

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
X Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager
DATE: February 25, 2013 (BOT) Date: March 7, 2013
TITLE: PC 12-19: 300 W. 22nd Street (Covington/Cove Landing Planned Development)
SUBMITTED BY: Department of Community Development *WA*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests the following actions be taken on the subject property, located within an R5 General Residence District Planned Development:

1. Pursuant to Section 155.504(A) (major changes in a planned development) and Section 155.511 (Site Plan Approvals for planned developments) of the Lombard Zoning Ordinance, amend the conditional use for the Covington/Cove Landing Planned Development, as established by Ordinance 1174 and as amended by Ordinances 1321, 1390, 2977 and 3183, to allow for the construction of an eighty (80) unit assisted living facility on the subject property, per the submitted plans.
2. Pursuant to Section 155.410 (C) of the Lombard Zoning Ordinance, grant a Conditional Use for an assisted living facility (convalescent and nursing home).

The Plan Commission recommended approval of this petition subject to four conditions. The fourth conditions states that "prior to or concurrent with the final Ordinances of approval for the proposed project, the petitioner shall enter into an agreement to offset the additional costs of the facility on Village services. Said agreement, which shall be mutually agreeable to the Village and the petitioner, shall satisfactorily address the long term and ongoing service impacts of the proposed use on Village EMS services". Should the Village Board approve the petition on first reading of the Ordinance, the companion agreement will be forwarded to the Village Board with the final reading of the draft Ordinance.

Please place this item for consideration on the March 7, 2013 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

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: David A. Hulseberg, AICP, ICMA-CM, Village Manager

FROM: William Heniff, AICP, Director of Community Development *WH*

DATE: March 7, 2013

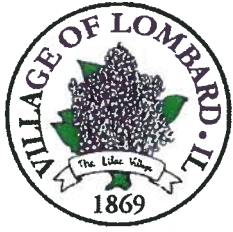
SUBJECT: PC 12-19: 300 West 22nd Street (Covington/Cove Landing Planned Development)

Attached are the following items for consideration as part of the March 7, 2013 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 12-19;
3. An ordinance granting a conditional use amendment pursuant to Title 15, Chapter 155, Section 155.505 (A) Major changes in a planned development and Section 155.511 Site plan approvals for planned developments of the Lombard Zoning Ordinance for the Covington/Cove Landing Planned Development, as established by Ordinance 1174 and as amended by Ordinances 1321, 1390, 2977 and 3183, to allow for the construction of an eighty (80) unit assisted living facility; granting a conditional use pursuant to Title 15, Chapter 155, Section 155.510 for an assisted living facility (convalescent and nursing home);
4. Appendix I: Ordinances 1174, 1321, 1390, 2977 and 3183

The Plan Commission unanimously recommended approval of the petition, subject to the conditions noted within the Inter-departmental Review Committee report.

Please let me know if you have any questions on the aforementioned materials.



VILLAGE OF LOMBARD

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March 7, 2013

Mr. William Ware
Acting Village President, and
Board of Trustees
Village of Lombard

Acting Village President
William "Bill" Ware

Village Clerk
Brigitte O'Brien

Trustees
Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Peter Breen, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
David A. Hulseberg

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Subject: PC 12-19: 300 West 22nd Street (Covington/Cove Landing Planned Development)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petition requests the following actions be taken on the subject property, located within an R5 General Residence District Planned Development:

1. Pursuant to Section 155.504(A) (major changes in a planned development) and Section 155.511 (Site Plan Approvals for planned developments) of the Lombard Zoning Ordinance, amend the conditional use for the Covington/Cove Landing Planned Development, as established by Ordinance 1174 and as amended by Ordinances 1321, 1390, 2977 and 3183, to allow for the construction of an eighty (80) unit assisted living facility on the subject property, per the submitted plans.

2. Pursuant to Section 155.410 (C) of the Lombard Zoning Ordinance, grant a Conditional Use for an assisted living facility (convalescent and nursing home).

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on February 18, 2013.

David L. Shaw of Shaw Fishman Glantz & Towbin, attorney for Spectrum Real Estate Group Inc., 321 N. Clark Street, Suite 800, Chicago, IL, provided an aerial of the site while summarizing the description of the existing site. Mr. Shaw stated that while the site was approved for 60 condominiums, the 80 unit facility that is being proposed has fewer bedrooms and therefore is a less intense use of the property. Less traffic is expected to be generated, especially during the peak hours given the nature of the residents' lifestyle. There are real benefits to the project including:

- financial impact of fifty jobs at their facility.
- positive impacts through third party contracts.

- incidental spending by adult children visiting and the seniors themselves.
- real estate taxes of approximately \$120-190,000 with no corresponding burden on the school districts.

According to their analysis of surrounding communities, there seems to be a need for the type of eldercare this project addresses and believes that it would be a valuable asset to the community. After working with the Village staff, they have created a high quality housing plan. There is a perceived burden of increased emergency medical service calls associated with the type of housing they are proposing. The organization is willing to work with the Village in order to find a viable solution in relation to the service they provide. He introduced the other presenters:

- Michael Longfellow of Spectrum Retirement Communities, Senior Vice President of Construction and Development, 200 Spruce Street, Suite 200, Denver, CO 80230
- Ray Perry of Spectrum Retirement Communities, Senior Vice President, same address as above
- Stephen Cross, President of Cross Engineering & Associates, 1955 Raymond Drive, Suite 119, Northbrook, IL, 60062
- Larry Dziurdzik, Director of Planning and Design of Allen L. Kracower & Associates, Inc., 900 North Shore Drive, Suite 205, Lake Bluff, IL, 60044.

Mr. Longfellow emphasized that Spectrum is not only a developer but is an owner, operator and developer of senior housing. They take seriously the value of being a good neighbor and believe it is critical to their immediate and long term success. Spectrum currently has 1,500 employees operating 25 properties with independent living, assisted living and memory care housing. The studios, one bedroom and two bedroom units range in 400 square feet to 1200 square feet in size with month to month rental options. The standard occupancy rate is approximately 95%. Spectrum is a financially healthy company with good lending partners. Memory care is a component of assisted living. Assisted living requires more help by staff with the day to day tasks such as dressing, bathing, etc. The dining options on the first floor and strategies for involving the residents in the community were outlined. Elements of this project are:

- The square footage of the unit is approximately 86,000 in total with 2,200 per floor.
- The exterior of the building will be a mix of red brick and buff brick that will include all sides of the building, not just the front.
- The front parking lot will have 44 spaces representing 0.55 per unit. A portion of the rear paved patio area will serve as an emergency access lane and will be maintained as vacant with no patio furniture or other obstacles.
- The first floor is planned as a common area with all upper floors to be living units with some common area space.

Mr. Cross demonstrated with an overlay drawing that the previously approved L-shaped multi-family building has an almost identical footprint of the proposed project. The wetlands occupying the north half of the property will be preserved in accordance with DuPage County standards. Approximately 500 feet of the wetlands will require mitigation due to the installation

of a sidewalk along Elizabeth Street as requested by the Village for public access. The sidewalk along 22nd Street and the property will be competed. Entrances to the parking lot from Elizabeth and 22nd Streets were illustrated. All further engineering requirements can be addressed including utilities and drainage.

Mr. Dziurdzik described the landscape plan:

- Preserve the one acre of wetland to serve as a pleasant back drop to the patio area and views from the windows of the dining rooms and residential units. The wetland will be enhanced by removing nonnative and invasive trees and replacing them with oaks, hickory and other appropriate ornamental trees. This will be achieved with the aid of a wetland expert.
- Ornamental gardens will be placed strategically around the building to provide visual interest from both the exterior and interior viewpoints. The focus of these gardens will be the utilization of old fashioned style plants and unique paving methods to provide seasonal interest. The parking lot plantings will include some evergreens that will serve as screening along with others plants and a slight berm.

Mr. Perry outlined the development in relation to the availability of similar housing within Lombard. This project most resembles Sunrise (at Fountain Square) but on a much smaller scale. The representation of assisted living options is small when compared to the population of Lombard and other comparable options. By their estimations only about ten percent of the assist living population is being served in Lombard. Assisted living facilities maintain a higher level of medical assistance staff when compared to independent living facilities. According to their analysis, the housing unit will generate approximately one call per week for emergency medical assistance. Spectrum is interested in exploring options such as “pay as you go” to address this concern.

Mr. Shaw concluded by urging the Plan Commission to consider the benefits this project will provide to the community.

Chairperson Ryan called for any additional testimony. Hearing none he asked if anyone was present to speak in favor or against the petition. There was no one to speak in favor or against the petition. He then requested the staff report.

William Heniff, Director of Community Development, entered the staff report into the public record in its entirety. The Cove Landing portion of the planned development is improved with two twelve story condominium buildings with 150 units each, a parking structure, and a recreation building. The Covington portion is improved with 256 two-story apartments in 18 buildings. The property at 22nd Street and Elizabeth is 3.35 acres of vacant land. The Comprehensive Plan map shows the subject property as medium density residential.

The petitioner is proposing to develop the vacant property at 300 West 22nd Street (the northwest corner of 22nd Street and Elizabeth Street) with one eighty unit assisted living/memory care facility on four floors. The site is currently unimproved and is encumbered with an existing wetland that encompasses the northern portion of the lot. The proposal is intended to supersede the previous Hunter’s Ridge condominium project approved by the Village Board in 2006.

The property is within the defined boundaries of the Covington/Cove Landing planned development. The original planned development approval and the following amendments to the planned development established general density and development parameters for the planned development, but it did not address the future development of the subject property. As such, the petitioner's plan should be reviewed and approved as an amendment to the original approval, as was done for the Covington Apartments portion of the planned development in the late 1980s.

Staff noted the compliance with the Zoning Ordinance - planned development provisions, compatibility with the Subdivision and Development Ordinance, compatibility with the surrounding land use, site constraints, building elevations, traffic and parking. The proposed project has two key considerations that must be addressed by the petitioner and the Village. The first element is whether the development meets the physical constraints of development as set forth within the underlying Zoning Ordinance and within the established planned development. The petitioner has attempted to develop the site plan in a manner that replicates the key design features in the 2006 Hunter's Ridge approval. The petitioner's intent was to present a conceptual plan and the engineering and building details would be addressed during the final process if it were approved and to proceed.

For this petition to be approved, the petitioner must also meet the standards for conditional uses for the planned development amendment and, more importantly, the standards for conditional uses for an assisted living facility.

Staff has raised concerns regarding additional senior care facilities along the 22nd Street corridor. This concern primarily relates to the impacts of the additional senior housing component upon Village services, particularly Fire Department and Emergency Medical Services (EMS).

The Fire Department has expressed concerns regarding the impacts of additional senior housing units on their ability to deliver services to the community. They note that such additional units have a larger call volume than other types of housing units. Coupled with the other existing senior housing units along the 22nd Street Corridor (Beacon Hill, 499 units; Lexington Healthcare/Lexington Square, 437 units and Fountain Square, 142 units) 1,078 total senior housing unit residents are in close proximity to the subject property. These three facilities have generated between 10 and 13 percent of all EMS calls to the Village. Ultimately, the concern being raised by the proposed project is that the EMS generations are higher than other housing types and would be detrimental to public health and welfare. It is noted that of comparable communities, Lombard has the highest number of senior housing units and EMS calls per resident.

Concluding, Mr. Heniff stated that staff recommends denial of this petition based on the above considerations and the recommendations of the Inter-Departmental Review Committee recommends. However, the petitioner has stated that should the Village find that if the petition can be supported, the petitioner is willing to enter into a Special Service Area (SSA) agreement to offset the additional costs of the facility on Village services. Consideration of any such SSA agreement is under the purview of the Village Board and as such, should the Village Board seek to approve the petition, staff would recommend that in addition to incorporating the IDRC comments within the approval petition, that the approval be conditioned upon the execution of an

SSA agreement between the Village and the petitioner that satisfactorily addresses the long term and ongoing service impacts of the proposed use on Village EMS services.

Chairperson Ryan opened the public hearing to the Commissioners for their questions and comments.

Commissioner Burke stated that the project comes down to one issue which is the increase of EMS service. He asked if possible solutions have been researched such as a SSA or “pay as you go”. Mr. Heniff reported that the potential solutions would be under the purview of the Village Board. The development should address their own impacts. The Village of Lombard is a non-home rule community and cannot implement impact fees. Impact fees do not necessarily address the cumulative long term needs of social services.

Commissioner Burke questioned the equanimity of new projects as compared to the facilities that already exist in terms of excessive EMS calls.

Commissioner Sweetser expressed concern over measures used to recover costs incurred by the Village and how it will impact the future.

Commissioner Olbrysh asked Mr. Shaw to substantiate his findings on the need for this type of housing in Lombard. Mr. Shaw stated that there are approximately 1,000 senior care units in Lombard and approximately 100 of these units are assisted living. The chart (attachment 10) lists the number of units in the area. This is a comparatively small number for a Village the size of Lombard.

Commissioner Olbrysh asked for the breakdown of assisted living and memory care for this project. Mr. Longfellow responded fifty for assisted living and thirty for memory care.

