



## MEMORANDUM

**TO:** LOMBARD PLAN COMMISSION  
Donald Ryan, Plan Commission Chairperson

**FROM:** Christopher Stilling, AICP  
Assistant Director of Community Development

**DATE:** January 24, 2011

**SUBJECT:** DuPage County Public Hearing Z10-074 (1620 S. Highland Ave.)

### **BACKGROUND**

DuPage County has received a filing for a public hearing for a conditional use to build a religious institution in the R-4 Single Family Residence District. The petition is for the property at 1620 S. Highland Avenue. As the subject property is located within the ultimate municipal boundaries of the Village of Lombard, the Village has received notice of the public hearing from the County and has been asked to provide comments or concerns regarding this petition.

Staff would like to solicit the input and a recommendation of the Plan Commission regarding this petition. Staff has informed the County that this matter is being brought forward to the Plan Commission and the Village Board for consideration.

### **ANALYSIS**

Upon review of the proposed religious institution, in accordance with DuPage County Zoning Ordinance and the Village of Lombard Zoning Ordinance, staff found that the plan may meet the County zoning regulations, but not all provisions of the Lombard Zoning Ordinance. According to DuPage County Zoning Ordinance, the subject property is located in the R4 - Single Family Residence District. If the property were to be annexed into the corporate limits of the Village of Lombard, it would ultimately be designated as R1 – Single Family Residential, per the recommendation and the Annexation Strategies Plan and Comprehensive Plan.

#### **Site Plan**

##### ***Rear Yard Setback***

The principal structure is proposed to be located twenty-five and a half (25.5) feet from the western property line, which is considered the rear yard of the property. According to the County's R4 - Single Family Residence District, structures are only required to maintain a rear

yard setback of twenty-five (25) feet. However, the Village of Lombard's R1 – Single Family Residential requires a rear yard setback of forty (40) feet. As such, there is a fourteen and a half (14.5) foot rear yard deficiency, which would require that the structure be moved to the east or a variation be obtained.

#### *Open Space*

The County Zoning Ordinance allows a maximum Floor Area Ratio (FAR) of 0.35 in their R4 - Single Family Residence District. With a Floor Area Ratio of only 0.12, the building meets the County requirement; however, the County Zoning Ordinance does not require a minimum open space requirement (as defined by the Lombard Zoning Ordinance). The Village of Lombard's R1 – Single Family Residential District requires a minimum open space of fifty percent (50%). When calculating the open space on the subject property, the proposed plan only provides forty-six percent (46%) open space.

#### *Fire Department Comments*

It is important to note that while the subject property is located within the Glenbard Fire Protection District, the Village of Lombard Fire Department is the contracting agency that would be obligated to respond to any fire and/or EMS calls.

The Lombard Fire Department raised a number of concerns relative to the site plan, and its impact on fire and rescue (*see attached letter*). The Fire Department requires eighteen (18) foot wide fire lanes, not less than fifteen (15) feet from the building, that are contiguous around the building. The proposed plans illustrate that the only vehicular access point to the proposed structure would be on the eastern elevation. As no fire lanes have been provided, access for a motor vehicle fire apparatus would not be possible around the entire building. The proposed structure would be setback three hundred and twenty (320) from the eastern property line. Due to the setback of the structure and linear site configuration of the subject property, motor vehicle fire apparatus access and maneuverability around the proposed building would be challenging. Staff also notes that the drive aisles are shown at twenty-four (24) feet; however, it is reduced to twenty-two (22) feet at the landscape islands. Per the Lombard Zoning Ordinance requirements, the drive aisles would need to be no less than twenty-four (24) feet wide at any point. Lastly, the plan does not show the placement of fire hydrants. A number of fire hydrants may be required due to the distance from the building to the adjacent right-of-way.

