

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: August 8, 2006 (BOT) Date: August 17, 2006

TITLE: PC 06-21: 114 South Elizabeth Street (Sacred Heart Parish)

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The petition requests that the Village approve the following actions on the property located in the R2PD Single Family Residence District Planned Development;

1. An amendment to Ordinance 4936 granting a conditional use for an existing religious institution and elementary school, to provide for an expanded parking lot located within the Union Pacific railroad right-of-way;
2. Variations from Section 155.706 (B)(1) and (2) to eliminate the minimum interior parking lot landscaping requirement;
3. Variations from Section 155.706 (C)(1) and (2)(a) to eliminate the perimeter parking lot landscaping requirement; and
4. A variation from Section 155.508 (C)(7) to allow for a reduction in the minimum open space requirements required for a planned development.

(DISTRICT #1)

The petitioner is requesting a waiver of first reading.

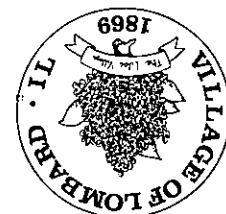
The Plan Commission recommended approval of this petition with conditions.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<u>William T. Lichter</u>	Date	<u>8/10/06</u>

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

DATE: August 17, 2006

SUBJECT: PC 06-21: 114 S. Elizabeth Street (Sacred Heart Church/School)

Attached please find the following items for Village Board consideration as part of the August 17, 2006 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 06-21; and
3. An Ordinance granting approval of a conditional use for a planned development amendment with companion landscape variations for their parking lot improvements.

In order for the petitioner to complete the parking lot improvements prior to the start of the school year, they are requesting a waiver of first reading of the associated Ordinance.

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Rick Soderstrom, Dist. 6

Village Manager
William T. Lichter

Subject: PC 06-21; 114 S. Elizabeth Street (Sacred Heart Church/School)

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, Sacred Heart Parish, requests that the Village approve the following actions on the property located in the R2PD Single Family Residence District Planned Development;

1. An amendment to Ordinance 4936 granting a conditional use for an existing religious institution and elementary school, to provide for an expanded parking lot located within the Union Pacific railroad right-of-way;

2. Variations from Section 155.706 (B)(1) and (2) to eliminate the minimum interior parking lot landscaping requirement;

3. Variations from Section 155.706 (C)(1) and (2)(a) to eliminate the perimeter parking lot landscaping requirement; and

4. A variation from Section 155.508 (C)(7) to allow for a reduction in the minimum open space requirements required for a planned development.

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business 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."

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on July 17, 2006. Before the public hearing commenced, Donald Ryan, Plan Commission Chairperson, stated that he is a member of the Sacred Heart Building Committee, and as such, he will abstain from making any comments or voting on the petition.

Father Thomas Milota, Sacred Heart Church pastor, 114 S. Elizabeth Street, Lombard, presented the petition. He stated that Sacred Heart has been working on renovating their parking lot, part of which is leased is on land leased from the Union Pacific railroad. They are looking to expand their lease area to include a small area northwest of their existing parking lot.

Sacred Heart has renewed their lease and are looking to add this property in order to bring it into closer compliance and to alleviate the parking congestion along the streets during certain events and masses. The proposed lot will "square off" the existing lot and will provide for more parking spaces on their property.

Chairperson Ryan then opened the meeting for public comment. No one spoke for or against the petition. He then requested the staff report.

William Heniff, Senior Planner, presented the staff report. He noted that the Sacred Heart Planned Development was established in 2001 (PC 01-01) to address all site improvements associated with their parish activities. Sacred Heart has entered into a parking lease agreement with Union Pacific railroad. The agreement will allow Sacred Heart to construct a parking lot addition of 1,703 square feet for the use and benefit of their parishioners. The public hearing for the proposed amendment will add the leased area within the planned development boundaries and will address any other related landscape variation issues.

He noted that the petitioner is making improvements to the existing parking lot, which will bring it into closer compliance with Village Code requirements. The petitioner's parking lot addition would provide for seven additional parking spaces and a drive aisle. If approved, the parking lot will have 140 parking spaces, with the spaces meeting the dimension requirements set forth in the Zoning Ordinance.

He stated that the Comprehensive Plan recommends Public and Institutional uses for this site. The current use as a religious and educational institution conforms to this recommendation.

To address compatibility issues, the parking lot addition will be located to the north of the church property on railroad right-of-way – visibility of this area from adjacent properties will be minimal. As such, the addition is compatible with the adjacent properties.