Commissioner Mrofcza asked for the basis of the expected one EMS call per week. Mr. Shaw responded that Spectrum’s experience with their other properties is less than one call per week but adjusted the number based on the Village’s Fire Department feedback.

Commissioner Mrofcza asked how many more calls the Fire Department can accommodate. Fire Chief Paul DiRienzo indicated that the facility would generate an additional one percent to the thirteen percent of total calls to senior housing.

A discussion of an SSA or a “pay as you go” type solution was held. The result was the issue is not part of the Plan Commission decision making process. The Village Board of Trustees must make that decision. Attorney Wagner advised the Commissioners on how they might word the motion should they recommend approval of the alternate motion and amend condition #4.

Prior to a motion being made, Commissioner Flint stated that this is a great development and would be a positive addition to the Village. He felt that the wording is not part of the Commissioners purview and that the developer must be willing to work with the Village to make this project happen.

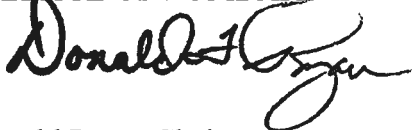
A motion was made by Commissioner Burke and seconded by Commissioner Flint that based upon the submitted Petition and the testimony presented, the Petition complies with the standards of the Lombard Zoning Ordinance, and I move that the Plan Commission accept the recommendations and findings within the Inter-Departmental Review Report, except as to that related to standard (a) for conditional uses, and further find that the standards for planned developments and conditional uses have been met as set forth in the Rider to Petition for Public Hearing included in the IDR Report, and further find that the requested relief enhances the overall planned development and is in the public interest, and therefore recommend approval of PC 12-19 to the corporate authorities, subject to the following conditions:

1. The petitioner shall develop the site in accordance with the Preliminary Site and Engineering Plans prepared by Cross Engineering & Associates, Inc. dated February 4, 2013; the Preliminary Landscape Plan, prepared by Allen Kracower & Associates, Inc., dated September 7, 2012; the Preliminary Plat of Subdivision prepared by Krisch Land Surveying, LLC.; and the Architectural Site Plan, Perspectives and Rendered elevations prepared by Vessell Architecture and Design dated September 6, 2012; all except as amended by other conditions of approval.
2. The petitioner shall submit a final plat of dedication for all rights-of-way and requisite easements, as well as a plat of resubdivision creating the remainder lot as a lot of record.
3. The petitioner shall also satisfactorily address the comments set forth within the IDRC report as part of the building permit application.
4. That prior to or concurrent with the final Ordinances of approval for the proposed project, the petitioner shall enter into an agreement to offset the additional costs of the facility on Village services. Said agreement, which shall be mutually agreeable to the Village and the petitioner, shall satisfactorily address the long term and ongoing service impacts of the proposed use on Village EMS services.

The petition was recommended for approval by a 5-0 vote.

Respectfully,

VILLAGE OF LOMBARD



Donald Ryan, Chairperson
Lombard Plan Commission

Comprehensive Plan: The Comprehensive Plan map shows the subject property as medium density residential.

Zoning and Land Use Surrounding the Planned Development:

- North: Unincorporated property (Ken-Loch) zoned R4 Single-family Residence District (DuPage County); developed as single-family residences
- South: R4PD Limited General Residence District, Planned Development and B3 Community Commercial District; developed as the Arboretum townhome development as well as a gas station, Cove Plaza Shopping Center and an office building
- East: O Office District and R3PD Attached Single Family Residential District - Planned Development; developed as office buildings and the Elizabeth Crossing townhome development
- West: R5PD General Residence District, Planned Development; developed as the Oak Creek Business Park and the Lexington Senior Care facility

ANALYSIS

SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development:

1. Petition for Public Hearing with Response to Standards.
2. Letter from David Shaw of Shaw Fishman Glanz & Towbin LLC dated February 4, 2013 regarding change of ownership since original filing was completed.
3. Preliminary Site Plan prepared by Cross Engineering & Associates, Inc. dated February 4, 2013.
4. Preliminary Engineering Plan, prepared by Cross Engineering & Associates, Inc., dated February 4, 2013.
5. ALTA/ASCM Plat of Survey, prepared by Glen D. Krisch Land Surveyor, Inc., dated September 4, 2012.
6. Preliminary Landscape Plan, prepared by Allen Kracower & Associates, Inc., dated September 7, 2012
7. Preliminary Plat of Subdivision prepared by Krisch Land Surveying, LLC.
8. Wetland Boundary survey, prepared by Krisch Land Surveying, LLC., dated September 4, 2012.
9. Architectural Site Plan, Perspectives and Rendered elevations prepared by Vessell Architecture and Design dated September 6, 2012.
10. Neighborhood Analysis Spreadsheet showing facilities in area, provided by the petitioner, received February 5, 2013.

DESCRIPTION

The petitioner is proposing to develop the vacant property at 300 West 22nd Street (the northwest corner of 22nd Street and Elizabeth Street) with one eighty unit assisted living/memory care facility on four floors. The site is currently unimproved and is encumbered with an existing wetland that encompasses the northern portion of the lot. The proposal is intended to supersede the previous Hunter's Ridge condominium project approved by the Village Board in 2006.

The property is within the defined boundaries of the Covington/Cove Landing planned development. The original planned development approval and the following amendments to the planned development established general density and development parameters for the planned development, but it did not address the future development of the subject property. As such, the petitioner's plan should be reviewed and approved as an amendment to the original approval, as was done for the Covington Apartments portion of the planned development in the late 1980s. For reference purposes, a list of past Village actions and copies of the relevant Ordinances are listed in Appendices I & II.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Private Engineering Services

The Private Engineering Services Division has the following comments on the subject petition:

1. The curb depressions on the curb that backs up to the wetland behind the building need to be located to force the drainage into/through the ponds.
2. The curb that dead ends into the patio area shall be continued through the patio area. This area is a fire lane that should not have tables placed in it. The curb shall be stamped "fire lane" with arrows or something similar into the concrete curb.
3. Include a double layer of silt fence (or an approved equal measure) on the final engineering as part of the erosion control plan.
4. The underground detention system must meet loading requirements.
5. If the grades for top and bottom of retaining walls during final engineering exceed 3-feet in height, structural drawings will be required.

6. The plan scale when submitted for final engineering needs to be at the actual scale noted on the plan.
7. A split rail or similar type fence shall be shown between the paved improvements and the wetland buffer area, with an opening, if desired, no greater than 3-foot, to deter mowing of the buffer area.
8. Provide additional information as to why there are separate outlets for the two separate detention basins in the wetland buffer zone, when draining one through the other would be a more effective “treatment train” prior to release to the wetlands.
9. A DuPage County review for the special management areas will need to be approved, prior to Village permit issuance.
 - a. Calculations must show the wetland hydrology will not be adversely affected & associated release rates from the ponds set accordingly, with the other restrictor sized to meet the DuPage County allowable release rate from the site.
 - b. Coordinate any pre-application meetings with DuPage County with Village staff.
10. Easements for the 6” watermain shall be provided.
11. The underground detention facility will also may require an easement or other instrument that provides access and maintenance rights that will run with the land and survive title transfer.
12. Verify the purpose of the fence line to the north of the fire lane.
13. The storm sewer material in the notes conflicts with the callouts on the plan (RCP vs. PVC).
14. Accessible parking stalls, depending on the direction, are slightly over 2%, which is the maximum in accessible stalls. Provide final ramp locations for the sidewalk and associated grades.
15. Provide 6” curb fronting all parking stalls, with the exception of the ramp locations.
16. Preference should be given to lining up the parking stall striping with the stalls across the drive aisle.
17. Additional comments on the site improvements will be provided following review of a complete building permit application.

Public Works

The Engineering Division of the Department of Public Works offers the following comments:

1. A thirty-foot wide easement shall be dedicated to the Village over any existing and proposed water mains, including fire hydrant legs.
2. An easement shall be dedicated over the proposed stormwater detention system, including the outfall pipe, to give the Village the right but not the duty to access it and, if necessary, to perform repairs at the owner's expense following appropriate notice.
3. The proposed storm sewer is proposed to connect to a structure on the neighboring private property so rights to do so should be demonstrated to the Village's satisfaction.
4. A sanitary clean-out shall be provided at the property line.
5. Ramped sidewalks with requisite stamping shall be provided at the curb lines.
6. A plat is required for the proposed right-of-way dedication as well as the proposed public sidewalk easement.
7. The sidewalk abutting the curb on Elizabeth Street shall be six feet wide.
8. The landscape berm along the south side of the parking lot shall not be more than one foot high so as to limit the soil depth over the water main below.
9. Trees shall not be planted within 10 horizontal feet of any existing or proposed water main. This will require a revision to the planting plan south of the parking lot.
10. Water main valves in vaults are required on the proposed main immediately west of the proposed hydrant leg east of the building and immediately north of the existing main on the proposed hydrant leg in the southwest corner of the site.
11. The Village and utility companies shall be responsible only to restore topsoil and turf grass or bituminous pavement following a repair of a underground public utility. Therefore, it is recommended that the brick design feature on the driveway on 22nd Street be stamped or typical asphalt.
12. The proposed retaining wall next to the driveway on 22nd Street shall be shortened to be at least 15 horizontal feet from the existing water main and at least 5 horizontal feet from the proposed retaining wall.

13. Additional comments will be provided as part of the building permit submittal.

FIRE DEPARTMENT

The Fire Department has the following issues or concerns regarding the physical layout of the proposed facility:

1. The private fire department access road specified on the site plan providing access from Elizabeth Street along the north face of the building must extend to the west and terminate not less than 15 feet from the east facing wall of the structure.
2. All fire department public or private access roads shall be a minimum width of 20 feet and shall not be less than 15 feet from the building.
3. Fire Department access roads indicating “Brick Paver” construction shall meet the detailed engineering and construction specifications for public improvement as enumerated in the Village of Lombard Specifications Manual.
4. The site access through the public right of way at the western edge of the site from 22nd Street shall meet the minimum width and turning radius requirements necessary for the largest fire department apparatus.
5. Additional comments are offered as part of the overall review of the proposed use.

BUILDING DIVISION

The Building Division does not have any additional comments beyond what was presented elsewhere in the report. Further comments will be provided upon receipt of a building permit submittal.

PLANNING

Senior housing facilities are listed as conditional uses within the underlying R5 District. The development proposal consists of a single 4-story, 80-unit senior care facility which is intended to provide shelter and services for individuals with Alzheimer’s and dementia. This facility is proposed to be located on the same site previously approved as the Hunter’s Ridge 60-unit condominium development in 2006. That project did not proceed to construction and the petitioner acquired the subject property in November, 2012 in order to develop the site with the proposed senior housing concept. As such, an amendment to the previously approved planned development is required.

Compliance with the Zoning Ordinance

Planned Development Provisions

As noted in other planned development petitions, any development or redevelopment within the planned development should be reviewed in the context of the overall planned development. The original planned development approval, granted on May 9, 1966 (Ordinance 1174) broadly provided for substantial relief from Village Code. The 1966 approval only provided a preliminary sketch of where the proposed building would be located and no buildings were shown for the subject property. Its main provisions were:

- Number of Units: 1200 units are permitted within the development. 292 units were constructed within the Cove Landing portion and 256 units were constructed in Covington. The petitioner's is proposing 80 senior units, which would be within the density limits set forth in the planned development.
- Unit Mix: the 1966 planned development ordinance designated the unit mix, however subsequent amendments did not address this issue. The petitioner's plan proposes 80 units.
- Building Height: 15 stories maximum. The petitioner's plan proposes a four story building.
- Open Space: 30 percent of the property must remain open space. The planned development defines open space as any area not covered by buildings. Using this provision, the petitioner's plan will cover 14% of the property, leaving 86% open. Under current standards, the site plan has 64% open space.
- Setbacks: 20 foot separation between buildings is required plus ten additional feet for each story over three. The petitioner's plan shows that the building is setback at its closest point 45.58 feet from the closest building in the Covington Apartments.
- Setbacks from 22nd Street: 100 feet setback from the center line of the 22nd Street right-of-way. The petitioner's plan shows the building (not including a front canopy) will be 144.34 feet from the center line.

Based upon these provisions, the petitioner's plan will be in conformance with the physical constraints set forth within the planned development. Additional discussion regarding the standards for conditional uses for the senior housing component is offered later in the report.

Compatibility with the Subdivision and Development Ordinance

The petitioner is proposing to construct requisite public improvements for the project. To address the substandard right-of-way width along Elizabeth Street (currently 33 feet wide), the petitioner is proposing to dedicate an additional seven feet of land for public right-of-way purposes along the east property line. Moreover, to accommodate the need for sidewalks, the petitioner is also proposing to dedicate an additional three feet for a public sidewalk in an easement, to be located immediately west of the Elizabeth Street right-of-way dedication area.

Should the petition be approved, staff recommends as a condition of approval that the petitioner submit to the Village a final plat of dedication for all rights-of-way, requisite easements and a plat of resubdivision making the remainder lot a lot of record.

