

855 Roosevelt Rd.

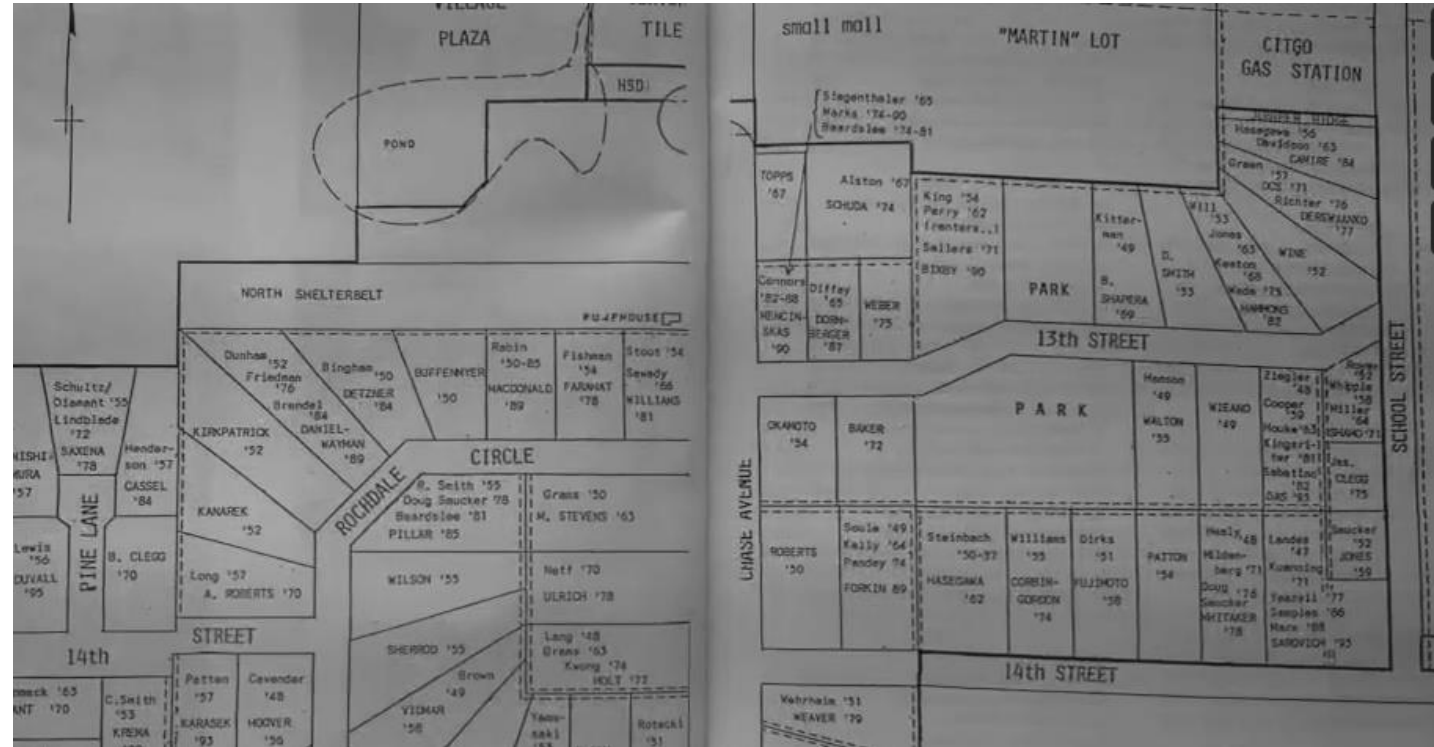
Tomas Novickas, Neighbor

Comments for the Lombard Plan Commission

April 18, 2022

The Neighborhood

- York Center Community--intentional community
 - Design of homes and public spaces
 - Shelterbelts
 - Roadway-curves for beauty
 - Open space-large lots and parkland
 - Minimal fences
 - Landscaping plan





Co-Op Park

- Adjacent to proposed development
- No shelter belt at this location
- Intentional space (NOT “unmaintained”)
- Open space
- Hosts wildlife
- **Contributes to quality of life for neighbors**



Development concerns

- Noise pollution
 - Cars, deliveries, music
- Aesthetics
- Light pollution
 - Cars-headlights
 - Parking lot lights
 - Building lights
 - Dark sky-cumulative
- Parking
- Natural environment
 - Stormwater
 - Natural habitat

Solutions?