The Sacred Heart planned development approval in 2001 included all of the land owned by the Joliet Diocese and is used as part of the church/school operations. The proposed parking lot addition would constitute a major change to a planned development as the expansion is beyond the boundaries of the original planned development. The intent of the expansion is to provide for additional parking for the church and school. The lot addition is intended to provide for better traffic flow on the site and to provide for additional parking stalls. From staff's perspective, the additional spaces are quite desirable as they bring the site into closer compliance with Zoning Ordinance. Moreover, any additional spaces, particularly located away from the residential properties, would benefit the neighborhood as well as the petitioner. Therefore staff supports the request.

He then noted that the petitioner seeks approval of three landscape variations to provide for the expanded parking lot area. This relief is necessary to allow the petitioner to cross property lines

with their parking lot improvements without needing to provide additional landscaping. Regarding the open space requirement, the petition increases the overall size of the planned development without increasing the percentage of open space from 16% to 15.6% percent. As the intent of the parking lot addition is to provide as much additional parking for the church/school as possible - requiring additional landscaping would be contrary to the intent of the request. Moreover, the expansion area would be typically free of vegetation anyway, as the railroad would likely not want additional vegetation in this area.

Chairperson Ryan then opened the meeting for discussion among the Plan Commission members. The Commissioners did not have any comments on the petition.

After due consideration of the petition and the testimony presented, the Plan Commission found that the conditional use amendment and companion variations comply with the standards of the Zoning Ordinance and that granting the request is in the public interest. Therefore, the Plan Commission, by a roll call vote of 4 to 0, recommended to the Corporate Authorities, **approval** of the request for a conditional use associated with PC 04-21, subject to the following conditions:

1. The petitioner shall be developed in conformance with the submitted pavement reconstruction plans, prepared by Norman J. Toberman & Associates Engineers, dated April 20, 2006 and made a part of this petition.
2. The property owner(s)/petitioner shall maintain at least 15.6% of the property included within the planned development as open space.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

**VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission
FROM: Department of Community Development
PREPARED BY: William J. Heniff, AICP Senior Planner
HEARING DATE: July 17, 2006

TITLE

PC 06-21; 114 South Elizabeth Street (Sacred Heart Parish): The petitioner, Sacred Heart Parish, requests that the Village approve the following actions on the property located in the R2PD Single Family Residence District Planned Development;

1. An amendment to Ordinance 4936 granting a conditional use for an existing religious institution and elementary school, to provide for an expanded parking lot located within the Union Pacific railroad right-of-way;

2. Variations from Section 155.706 (B)(1) and (2) to eliminate the minimum interior parking lot landscaping requirement;

3. Variations from Section 155.706 (C)(1) and (2)(a) to eliminate the perimeter parking lot landscaping requirement; and

4. A variation from Section 155.508 (C)(7) to allow for a reduction in the minimum open space requirements required for a planned development.

GENERAL INFORMATION

Petitioner/Owner: Sacred Heart Parish
114 S. Elizabeth Street
Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R2PD Single Family Residential District, Planned Development
Existing Land Use: Religious Institution and Elementary School
Size of Property: 3.15 acres (Sacred Heart Property)
0.07 acres (Union Pacific Property)

Comprehensive Plan: Public and Institutional Use
Surrounding Zoning and Land Use:

North:	R2 Single-Family Residence District; Union Pacific railroad
South:	R2 Single Family Residence District; Single Family Residence
East:	R2 Single Family Residence District; Single Family Residence
West:	R2 Single Family Residence District; Single Family Residence

ANALYSIS

SUBMITTALS

This report is based on the following documentation:

1. Petition for Public Hearing with supplemental correspondence.
2. Pavement reconstruction plans, prepared by Norman J. Toberman & Associates Engineers, dated April 20, 2006.

DESCRIPTION

The subject property was developed as a religious and educational institution in 1912 and the site has been in continuous use as such since that time. The Sacred Heart Planned Development was established in 2001 (PC 01-01) to address all site improvements associated with their parish activities. Sacred Heart has entered into a parking lease agreement with Union Pacific railroad. The agreement will allow Sacred Heart to construct a parking lot addition of 1,703 square feet for the use and benefit of their parishioners. The public hearing for the proposed amendment will add the leased area within the planned development boundaries and will address any other related landscape variation issues.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The Private Engineering Services Division reviewed the project and does not have any comments on the petition.