Compatibility with Surrounding Land Uses

The property is also bordered by townhouse units to the northeast and south of the proposed building, however, their units are generally oriented away from the subject property. To the east and southwest are office uses.

To ensure that the property is compatible with the planned development and the adjacent land uses, the petitioner intended to follow the development parameters that were approved as part of the 2006 Hunter's Ridge project, including:

- **Open Space** - the proposed building layout orients the property toward 22nd Street. This will allow the northern portion of the site to remain as open space. The petitioner has met with Village and DuPage County staff to develop a plan that is compatible with the wetland area. DuPage County has expressed conceptual support for the petitioner's plan, which will keep the building and other impervious areas outside of the wetland area and will only minimally encroach into the wetland buffer area (this encroachment was requested by the Lombard Fire Department).
- **Building Elevations** - The planned development does not have any design guidelines and the built architecture between the existing Cove Landing and Covington developments vary significantly. The petitioner has developed a building elevation plan and profile which they have successfully constructed at other such facilities and mirrors many of the design concepts currently found along 22nd Street and the Yorktown/Butterfield Road corridor. As such, the proposed building elevations are proposed to have a strong masonry component. The petitioner's submitted elevations also provide relief along the prominent west, south and east parapets.
- **Traffic** – Assisted living facilities of this nature differ from many other types of senior housing units, as the residents will not be travelling of their own volition. As such, the traffic generated by the use will be guests visiting the residents as well as associated

employees and staff. Based upon the Institute of Transportation Engineers (ITE) trip general manual, 9th edition, the proposed 80 unit assisted living facility is anticipated to generate 250 daily trips, which is 162 fewer trips than the previously approved Hunter's Ridge condominium development. Given the barrier median, the 22nd Street access driveway will function as a right-in, right-facility, with a stop sign. Along Elizabeth Street a full access point will be provided.

- **Parking** – The plan will meet the Zoning Ordinance provisions. Unlike the previous approval, all parking will be provided to the south of the proposed facility. The building location and the requisite landscaping will minimize the visibility of the outdoor parking lot from adjacent properties.

Compatibility with the Comprehensive Plan

In 2006, the following narrative was offered:

"In review of this petition, staff notes that the Comprehensive Plan Map (dated 1998) shows the subject property for future public and institutional uses. However, upon further review of this designation staff notes that within the Community Facilities section, no statements are offered relative to the future of this site for institutional use. Moreover, if the intent was to preserve the wetland areas, the map would have designated the site for open space uses. Based upon this information, staff cannot definitively determine whether the public and institutional land use designation on the map was intentional or a cartographic error.

Absent any public ownership intentions for the subject property, staff reviewed past versions of the Comprehensive Plan and the original planned development approval. The 1987 Southwest Sub-Area Plan noted that "... the sub-area plan recommends continued designation for townhouse development on this 2.75 acre parcel. Multiple family use is considered a feasible option depending on the eventual use of Parcel 3 [now Elizabeth Crossings townhomes]."

In 2006, medium density residential (i.e., 11 to 20 dwelling units per acre) was deemed to be appropriate, given the wetland constraints on the property. However, given the semi-institutional nature of the proposed use, comparisons to independent living units (which would have greater populations) than a facility with 80 total residents, are more elusive. However, to meet the intent of the plan, and to address senior housing needs, the petitioner sought to develop the property in such a manner that the improvements and traffic impacts would be less than that which was previously approved by the Village.

Standards for Conditional Uses

The proposed project has two key considerations that must be addressed by the petitioner and the Village. The first element is whether the development meets the physical constraints of development as set forth within the underlying Zoning Ordinance and within the established planned development. The petitioner has attempted to develop the site plan in a manner that replicates the key design features in the 2006 Hunter's Ridge approval.

However, for this petition to be approved, the petitioner must also meet the standards for conditional uses for the planned development amendment and, more importantly, the standards for conditional uses for an assisted living facility.

Over the past year, staff has raised concerns regarding additional senior care facilities along the 22nd Street corridor. This concern primarily relates to the impacts of the additional senior housing component upon Village services, particularly Fire Department and Emergency Medical Services (EMS). This concern has been shared by staff since the project was introduced to Village staff by the petitioner. Ultimately, this concern is directly relates to the standards for conditional uses, of which the first standard states:

- a. *That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;*

The Fire Department has expressed concerns regarding the impacts of additional senior housing units on their ability to deliver services to the community. They note that such additional units have a larger call volume than other types of housing units. Coupled with the other existing senior housing units along the 22nd Street Corridor (Beacon Hill, 499 units; Lexington Healthcare/Lexington Square, 437 units and Fountain Square, 142 units) 1,078 total senior housing unit residents are in close proximity to the subject property. These three facilities have generated between 10 and 13 percent of all EMS calls to the Village. Ultimately, the concern being raised by the proposed project is that the EMS generations are higher than other housing types and would be detrimental to public health and welfare. For reference purposes, staff has attached a summation presentation report noting some of the key concerns pertaining to additional senior housing within this corridor. It is noted that of comparable communities, Lombard has the highest number of senior housing units and EMS calls per resident.

The attached analysis also included a discussion regarding the nature of the units, as to whether the type of care offered seniors has an effect on call volume. The Village data suggests that in comparison of the facilities the discrepancies between the types of senior housing do not affect call volume.

The petitioner states that their facility is unique in that their residents may not be completely comparable to other existing facilities in the Village. They have offered that of the units in Lombard 60% are independent living which do not have any on-site care providers and 30% are

skilled nursing whose residents are in a much higher need of hospital care than the assisted living and memory care residents in their project. They believe that the Sunrise project which more closely resembles their operation only generates a fraction of the EMS calls and their project will only be one-half of the size of the existing Sunrise property.

In response, staff notes that the Sunrise development is a recently constructed project and its full impacts remain to be seen, as the facility has been increasing in occupancy over the past few years. Staff ultimately raised the concern that the proposed use impacts on its own are such that the standards cannot be met and therefore the petition should not be granted.

ALTERNATE RECOMMENDATION

However, the petitioner has stated that should the Village find that if the petition can be supported, the petitioner is willing to enter into a Special Service Area (SSA) agreement to offset the additional costs of the facility on Village services. Consideration of any such SSA agreement is under the purview of the Village Board and as such, should the Village Board seek to approve the petition, staff would recommend that in addition to incorporating the IDRC comments within the approval petition, that the approval be conditioned upon the execution of an SSA agreement between the Village and the petitioner that satisfactorily addresses the long term and ongoing service impacts of the proposed use on Village EMS services.

FINDINGS AND RECOMMENDATIONS

Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending denial of this petition:

Based on the submitted petition and the testimony presented, the proposed conditional uses do not comply with the standards required by the Lombard Zoning Ordinance, as the establishment and operation of the conditional use will be detrimental to the public health, safety, morals, comfort, or general welfare; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-department Group Report as the findings of the Lombard Plan Commission; and therefore, recommend to the Corporate Authorities **denial** of the PC 12-19.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP
Director of Community Development

RIDER TO PETITION FOR PUBLIC HEARING

Description of Request

Petitioner is requesting; (i) an Amendment (major change) to the existing Covenant/Cove Landing Planned Development, (ii) a Conditional use for a nursing home and (iii) a single lot Major Subdivision, all to permit the construction of a 4 story, 80 unit assisted living facility.

Standards for Planned Developments

1. Except as may be modified by the approval of the final development plan, the proposed project complies with the regulations of the underlying R-5 General Residence District and the terms and provisions of the applicable Planned Development, including; (i) the proposed number of units (60), (ii) required open space (64%), (iii) building set-backs (all exceed minimum requirements) and building height (4 stories).
2. The proposed facility will be served by municipal sanitary sewer and potable water as shown on the submitted plans.
3. This Petition is accompanied by a request for a modification of the Comprehensive Plan to incorporate the proposed use.
4. The proposed use is a specialized senior care facility available to the entire community so as to serve the general public interest. Further, the project is consistent with surrounding uses and generally complies with Village Zoning Ordinance.
5. The design of internal traffic circulation and access are safe and will avoid congestion. Access points are provided on both 22nd and Elizabeth Streets, with an unobstructed flow of on-site traffic from and to each of those points. Further, because of the nature of the proposed facility, the project will have minimal traffic impact on adjoining streets. The assisted living facility as proposed use will have no adverse impact on public school and a minimal impact on other public facilities and services.

Standards for a Conditional Use

1. The establishment, maintenance and operation of the proposed senior care facility will not be detrimental to, or in any way adversely impact, health, safety, morals, comfort or general welfare. On the contrary, the facility will provide a safe and secure haven for those who need general assistance for their daily living and will have a relatively benign impact on municipal services and facilities.

2. By its nature, the proposed use will not adversely impact the use and enjoyment of the properties in the immediate vicinity. Pedestrian and vehicular traffic generated by the project will be minimal and the proposed use is consistent with adjoining multiple family residential uses. The project incorporates substantial open space and preservation of wetlands, and the proposed building will be of high quality, all of which will serve to support and sustain the area property values.

3. The property surrounding the proposed project has been fully developed with multiple family and commercial structures. The subject property has remained vacant and its development at this point will have no adverse impact on surrounding development.

4. The project will be served by municipal sanitary sewer and water, and all other local utility providers. The project will have direct access to both 22nd and Elizabeth Streets as shown on the submitted plans. Adequate storm water management facilities will be provided on the site pursuant to plans submitted to and approved by the Village.

5. Vehicular traffic generated by the proposed facility will be relatively light with no significant impact at so called "peak hours". The access points on 22nd and Elizabeth Streets will provide adequate access and the flow-through on-site design will minimize on and off-site congestion.

6. Petitioner has requested a modification of the Comprehensive Plan to accommodate the proposed development. Petitioner believes that an analysis of the relevant land uses and history of Plan will support this request.

7. Except as modified by the approvals granted pursuant to Petitioners request, the proposed facility will comply with the regulations and requirements set forth in the Zoning Ordinance (R-5 General Residence District) and the Planned Development previously approved for the site.

Introduction

- As the overall population continues to age, the need to address future senior housing needs will also increase.
- Local governments need to be aware of the existing & increasing demand for senior housing & its corresponding service level impacts upon the community.
- Impacts vary based upon the nature & type of housing & the services offered.
- Government administrators must recognize that the growing senior housing need can place additional costs upon local governments.

Background - Market Factors

- o Trends in Senior Housing to locate in desirable, accessible locations (important for both residents and associated family).
- o Many residents desire to stay in close proximity to locations the previously lived independently.
- o Operators seek favorable demographic markets.

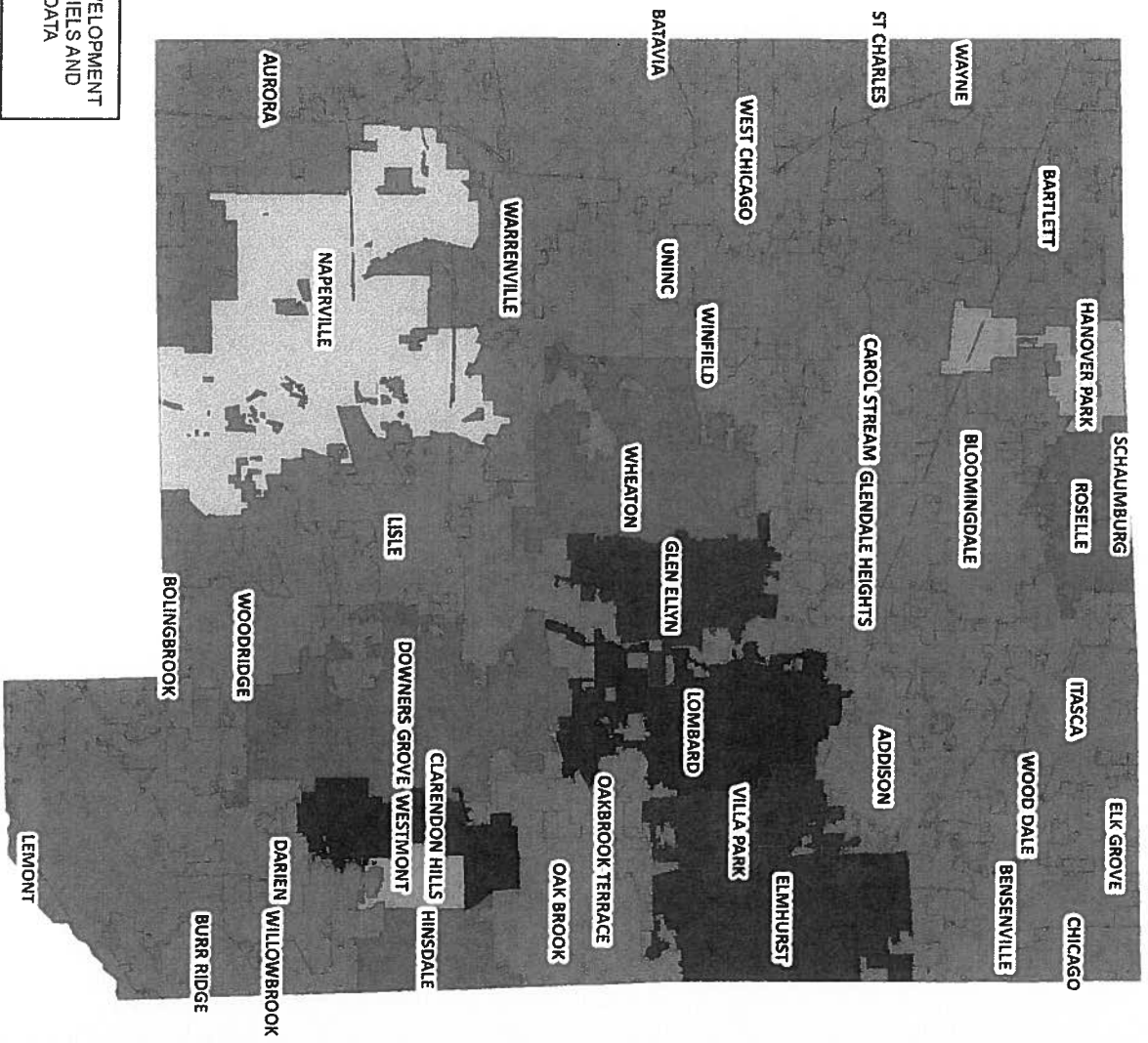
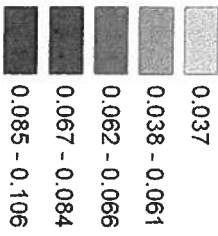
Study - Comparative Analysis

