

Village of Lombard

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



Minutes

Monday, June 19, 2023

7:00 PM

Village Hall Boardroom

Plan Commission

Leigh Giuliano, Chairperson

Commissioners:

Ruth Sweetser, Bill Johnston, Kevin Walker,

Tony Invergo, Alissa Verson and

Robert Spreenberg

Staff Liaison: William Heniff

Call to Order

Chairperson Giuliano called the meeting to order at 7:00 p.m

Pledge of Allegiance

Chairperson Giuliano led the Pledge of Allegiance

Roll Call of Members

Present 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

Also present: William Heniff, AICP Director of Community Development, Anna Papke, AICP Senior Planner of Community Development and Anne Skrodzki, Legal Counsel to the Plan Commission.

Chairperson Giuliano called the order of the agenda.

Ms. Papke read the Rules and Procedures as written by the Plan Commission

Public Hearings

[230214](#)

PC 23-12: 109 S Main Street - Lilac Station LLC

The petitioner requests that the Village grant approval of a sign variance pursuant to Section 153.506(B)(16)(b) of the Village of Lombard Code of Ordinances for wall signage of up to 150 square feet, where a maximum of 50 square feet is permitted within the B5PD Central Business District Planned Development. (DISTRICT #4)

Sworn in to present the petition were Mike Doyle, representing the petitioner Holladay Properties, and William Heniff, Community Development Director.

Chairperson Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine, and proceeded with the petition.

Mr. Doyle presented the petition. He said that Holladay Properties is the developer of the multi-use project at 101 and 109 S. Main Street. He described the development, which includes an apartment building

at 101 S. Main with ground-floor commercial space, and a multi-tenant commercial building at 109 S. Main Street. Mr. Doyle said that when the development was initially contemplated, Holladay Properties expected to have one tenant in the building at 109 S. Main. The petitioner had therefore not requested any signage deviations at that time. However, the single-tenant option did not pan out, and Holladay Properties opted to divide the building into four tenant spaces. In order to have adequate signage for four tenants, the petitioner is seeking a signage deviation to allow 150 square feet of signage on the building. Mr. Doyle said that most signage would be on the north elevation of the building, not directly facing Main Street. He said the petitioner is looking for flexibility to provide signage for future tenants.

Chairperson Giuliano asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, Chairperson Giuliano asked for the staff report.

Mr. Heniff presented the staff report. The IDRC report for PC 23-12/SPA 23-01ph was entered into the public record in its entirety. He said the petitioner is requesting additional signage for the building at 109 S. Main Street. The petitioner is seeking adequate signage for a four-tenant building, which had originally been planned as a single-tenant building. Mr. Heniff said the signage request applies only to the south building at 109 S. Main, and not to the north building at 101 S. Main Street. He noted that the proposed signage will be minimally visible from the residential properties to the east of the subject property. There will be some visibility from Main Street. He said the proposed signage is similar to the signage on other multi-tenant buildings in the downtown. Mr. Heniff noted that because the subject property is a planned development, the signage deviation request can be approved by the Plan Commission through the site plan approval process, and will not need to go before the Village Board. The Plan Commission would make the final decision on the request at this time.

Chairperson Giuliano asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting to comments from the commissioners.

Commissioner Johnston asked if the signs will be lit. Mr. Doyle said the request had not specified that the signs would be lit, but Holladay Properties would prefer to have the option for the signs to be lit.

Mr. Heniff clarified that the Sign Ordinance permits signs to be

internally lit. He said the request before the Plan Commission pertained to the amount of signage.

Commissioner Johnston asked if there are Code provisions for how brightly signs can be lit. He was concerned about distractions. Mr. Heniff said the Code does have lighting standards for signs, which will be reviewed during the permit review process.

Commissioner Johnston asked if there will be signage on each face of the building. Mr. Doyle said he envisioned four signs on the north elevation facing the parking lot, and one sign on the west elevation facing Main Street.

Commissioner Walker asked if there is additional approved signage on the south elevation of the building. Mr. Doyle said there is no plan to have signage on the south elevation of the building. Mr. Heniff noted that additional signage on the building would require further review by the Plan Commission.

Chairperson Giuliano asked if there were any additional comments. Hearing none, she asked for a motion from the Commissioners.

On a motion by Commissioner Sweetser, and a second by Commissioner Verson, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 23-12, subject to the following three (3) conditions:

- 1. That the petitioner shall develop the site in accordance with plans submitted as part of this request;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 3. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(C)(10).**

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

[230217](#)

PC 23-14: 1005 N. Rohlwing Road - Crash Champions Signage

The petitioner requests that the Village take the following action on the subject property located within the B4 Corridor Commercial District:

Approve a variation from Section 153.505(B)(6)(e) of the Lombard Sign Ordinance to allow two freestanding signs on the subject property, where a maximum of one freestanding sign is permitted. (DISTRICT #4)

Sworn in to present the petition was Anna Papke, Senior Planner, Bill

Heniff, Community Development Director, and Jon Osborne, with Image360, representing the petitioner.

Chairperson Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Mr. Osborne presented the petition. He said that Crash Champions is requesting to construct two freestanding monument signs on the subject property. He said there is a shared driveway on the south side of the building providing access to Crash Champions and McDonald's. One sign would be at this location. There would be a second sign in front of the building, where it will be better visible to vehicles on Rohlwing Road. He described the design of the signs.

Chairperson Giuliano asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, she asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The subject property is operating as the Crash Champions auto body repair shop. Crash Champions acquired the former DuPage Auto Body business at 1005 N. Rohlwing Road, and the vacant property at 1015 N. Rohlwing Road, in 2021. Crash Champions received zoning entitlements in 2021 for a building addition and parking lot expansion. Construction of these improvements is nearing completion, and the petitioner is finalizing signage plans for the expanded business.

The Sign Ordinance permits one freestanding sign of up to 100 square feet in area on the subject property. The petitioner is proposing to construct two freestanding monument signs along the Rohlwing Road frontage of the property. Each sign will be 49 square feet in area. The site has two driveways. The north driveway leads to an enclosed parking area that is not accessible to customers. The south driveway is a shared drive that provides access to the Crash Champions service entrance and the McDonald's restaurant on the adjacent property to the south. The petitioner proposes to install one sign in front of the building, between the two driveways, and a second sign at the shared driveway entrance. Due to the configuration of the shared driveway, the second sign will be set approximately 40 feet behind the front property line.

Staff has reviewed the petition and finds the driveway layout on the property is a unique site feature that justifies special consideration with respect to signage. The sign at the shared driveway is necessary to direct customer traffic through the shared driveway to the Crash Champions service entrance. However, this sign is not easily visible to southbound traffic on Rohlwing Road due to the position of the sign on the site as well as a grade change on Rohlwing Road. Therefore, the sign in front of the building is needed to identify the property to traffic on Rohlwing Road.