- Challenges of the site
 - Reasonable, actionable solutions proposed
 - So far mostly dismissed
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- Ability for the developer to solve?
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- What does the code say?
 - What role does the Plan Commission have?

155.103(F)

(8) *Standards.* No conditional use shall be recommended by the Plan Commission unless it finds:

- (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;
- (b) That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located;
- (c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- (d) That adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided;
- (e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- (f) That the proposed conditional use is not contrary to the objectives of the current comprehensive plan for the Village of Lombard; and
- (g) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.

(9) *Conditions and guarantees.* Prior to the granting of any conditional use, the Plan Commission may recommend and the Village Board may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the conditional use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified above. In all cases in which conditional uses are granted, the Village Board shall require such evidence and guarantees as it may deem necessary as proof that the conditional use complies with all conditions stipulated in connection therewith.

Requested conditional use and variances

- Roosevelt Rd B4A corridor
- **§ 155.417 - Roosevelt Road Corridor B4A District requirements.**

(A)

- *Purpose.* The following regulations are hereby established to promote the health, safety, general welfare and the orderly growth and/or redevelopment of properties within the Roosevelt Road corridor; to achieve the goals and objectives of the Lombard Comprehensive Plan and any special planning efforts undertaken by the village. This B4A District is intended to provide for specific uses in a planned retail commercial setting that is compatible and complimentary with adjacent uses, including nearby residential neighborhoods that will promote a high level of architectural and landscaping excellence. The establishment of this district shall encourage appropriate design principles for buildings, site planning, landscaping and/or signage.

B4A-Roosevelt Road Corridor

- **155.417 (E)** *Design guidelines, objectives and considerations.* The IDRC shall review all applicable permits for new construction to determine compliance with the Chapter. The IDRC shall consider the following criteria in reviewing an application:
- **155.417 (E) (1)** *Site design considerations:* This Section pertains to how the site design impacts adjacent residences and neighborhoods, special management areas, adjacent streets, pedestrian needs, and parking lot function and safety.
 - (a)
- **155.417 (E) (1) (a)** *Compatibility:* The IDRC shall examine the functional relationship of the site to its surroundings, with special consideration of protecting adjacent residential neighborhoods. Particular attention should be given to the location of parking, driveways, outdoor lighting, outdoor use areas and compatibility of uses. Adjoining residential areas shall be protected by maintaining landscape buffers and providing decorative screening walls in locations where transitional setbacks cannot be provided.