- Senior housing - includes congregate, assisted and independent living facilities, where such facilities are operated/managed by a single entity (i.e., excludes apartments or condos). Often termed “nursing homes” in the past.
- Village staff undertook an analysis of senior housing & EMS calls
 - 13 DuPage communities with own Fire services; 12 of which provided EMS data

DuPage County Municipalities with Municipal Fire Services

Municipality	Total Senior		Total Population	Population 65+ Years	2011 EMS calls	EMS calls per resident
	Housing Unit Residents	Residents				
Naperville	626	141,853	8.7%	5,290	0.037	
Lombard	1,078	43,395	14.2%*	4,593	0.106	
Wheaton	1,071	52,894	12.3%	3,423	0.065	
Elmhurst	1,025	44,121	14.4%	3,346	0.076	
Downers Grove	669	47,833	15.3%	3,047	0.064	
Westmont	640	24,685	15.4%	2,523	0.102	
Hanover Park	0	37,973	6.1%	2,309	0.061	
Glen Ellyn	369	27,450	13.1%	2,070	0.075	
Villa Park	0	21,904	11.1%	1,839	0.084	
Roselle	44	22,763	10.2%	1,500	0.066	
Hinsdale	0	16,816	11.5%	1,083	0.064	
Clarendon Hills	90	8,427	11.5%	478	0.057	

2011 EMS calls per resident



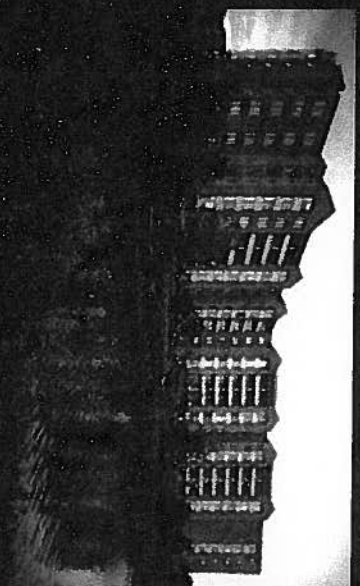
MAP PREPARED 10/16/2012 BY COMMUNITY DEVELOPMENT DEPARTMENT USING DUPAGE COUNTY SHAPEFILES AND 2010 U.S. CENSUS DATA, INTERNAL DATA, AND DATA FROM MUNICIPAL FIRE DEPARTMENTS

Study - Within Village

- o Senior housing represents a significant percentage of EMS calls

Lombard Senior Housing Projects

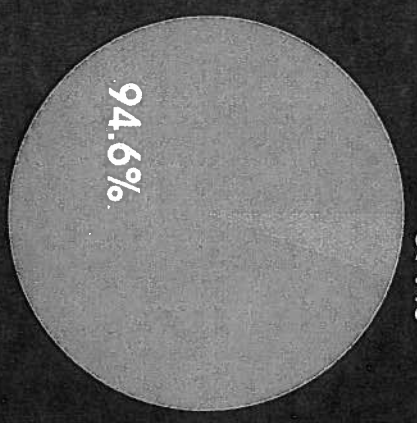
- o Lexington
- o Beacon Hill
- o Sunrise



Comparison to Other DuPage County Communities

Village of Lombard

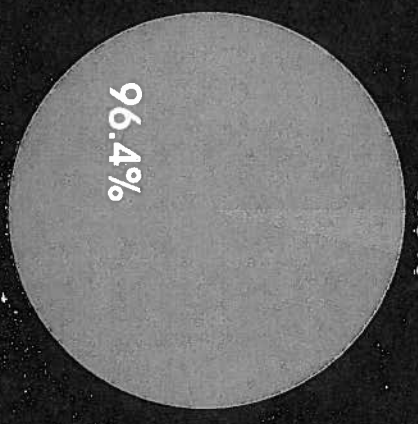
Housing Units



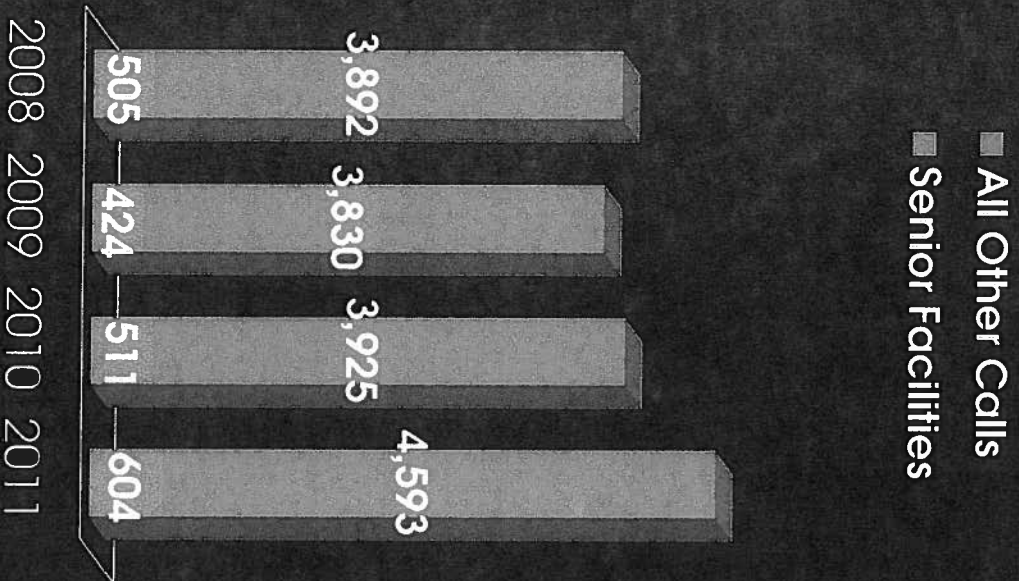
■ Senior ■ Non-senior

DuPage County avg.

Housing Units



■ Senior ■ Non-senior



Impact of EMS Calls on Lombard

More than 10% of EMS
 responses are to the Village's 3
 existing senior housing facilities

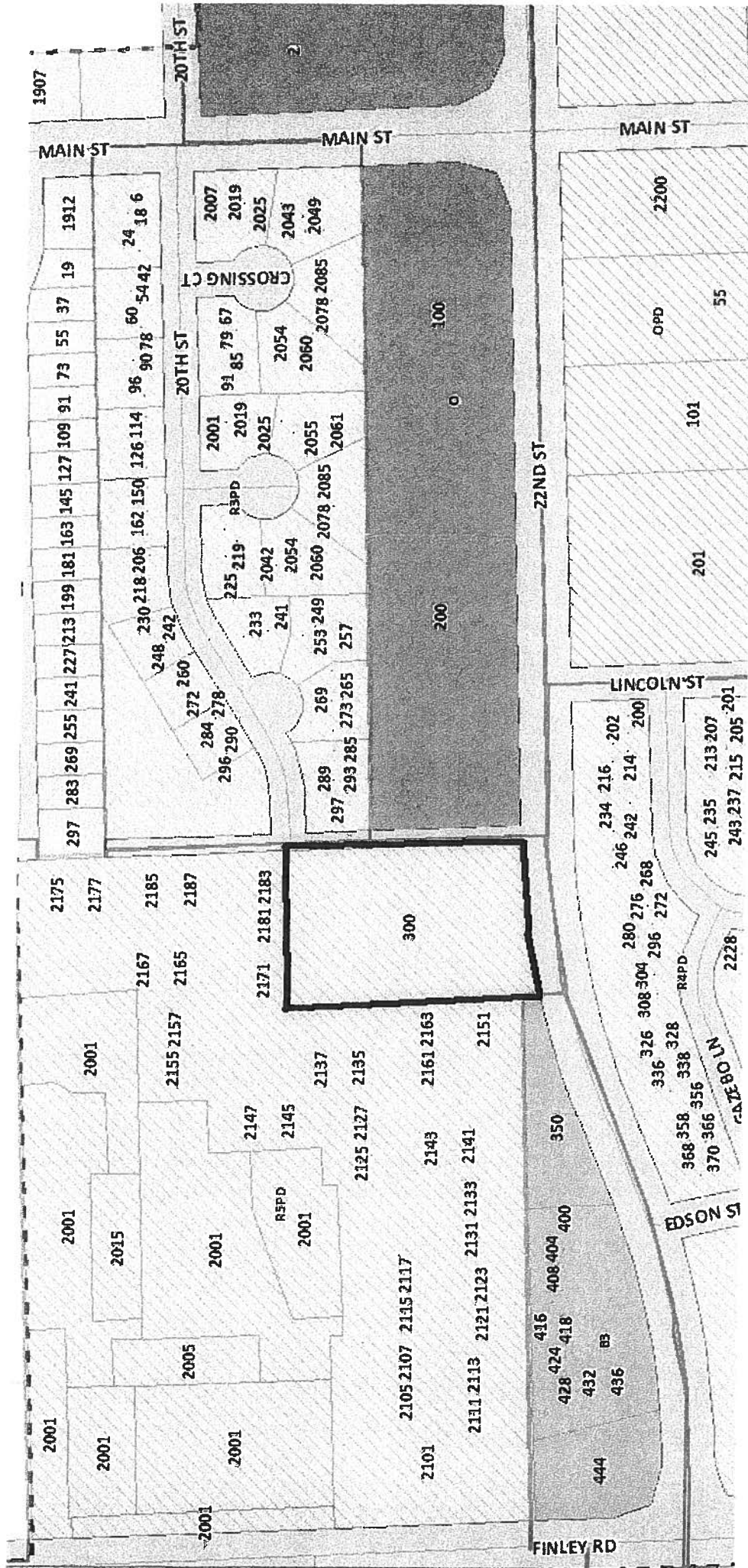
EMS Call Breakdown

<u>Year</u>	<u>Lexington</u>	<u>Beacon Hill</u>	<u>Sunrise</u>	<u>Senior Housing Total EMS Calls</u>	<u>Total Annual EMS Calls</u>	<u>Senior Housing % EMS Calls</u>
2008	187	318	n/a	505	4,397	11.5%
2009	196	219	9	424	4,254	10.0%
2010	215	252	44	511	4,436	11.5%
2011	222	306	76	604	4,593	13.2%

o Independent & assisted living units generated slightly higher EMS calls (0.65/unit) than long-term care units (0.51 calls/unit) in 2011, but this difference is not significant.

Lombard Findings

- o Residents age 65+ appear to generate a higher-than-average number of EMS calls regardless of whether or not they live in designated senior housing.
- o Construction of additional senior housing would be expected to increase the number of EMS calls due to the age of the residents (rather than the type of care being offered in a facility).



PC 12-19: 300 W. 22nd Street

Plan Commission
Re: PC 12-19

Appendix I

Covington/Cove Landing Planned Development

Summary of Activity/Ordinances

Ordinance 1174 Adopted May 9, 1966

Amending Zoning Ordinance 842. Upon annexation to the Village of Lombard, the was zoned and classified as R4 General Residence District with a Planned Development subject to the restrictions and conditions contained in the special use permit.

Ordinance 1321 Adopted October 16, 1967

Amending Ordinance 842 and granting a Special Use in R4 in conjunction with a Planned Development with conditions. It also created additional densities for the development.

Ordinance 1390 Adopted May 20, 1968

Amending Section 2 of Ordinance 1321 to permit the construction of 1,200 multiple units. The official zoning map of the Village of Lombard was changed in accordance with the provisions of the ordinance.

Ordinance 2977 Adopted August 13, 1987

PC 87-03

Amending the Residential P.U.D. Ordinance 1321 to construct sixteen two-story, multiple-unit buildings at the SE corner of Foxworth Boulevard and Finley Road with conditions.

