

# PLAN COMMISSION

## INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

### 1308-1330 S. MEYERS ROAD (PINNACLE AT MEYERS – REVISED PLAN)

July 21, 2025

#### Title

PC 25-10

#### Petitioner & Property Owner

Afsar Developers, LLC  
Mark W. Daniel/Daniel Law Office  
17W733 Butterfield Road, Suite F  
Oakbrook Terrace, IL 60181

#### Property Location

1308-1330 S. Meyers Road  
PINs: 06-21-102-035 thru -057  
(formerly identified as 06-21-102-010, 06-21-102-011, 06-21-102-012, 06-21-102-013, 06-21-102-014, and 06-21-102-028)

#### Zoning

R2PD Single-Family Residence  
District Planned Development

#### Existing Land Use

Vacant land, single-family residences,  
and nonconforming business

#### Comprehensive Plan

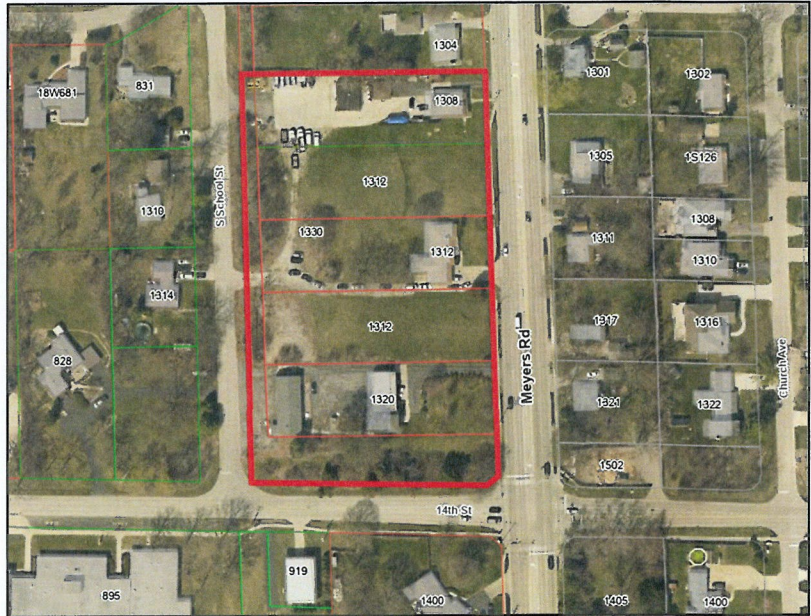
Low Density Residential

#### Approval Sought

Amend approvals previously granted to allow 11 detached single-family homes instead of 22 detached single-family homes and approve a revised final plat of subdivision.

#### Prepared By

Anna Papke, AICP  
Planning and Zoning Manager





### **PROJECT STATS**

#### **Lot & Bulk**

Parcel Size: 3.91 acres

#### **2024 approval**

Dwelling units: 22

Density: 5.62 units per acre

#### **2025 request**

Dwelling units: 11

Density: 2.81 units per acre

#### **Submittals**

1. Exhibit A.

### **APPROVAL(S) REQUIRED**

The petitioner requests that the Village take the following actions on the subject property (1308-1330 S. Meyers Road), located within the Village of Lombard R2PD Single-Family Residence District Planned Development (Pinnacle Planned Development)

1. Amend the approvals previously requested through Plan Commission petition PC 24-07, and granted by Ordinance No. 8292, as follows:

- a. Pursuant to Section 155.504 of Village Code, approve the following major changes to the Pinnacle Planned Development:

- i. Amendment to provide for development of 11 detached single-family residences, where the previous approval provided for 22 detached single-family residences;
- ii. Pursuant to Section 155.407(F)(1)(a)(iv), which requires a front yard of 30 feet, deviations in order to adjust the prior relief granted for 22 lots and allow front yards of 28 feet on Lots 1-3 and 25 feet on Lots 4-11, as provided for in the Planned Development Site Plan and preliminary plat of subdivision;
- iii. Pursuant to Section 155.407(F)(2), which requires a corner side yard of 20 feet, deviations in order to adjust the prior relief granted for 22 lots and allow corner side yards of nine (9) feet on Lot 4, and ten (10) feet on Lot 11, as provided for in the Planned Development Site Plan (all dimensions measured to the lot line shared with Outlot A);
- iv. Pursuant to Section 154.506(D), variations in order to permit 11 lots with frontage on the private streets within the subdivision, where the previous approval provided this relief for 22 lots;
- v. Pursuant to Section 155.210 and 155.210(A)(2)(b), a variation in order to allow an above-ground utility cabinet before the principal building and allow the cabinet in front of the south and east walls of the building on Lot 3, where previously this relief was granted relative to the same location on prior Lot 6;