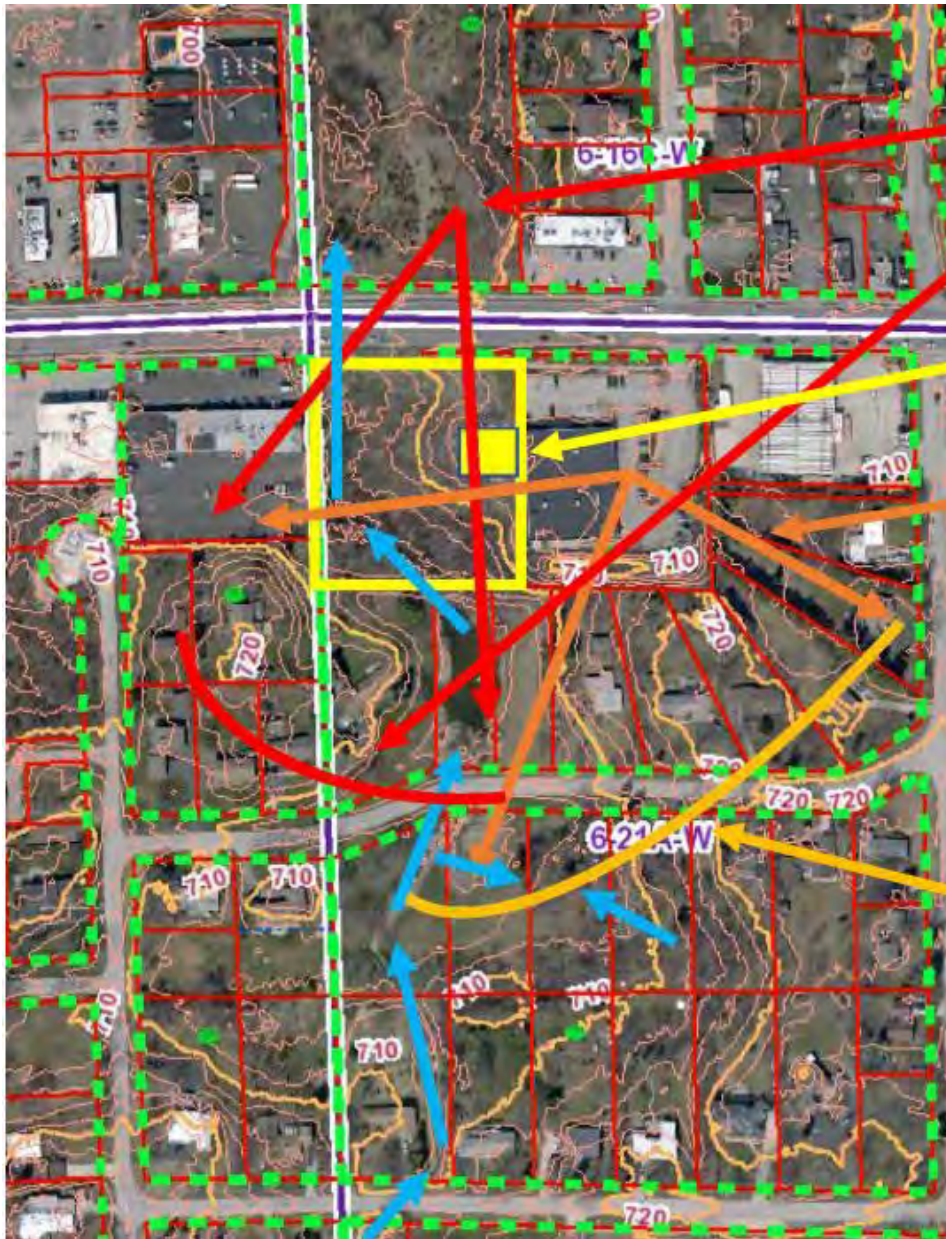


Conditional use

1. A conditional use under Sections 155.103(F) and 155.417(G)(2)(a)(vii) of the Zoning Ordinance to allow a restaurant, including entertainment and dancing when conducted as part of the restaurant operations and secondary to the principal use;

3. **Zoning Compatibility – conditional uses**

The property is zoned B4A, and a restaurant is a permitted use. Therefore, a restaurant can be built by-right. Banquet Halls are considered restaurants, therefore, also permitted by right. Outdoor dining is permitted by right for restaurants and banquet halls, per a 2020 text amendment. A public hearing before the Plan Commission is needed due to other zoning relief requested by the petitioner in part due to the stormwater management issues on the property.



Music and entertainment

- Noise

- “Will not serve alcohol” but not in writing as part of the conditional use
- Late hours
- “Will not be an issue”
- Noise arrows don’t make sense and represent daytime not 1AM