Ordinance 3183 Adopted August 17, 1989

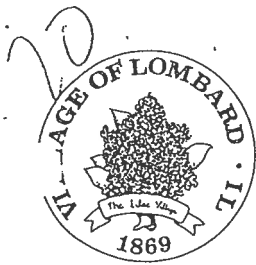
PC 87-03

Amending Ordinance 2977 to allow the construction of sixteen two-story multiple unit building with conditions. Section 2, Paragraph 6, of Ordinance 2977 was amended by deletion.

Plan Commission
Re: PC 12-19

Appendix II

**Covington/Cove Landing Planned Development
Copies of adopted Ordinances**



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
MAR.01,2007 4:07 PM
OTHER 06-19-400-026
005 PAGES R2007-037353

ORDINANCE 5949

**AMENDING ORDINANCE NUMBER 4403, ADOPTED
JANUARY 22, 2998, AMENDING THE COMPREHENSIVE
PLAN FOR THE VILLAGE OF LOMBARD**

PIN: 06-19-400-026

Address: 300 W. 22nd Street, Lombard

Return To:

**Village of Lombard
Department of Community Development
255 E. Wilson Avenue
Lombard, IL 60148**

ORDINANCE 5949

AN ORDINANCE AMENDING ORDINANCE NUMBER 4403,
ADOPTED JANUARY 22, 1998, AMENDING THE COMPREHENSIVE PLAN
FOR THE VILLAGE OF LOMBARD, ILLINOIS

(PC 06-28; 300 West 22nd Street)

(See also Ordinance No.(s) 5950)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted Ordinance 4403, the Lombard Comprehensive Plan; and,

WHEREAS, an application has heretofore been filed requesting a map amendment for the purpose of changing the Comprehensive Plan's Long Range Land Use Plan designation for the property described in Section 2 hereto from Public and Institutional to Medium Density Residential; and,

WHEREAS, a public hearing thereon has been conducted by the Village of Lombard Plan Commission on October 16, 2006, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the Comprehensive Plan amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission 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 Ordinance 4403, otherwise known as the Comprehensive Plan of the Village of Lombard, Illinois, be and is hereby amended so as to redesignate the property described in Section 2 hereof from Public and Institutional to Medium Density Residential.

SECTION 2: The Comprehensive Plan redesignation is limited and restricted to the property generally located at 300 West 22nd Street, Lombard, Illinois, and legally described as follows:

Ordinance No. 5949
Re: PC 06-28 Comprehensive Plan Amendment
Page 2

The east 300.0 feet of the south 485.60 feet of the west half of the southeast quarter of Section 19, Township 39 North, Range 11 east of the Third Principal Meridian, in DuPage County, Illinois.

Parcel Number: 06-19-400-026 (i.e., the Subject Property)

SECTION 3: That the official Long Range Land Use Plan map (Figure 1 in the Comprehensive Plan) of the Village of Lombard be changed in conformance with the provisions of this ordinance.

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 2nd day of November, 2006.

First reading waived by action of the Board of Trustees this _____ day of _____, 2006.

Passed on second reading this 16th day of November, 2006.

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

Nayes: None

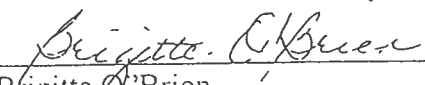
Absent: None

Approved this 16th day of November, 2006.


William J. Mueller, Village President

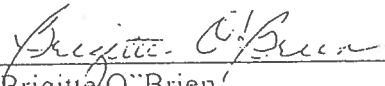
Ordinance No. 5949
Re: PC 06-28 Comprehensive Plan Amendment
Page 3

ATTEST:

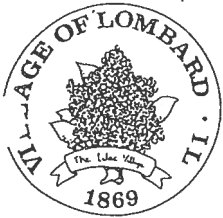


Brigitte O'Brien
Village Clerk

Published by me in pamphlet form this 20th day of November, 2006



Brigitte O'Brien
Village Clerk

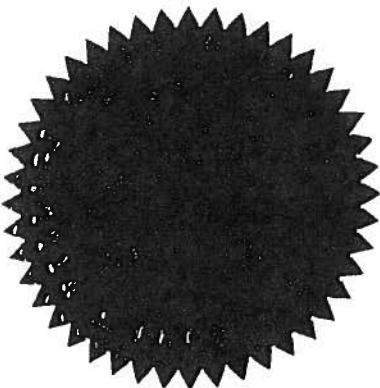


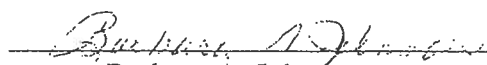
I, **Barbara A. Johnson**, hereby certify that I am the duly qualified Deputy Village Clerk of the **Village of Lombard**, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

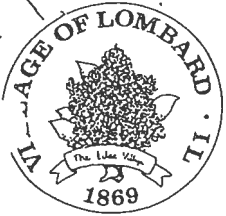
I further certify that attached hereto is a
copy of ORDINANCE 5949
AMENDING ORDINANCE NUMBER 4403,
ADOPTED JANUARY 22, 1998, AMENDING THE
COMPREHENSIVE PLAN FOR THE VILLAGE OF
LOMBARD
300 WEST 22ND STREET, LOMBARD
PIN: 06-19-400-026

of the said Village as it appears from the official records
of said Village duly approved November 16, 2006.

In Witness Whereof, I have hereunto affixed my official signature and
the Corporate Seal of said **Village of Lombard**, Du Page County,
Illinois this 5th day of February, 2007




Barbara A. Johnson
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
MAR. 01, 2007 4:07 PM
OTHER 06-19-400-026
006 PAGES R2007-037354

ORDINANCE 5950

**AMENDING ORDINANCES 1174, 1321, 1390, 2977 AND
3183, GRANTING A CONDITIONAL USE FOR A
PLANNED DEVELOPMENT IN THE R5 GENERAL
RESIDENCE DISTRICT, WITH A VARIATION FROM THE
PERIMETER LANDSCAPE REQUIREMENTS SET FORTH
IN THE LOMBARD ZONING ORDINANCE**

**PIN: 06-19-400-026; 06-19-404-001 through 141; 06-19-405-
001 through 151; 06-19-400-018 through 028**

Address: 300 W. 22nd Street, Lombard

Return To:

**Village of Lombard
Department of Community Development
255 E. Wilson Avenue
Lombard, IL 60148**

ORDINANCE NO. 5950

**AN ORDINANCE AMENDING ORDINANCES 1174, 1321, 1390, 2977 AND 3183,
GRANTING A CONDITIONAL USE FOR A PLANNED DEVELOPMENT IN THE
R5 GENERAL RESIDENCE DISTRICT, WITH A VARIATION FROM THE
PERIMETER LANDSCAPE REQUIREMENTS SET FORTH IN THE LOMBARD
ZONING ORDINANCE**

(PC 06-28: 300 W. 22nd Street (Covington/Cove Landing Planned Development))

See also Ordinances 5949

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Lombard Village Code; and,

WHEREAS, the subject property is zoned R5 General Residence District – Planned Development; and,

WHEREAS, an application has been filed requesting amendments to the conditional use for a planned development as approved by Ordinance 1174 adopted May 9, 1966; Ordinance 1321, adopted October 16, 1967; Ordinance 1390, adopted May 20, 1968; Ordinance 2977, adopted August 13, 1987; and Ordinance 3183, adopted August 17, 1989; to provide for the approval of the submitted site plans included as part of the petition; and

WHEREAS, the petition also requests approval of a variation from Section 155.602 (A)(3)(d) of the Zoning Ordinance to allow for off-street parking spaces to be located in a required front yard; and

WHEREAS, a public hearing on such application for a planned development amendment with companion zoning relief has been conducted by the Village of Lombard Plan Commission on October 16, 2006, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the planned development amendment and variation described herein; and,

Ordinance No. 5950

Re: PC 06-28 – Covington/Cove Landing Planned Development Amendment

Page 2

WHEREAS, the President and Board of Trustees of the Village of Lombard have reviewed the request and find it would be in the best interest of the Village to grant said approval subject to the terms and conditions established by this Ordinance, and in accordance with the findings and recommendations of the Plan Commission which are incorporated herein by reference.

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: This Ordinance is limited and restricted to the property generally located at 300 West 22nd Street, legally described as follows:

The east 300.0 feet of the south 485.60 feet of the west half of the southeast quarter of Section 19, Township 39 North, Range 11 east of the Third Principal Meridian, in DuPage County, Illinois.

Subject Property Parcel Number: 06-19-400-026 (i.e., the Subject Property)

The planned development is legally described as:

The west half of the southeast quarter (except the north 660 feet thereof and except the north 31 acres of that part thereof lying south of the north 660 feet of said west half of the southwest quarter) of Section 19, Township 39 North, Range 11 east of the Third Principal Meridian, in DuPage County, Illinois.

Planned Development Parcel Numbers: 06-19-404-001 through 141; 06-19-405-001 through 151; 06-19-400-018 through 028

SECTION 2: An amendment to the conditional use for the Covington/Cove Landing Planned Development is hereby granted on the Subject Property, subject to the provisions noted in Section 4 below.

SECTION 3: A variation from Section from Section 155.602 (A)(3)(d) of the Zoning Ordinance to allow for off-street parking spaces to be located in a required front yard is hereby granted on the Subject Property, subject to the provisions noted in Section 4 below.

SECTION 4: The approval of the actions set forth in sections 2 and 3 above shall be subject to the following conditions:

1. The petitioner shall develop the site in accordance with the preliminary Plat/Site Plan, prepared by Southwest Engineering Consultants, Inc., dated August 2, 2006; the Preliminary Engineering Plan, prepared by Southwest Engineering Consultants, Inc., dated August 2, 2006; the Exterior Building Elevations, prepared by Kenar Homes, dated September 27, 2006; and the Preliminary Landscape plan, prepared by Jen Landscape Design, dated September 26, 2006; except as amended by other conditions of approval.
2. The petitioner shall submit to the Village for approval the following plats:
 - a. A plat of dedication for the proposed rights-of-way dedication as well as the proposed public sidewalk easement.
 - b. A plat of easement dedication for any public utilities and stormwater facilities, per Village Code.
 - c. A plat of subdivision making the subject property a lot of record.
3. The petitioner shall apply for and receive approval from the Village and DuPage County for any site improvements prior to commencing construction on the subject property.
4. Modify the final plans to ensure compliance with the west side yard setback provisions are satisfactorily met.
5. The petitioner shall also satisfactorily address the comments set forth within the IDRC report as part of the building permit application.
6. All construction traffic associated with the project shall be limited to Elizabeth Street, south of the north line of the petitioner's property, and 22nd Street.

SECTION 5: That all other provisions of Ordinances 1174, 1321, 1390, 2977 and 3183 not amended by this Ordinance shall remain in full force and effect.

Ordinance No. 5950

Re: PC 06-28 – Covington/Cove Landing Planned Development Amendment

Page 4

SECTION 6: That 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 2nd day of November, 2006.

First reading waived by action of the Board of Trustees this _____ day of _____, 2006.

Passed on second reading this 16th day of November, 2006.

Ayes: Trustees Gron, Tross, O'Brien, Sebby, Florey and Soderstrom

Nays: None

Absent: None

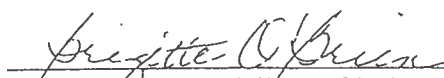
Approved this 16th day of November, 2006.

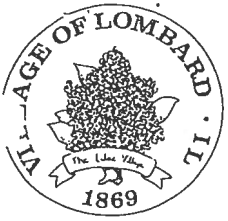

William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published by me in pamphlet from this 20th day of November, 2006


Brigitte O'Brien, Village Clerk



I, Barbara A. Johnson, hereby certify that I am the duly qualified Deputy Village Clerk of the Village of Lombard, DuPage County, Illinois, as authorized by Statute and provided by local Ordinance, and as such Deputy Village Clerk, I maintain and am safekeeper of the records and files of the President and Board of Trustees of said Village.

I further certify that attached hereto is a

copy of ORDINANCE 5950

AMENDING ORDINANCES 1174, 1321, 1390, 2977 AND 3183,

GRANTING A CONDITIONAL USE FOR A PLANNED

DEVELOPMENT IN THE R5 GENERAL RESIDENCE

DISTRICT, WITH A VARIATION FROM THE PERIMETER

LANDSCAPE REQUIREMENTS SET FORTH IN THE

LOMBARD ZONING ORDINANCE

300 WEST 22ND STREET, LOMBARD

PINS: 06-19-400-026; 06-19-404-001 THROUGH 141; 06-19-405-

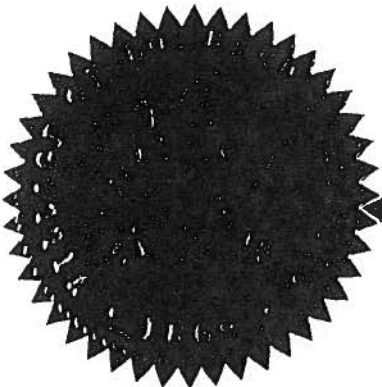
001 THROUGH 151; 06-19-400-018 THROUGH 028

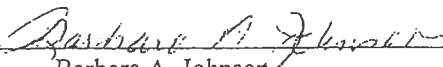
of the said Village as it appears from the official records of said

Village duly approved November 16, 2006.