PUBLIC WORKS

The Engineering Division of the Public Works Department has no concerns.

BUILDING AND FIRE

The Fire Department has no comments on the petition. A building permit was issued for the parking lot improvements and new lighting and this construction process must be adhered to and all inspections completed and approved by the Bureau of Inspectional Services and Fire Prevention.

PLANNING

The petitioner is making improvements to the existing parking lot, which will bring it into closer compliance with Village Code requirements. The petitioner's parking lot addition would provide for seven additional parking spaces and a drive aisle. If approved, the parking lot will have 140 parking spaces, with said spaces meeting the dimension requirements set forth in the Zoning Ordinance.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Public and Institutional uses for this site. The current use as a religious and educational institution conforms to this recommendation.

Compatibility with Surrounding Land Uses

The subject property is zoned R2PD Single Family Residence District, planned development. Single family residences surround the property on three sides. The rear of the property abuts railroad right-of-way. The parking lot addition will be located to the north of the church property on railroad right-of-way -- visibility of this area from adjacent properties will be minimal. Moreover, to ensure compatibility with the railroad, the lease agreement sets forth the terms and conditions required by the railroad to ensure that the parking lot addition area does not impact their operations. As such, the addition is compatible with the adjacent properties.

Compliance with the Zoning Ordinance

The Sacred Heart planned development approval in 2001 included all of the land owned by the Joliet Diocese and is used as part of the church/school operations. The proposed parking lot addition would constitute a major change to a planned development as the expansion is beyond the boundaries of the original planned development.

The intent of the expansion is to provide for additional parking for the church and school. As was noted in the original planned development approval, the site is sufficiently deficient with respect to parking. The lot addition is intended to provide for better traffic flow on the site and to provide for additional parking stalls. From staff's perspective, the additional spaces are quite desirable as they bring the site into closer compliance with Zoning Ordinance. Moreover, any additional spaces, particularly located away from the residential properties, would benefit the neighborhood as well as the petitioner. Therefore staff supports the request.

Variations from Parking Lot and Planned Development Landscape Requirements

The petitioner seeks approval of variations to provide for the expanded parking lot area, including:

1. A variation to eliminate the minimum interior parking lot landscaping requirement. This relief is necessary to allow the petitioner to cross property lines with their parking lot improvements without needing to provide additional landscaping. As the intent of the parking lot addition is to provide as much additional parking for the church/school as possible - requiring additional landscaping would be contrary to the intent of the request. Moreover, the expansion area would be typically free of vegetation anyway, as the railroad would likely not want additional vegetation in this area.

2. A variation to eliminate the perimeter parking lot landscaping requirement. This request can be supported for the same reasons as noted above.

3. A variation to allow for a reduction in the minimum open space requirements required for a planned development. Section 155.508(C)(7) of the Zoning Ordinance requires that open space in a planned development must be at least 25% more than is required in the underlying R2 District requirements. As this is a site developed before the Zoning Ordinance was enacted, the site does not meet this requirement and currently provide sixteen (16) percent open space. The petition increases the overall size of the planned development without increasing the percentage of open space. As such, the expanded planned development reduces the overall planned development open space percentage from 16% to 15.6% percent. Staff has no objection to this request.

Compliance with the Subdivision and Development Ordinance

The planned development expansion will not result in the transfer of any property – the expansion will remain a part of the Union Pacific railroad. As such, no platting will be required as part of this petition.

FINDINGS AND RECOMMENDATIONS

Staff has reviewed the response to standards included as part of the petition and concurs that the petition meets the standards set forth in the Zoning Ordinance. Staff believes that the proposed use is appropriate at the subject location and is compatible with surrounding uses and the Comprehensive Plan. Moreover, the plan is in keeping with the intent of the Sacred Heart planned development.

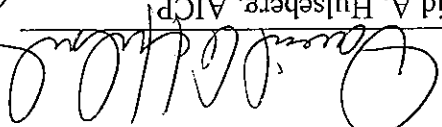
Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested relief **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and find that granting the planned development amendment is in the public interest; and I recommend to the Corporate Authorities **approval** of PC 06-21, subject to the following conditions:

1. The petitioner shall be developed in conformance with the submitted pavement reconstruction plans, prepared by Norman J. Toberman & Associates Engineers, dated April 20, 2006 and made a part of this petition.

2. The property owner(s)/petitioner shall maintain at least 15.6% of the property included within the planned development as open space.