- Solutions

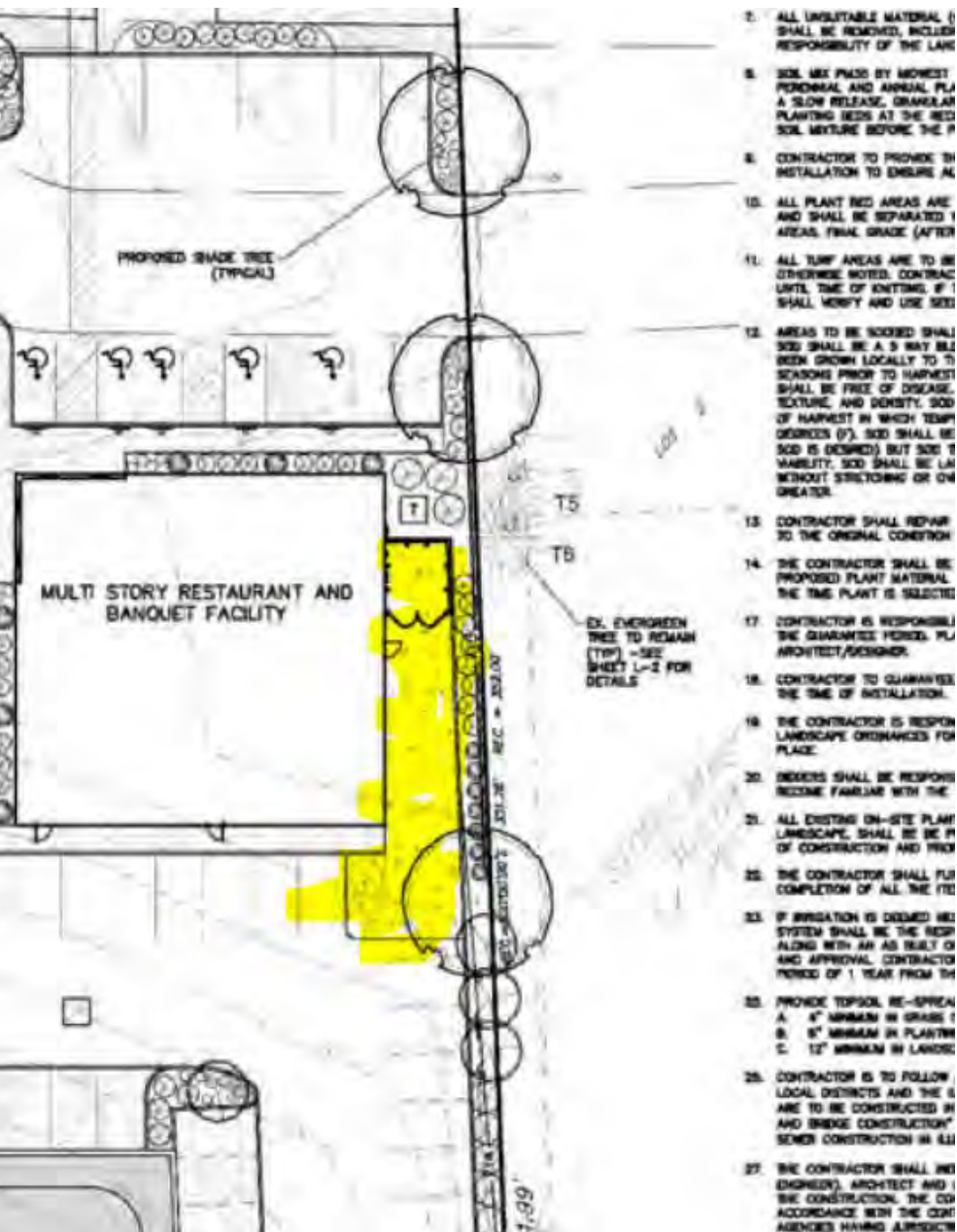
- Noise barriers (eg glass wall at rooftop to reduce sound transmission to serene park)
- Landscaping to buffer transmission of sound from parking lot
- No Conditional use for Music and Entertainment



1. A conditional use under Sections 155.103(F) and 155.417(G)(10)(b) of the Zoning Ordinance to allow outdoor display and sales on a seasonal or periodic basis in the row of parking along the south elevation of the building and in the rooftop area;