Ms. Papke noted that the total sign area on the subject property will be 98 square feet with the two proposed signs. This is within the 100 square feet of signage the Sign Ordinance permits on the property. As a matter of precedent, the Village has approved past requests for an increase in the number of signs when the total sign surface area would not exceed the amount permitted by the Sign Ordinance.

Staff recommended approval of the petition subject to the conditions in the staff report.

Chairperson Giuliano asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting to comments from the commissioners.

Commissioner Johnston asked if the signs would be illuminated. Mr. Osborne said the signs will be internally illuminated. Only the letters will be lit. The sign background will not be illuminated.

On a motion by Commissioner Spreenberg, and a second by Commissioner Invergo, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 23-14 subject to the four (4) conditions in the staff report:

- 1. That the petitioner shall develop the sign in substantial accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code;**
- 2. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and**
- 3. That the petitioner shall apply for and receive all required building permits prior to commencing any work on the site; and**
- 4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).**

The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

[230220](#)

PC 23-17: 999 N . Garfield and 1051 N. Garfield Street - IMG Trucking INC Off-site Parking

The petitioners, 999 Garfield LLC and IMG Trucking, INC., request a conditional use pursuant to Section 155.420(C)(23) of the Lombard Village Code to allow for off-site parking on the subject property, 999 N. Garfield Street, for IMG Trucking, Inc. use located at 1051 N. Garfield Street within the I Limited Industrial District. (DISTRICT #4)

Sworn in to present the petition was Anna Papke, Senior Planner, Bill Heniff, Community Development Director, and for the petitioners, Nick Standiford, Vladimer Stoyanov and Raymond Sikkema.

Mr. Standiford presented the petition with a powerpoint program. He introduced himself as a land use and zoning attorney at Schain Banks, representing 999 N Garfield LLC as the petitioner and land owner. Mr. Stoyanov represents IMG Trucking, Inc located at 1051 N. Garfield. Mr. Standiford stated that the photo was taken for the first slide before the grass was cut at 999 N Garfield Street. Ray Sikkema is the civil engineer that will discuss the building plans for the site.

The subject property has an existing cell phone tower with a small building and driveway. The property owner proposes to build an additional driveway to the south of the cell phone tower driveway. This additional driveway will provide access to a proposed new parking lot behind the cell phone tower's fence enclosure. The parking lot is intended for the use of IMG Trucking located to the north of 999 N. Garfield Street. IMG Trucking needs extra parking spaces for employee parking and some of the trucks and trailers. Therefore, IMG Trucking is requesting the off-site parking use. IMG Trucking's main operation is approximately ten miles away. Some employees have had to park on the street in which case parking off street would be preferable.

Mr. Sandiford pointed out that traffic on North Garfield Street consists mainly of trucks with low trip generation. The requested use is consistent with the other business in the area. The trucks from IMG Trucking at 1051 N Garfield Street will drive southbound to the proposed parking lot as the expected circulation between the properties. The staff report has a condition of approval limiting the

number of parking spaces to ten (10) based on the submitted concept plan. The petitioner requests that this condition be replaced with "the number of vehicles spaces shall be shown on the applicant's final building plans." Village staff can provide further details regarding this request. The reason for the request is to provide more flexibility for a striping plan of the parking lot.

Mr. Sikkema discussed the layout of the parking lot. The space between the south property line and the proposed driveway and parking lot accommodates stormwater detention and landscaping required by DuPage County. There is also stormwater detention at the rear of the lot along the east property line. There are restrictors located along the perimeter of the parking lot to manage stormwater release. The wetland report found that there were no onsite wetlands. However the buffer of the wetland is on the property. DuPage County has landscaping requirements for the wetland buffer area.

Mr. Stoyanov stated that IMG Trucking has been operating since 2009. The business has approximately 25 employees which necessitates the additional parking spaces.

Mr. Sandiford added that the benefits of the proposed parking lot is keeping the cell phone tower while providing the off-site parking use for additional parking of IMG Trucking employees so they do not have to park on the street. Also, the project requires the installation of a sidewalk, parkway trees and improves drainage in the area.

Chairperson Giuliano asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, she asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The property located at 1051 N. Garfield Street operates as a cartage company and is seeking a conditional use for off-site parking at 999 N. Garfield Street. The request will support the operations of IMG Trucking for additional trucks and employee parking. The existing cell tower and driveway will remain on the site. The subject property is in the Industrial District. Staff has reviewed the request and finds the off-site parking use for an existing business is consistent with other uses in the Industrial District.

Staff recommends approval with the conditions provided. Staff does not object to revising the condition regarding the number of parking

spaces. Staff requests if approved the number of parking spaces be based on staff review during the permit process subject to Chapter 155, Article X - Off-site Parking and Loading Requirements, Section 155.600 of the Zoning Ordinance.

Chairperson Giuliano asked if there were any questions or comments on the staff report.

Commissioner Johnston asked if the petitioner's request for more parking spaces can be addressed by staff. Mr. Heniff responded that the number of parking spaces will be reviewed by the planning, building and engineering departments. The permit for the parking lot is currently under review.

Commissioner Spreenberg asked if off-site parking was granted to IMG Trucking across the street a few years ago. Mr. Heniff responded that the parking lot is a further expansion of the business operations.

Chairperson Giuliano asked if there were any questions for the petitioners from the commissioners.

Commissioner Johnston stated that vehicle storage is a concern and asked that the petitioners provide more details. Mr. Standiford responded that one or two trucks or trailers could use the two parking spaces located at the southern part of the parking lot and most of the other parking spaces would be used by employees. Mr. Stoyanov responded that the daily use of the parking lot is for individuals parking their personal cars that are new employees for orientation. Most of the trucks and trailers are parked in West Chicago.

Commissioner Johnston asked about the design of the parking load for the weight of trailers. Mr. Sikkema responded that the parking lot will be constructed according to the Village's provisions for trucks and trailers.

Commissioner Invergo asked if the parking lot will have a loading pad installed. Mr. Stoyanov responded that the trailers that will be parked on the parking lot will be empty or awaiting an inspection.