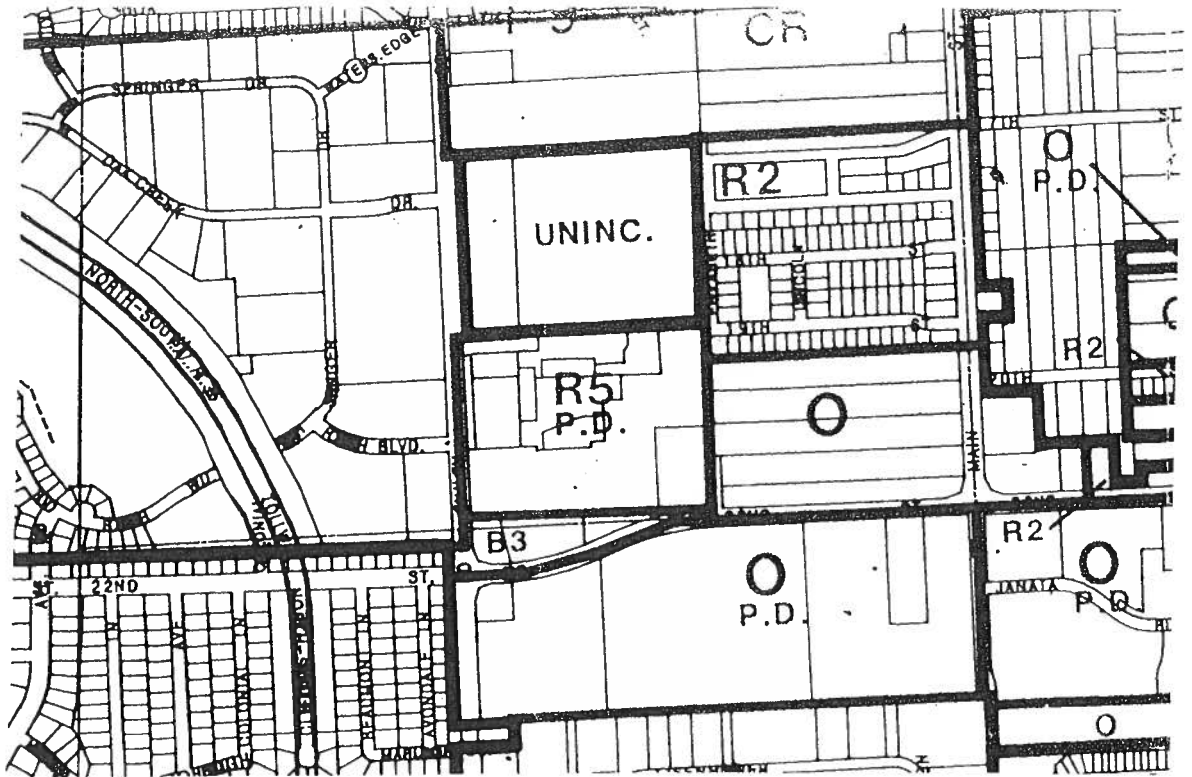
In Witness Whereof, I have hereunto affixed my official signature and the Corporate Seal of said Village of Lombard, Du Page County, Illinois this 5th day of

February, 2007





Barbara A. Johnson
Deputy Village Clerk
Village of Lombard
DuPage County, Illinois



Cove Landing
(Covington)

ORDINANCE #1174

AN ORDINANCE AMENDING ORDINANCE NO. 842,
BEING THE LOMBARD ZONING ORDINANCE ADOPTED
BY THE PRESIDENT AND BOARD OF TRUSTEES ON
JANUARY 4, 1960, AS FROM TIME TO TIME AMENDED

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard:

Section 1. That paragraph D of Section VI of Ordinance No. 842, being the Lombard Zoning Ordinance passed and approved by the President and Board of Trustees of the Village of Lombard on the 4th day of January, 1960, as amended, be and the same is hereby amended by excluding from the provisions thereof the following described territory, to-wit:

West half of the Southeast quarter (except the North 660 feet thereof and except North 31 acres of that part thereof lying South of the North 660 feet of said West half of Southeast quarter) of Section 19; Township 39 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois,

which said property, when annexed to the Village of Lombard, shall be classified as hereinafter set forth.

Section 2. That the said territory, upon annexation to the Village of Lombard, shall be and the same is hereby zoned and classified as ~~an R-4~~ General Residence District with a Planned Development subject to the restrictions and conditions contained in the special use permit as provided herein.

Section 3. That there shall be issued by the Clerk of the Village of Lombard, upon the adoption of this ordinance and the annexation of such property, a special use permit for a Planned Development covering the property herein described permitting the construction of 300 multiple units and with the following conditions and restrictions therein contained:

- (a) ~~Multiple Family Unit construction will be permitted up to a maximum of 300 multiple units as follows:~~ Up to 150 two-bedroom multiple units shall be permitted and the remainder shall be one-bedroom multiple units, provided, however, that up to 30 three-bedroom multiple units shall be permitted, not more than 15 of which may be in lieu of one-bedroom multiple units and the remainder in lieu

of two-bedroom multiple units.

- (b) Prior to the issuance of any building permits the owner of said premises shall file with the Village Clerk of the Village of Lombard a zoning plat designating a minimum of one-third of the area of said tract as permanent open spaces, which said plat shall in addition thereto contain the restrictions and conditions herein enumerated.
- (c) No building shall be constructed in those areas designated "open spaces" provided that such open spaces may be used for walkways, parking facilities, recreational facilities, streets and parking. In the event any portion of such open spaces is utilized for dedicated public streets an equivalent amount of land shall be designated "open spaces" and the zoning plat amended accordingly. The location of open space areas may be changed after the filing of such plat only upon approval of the corporate authorities of the Village of Lombard.
- (d) All multiple family residential buildings may be constructed up to eight stories in height and each residential story shall be approximately nine feet.
- (e) Maximum floor area ratios for buildings not exceeding three stories in height shall be 1.5; for those exceeding three stories in height 2.5.
- (f) In lieu of setbacks, front, side and back yard requirements, there shall be not less than twenty feet between buildings provided that all buildings three stories or more in height shall be at least ten feet removed from the closest building for each story over three. No building shall be constructed within one hundred feet of the center line of either Finley Road or 22nd Street as heretofore or hereafter dedicated, nor closer than twenty feet to any other dedicated street.
- (g) In the event all or any portion of the property shall be subdivided, such subdivision plat shall not be approved until the zoning plat herein referred to has been filed with the Village Clerk. Such subdivision plat shall in all respects comply with the zoning plat and shall in addition to all other plat requirements contain the number of one, two and three-bedroom multiple family units to be constructed on each lot or tract provided that nothing herein contained shall be construed to prohibit the construction of condominium buildings.
- (h) All construction shall otherwise conform to the zoning and building ordinances of the Village of Lombard as heretofore and hereinafter enacted.
- (i) The restrictions and conditions herein contained shall not be altered or varied except by ordinance duly adopted by the President and Board of Trustees of the Village of Lombard provided that no such amending ordinance shall be adopted without a public hearing as provided by the zoning ordinance of the Village of Lombard and the Statutes of the State of Illinois relative to all other zoning amendments.

Section 4. That the zoning map of the Village of Lombard be and the same is hereby amended to designate the territory herein described as -R4 General Residence District.

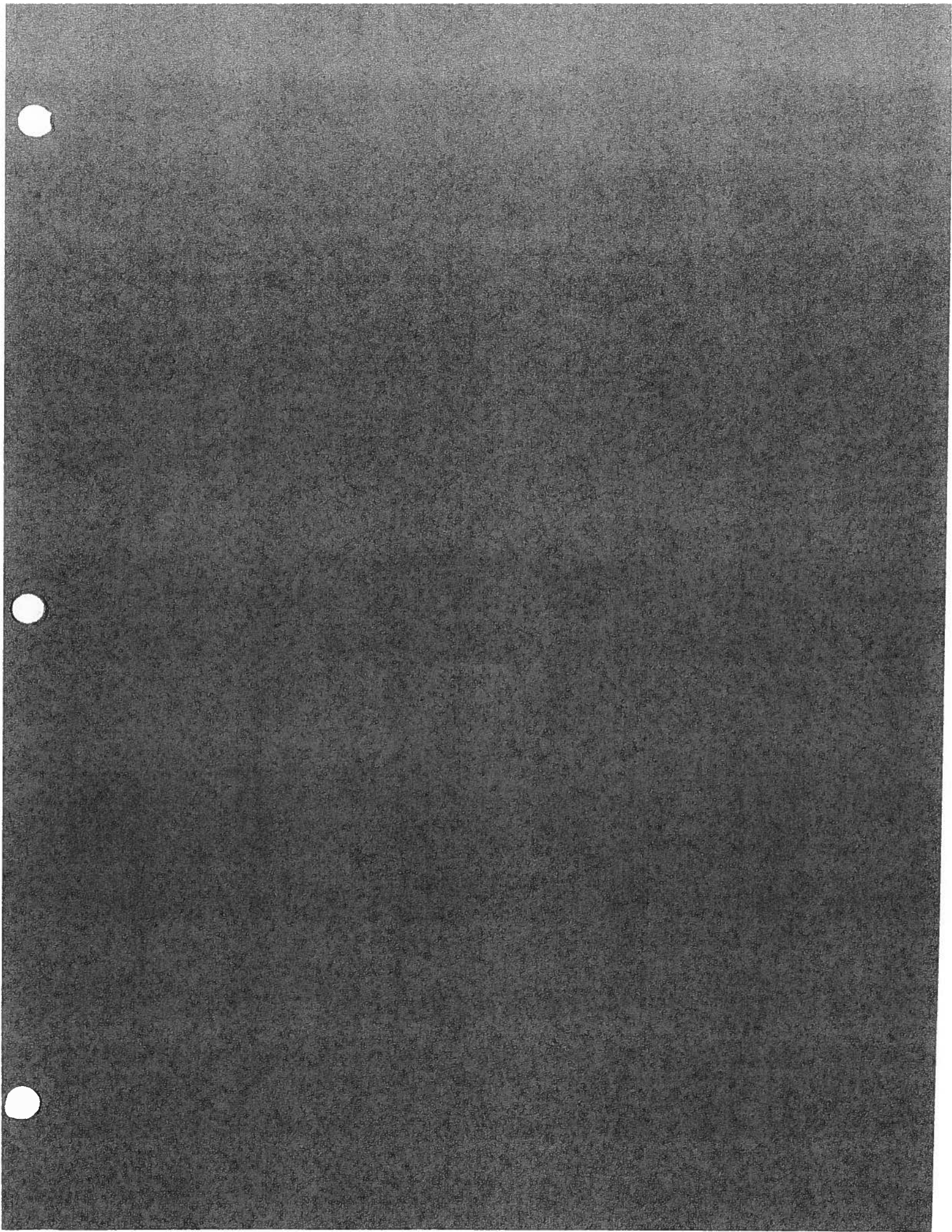
Section 5. That this ordinance shall be in full force and effect from and after its passage and approval as by statute in such cases made and provided.

Passed and approved by the President and Board of Trustees of the Village of Lombard this 9th day of May, 1966.

Approved: Marilyn E Meyer
President PRO-TEM

Attest:

Rudolph Centofante
Clerk



Baumann Special Use

COVE LANDING
S. FINLEY/22nd

ORDINANCE NO. 1321

AN ORDINANCE AMENDING ORDINANCE NO. 842,
BEING THE LOMBARD ZONING ORDINANCE AS
AMENDED

WHEREAS, a Public Hearing was held by the Plan Commission on August 23, 1967 to consider the request for a Special Use Permit in conjunction with a Planned Development, and

WHEREAS, the Board of Trustees of the Village of Lombard do find that such Special Use hereinafter described would not cause substantial injury to the value of the property in the neighborhood in which the hereinafter described property is located.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard:

SECTION 1: That the Zoning Ordinance No. 842 of the Village of Lombard and as amended from time to time, be and the same is hereby amended with a ~~Special Use~~ in an R-4, as setforth hereinafter, in conjunction with a Planned Development, the following described parcel of realty:

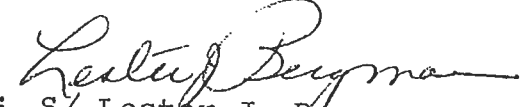
West Half of the Southeast Quarter
(except the North 660 feet thereof
and except the North 31 acres of
that part thereof lying South of the
North 660 feet of said West Half of the
Southeast Quarter) of Section 19,
Township 39 North, Range 11, East of the
Third Principal Meridian, in Du Page
County, Illinois.