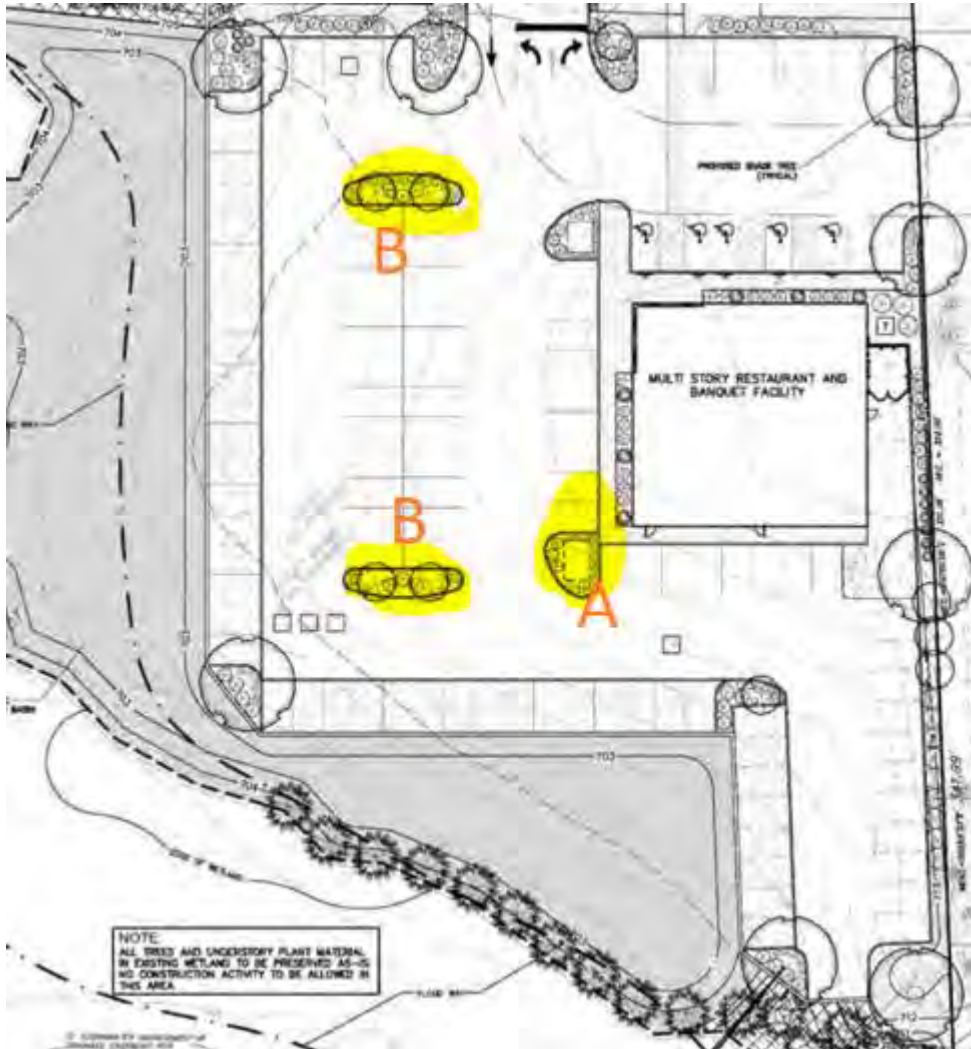
- South side adjacent to park—move to north side
- Rooftop noise issues—disallow on rooftop
- Gas station firewood pile is not equivalent to this conditional use across 8 parking stalls nor on the roof—all adjacent to a park and homes

Last, the petitioner requests a conditional use for outside display and sales, in lieu of applying for special event permits for each outdoor sale. The applicant intends to host occasional outdoor cultural activities or bazaars in the 8 parking spaces along the south side of the building or on the rooftop patio. This would be ancillary to the operation of a restaurant. Staff has a history of approving requests for outside display and sales such as allowing gas stations or convenience stores to sell propane or firewood outside. Staff is supportive of the request.



1. A variation under Sections 155.102(B)(3) and 155.103(C)(2)(b) from Sections 155.417(G)(12) and 155.603(A) which does not require a loading space, but which requires a voluntary loading space to be constructed with a maneuvering apron (155.603(A)(2)(a)(ii)) in order to allow three (3) employee parking spaces at the entry to a loading zone (155.603(A)(6));

- Move entrance to North side to utilize single space, avoid trucks backing up adjacent to residential, avoid odd hours interactions with residential



1. A variation under Sections 155.102(B)(3) and 155.103(C)(2)(b) from Sections 155.417(G)(12) and 155.706(B)(2)(c) in order to allow landscape islands on the west elevation of the building to host two rickshaws and have less than the number of required shade trees and ground cover;