On a motion by Commissioner Invergo and a second by Commissioner Johnston, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 23-15 subject to the five (5) conditions with the revised fourth condition in the staff report:

- 1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.**

2. The subject property, 999 N. Garfield Street, shall be developed in substantial compliance with the plans submitted by Webster, McGrath & Ahlberg, Ltd. for the exclusive use of IMG Trucking located at 1051 N. Garfield Street.
3. Off-site parking does not include the storage of vehicles in disrepair, cargo containers or materials.
4. The number of vehicles spaces shall be shown on the applicant's final building plans based on staff review of the permit per Chapter 155, Article X - Off-site Parking and Loading Requirements, Section 155.600 of the Zoning Ordinance.
5. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

[230218](#)

PC 23-15: 530 E. North Ave. - Shahi Banquets Variances for building additions

The petitioner, Wajih Alkayed, Manager of Omat Construction, requests that the Village take the following actions on the subject property located within the B4 Corridor Commercial District, to provide for additions to the existing building:

1. A variance for the east corner side yard setback pursuant to Section 155.416(F)(2) of Village Code to 14 feet, where 30 feet is required for the proposed canopy addition;
2. A variance for a rear yard setback pursuant to Section 155.416(F)(4) of Village Code to 18 feet, where 30 feet is required for the west storeroom/office addition and increased height of the building. (DISTRICT #4)

Sworn in to present the petition was Anna Papke, Senior Planner, Bill Heniff, Community Development Director, Wajih Alkayed, with Omat Construction, the petitioner and Mahmood Lakha, property owner.

Chairperson Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Mr. Alkayed presented the petition. He said that the Shahi Banquets building has been a challenge as it is nonconforming due to a public alley adjacent to the building. The business is approved for an occupancy of 200 people. There currently is not enough room in the building to accommodate storage needs or the reception of guests.

The desire to upgrade the building can be accomplished with an addition on the west side of the building and enclosing the outdoor patio on the southeast corner. The addition on the west side requires a variance because of the lack of a setback from the alley.

The current entrance to the building is along North Avenue. There is very little room for vehicles to maneuver between the building and the driveway entrance and creates a congestion point. Most customers use the alley off Joyce Avenue to gain access to the parking lot. Therefore, it makes sense to move the entrance from the south side to the east side with a covered porte-cochere similar to what other banquet halls provide. However, the porte-cochere requires a variance from the corner side yard setback. None of the occupancy numbers would change and area of dining will not be increased. The height of the building is proposed to be increased as part of the overall updating of the building with new façade walls that will screen mechanicals, etc. on the roof.

Chairperson Giuliano asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, she asked for the staff report.

Argiro Vranas stated that the parking lot appears to be congested and counted around 40 parking spaces then asked how many parking spaces are there now. Mr. Alkayed responded that there are 72 parking spaces. Ms. Vranas asked how many parking spaces will be removed. Mr. Alkayed responded that the size of the banquet use is not changing, and 72 parking spaces are required by the Village and the site will have 72 parking spaces by rearranging and restriping the parking lot.

Ms. Vranas asked if the entrance off Joyce Avenue will be an exit as well and will any access points be removed. Mr. Alkayed responded that none of the driveways will be removed, and the parking circulation will remain the same.

Ms. Vranas asked if there will be changes to the lighting on the property. There is currently a light this is damaged and creating a strobe affect. Mr. Alkayed responded that the building will accent lighting and the parking lot lights will have to meet the Village's code.

Ms. Vranas asked if the hours of operation remain the same. Mr. Mahmood responded yes, the hours will remain the same.

Mr. Heniff presented the staff report, which was submitted to the public record in its entirety. The subject property is operating as a banquet hall and the petitioner is proposing an expansion of the building with additions and overall height of the building. Two of the three proposed additions require zoning relief due to the nonconformities of the site. Staff notes that the public notice included two additional requests for zoning relief in which upon further review was not needed. Shahi Banquets is currently operating as a banquet hall. The building was built in 1972.

The IDRC comments of the staff report include Private Engineering Services referenced the narrowing of the drive aisle on the west side of the building due to the pedestrian ramp that can be addressed during the permitting process. The Public Works Department provided comments regarding the building additions will total greater than 20% of the existing building area, thus constituting a Minor Development per Village Code Section 154.703. Section 154.305 requires specified public improvements in the three abutting public rights-of-way. Staff notes that since it is a Minor Development, full public right of way improvements are not required. If it were a new development, full public improvements of the right of way would be required. Along Fairfield and Joyce Avenues, there are existing ditch and swale profile without curbs. Therefore, it is considered an under improved right of way. Recently the provisions for under improved rights of way of Minor Developments were modified to not include the full public right of way improvements of drainage and sidewalks. Staff notes that the portion along North Avenue does have a sidewalk.

The proposed use of a banquet hall is consistent with the surrounding uses and the Comprehensive Plan. The two requested variances are for two of the three proposed additions. First, the porte-cochere entrance addition on the Joyce Avenue side of the building is functioning as a covering to drop people off in a protected environment. The two lost parking spaces from the porte-cochere will be relocated to the west side of the parking lot.

Second, the addition on the west side of the building is for the storage of tables, chairs, offices, etc. This use is not out of the ordinary, but the northern part of the addition encroaches into the rear yard setback. The addition is holding the rear line of the existing building. To the north of the subject property is a publicly dedicated alley creating a unique situation. Staff has been working with the petitioner and Village

counsel relative to different options. The goal is to eventually transfer ownership of the alley to the ownership of the subject property. This action is under the sole purview of the Village Board. In the meantime, the petitioner would like to move forward with their plans. This zoning relief would not be needed if not for the alley. The circulation of the parking lot depends on the alley.

Also, the petitioner proposes modifications of the roof line to provide more height. They also propose to add parapet additions to bring it into more compliance with the zoning requirements of screening roof top mechanicals to the greatest extent possible. It is a plan to add other embellishments to enhance the appearance of the property.

Staff does support the relief based on the unique layout of the nonconformity created by the publicly owned right of way and the port-cochere does not increase bulk or mass along Joyce Avenue. The seating area of the banquet hall is to remain consistent with the current size. Therefore, the number of required parking spaces remains at 72. The additions are not expected to generate more demand.

Staff recommended approval of the petition subject to the conditions in the staff report.

Chairperson Giuliano asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting to comments from the commissioners.

Commissioner Sweetser asked if the alley served any other purpose to the public for future development. Mr. Heniff responded that the Village of Lombard has jurisdiction over the alley. The expectation of an alley vacation would be to incorporate the alley within the subject property's parking lot. It is a separate action for the Village Board to take. Land transfer, economic incentives and zoning are all separate considerations by different entities for review. The alley has been functionally used by the property owner for many years. If the Village Board were to vacate the alley the property line would shift twenty feet to the north and the requested relief for the second variance would no longer be needed. The petitioner would like to proceed with their project with or without the relocation of the property line. Any future proposed additions or modifications to the rear of the building would require Plan Commission review. Ms. Sweetser responded that the staff report calls attention to the hardship the alley creates and hopes the issue gets

resolved. Mr. Heniff responded that Village staff has been working with the petitioner and Village Counsel on ways to address the alley.

Mr. Spreenberg asked if residents had concerns about the property, they should contact code enforcement. Mr. Heniff responded that if there is a code compliance matter, the Code Enforcement Department would follow up accordingly.

Chairperson Giuliano opened the meeting to discussion by the Plan Commissioners.