SECTION 2: That the Village Clerk of the Village of Lombard be and he is hereby authorized to issue a Special Use Permit for the premises described hereinabove, setting forth the following limitations:

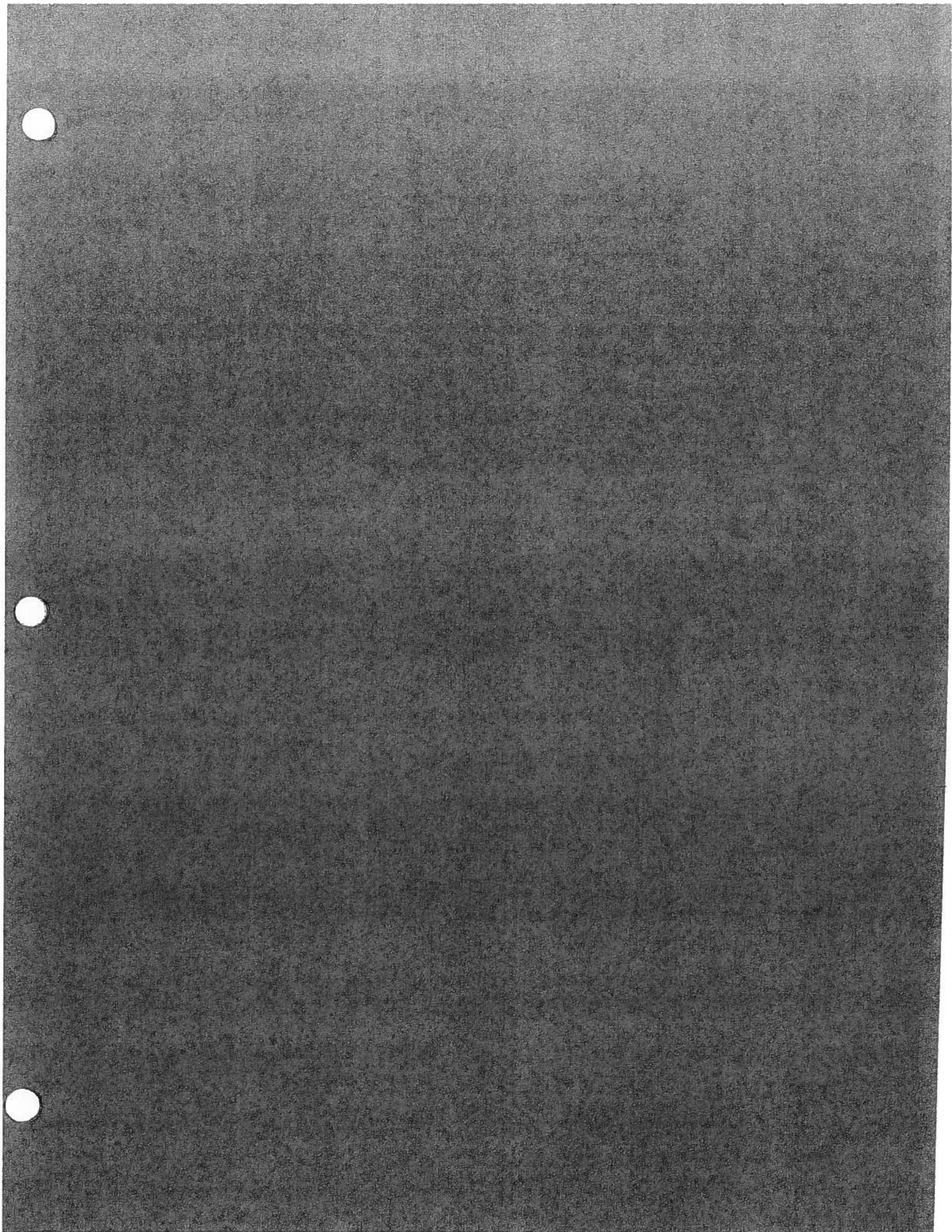
To Permit the construction on the subject property of 1,200 multiple units to a height not in excess of 15 stories, no building to be closer to any other building than 5 feet for every story above 5, the Special Use Permit being subject to site plan approval by the Plan Commission and that application be made for building permits within 12 months of the date of this granting of said Special Use Permit and in the event building permits are not applied for within 12 months then the Special Use Permit is to immediately cease and terminate.

SECTION 3: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

PASSED AND APPROVED by the President and Board of Trustees
of the Village of Lombard, this 16th day of October,
1967.


APPROVED: S/ Lester J. Bergmann
Lester J. Bergmann
Village President


ATTEST: S/ Rudy J. Centofante
Rudy J. Centofante
Village Clerk



ORDINANCE NO. 1390

AN ORDINANCE AMENDING ORDINANCE NO. 842
BEING THE LOMBARD ZONING ORDINANCE AS
AMENDING ORDINANCE #1321

WHEREAS, a Public Hearing was held by the Plan Commission on May 8, 1968, to consider the request for the removal of the time limitation on the Special Use Permit; and

WHEREAS, the Board of Trustees of the Village of Lombard do find that the removal of such limitation would not cause substantial injury to the value of the property in the neighborhood in which the hereinafter described property is located:

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard:

SECTION 1: That Section 2 of Ordinance #1321 be amended to read as follows:

To permit the construction on the subject property of 1,200 multiple units to a height not in excess of 15 stories, no building to be closer to any other building than five (5) feet for every story above five (5), the Special Use Permit being subject to site plan approval by the Plan Commission.

SECTION 2: That the official zoning map of the Village of Lombard be changed in accordance with the provisions of this ordinance.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

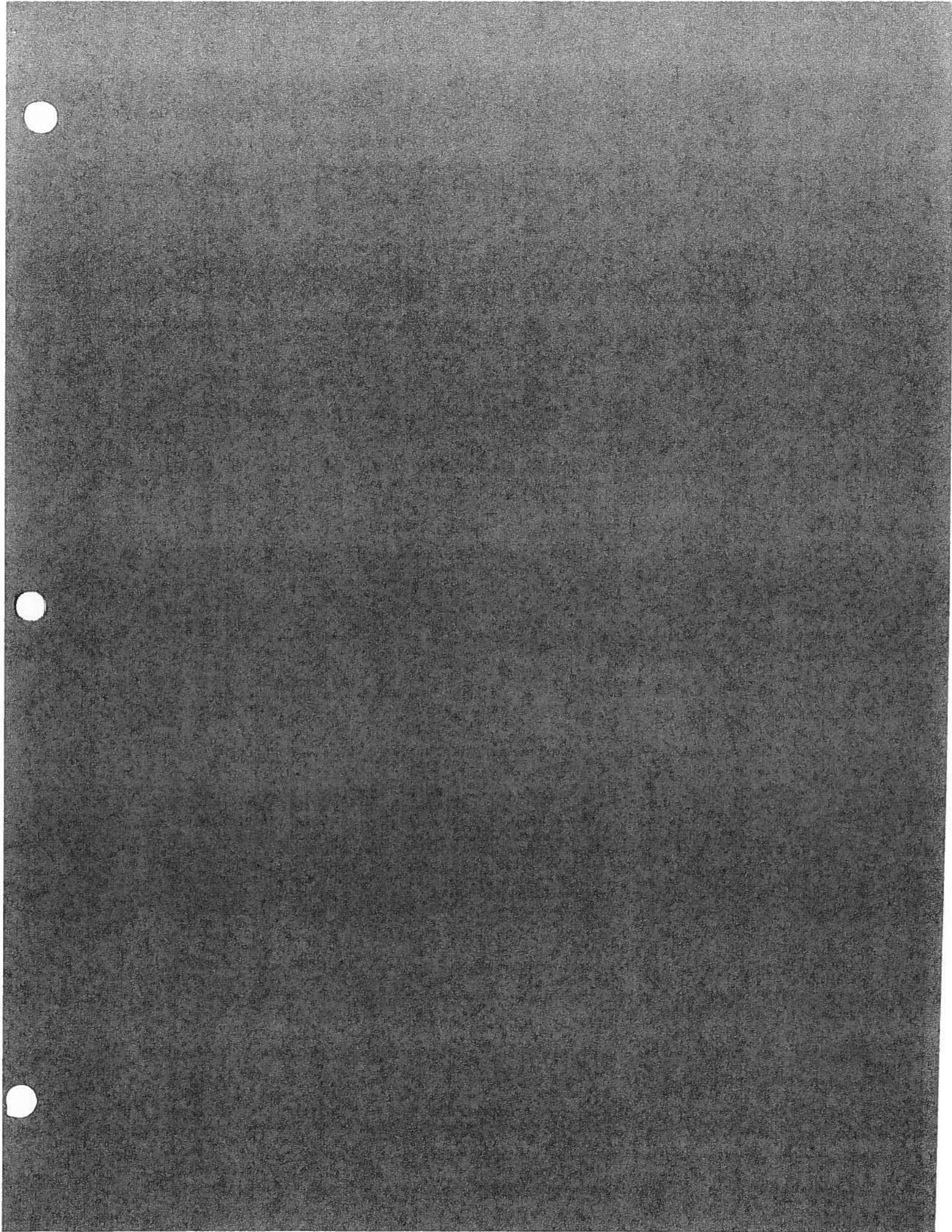
Passed and approved by the President and Board of Trustees of the Village of Lombard this 20th day of May, 1968.

APPROVED: Marilyn E. Meyer
~~Lester J. Bergmann~~ RESIDENT
PRO-TEM

ATTEST:

Rudy J. Centofante
Rudy J. Centofante
Village Clerk
Fidelis Flieger
Deputy Clerk

AYES: 6
NAYS: 0



REVISED 8/13/87

ORDINANCE 2977

AN ORDINANCE AMENDING THE RESIDENTIAL P.U.D. ORDINANCE NO. 1321
(PC 87-3 Southeast Corner of Foxworth Blvd. & Finley Rd.,)
(Lombard, Illinois)

WHEREAS, the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, find:

First, the President and Board of Trustees have heretofore adopted the Lombard Zoning Ordinance, Ordinance No. 2151;

Second, the President and Board of Trustees have heretofore adopted the Residential Planned Unit Development (PUD) Ordinance No. 1321;

Third, the applicant, Alltex Construction, Inc., has applied to amend the PUD Ordinance No. 1321 to construct sixteen (16) two-story, multiple-unit buildings at the southeast corner of Foxworth Boulevard and Finley Road, Lombard, Illinois;

Fourth, the Lombard Plan Commission has held public hearings on June 10, 1987 and July 8, 1987, reviewed the application, taken evidence and testimony, and finds it would be in the best interest of the Village of Lombard to grant the amendment to the PUD Ordinance No. 1321.

Fifth, the Plan Commission recommends granting the requested PUD amendment, and the President and Board of Trustees concur with this recommendation.

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: Amendment to the PUD, is hereby granted pursuant to Section 3.12-14 of the Lombard Zoning Ordinance No. 2151, as amended, to allow the construction of sixteen (16) two-story multiple unit buildings on the premises located at the southeast corner of Finley Road and Foxworth Boulevard, Lombard, Illinois in substantial compliance with the site plan dated April 10, 1987. The property is legally described as:

Tract B of Cove Landing Assessment Plat No. 2 of Tract 9 in Cove Landing Assessment Plat of the west half of the Southeast Quarter (except the north 660 feet thereof and except the north 31 acres of that part thereof lying south of the north 660 feet of the said west half of the Southeast Quarter and except that part of the south 50 feet as measured perpendicular to and parallel with the south line of the west half of the Southeast Quarter lying east of the west 25 feet thereof and lying west of the east 300 feet thereof) of Section 19, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded October 24, 1980 as Document R-80-65740, in DuPage County, Illinois.

Parcel No. 06-19-400-028

Section 2: The amendment to the PUD, granted in Section 1 is conditioned upon:

1. The developer shall contribute \$35,000 toward the construction of a storm water diverter at the intersection of Finley Road and 22nd Street. The engineering of this improvement will be carried out by the Lombard Public Works Department. Payment shall be made 60 days after written notification from the Director of Public Works that the project

ORDINANCE # 2977

ORDINANCE AMENDING THE RESIDENTIAL
P.U.D. ORDINANCE NO. 1321
PAGE 2

is under construction. Further, the Developer shall extend a storm sewer approximately four hundred feet north of the eastern entry to the project to a point adjacent to the Yorktown Woods Subdivision. This extension will be implemented concurrent with the Elizabeth Street improvements from the eastern entry south to 22nd Street.