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- Shade trees missing from other parts of the plan
 - 155.706 (B) (c) (i) primary plant materials used in parking lots shall be shade tree species in conformance with [Section 155.705](#)(C)(4), above. Ornamental trees, shrubbery, hedges, and other plant materials may be used to supplement the shade tree plantings, but shall not be the sole contribution to such landscaping.
 - Reduce noise, impact on wildlife, provide screening
 - Solution: shade trees in parking lot islands per code (B on drawing) AND remove south rickshaw, plant >4" caliper shade tree for screening(A on drawing)-north rickshaw remains



1. A variation under Sections 155.102(B)(3) and 155.103(C)(2)(b) from Section 155.417(G)(14) which requires lighting to shine down in order to permit evening lighting designed to articulate landscape features and the rickshaws as approved by the Director of Community Development and provided that no perimeter landscaping within 100 feet of the south lot line is articulated with such lighting;
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- Impact on night skies for humans and wildlife
- Light pollution is cumulative
- Solution: use downlighting only

- “include[e] ground lighting that shines skyward”
 - True. At rickshaws and plantings.
 - Lighting shines up. Not skyward.



1. A variation under Sections 155.102(B)(3) and 155.103(C)(2)(b) from Section 155.708 which requires a ten-foot foundation landscaping area on all sides of a building in order to allow development with a five-foot foundation landscaping area on the north and west sides and no foundation landscaping area on the east and south;

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- Impact on heat island, wildlife, aesthetics
 - Solution: substitute for enhanced planting in other areas-eg to affect better screening, increased shade over other parts of development



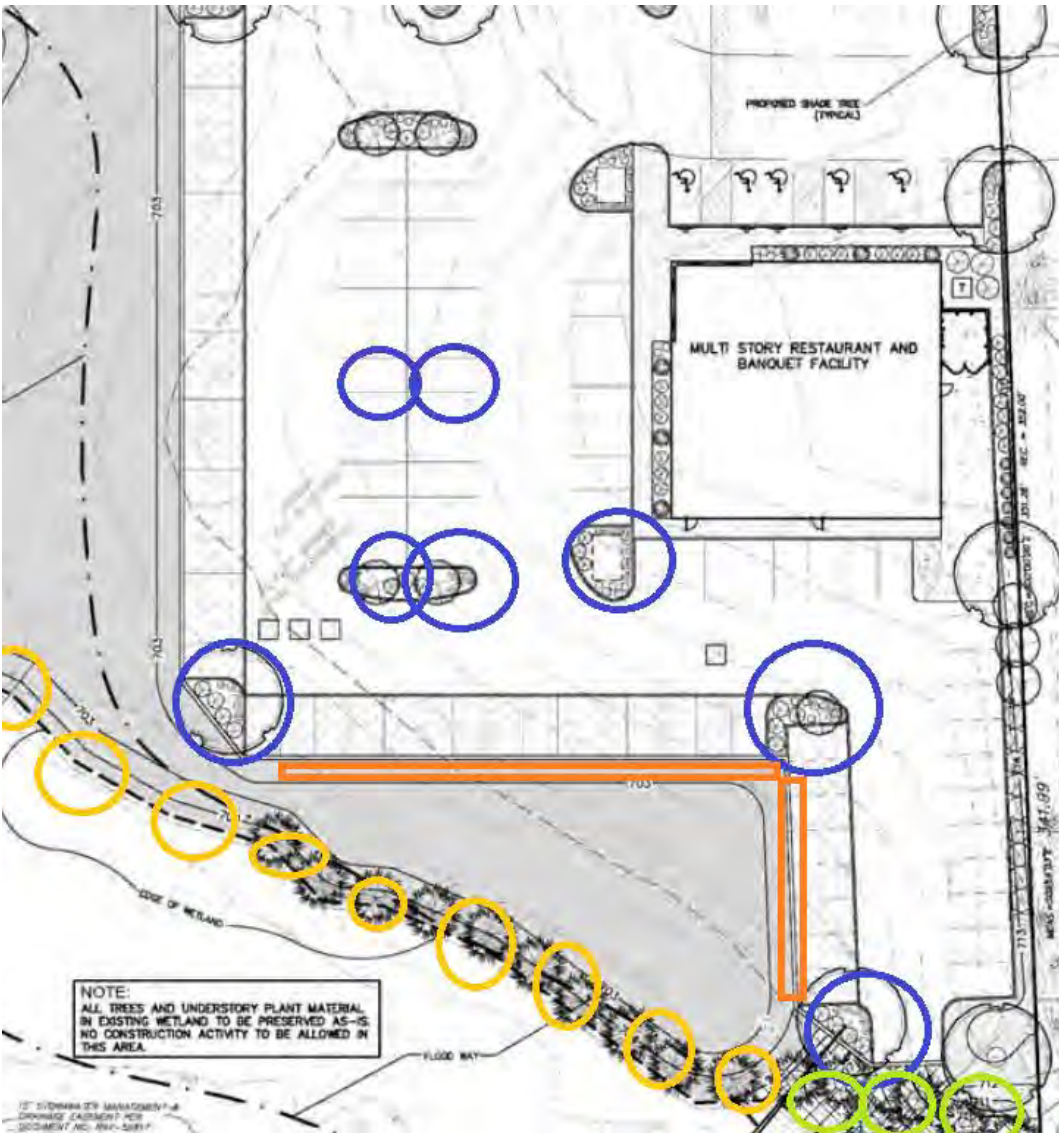
155.417 (E) (2) “*Site landscaping and buffering*: Site landscaping shall buffer unwanted views and sound, create an interesting streetscape, and provide a safe transition between contrasting uses. 155.417 (E) (2) (a) The location, height, and materials of walls, fences and screen plantings shall be reviewed. Selection of plant materials should be based on year-round interest, color, branching pattern, etc. Parking lots should be broken up with landscaped buffers to the greatest extent practical. The overall effect of both the perimeter landscaping and the interior landscaping should be one of a relatively consistent tree cover which will shade the pavement and vehicles.”