Commissioner Johnston commented that the rendering included with the plans shows a beautiful building.

On a motion by Commissioner Verson and a second by Commissioner Invergo, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 23-15 subject to the three (3) conditions in the staff report:

- 1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.**
- 2. That the petitioner shall develop the site in accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report: Architecture and Site Plans, prepared by Omat Construction.**
- 3. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).**

The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

[230219](#)

PC 23-16: Text Amendments to Attached Garage Provisions

The petitioner, the Village of Lombard, is requesting text amendments to Section 155.222 of the Village Code to amend the maximum garage width provisions for attached garages. (DISTRICT ALL)

Sworn in to present the petition was Anna Papke, Senior Planner, and Bill Heniff, Director of Community Development.

Chairperson Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Ms. Papke presented the petition and staff report. The IDRC report for PC 23-16 was entered into the public record in its entirety. Ms. Papke said staff is proposing text amendments to Village Code as it relates to

the allowable width of front-facing garages on single-family residences. The Village Code currently contains provisions that regulate the design of attached garages on single-family dwellings. These provisions were originally enacted in 2008 at the direction of the Village Board and were intended to reduce the size and visual impact of attached garages.

In recent years, staff has received feedback from builders and homeowners indicating that there is a strong market demand for three-car attached garages, which the 2008 regulations effectively prohibited on a standard 60-foot-wide lot. Responding to these concerns, in 2021 the Village amended the attached garage regulations to allow for three-car side-loaded garages projecting in front of the house.

The regulations still limit the width of front-facing garage doors relative to the width of the house. Staff continues to receive feedback that demand for three-car garages is strong, and 60-foot-wide lots may not accommodate side-loaded garages. A local builder has provided examples of the types of houses his clients would like to build but are prohibited by current garage door width restrictions. Staff observes that these prospective houses are similar to houses built throughout the Village prior to adoption of the 2008 regulations.

In recognition of the changing market conditions and trends in single-family home construction, staff is advancing a text amendment to repeal restrictions on garage-door width. Staff recommended approval of the proposed text amendments.

Chairperson Giuliano asked if there were any questions or comments on the petition and staff report.

Commissioner Spreenberg asked if the proposed text amendment would permit someone to construct a forty-foot-wide garage on the front of a single-family house. Ms. Papke said there are other regulations related to the size of a driveway that property owners will need to meet. Such regulations include a maximum driveway width of 20' wide at the property line, and a maximum of 40% of the front yard that can be devoted to driveway and parking surfaces. There are no changes proposed to these regulations, which will indirectly impact the size of garages on lots within the Village.

Chairperson Giuliano asked if there were any questions or comments on the petition and staff report. Hearing none, she opened the meeting for comments among the Commissioners.

On a motion by Commissioner Walker, and a second by Commissioner Invergo, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 23-16.

The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

[230216](#)

PC 23-13: 2001 S Highland Avenue - Sonesta Suites

The petitioner requests that the Village take the following actions on the subject property, located within the B3 Community Shopping District:

1. A Comprehensive Plan amendment to High Density Residential, from Community Commercial;
2. A map amendment (rezoning) to the R5 General Residence District;
3. A variance for minimum lot area (density) for 29.57 dwelling units per acre, where 24.2 dwelling units per acre are required pursuant to Section 155.410(D)(4)(a)
4. A variance for minimum open space at 35%, where 40% is required pursuant to Section 155.410(I)(4)
5. A variance to provide 1.2 spaces per dwelling unit, where 1.5 spaces per dwelling unit are required, pursuant to Section 155.602, Table 6.3.(DISTRICT #3)

Sworn in to present the petition were: Asaf Fligelman, David Kaye, Jaime Gitler, Bradley Aldridge, and Crystal Hostetter with Churchwick Partners; Danielle Cassel, attorney representing Churchwick Partners; William Heniff, Community Development Director; and Javier Millan, with KLOA.

Chairperson Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine, and proceeded with the petition.

Mr. Fligelman presented the Plan Commission petition. He said a number of signed petitions had been submitted by the public. He asked if the Plan Commission had received them. Ms. Giuliano confirmed the petitions from the public had been received.

Mr. Fligelman provided an overview of the petitioner's presentation. He introduced the Churchwick team and described Churchwick Properties' property holdings. He said Churchwick has already converted several extended stay hotels to apartment communities.

Mr. Fligelman described the history of the subject property at 2001 S. Highland Avenue. The property was originally zoned R4 before being

converted to B-3 in 1977. In 1985 the Village approved a conditional use for construction of a Marriott Residence Inn hotel, which was built in 1987. In 2017 the property was rebranded as Sonesta ES Suites, and Churchwick Partners purchased the property in 2022. The property had lost revenue in the years leading up to the Churchwick acquisition. Mr. Fligelman showed aerial photos of the area surrounding the subject property and noted that there is residential development in proximity to the subject property.

Mr. Fligelman said Churchwick Partners is committed to being long-term investors in Lombard. Churchwick believes the property should be converted from an extended-stay hotel to an apartment development. Churchwick Partners had conducted public outreach prior to the Plan Commission. Mr. Fligelman said many people he and his partners talked to thought the development was already an apartment development. He said that Churchwick Partners looked at several factors to determine that it should be converted to an apartment development. These factors included:

- Surrounding zoning, with several residentially-zoned properties nearby.*
- The duration of stays at the Sonesta Suites.*
- The size and layout of the units.*
- Exterior appearance of the buildings, with Mr. Fligelman noting that Churchwick would update the exteriors with new paint and landscaping.*
- Local housing supply and demand. Mr. Fligelman said there is a lot of unmet demand for studio and one-bedroom apartments. He referenced census data and a housing study conducted on behalf of the Chicago Metropolitan Agency for Planning. He said there are many nearby employment centers that would benefit from having more housing in the area. He said the proposed apartment conversion would be attractive to senior residents as well. He said the proposed apartments at 2001 S. Highland would be more affordable than other nearby apartment communities.*
- Transportation opportunities. Churchwick Partners believes the subject property is part of a transit-oriented development (TOD) due to proximity to bus services, bike paths, and community amenities (parks, community institutions, shopping). Mr. Fligelman said the existing traffic patterns around the subject property would not change if it is converted into an apartment complex.*

- Onsite amenities including fitness center, laundry room, and community space.
- Proposed improvements benefitting the public good, including increased parking, improved stormwater management, ADA upgrades to the property, background checks on potential residents.

Mr. Fligelman discussed anticipated rents for the proposed apartment units, which would be \$1500-\$1750. Residents would need to make 40 times the monthly rent in annual income. Each unit would include one parking spot, plus other amenities.