2. The developer shall execute an appropriate easement guaranteeing Cove Landing residents and their guests access to and use of the fourteen (14) parking spaces located along the western end of the north property line of the developer's property.
3. The developer shall reconstruct the Finley Road joint access at his expense. However, this reconstruction shall not begin until the proposed 22nd Street connection is available for use.
4. The developer shall maintain all common improvements located on his property and the Cove Landing Condominium Associations will maintain all common improvements located on Cove Landing's property. Any necessary and reasonable agreements documenting these mutual obligations shall be signed.
5. From the date tenants begin occupying the proposed units until the 22nd Street connection is completed, the developer shall, at his sole cost, provide two (2) traffic officers to work at the joint Finley Road access point during morning rush hour, subject to Village approval.
6. The developer agrees to construct, at his expense, a connecting road to 22nd Street on the existing thirty-three (33) foot right-of-way, accessible to Cove Landing traffic prior to occupancy of the second 50% of the proposed apartment units. The developer may recapture the cost of constructing the connecting road from other benefiting property owners should an appropriate legal mechanism, as determined by the Village Attorney, be implemented.
7. The developer shall erect and maintain, at his sole expense, appropriate and reasonable signage indicating that parking in the Cove Landing parking lot is limited to residents and guests of the Cove Landing development.
8. The developer shall fill in the Cove Landing lake area that encroaches on his (the developer's) property such that there will be approximately ten (10) feet between the edge of the lake and the developer's property line. The developer shall continue the proposed hawthorne hedge along the property line at that point, subject to Village approval. Upon completion of the fill, it shall be the responsibility of the Cove Landing Condominium Associations to stabilize the lake to prevent further erosion.
9. The developer shall release his rights with respect to the use of the cove Landing recreational facilities.
10. The developer shall, at his sole expense, reroute the existing ten (10) inch sewer line serving the Cove Landing project that encroaches on the developer's property and shall permit Cove Landing to connect to the new public water loop

being installed on the developer's property so as to permit Cove Landing's abandonment of an existing eight (8) inch water main encroaching on the developer's property.

11. The developer shall grant an appropriate easement authorizing the continued maintenance by the Cove Landing Condominium Associations of the existing well which encroaches on the developer's property. The Cove Landing Condominium Associations shall continue to maintain this well.

12. All necessary agreements by, between and among the developer, the Cove Landing Condominium Associations, the Village and any other appropriate parties shall be subject to review and reasonable approval by the attorneys for all parties thereto and the Village Attorney, and execution by the developers prior to the issuance of building permits with respect to the development of the proposed project.

13. In the event work on the project is not started within one (1) year, it shall revert back to previous P.U.D. Standards.

Section 3: This Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Passed on first reading this 23rd day of July, 1987.

First reading waived by action of the Board of Trustees this _____ day of _____, 1987.

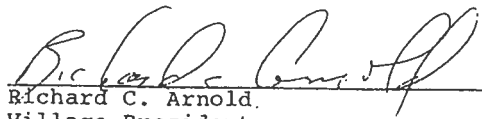
Passed on second reading this 13th day of August, 1987.

Ayes: VAZQUEZ, FRANCIS, DAVIS, MANNA

Nays: TROSS

Absent: TULLY

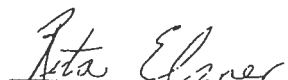
Approved this 13th day of August, 1987.

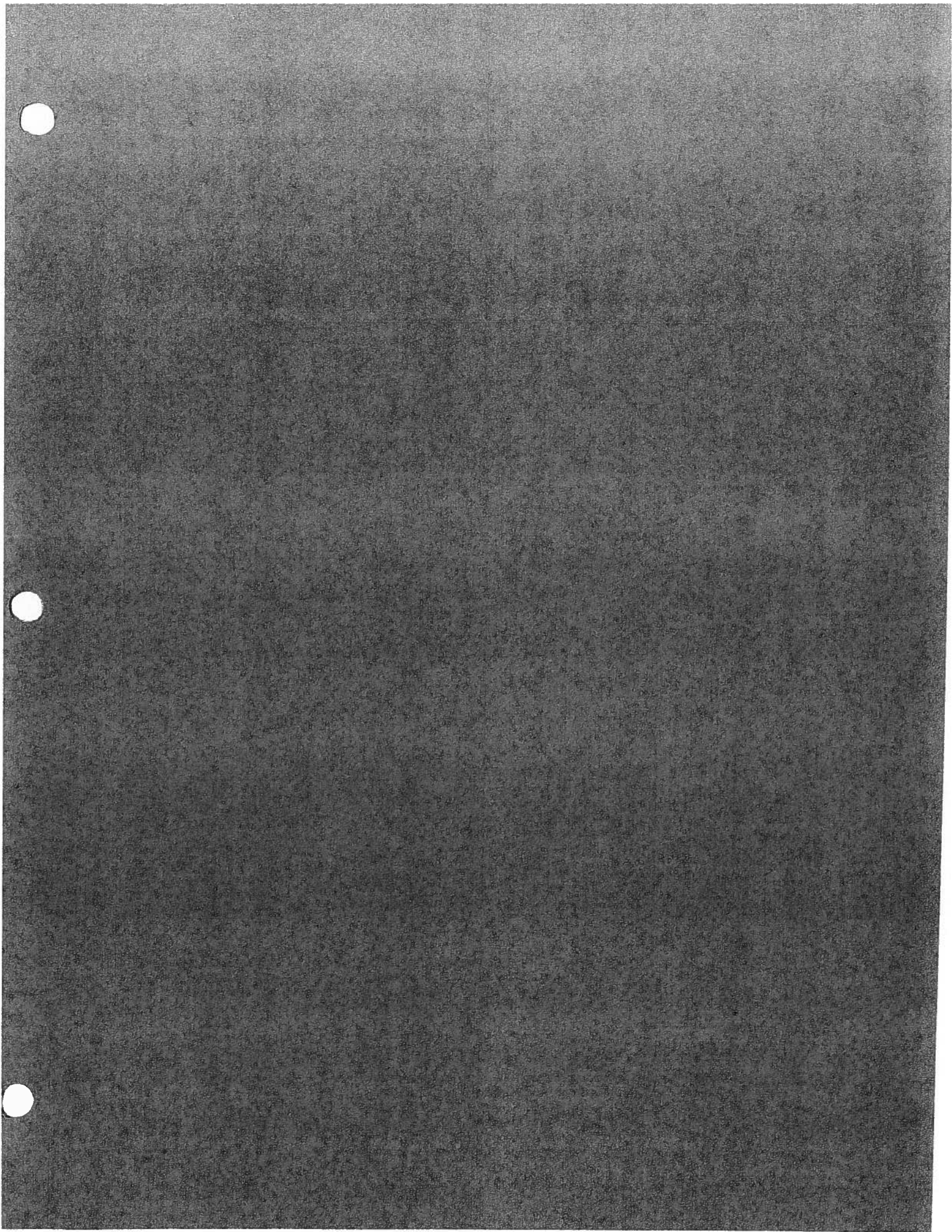

Richard C. Arnold
Village President

ATTEST:


Lorraine G. Gerhardt
Village Clerk

APPROVAL AS TO FORM:


Rita Elsner
Village Attorney



ORDINANCE 3183

AN ORDINANCE AMENDING ORDINANCE 2977
(PC 87-3 Southeast Corner of Foxworth
Blvd. and Finley Road, Lombard, Illinois)

WHEREAS, the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, find:

FIRST, the President and Board of Trustees have heretofore adopted Ordinance Number 2977 which ordinance allowed the construction of sixteen (16) two-story multiple unit buildings on the premises located at the southeast corner of Finley Road and Foxworth Boulevard, Lombard, Illinois; and

SECOND, Section 2, Paragraph 6 of Ordinance Number 2977 required the developer to construct, at his expense, a connecting road to 22nd Street on the existing thirty-three (33) foot right-of-way . . . prior to occupancy of the second 50% of the proposed apartment units . . .; and

THIRD, there presently exists on said right-of-way an above-ground Commonwealth Edison utility box and below-ground utility cable all of which must be moved prior to construction of the required connecting road; and

FOURTH, a legitimate dispute has arisen with Commonwealth Edison Company as to the legal right for the existence of said utility box and below-ground cable at said location which dispute remains pending and unresolved despite diligent efforts by developer and the Village to resolve same; and

FIFTH, developer has requested relief from strict compliance with the occupancy condition as set forth in paragraph two (2) above; and

SIXTH, the President and Board of Trustees concurs with this request conditioned-upon the terms and conditions specified-below.

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: Section 2, Paragraph 6 of Ordinance Number ~~2977~~ be and is hereby amended by deleting the following words after the phrase "prior to" in the first sentence, namely, "occupancy of the second 50% of the proposed apartment units" and substituting in their place "December 1, 1989".

Section 2: This ordinance is expressly conditioned-upon the following:

1. Prompt payment by developer to Commonwealth Edison of the requested (and disputed) fee to relocate the utility box and underground cable.
2. Due diligence by the developer to construct and complete the required connecting road on or before December 1, 1989 subject to acts of God and other circumstances beyond developer's control.
3. Twice-monthly reports to the Village by developer as to developer's negotiations with Commonwealth Edison, Commonwealth Edison's relocation progress and developer's road-construction progress.
4. In the event, the required connecting road is not constructed and completed on or before December 1, 1989 further action may be taken by the President and Board of Trustees including but not

Ordinance 3183

Ordinance Amending Ordinance 2977

Page 2

limited to a restriction upon further issuance of requested occupancy permits.

Section 3: This Ordinance shall be in full force and effect after passage and publication as provided by law.

Passed on first reading this _____ day of _____, 1989.

First reading waived by action of the Board of Trustees this 17th day of August, 1989.


Passed on second reading this 17th day of August, 1989.

Ayes: KUFRIN, KRISCH, TROSS, FRANCIS

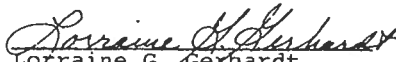
Nays: VAZQUEZ, TULLY

Absent: NONE

Approved this 17th day of August, 1989.


Richard C. Arnold
Village President

ATTEST:


Lorraine G. Gerhardt
Village Clerk

APPROVAL AS TO FORM:

Thomas J. Riggs
Village Attorney

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE AMENDMENT
PURSUANT TO TITLE 15, CHAPTER 155, SECTION 155.504 (A) AND
SECTION 155.511 OF THE LOMBARD ZONING ORDINANCE FOR THE
COVINGTON/COVE LANDING PLANNED DEVELOPMENT, AS
ESTABLISHED BY ORDINANCE 1174 AND AS AMENDED BY ORDINANCES
1321, 1390, 2977 AND 3183, TO ALLOW FOR THE CONSTRUCTION OF AN
EIGHTY (80) UNIT ASSISTED LIVING FACILITY; GRANTING A
CONDITIONAL USE PURSUANT TO TITLE 15, CHAPTER 155, SECTION
155.510 FOR AN ASSISTED LIVING FACILITY (CONVALESCENT AND
NURSING HOME)**

(PC 12-19: 300 West 22nd Street (Covington/Cove Landing Planned Development))

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned R5PD General Residential District Planned Development; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Title 15, Chapter 155, Section 155.504 (A) Major changes in a planned development to allow for the construction of an eighty (80) unit assisted living facility (convalescent and nursing home).

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Title 15, Chapter 155, Section 155.511 Site plan approvals for planned developments to allow for the construction of an eighty (80) unit assisted living facility (convalescent and nursing home).

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Title 15, Chapter 155, Section 155.510 for an assisted living facility (convalescent and nursing home).

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on February 18, 2013 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the conditional use, subject to four conditions; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission 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 conditional use is hereby granted for the property described in Section 4 below pursuant to Title 15, Chapter 155, Section 155.504 (A) Major changes in a planned development to allow for the construction of an eighty (80) unit assisted living facility (convalescent and nursing home);

SECTION 2: That a conditional use is hereby granted for the property described in Section 4 below pursuant to Title 15, Section 155.511 Site plan approvals for planned developments to allow for the construction of an eighty (80) unit assisted living facility (convalescent and nursing home);

SECTION 3: That a conditional use is hereby granted for the property described in Section 4 below pursuant to Title 15, Section 155.510 for an assisted living facility (convalescent and nursing home).

SECTION 4: That this Ordinance is limited and restricted to the property located at 300 West 22nd Street, Lombard, Illinois and legally described as follows:

THE EAST 300.0 FEET OF THE SOUTH 485.60 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY ILLINOIS

Subject Property Parcel Number: 06-19-400-026

SECTION 5: The conditional use, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the Preliminary Site and Engineering Plans prepared by Cross Engineering & Associates, Inc. dated February 4, 2013; the Preliminary Landscape Plan, prepared by Allen Kracower & Associates, Inc., dated September 7, 2012; the Preliminary Plat of Subdivision prepared by Krisch Land Surveying, LLC.; and the Architectural Site Plan, Perspectives and Rendered elevations prepared by Vessell Architecture and Design dated September 6, 2012; all except as amended by other conditions of approval.
2. The petitioner shall submit a final plat of dedication for all rights-of-way and requisite easements, as well as a plat of resubdivision creating the remainder lot as a lot of record.
3. The petitioner shall satisfactorily address the comments set forth within the IDRC report as part of the building permit application.
4. That prior to or concurrent with the final Ordinances of approval for the proposed project, the petitioner shall enter into an agreement to offset the additional costs of the facility on Village services. Said agreement, which shall be mutually agreeable to the Village and the petitioner, shall satisfactorily address the long term and ongoing service impacts of the proposed use on Village EMS services.

SECTION 6: 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 _____, 2013.

First reading waived by action of the Board of Trustees this ____ day of _____, 2013.

Passed on second reading this ____ day of _____, 2013, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this ____ day of _____, 2013.

Ordinance No. _____
Re: PC 12-19
Page 4

William Ware
Acting Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet from this _____ day of _____, 2013.

Brigitte O'Brien, Village Clerk