Multiple Landscaping Issues:

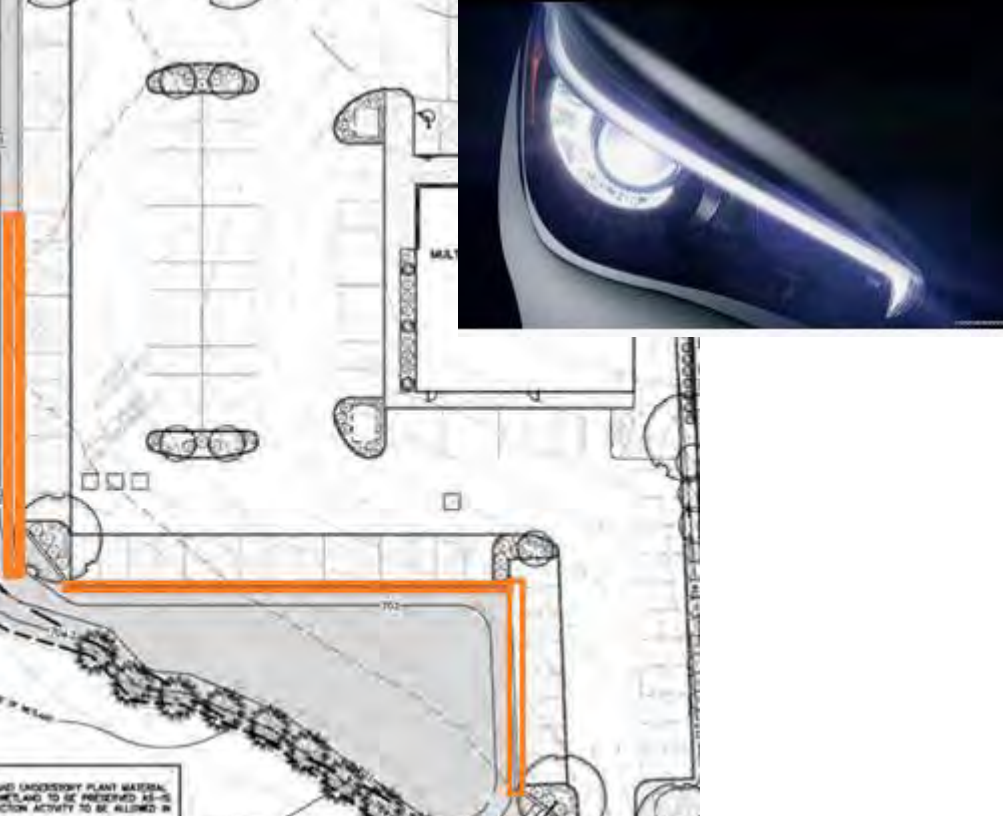
- Buffer unwanted views and sound
- Plant materials based on year round...branching pattern
- Parking lots broken up...the overall effect of...the landscaping...consistent tree cover which will shade the pavement and vehicles