Mr. Fligelman described other properties owned by Churchwick Partners. Bradley Aldridge, property manager for a Churchwick property in Birmingham, Alabama, summarized improvements Churchwick had made at that property. He explained how parking is managed at the building, and how background checks are conducted. He said the Birmingham property was leased to 70% occupancy within four months.

Mr. Fligelman said there have not been any parking issues at Churchwick's properties. There have been many property upgrades and a reduction in crime. Demand was so strong that rents exceeded initial projections.

Mr. Fligelman said the proposed apartment conversion at 2001 S. Highland will be known as St. Regis Village. He said Churchwick expects to invest over \$2,000,000 in the property. He showed the plants proposed for landscaping improvements. He discussed exterior renovations, including updates to the building facades and outdoor amenities. He said Churchwick will make interior improvements to the units, though the layout of the units will not change from the layout of the units in the current hotel. He showed plans to convert the hotel lobby into a clubhouse amenity for the proposed apartments.

Mr. Fligelman discussed the proposed apartment conversion in the context of the Comprehensive Plan. He said the apartment development would meet several goals in the Comp Plan related to providing housing to accommodate future growth and meet the needs of a diverse population, encouraging infill development, and providing a variety of housing types. He said there is a lot of residential development in the surrounding area.

Mr. Fligelman said the proposed adaptive reuse of the property as an apartment complex would address a need for middle-income housing in the community, which would align with Vision 2 in the Comp Plan. He said the development would align with Vision 4, creating an efficient multi-modal transportation network, because the subject property is well served by Pace, has access to bike paths, and is walkable to area amenities. He said the apartment conversion would contribute to Vision 7 by bringing people to the Village to contribute to the Village's economic base.

Mr. Fligelman said the apartment conversion would comply with several objectives in the Village's 2021 Strategic Plan. He showed a projected increase in tax revenue of around \$500,000 associated with a conversion from an extended-stay hotel to an apartment complex. He said the apartment conversion would align with the Village's goals for economic development.

Mr. Fligelman said the Village Plan Commission held a workshop on the proposed apartment conversion in April 2023. He said there were four key areas identified in the workshop: density, open space, parking, and that the converted apartments should not feel like a hotel. Mr. Fligelman said he had previously addressed how proposed property improvements would make the property feel like a residence rather than a hotel. He said the petitioner's requested variances for density, parking, and open space are based on a desire to maintain and improve the site. He said the requested variances do not impair the health, safety, and general welfare of the community.

Regarding the requested density variance, Mr. Fligelman said Churchwick had reviewed the possibility of tearing down buildings to reduce the unit count on the property. He said doing so would not be consistent with Village's Comprehensive Plan and Strategic Plan, and that the project would not be economically viable. The petitioner had looked at combining units to create some two-bedroom units and reduce the unit count, but this would result in units with odd layouts. He said this would not be in the best interest of the development. Instead, the petitioner had decided to seek a variance for density.

Mr. Fligelman discussed the request for an open space variance. The petitioners' team reviewed options for increasing the amount of open space to the amount required by the requested R4 zoning district. Options included removing rock landscaping and replacing with sod, tearing down buildings, or removing amenities. The team concluded

these options were not in the best interest of stakeholders, and decided to request a variance.

Mr. Fligelman discussed the requested parking variance. He said he understood parking is important. He clarified that there would be 108 studio units, and 32 one-bedroom units. He said there would be many one-person households. He said most households would have only one car and other households may make use of ride sharing services rather than buying a second car. Mr. Fligelman said the Churchwick team had looked at options for increasing available parking or reducing parking demand. One option was to re-stripe parking spaces, which would add some spaces. Other options included removing a building or removing amenities to construct parking spaces. He showed the preferred schematic, which was to re-stripe for a total of 176 parking spaces on the property.

Mr. Fligelman showed a table that compared ITE parking peak parking demand measurement to the parking spaces on the subject property and the Village's Code requirements. He said the apartment conversion would be closer to the Village's requirement than to the ITE peak measurement [the Village's requirement being higher than the ITE measurement].

Mr. Fligelman said the 176 proposed spaces would provide one space per unit plus 30 additional spaces for guest parking. He said Churchwick would assign one parking space to each unit in the lease. He described Churchwick's parking management practices. He said multiple violations of the parking rules would result in lease termination. He said there would be sustainability and transportation amenities that would decrease parking demand. These would include bike racks, e-scooters, coordination of ride share services, and group discounts to delivery services to reduce vehicle trips by residents.

Mr. Fligelman turned the presentation over to Ms. Cassel, the attorney for the Churchwick team. Ms. Cassel referenced the petitioner's submittal to the Plan Commission. She said there was a 14-page summary of the project in the front of the petitioner's submittal, cross-referenced to tabs within the submittal that explained how the petition complies with the Village's Comp Plan. She said the petitioner's team was surprised to receive a negative staff report. She said the petitioner's presentation was lengthy because they wanted to respond to the staff report in detail. She asked if it would make sense to take a break due to the length of the meeting.

Commissioner Giuliano agreed it would be good to take a break. The time was 9:10 p.m. Commissioner Giuliano said the meeting would resume at 9:15 p.m.

At 9:15 p.m. the meeting resumed. Ms. Cassel reintroduced herself as the attorney for the petitioner. She said she is a land use attorney with Vedder Price. Ms. Cassel said that she knew the meeting had not reached the time for rebuttal of the staff report. However, having received the staff report, Ms. Cassel requested that the Plan Commission adopt the facts set forth in the petitioner's application as findings of fact. Ms. Cassel said she did not find the staff report had findings of fact.

Ms. Cassel said she had enjoyed working with the petitioner. She described the subject property. She said it is a hotel that was built in the style of garden-style apartments. She said from an aerial map or driving by on the street, the development looks like an apartment development. She said the interiors of the units look like apartments. She said the property has 150+ parking spaces and 35% open space. The current zoning district of B3 only requires 10% open space. She said the 35% open space does not count the pool or other amenity spaces.

Ms. Cassel described Churchwick's process of acquiring extended stay hotels and either continuing to operate them as hotels or converting them to apartment complexes. She described the decision-making process behind Churchwick's request for zoning entitlements to convert the property from a hotel to an apartment complex. She said the development already functions as an apartment complex because many people are living there longer than 30 days. She said the requested zoning actions would not be a huge policy change because not much would change about the property if the petition is approved. She said the petitioners would make landscaping improvements, add parking spaces, and make ADA improvements. People staying at the property would sign 12-month leases and be subject to a screening process. She said the property is already quasi-residential in terms of the way it looks and functions.

Ms. Cassel said the site is fully developed. The petitioners are not promoting anything that will change setbacks or building height. There will be no changes to the site that would impact air, light, or safety. She said the property is on the verge of being residential already. She said

the conversion would fulfill an unmet need for more housing.