Inter-Departmental Review Group Report Approved By:



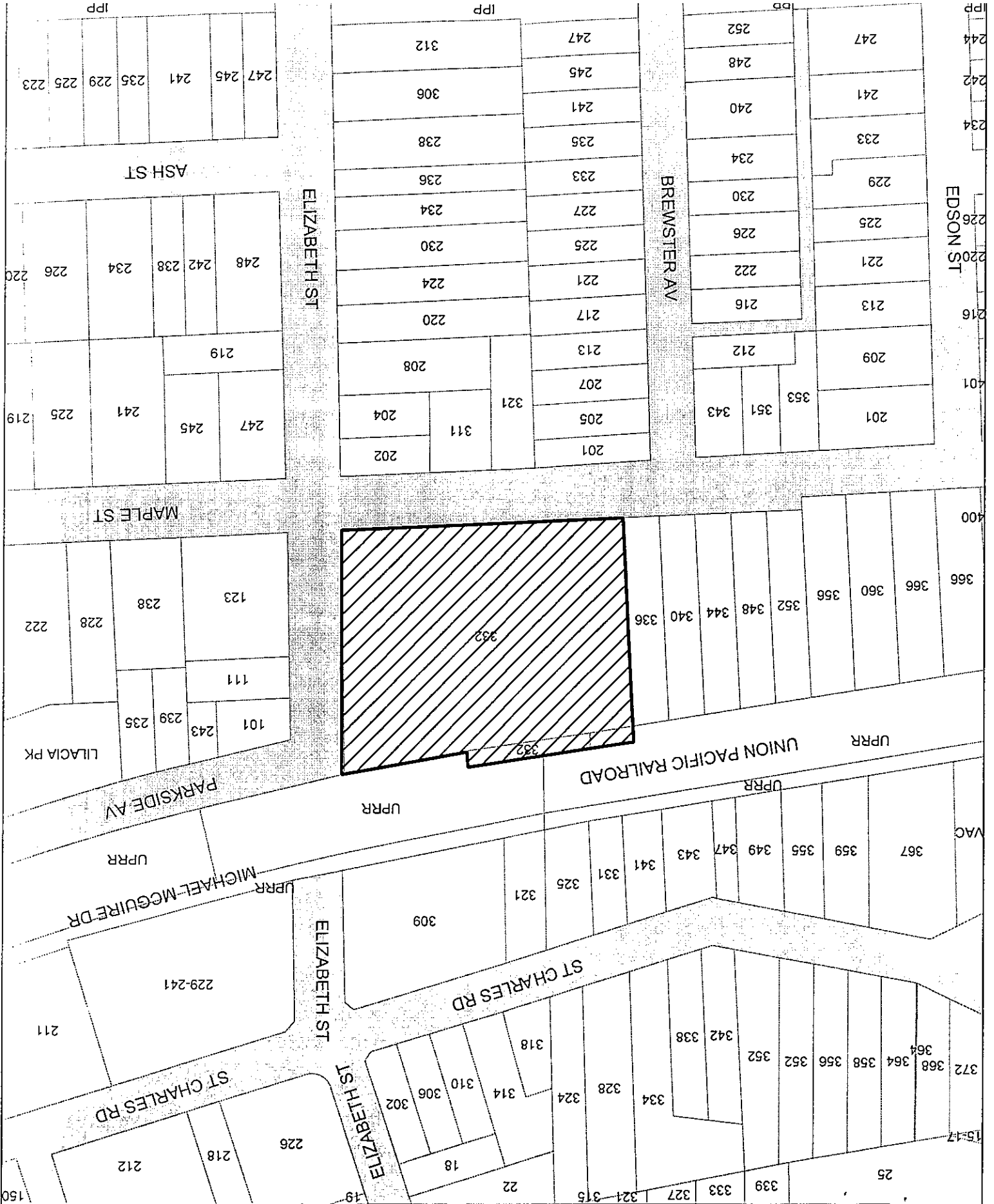
David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

att

c. Petitioner

Location Map

PC 06-21



SACRED HEART PARISH

114 South Elizabeth Street, Lombard, Illinois 60148-2597

Phone: 630.627.0687 Fax: 630.627.0688 Web: www.sacredheartlombard.org

Mr. William Henniff

255 E. Wilson Avenue

Lombard, IL 60148-3931

June 14, 2006

Dear Bill,

Thank you so much for your assistance with our parking lot project. I really do appreciate your help.