Buffer unwanted views and sound

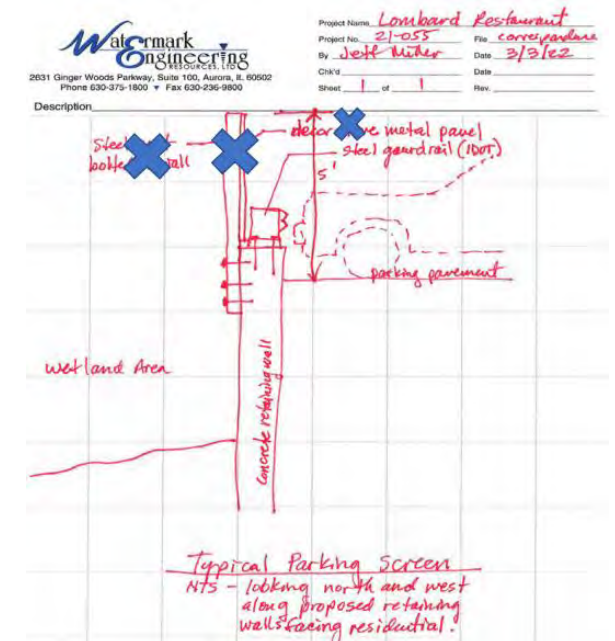


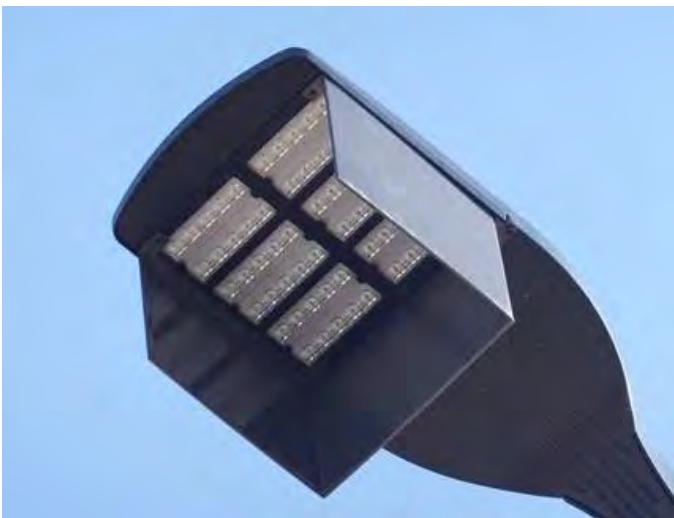
- Difficulty of site requires layering of screening to achieve the goal
 - Multiple layers of tree required due to inability to plant typical evergreen Norway spruce in transitional area
 - Existing floodway growth insufficient to buffer—mostly short scrub, no winter buffer
 - Layer: Multiple layers of Bald Cypress
 - Park, floodway berm, etc
 - Will not be enough
 - Layer: Large trees in parking area and adjacent to building
 - Layer: Fence or arborvitae at parking lot
 - Layer: Continue floodway tree line further, additional screening planted in Park
 - Elevations require large plantings to achieve buffer (eg 25' + in some places)



Buffer unwanted views and sound—headlights

- Fence (>5') or arborvitae at parking lot to buffer noise and headlights shining into homes and park





Lighting-light fixtures

- Use baffles on parking lot lights
 - Reduce LED glare
 - Higher elevation than park and 13th st
 - Specified fixtures do NOT have available baffles
- Eliminate unscreened wall sconces on South and West elevation
- Headlight screening
 - Higher elevation
 - Shrubs or fence on South and West





Bizarre personal attacks

- Various communication with attorney has been laced with attacks and bullying on various neighbors and even York Center Park District
- Why?
- Being a good neighbor?
- Conditional use requests
- Issues must be resolved prior to approval

Thank you.