Ms. Cassel discussed the request for a zoning map amendment from B3 to R5. She said the existing B3 designation allows residential units above the first floor. However, the subject property was developed with garden-style extended stay hotel units, so there are many units that would be first-floor apartment units if the site was converted as proposed. She said this is a very technical reason that a map amendment is needed. She said when a zoning map amendment is requested, the Village's practice is to review the Comp Plan amendment for the property in question. She said it is not the standard of the Village that every proposal fulfills every policy in the Comp Plan, but that Mr. Fligelman had already discussed how the project complied with the Comp Plan. Ms. Cassel said the petitioner's submittal also discussed compatibility with the Comprehensive Plan. She said the Comp Plan and the Zoning Ordinance anticipate that Comp Plan and zoning designations will change from time to time.

Ms. Cassel reviewed the standards for map amendments, including that the proposed zoning designation be compatible with existing land uses in the surrounding area. Ms. Cassel said the subject property is already functioning similarly to an apartment complex without apparent impact on the surrounding properties. She described surrounding land uses and zoning designations. She said there had been no objections from the public regarding the proposed rezoning. She said the proposed rezoning would not result in incompatibilities between the subject property and surrounding development. She noted the property immediately to the south is already zoned R5.

Ms. Cassel said that there are places in the Village where office, retail, and residential uses are next to one another. She said the Village had previously shown a willingness to embrace adaptive reuse of shopping centers. She said this fit with larger trends in redevelopment of suburban shopping centers throughout the region. She said there are many land uses, such as office, that are oversupplied and ready for redevelopment. She said that just because there are other B3 uses that might work on the property is not a justification to deny the rezoning of the property to R5. She thought other properties had not been held to the same standard as far as needing to show that other uses permitted under the existing zoning district designation were not suitable.

Regarding suitability of the property in question to the uses permitted under the existing zoning classification, Ms. Cassel said the B3 District

already allows for residential uses, just not on the first floor. Ms. Cassel said there are some instances where prohibiting residential uses on the ground floor makes sense. However, in this case, the subject property is not in an area where having residential uses on the first floor would be problematic.

Ms. Cassel noted that they had already addressed standards related to consistency with the trend of development and compatibility of the surrounding property with the uses in the proposed zoning classification. She reiterated that there would not be changes to the buildings or the site, except for site improvements related to aesthetics and sustainability. She said no surrounding properties would be hurt if the subject property is permitted to lease out apartments on 12-month leases rather than hotel rooms for shorter periods of time.

Regarding the impact of the map amendment on the objectives of the Comp Plan, Ms. Cassel noted that the Comp Plan says its recommendations cover a 10- to 15-year period, and it anticipates conditions will change over time. She said the Comp Plan is already 10 years old. She said the Comp Plan lays out standards for potential changes, and that pages 3 and 4 in the petitioner's submittal detail how the proposal meets those standards. Ms. Cassel summarized how the development meets the three standards for changes within the Comp Plan.

Ms. Cassel said she and the Churchwick Partners team were surprised by the negative recommendation in the staff report. She described a call in January 2023 between the petitioner's team and the Fire Department and Building Division that she said had been positive in nature. She was surprised to receive a follow-up phone call shortly thereafter from the Planning Division saying that the Village had concerns about the potential petition.

Ms. Cassel said the petition meets the seventh standard in Village Code for map amendments, pertaining to the suitability of the property for permitted uses in the proposed zoning classification. She said the petitioner had already described how the subject property meets the standards of the R5 District. She said that the project would not increase the density of residential development in the area, because the hotel currently has 144 units occupied by long-term hotel guests, and the apartment conversion would result in the same 144 units on the subject property. As to open space, she said the property provides 35% open space as compared to the 40% open space required in R5. She

noted that the 35% open space does not account for recreational space inside and outside the buildings, which she believed should be included in the open space calculation. She said it is not reasonable to tear down an existing building to increase open space. She said parking is not an issue for the development, which would include many studio units. She said there are 157 spaces on the site currently, and the petitioner would be able to re-stripe the parking lot to have a total of 176 spaces on the site. If strictly applied, the Village Code would require 216 spaces on the property. She said the proposed parking ratio on the site would be 1.2 spaces per unit. She said the Village's requirement of 1.5 spaces per unit is not reasonable for studio units. She provided peak parking numbers from Institute of Transportation Engineers and the Urban Land Institute, noting that the Village requires more parking spaces per unit than either of those sources suggest.

Ms. Cassel thanked the Plan Commission. She said she was upset about the petition. She thought the proposed apartment conversion was a great project.

Mr. Fligelman said Churchwick Partners believes the development is not a hotel but a home for residents. He closed the petitioner's testimony.

Chairperson Giuliano asked if there was anyone in the audience who wanted to cross examine the petitioner. Hearing none, she asked if any person would like to speak in favor or against this petition, or for public comment.

Michael Bardolucci addressed the Plan Commission. He said his family had owned and operated a business on Roosevelt Road in Lombard for many years. He is a heating and air conditioning contractor. He said he had spoken with the petitioner's team about the project. He said the people currently staying at the Sonesta Suites are essentially living in the hotel long-term. He said converting the development to an apartment complex would allow for additional screening of residents. It could also increase revenue for his business. He said the property is set up like a residential building rather than a hotel in terms of the heating and air conditioning. Mr. Bardolucci said the structure of the building looks more residential than commercial. He mentioned that this proposal would be similar to the residential development happening near Yorktown Center.

Randy Cohen addressed the Plan Commission. Mr. Cohen said he

lives in the City of Chicago. He had previously lived in Oak Brook. He had a business in Lombard for seven years. In March 2023, a pipe burst in Mr. Cohen's home, and he had been living at the Sonesta Suites since then. He said the property is home for many people. He said the Churchwick Partners team had been good owners of Sonesta Suites. He said they were committed to the community and would not let the property fail. Mr. Cohen said he would be able to find a parking spot when he returned home for the evening.

Chairperson Giuliano asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, she asked for the staff report.

William Heniff, Community Development Director, referenced the Inter-departmental Review Committee (IDRC) report into the public record in its entirety. He introduced Javier Millan of KLOA who will offer comments relative to the petition, with a focus upon the parking relief request.

Before he started his presentation, he read into the record a correspondence submitted on the hearing date from Masjid UI Haqq of the Proclaim Truth Charitable Trust. The letter stated the congregation's support. A supplemental petition was introduced into the public record identifying their support as well.

Heniff stated that tonight's petition is solely associated with the subject property and comments relative to vacant office space that were represented by Masjid UI Haqq letter is not being considered as part of this public hearing but could be reviewed at a later date.

