kevin Walker

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*Stephen Flint, Vice Chairperson  
Lombard Plan Commission*

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*Jennifer Ganser, Secretary  
Lombard Plan Commission*