I am dropping off 26 copies of the reduced plan. The copy of the lease I have is only the copy which they sent to me to sign and so I have requested the final lease copy from the Village and will send that to you as soon as I receive it. I hope by the end of next week.

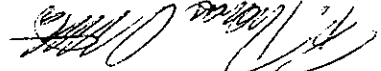
You requested a description of the project itself which I included below:

The parking lot project itself has a three-fold purpose: first, to address the drainage issues and flooding of the project; second, to expand the parking capacity; third, to improve the aesthetic appearance of the parking lot.

Although we have obtained the proper permits for the portion of the parking lot we presently lease from the railroad, we have obtained the proper lease from the railroad for the additional .035 acres in the Northwest corner of our property. We are proposing to add .035 acres to our existing lot to increase our parking capacity. The measurements of this space are 65.2' x 26'. The property would be surrounded by a curb and steel fence and covered with asphalt.

Thank you again for your assistance and may Almighty God bless you and your family.

In Christ,



Fr. Thomas A. Milota

ORDINANCE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 4936
GRANTING A CONDITIONAL USE
FOR A RELIGIOUS INSTITUTION IN THE R2 DISTRICT;
AND GRANTING VARIATIONS FROM
THE LOMBARD ZONING ORDINANCE

PC 06-21: 114 South Elizabeth Street (Sacred Heart Parish)

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 is zoned R2PD Single-Family Residence District, Planned Development; and,

WHEREAS, an application has heretofore been filed requesting approval of an amendment to Ordinance 4936, which granted approval of a conditional use for a planned development, in order to allow for an expanded parking lot associated with the existing religious institution and private school on an adjacent property; and

WHEREAS, said planned development amendment includes Zoning Ordinance variations from Section 155.706 (B)(1) and (2) to eliminate the minimum interior parking lot landscaping requirement; variations from Section 155.706 (C)(1) and (2)(a) to eliminate the perimeter parking lot landscaping requirement; and a variation from Section 155.508 (C)(7) to allow for a reduction in the minimum open space requirements required for a planned development; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on July 17, 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 variations 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 the ordinance is limited and restricted to the property generally located at 114 South Elizabeth Street, Lombard, Illinois and legally described as follows:

Lot 1 of the Sacred Heart Plat of Consolidation, being a resubdivision of Lots 1, 2, 3, 4, and 5 in Hogan's Subdivision of Lots 8 and 9 in Block 20 of the Original Town of Lombard and part of the Northeast quarter of Section 7, Township 39 North, Range 11 East of the Third Principal Meridian, recorded April 4, 2001 as Document R2001-058449, in DuPage County, Illinois; also

The south 22.00 feet (excepting therefrom the east 179.00 feet lying west of the west line of the Elizabeth Street right-of-way extended) of the Union Pacific Railroad right-of-way (formerly the Chicago & North Western railroad right-of way) lying north of and abutting the aforementioned Lot 1 of the Sacred Heart Plat of Consolidation, located in the Northeast quarter of Section 7, Township 39 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

Parcel Numbers: 06-07-211-012, 013 and 06-07-505-005 (part of) (Hereinafter the "Subject Property").

SECTION 2: An amendment to a conditional use for a planned development, as approved by to Ordinance 4936 is hereby granted relative to the Subject Property, to expand the perimeter of the planned development area, subject to the conditions set forth in Section 4 below:

SECTION 3: The following companion Zoning Ordinance variations are hereby granted relative to the Subject Property, subject to the conditions set forth in Section 4 below:

1. Variations from Section 155.706 (B)(1) and (2) to eliminate the minimum interior parking lot landscaping requirement;
2. Variations from Section 155.706 (C)(1) and (2)(a) to eliminate the perimeter parking lot landscaping requirement; and
3. A variation from Section 155.508 (C)(7) to allow for a reduction in the minimum open space requirements required for a planned development.

SECTION 4: The palmed development amendment and variations set forth in Sections 2 and 3 above shall be granted subject to compliance with the following conditions:

1. The petitioner shall be developed in conformance with the submitted pavement reconstruction plans, prepared by Norman J. Toberman & Associates Engineers, dated April 20, 2006 and made a part of this petition.
2. The property owner(s)/petitioner shall maintain at least 15.6% of the property included within the planned development as open space.

SECTION 5: 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 _____, 2006.

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

Passed on second reading this _____ day of _____, 2006.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____ day of _____, 2006.

William J. Mueller, Village President
ATTEST:

Brigitte O'Brien, Village Clerk