Before presenting the IDRC report, he offered some immediate responses to the petitioner's presentation for context. We regard to staff communication concerns, he said that after the initial concerns were raised by staff, an in-person was held on February 26 with the petitioner, their Counsel, and with himself and Jennifer Ganser to discuss the concept in greater detail. He noted that at the end of the 1:20:00 meeting, they asked for staff's support and if there were any other questions. In response, Heniff stated he still had concerns. Danielle Cassel asked who else she can speak to on their proposal. Heniff responded that the Village has a Workshop process before the Plan Commission in which topics and concepts can be introduced in a public Open Meetings format. It was this request that led to the matter being placed upon the April Plan Commission meeting agenda and the Plan Commissioners offered some of their comments at their meeting.

When the petition was filed, staff saw the filing was essentially unchanged from the initial concept proposal and did not readily address some of the questions that were raised by the Commissioners. He also noted that the role of the Commissioners is advisory, and they have the authority to weigh the evidence presented and make a recommendation to the Village Board, who would make a final decision.

Heniff referenced the petitioner's PowerPoint presentation but noted that the petitioner did not share the presentation with staff prior to the meeting, so if there is something within it for comment, staff may or may not be able to offer a response. But it is a part of the public record and will be made available for public inspection.

He stated a reference to the Village Board's Strategic Plan effort. He stated that this effort was undertaken in 2021 to provide the Village Board the opportunity to identify priorities that should be considered over the next three years. This is a document that was developed by the Village Board and was not reviewed by the Plan Commission. However, some of the implementation references in the Strategic Plan pertaining to commercial land uses and non-residential parking standards was brought through a public hearing process before the Plan Commission.

He then discussed the IDRC report. The petitioner owner proposes to change the existing Sonesta Suites Hotel into multiple-family housing (apartments) as noted in their presentation. He then referenced the IDRC comments.

With respect to the Building Division, staff has not received any plans or reports from a design professional. Should it be approved, they would be applying for requisite permits for interior modifications. The stated comments do not directly pertain to building elements, but rather accessibility issues set forth within the Illinois Accessibility Code. The apartments would need to meet all HUD requirements. For clarity purposes and to answer the petitioner's questions offered the Friday before the public hearing, he noted that the staff comment was intended to reference the U.S. Department of Housing and Urban Development's role in multiple family housing review and accessibility requirements. The read into the record a section of the HUD's provisions pertaining to meeting accessibility requirements. Additional comments may also be forthcoming during permit review.

Regarding Public Works comments, they noted that the driveway median island is an accessibility barrier to users of the public sidewalk. As such, it should be modified to meet Village standard specifications.

Private Engineering Services reviewed the submitted engineering improvements. He stated the proposed drainage/stormwater improvements are not mandated by Village Code or a code enforcement item.

He referenced the petitioner's Exhibit noting the \$2,000,000 in contemplated capital improvements. Most of the elements are required through the International Property Maintenance Code, are the types of maintenance improvements that are generally applicable to all properties within the Village. The improvements generally would not result in larger property assessments.

Regarding applicability to the Comprehensive Plan, it recommends Community Commercial for this location, which is consistent with the assigned B3 zoning district, and what the petitioner acquired the property last year.

He referenced the approach to considering amendments. The petitioner made references that the buildings look like townhomes, which staff does not dispute. However, that does not mean that the zoning should automatically reflect that, noting the challenges between form and function.

While the buildings have been there, this is also viewed in the context of a new land use. He stated that for purposes of planning and zoning, the project would be viewed in the context of new development. For example, if the property was a vacant lot and a petitioner sought the relief being requested, staff would raise the same initial question - is it consistent with the Comprehensive Plan, or the Zoning Ordinance? Comments in their petition may address the aspirational aspects of the Plan, such a meeting a wide variety of housing needs. The question being raised is whether that housing statements would be applicable to a property at the intersection of Highland and 22nd Street.

The high-density residential designation of over 20 dwelling units per acre was sought to be considered with the Plan density designations. The Plan referenced that high-density is typically includes high-rise apartments but noted that it doesn't mean it always is. If a homebuilder razed the site and wanted to put 10-15 single-family homes there, we'd be having the same discussion.

He referenced high-density residential properties south of 22nd Street that are within the R5 zoning district, which was contemplated within the 1968 Yorktown residential planned development. Through the review of the 2014 Comprehensive Plan update discussion, there was not discussion regarding changing the planned use designation as it was operating as a hotel and there was not any redevelopment considerations at that time.

He opined that if the site is planned and zoned for commercial uses, before a rezoning is contemplated, are there other uses that are permitted within the B3 District should be considered? While the petitioner noted the applicability of the residential use within the commercial districts is available above the first floor, noting the property at Roosevelt & Stewart, but the primary principal use on the first floor is commercial. Hotels are permissible in the B3 District, but solely residential uses is not permitted and why the petition is being brought forward.

Regarding map amendments, the existing zoning reflects the current use, and the petitioner bought the property last year. There should have been an expectation that the property would be used for B3 uses. There has been no testimony offered that stated that other B3 uses would not be suitable for the site - they simply want to adapt the existing structure to the proposed residential use. If the site cannot be used for a hotel in an economically viable manner, before the zoning district is changed, are there other B3 uses which could be located there? The existing extended stay hotel has been located on the property for over 35 and filling a market need, but questioned the reason for the change.

Regarding consistency with the trend of development, the report notes several nonresidential projects constructed in the area, most notably around the periphery of Yorktown. He also noted that when changes were made, they generally fell into one of three categories such as obsolete and long vacant structures such as the redevelopment of Boogie Nights; land use conditions in which Elan was constructed on a vacant for 50 years and staff argued that should be considered when considering commercial zoning; and changing market conditions like the Summit at Yorktown replacing strip center with occupancy issues and vacancies since the 1990s. This is what staff considers when we talk about when reviewing projects - if there is a substantial trend or change in the area, we should be responsive to it, but not in the case of

“we just bought this property, and we’d like to change the Plan and zoning with some improvements”. He stated that we have to be careful not to deviate far from larger Village Policies set forth within the Plan. He stated that staff does not dispute that the existing hotel use is compatible with other hotels nearby. But the change of use and the relief could create impacts on the adjacent properties, particularly matters such as parking. Regarding the suitability of the property in question for permitted uses listed in the proposed zoning classification. He does note there are some levels of compatibility between the uses. He referenced a petitioner’s statement about hotels needing government subsidies. In response, the Village has a 5% Hotel Tax on room night stays and those funds are solely to be used to promote hotels, and there are state statutory limitations that preclude those funds for general purposes. He also noted the Village support for hotels, and it generates “new dollars” in the community. He also noted some assistance that was offered through the federal government during the pandemic. He stated that issues like taxes are not under the purview of the Plan Commission.