#### Engineering

The Private Engineering Services Division raised a number of concerns regarding the proposed site plan. The engineering issues are specifically important relative to Standard #5 of the DuPage County Zoning Ordinance - *Increase the potential for flood damages to adjacent property*. Staff has identified the following deficiencies with the engineering plans provided:

- 1) Insufficient information has been provided regarding how the property is going to be serviced with sewer and water. Because the property is unincorporated, connection to Village of Lombard utilities is not permitted.
- 2) The location for a Fire Department Connection has not been identified.
- 3) Fire hydrant locations have not been identified.

- 4) Plan shows *parking lot flooding*. This should be discouraged as it becomes a long-term complaint and maintenance issue.
- 5) A culvert is shown to apparently accommodate off-site flow through the parcel (under the parking lot). What is/are the size, pipe material and the supporting calculations?
- 6) Identify if bioswale meets full Best Management Plan requirements.
- 7) How/where does the discharge from the stormwater detention facility flow (appears to flow overland onto neighboring property)?
- 8) Storm calculations, sections, planting plan and maintenance plan for a bioswale have not been provided.
- 9) Show overflow location.
- 10) Show easement over bioswale and any area of parking lot that detains water.
- 11) The sidewalk along Highland Avenue should go through driveways.
- 12) Parking lot paving section is: Base: 10" (14" for drive lanes); Binder: 2"; Surface: 1.5"

### Conditional Use

The proposed use (Religious Institution) is considered a conditional use in the County R4 - Single Family Residence District and the Village of Lombard R1 – Single Family Residential. As such, conditional use approval would initially be required.

### *Standards for Conditional Uses*

The DuPage County Zoning Ordinance requires that each conditional use adhere to a set of seven standards for conditional uses. The standards outlined in the DuPage County Zoning Ordinance are similar to those required by the Village of Lombard Zoning Ordinance as they address the potential impact that the development could have on the surrounding area. Staff believes that the proposed plans do not meet the following standards for conditional uses required of the DuPage County Zoning Ordinance:

2. Increase the hazard from fire or other dangers to said property.

*Staff Response:* -See attached Lombard Fire Department comments.

5. Increase the potential for flood damages to adjacent property.

*Staff Response:* -Insufficient information provided relative to stormwater improvements.  
-The minimum Village of Lombard open space requirements are not met.

6. Incur additional public expense for fire protection, rescue or relief.

*Staff Response:* -See attached Lombard Fire Department comments.

### **SUMMARY**

Based upon the submitted site plan, staff finds that a great deal of flexibility exists for the proposed religious institution to meet both County and Village Codes. Furthermore, staff finds that the proposed use in its current location may present a negative impact upon the adjacent property owners. Based upon established County and Village codes, there are alternative locations to construct the structure on the lot to address the potential variations needed per the Village of Lombard Zoning Ordinance. The building footprint could also be reduced in size to meet the rear yard setback and open space provisions required of the Lombard Zoning Ordinance. According to the Private Engineering Services Division, the proposed site plan has failed to

address a number of stormwater and utility issues. The lack of information does not provide staff with the ability to form a reasonable recommendation on the proposed conditional use. The Lombard Fire Department also raised a number of concerns relative to the site plan, and its impact on fire and rescue.

#### **FINDINGS AND RECOMMENDATION**

Based upon this review, the petition would be inconsistent with established Village policies and does not meet the standards for a conditional use. Additionally, the petition would be inconsistent with the objectives included as part of the Comprehensive Plan, creates an adverse impact on neighboring properties through an excessive encroachment into a required yard, and it does not meet the required open space provisions. Therefore, staff recommends that the Plan Commission make the following motion regarding the petition:

Based upon a review of the petition submitted to DuPage County, the Plan Commission finds that the petition is inconsistent with the Village's Comprehensive Plan, the established codes and ordinances of the Village of Lombard, and does not meet the standards for conditional use as expressed within the DuPage County Zoning Ordinance. Therefore, the Plan Commission recommends that the Village Board adopt a Resolution of Objection for DuPage County ZBA Case Z10-074.