He then referenced the LaSalle Factors, which came out of a 1957 Illinois Supreme Court case and has been recognized as a standard benchmark in consideration of such cases and includes similar standards such as compatibility with the existing use and zoning of nearby property, and the extent to which property values of the subject property are diminished by the existing zoning. No testimony offered that the B3 zoning or the hotel land use diminishes the property. Regarding the extent to which the proposed amendment promotes the public health, safety, and welfare of the Village, there were representations as to the impact of hotels on Police, Fire and EMS services. There are no studies the Village has to quantify whether the change from a hotel use to an apartment use would or would not impact such services.

Regarding the relative gain to the public, as compared to the hardship imposed upon the applicant, it was stated that meeting the code provisions is not economically feasible, but staff is concerned that that argument would conflict with the concept that the requested actions are for financial gain.

PC 23-13 Minutes Continued

Regarding the suitability of the subject property for the purposes for which it is presently zoned, there are many permissible land uses within the B3 District that could be located there. Pertaining to the length of time

that the subject property in question has been vacant, as presently zoned, the subject property is not vacant and has been occupied as a viable business since its initial opening. He also raised the question that since the petitioner stated that they have 90 percent occupancy in the hotel, what is the nexus to justify the change of land use versus continued operation as a hotel?

Regarding the consistency of the proposed amendment with the Comprehensive Plan, and any adopted land use policies, they are making that request. But the Plan Commission must look at the larger issue of whether the sought housing is appropriate at this location.

He mentioned the requested variances. Regarding density, there are ways to reduce density through unit combination or demolition, but they chose to seek the relief instead. Statements were made regarding economic viability - if one is not meeting the parameters of the proposed zoning district, then the raises the question of appropriateness. The actions being requested are therefore being self-created.

He offered questions regarding lot area coverage and the petitioner's statement that the clubhouse and gathering area should be considered open space. In response, the Village Board considered two zoning petitions the previous Thursday, and in their actions reaffirmed the need and value of green open space. The clubhouse is a nice amenity to the site, but it should not be viewed as "if you want more green space, we will demolish these amenities". The Plan Commission can weigh that out and offer their recommendation.

The last request pertains to the parking relief. He noted several amenities that the petitioner stated they may offer to residents if approved. However, none of the amenities is an enforceable regulation by the Village. The Commissioners should think about this property years into the future. The amenities are good to have, but they have to be reviewed in the context of the petition.

He summarized the lack of on-street parking and no parking between 2:00 and 5:00 a.m. Code provides for off-site parking for non-residential uses as a conditional use, but that provision does not exist for residential land uses.

They are proposing to restripe the lot to meet a 8'3" width standard which will provide them the ability for more spaces within the same footprint.

He offered empirical data and case examples which serves as the basis for staff's concern for the parking relief, including:

- East South Broadway in which the Village used CDBG funds to reconstruct a parking field to help existing tenants achieve a minimum parking level at 1.5 spaces per dwelling unit. However, the Village continues to receive additional requests for additional stickers or accommodation for overnight street parking.
- Oakview Estates - while the project met code, the unit owners expressed concerns that 1.5 spaces was not enough. While there were private parking limitations offered, there were residents that were able to secure additional spaces.
- BlueStem (Ann/Finley): This project completed in 2015 met minimum code requirements. However, as the management company required all non-tenant registered vehicles to be off the property it created neighborhood on-street and overnight parking issues.
- South Main Street mixed-use building: This nonconforming parking situation has resulted in residents parking on adjacent properties.

These were all real-world cases to illustrate the larger concern.

He then introduced and read into the public record a survey of multi-family parking standards for nearby double concentric ring communities. The data showed that the Village parking standards are in line and in many cases, less restrictive than other DuPage communities. He also noted a past text amendment to adjust code as it pertains to hotels. But this effort shows that Lombard's code is not out of line.

He stated that staff is not raising concerns about traffic generation relative to the land use change, noting that there is sufficient capacity on 22nd Street and Highland Avenue to accommodate either land use.

Javier Millan discussed KLOA's approach to the parking analysis. They reviewed the parking study and do not refute the figures that were offered. He noted a caution regarding using ITE data, and the ratio of 1.22 parking spaces per unit, which is in line with locations which are near public transit and TOD development. While the site is served by 3 bus routes, but no proximity to rail, and it is not a compact development.

The ITE study was based upon bedrooms versus units, noting that the data is more limited in terms of case studies. The 1.0 to 1.2 parking space provision can be justified in a TOD environment. Is the 1.5 space

standard reasonable and out of line, yes, but perhaps the reasonable standard may be justifiable at the 1.3 or 1.4 standard. In his opinion, this site and project is not a TOD.

Heniff closed the presentation by noting the findings and recommendations. He summarized the request, noting that the petitioner's plan is generally an as-is plan - the Comprehensive Plan and rezoning actions are required for the petition, while the variations are the companion relief. That is one of the challenges when considering an already built environment.

The recommendation of denial was based upon the weight of the evidence, but it is the role of the Plan Commission to review the information offered by the petitioner and staff and make a recommendation. However, if the Plan Commission wants to approve the petition, staff also offered an alternate recommendation of approval, subject to conditions and if that motion is made, then in the motion, they should state that they do NOT accept the findings of the IDRC report. He also outlines other possible options the Plan Commission can consider.

Chairperson Giuliano suggested that given the time, a continuance may be in order. She asked if there were any other immediate questions of the Commissioners that should be asked at this time.

Commissioner Johnston asked Millan about the parking standards, and asked how items such as snowfall impacts available parking spaces. Millan stated that it is a comment KLOA gets often, and parking spaces can be lost. He emphasized that the Lombard Code is in line, but they have seen cases in which a lower standard has also worked and other cases where parking much less than that has created issues. Ultimately, it is up to the Village to determine the right ratio.

Heniff asked Village Counsel to provide clarity as to where we are relative the status of the public hearing. Through additional discussion, Anne Skrodski offered that the petitioner's rebuttal period will be offered, with the possibility of additional public comment, and then the public hearing portion of the meeting would be closed.

A motion was made by Commissioner Johnston, seconded by Commissioner Walker, that PC 23-13: 2001 S Highland Avenue (Sonesta Suites) be continued to the July 17, 2023 Plan Commission Meeting.

The motion carried by the follow vote:

Aye: Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

Business Meeting

Approval of Minutes

A motion was made by Commissioner Invergo, seconded by Commissioner Johnston, that the minutes of the May 15, 2023 meeting be approved.

The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

Public Participation

DuPage County Hearings

There was no DuPage County Hearings.

Chairperson's Report

The Chairperson deferred to the Director of Community Development.

Planner's Report

There was no Planner's Report.

Unfinished Business

There was no Unfinished Business.

New Business

There was no New Business.

Subdivision Reports

There was no Subdivision Reports

Site Plan Approvals

There was no Site Plan Approvals.

Workshops

There was no Workshop

Adjournment

A motion was made by Commissioner Johnston, seconded by Commissioner Walker, to adjourn the meeting at 11:03 p.m. The motion passed by an unanimous vote.