**APPROVAL(S) REQUIRED (cont.)**

- b. Elimination of the following relief approved by Ordinance 8292:
    - i. Pursuant to Section 155.407(E), deviations to allow individual lot widths less than 60 feet;
    - ii. Pursuant to 155.407(F)(3), deviations to allow interior side yards of less than six (6) feet;
  - c. Preservation of the following relief approved by Ordinance 8292:
    - i. Pursuant to Section 155.407(G)(2) of Village Code, approve a conditional use for building height not to exceed 38 feet or three stories;
    - ii. Pursuant to Sections 155.510(A)(1) and Section 155.407(H), deviations in order to allow open space to be calculated across all parcels in the planned development rather than on a parcel-by-parcel basis, and to allow a development with 45% open space where 50% open space is required;
    - iii. Pursuant to Section 155.205(A)(1)(c), a variation in order to allow, as shown in the Landscape Plan and Planned Development Fence Plan, a 6-foot fence on Outlot A at all locations (a portion of the north fence extends along the abutting front yard to the north) except near the Meyers Road and 14th Street driveways where a 4-foot fence is depicted;
    - iv. Pursuant to Section 155.711, variations in order to allow innovative landscaping per the submitted Landscape Plan;
    - v. Pursuant to Section 154.304(D)(2) and Section 154.306(D)(2), variations in order to allow public improvements to the School Street and 14th Street rights-of-way depicted in the preliminary engineering plan, Planned Development Site Plan and Landscape Plan, as determined upon hearing and decision;
    - vi. Pursuant to Section 154.304(D)(3), Section 154.306(D)(3) and Section 154.309, variations in order to allow improvements to the Meyers Road right-of-way depicted in the preliminary engineering plan, Planned Development Site Plan and Landscape Plan, as determined upon hearing and decision;
    - vii. Pursuant to Section 154.407(A) and Section 154.503(D), variations in order to continue the existing widths of all abutting rights-of-way and pavement widths thereof;
    - viii. Pursuant to Section 154.510 and Section 150.301, variations in order to permit the driveways onto Meyers Road and onto 14th Street as depicted in the preliminary engineering plans and Planned Development Site Plan provided that the gate shall remain operable to allow entry by all vehicles without access control so as not to stack vehicles over the sidewalk or cause backing movements;
    - ix. Such other variations from Chapter 154, including those which exclude final landscape treatment from public improvements required to be completed prior to the initiation of the final ten percent (10%) of units but only to the extent required on lots that have not been certified for occupancy, as deemed necessary and appropriate;
    - x. Pursuant to Section 153.232(B), a deviation in order to allow each subdivision sign at a height of six (6) feet, where a height of four (4) feet is permitted; and
2. Approve a revised final plat of subdivision pursuant to Section 154.203(D) of Village Code.



### **PREVIOUS APPROVAL AND CURRENT REQUEST**

In 2024, the majority of the subject property was outside the Village of Lombard corporate limits. The petitioner initially proposed to develop the three lots addressed 1312 S. Meyers Road with 15 duplex buildings (30 units total, density of approximately 15 units per acre) under the then-existing DuPage County zoning designation of R-3. The original site plan called for three rows of duplexes facing internal drives running east to west from Meyers Road to School Street. Water service would have been provided by DuPage County, with connection to a private sanitary sewer system through an easement on a private property on the west side of School Street. The DuPage County Zoning Board of Appeals held a public hearing on this development proposal in February 2024.

Shortly after the DuPage County public hearing, the petitioner approached the Village with a request to annex the property and connect to Village utilities. In response to staff and community concerns about density and site layout, the petitioner acquired the properties at 1308, 1320, and 1330 S. Meyers Road and revised the development proposal to a single-family residential development with internal private access drive. The final plan showed 22 single-family residences with a density of 5.62 units per acre. In September 2024, the Village approved zoning entitlements for a development consisting of 22 detached single-family residences in a gated community (PC 24-07, Ordinances 8288, 8289, 8290, 8291, and 8292). The final approvals included improvements to the School Street and 14<sup>th</sup> Street rights-of-way.

As of July 2025, construction on the approved development is underway. The petitioner is marketing the development to potential buyers and has received interest from buyers who would like to build houses that are larger than the houses approved for the site. In response to this market interest, the petitioner now proposes to amend the approved plan to allow for development of 11 detached single-family residences instead of 22 detached single-family residences. Figures 1 and 2 show the approved and revised site plans. In comparing the approved site plan to the revised proposal, staff notes the following:

- The petitioner will reduce the number of units by combining pairs of lots into larger lots (i.e., Lots 1 and 2 are consolidated, Lots 3 and 4 are consolidated, etc.).
- The density of the development will decrease from 5.62 units/acre to 2.81 units/acre.
- The distance between the houses will increase from six feet to 12 feet or greater.
- The height of the proposed buildings will be a maximum of 38 feet at peak height, as previously approved.
- The setbacks of the houses from the perimeter of the development under the revised plan are greater than or equal to the perimeter setbacks on the approved plan.
- No changes are proposed to the landscaping or fencing around the perimeter of the site.
- No changes are proposed to the overall site layout or utility infrastructure.
- No changes are proposed to the site access from adjacent roadways. The development will have one connection to Meyers Road and one connection to 14<sup>th</sup> Street.
- No changes are proposed to the improvements previously approved for School Street and 14<sup>th</sup> Street. These consist of streetlights and a sidewalk along the east side of School Street, and a crosswalk on 14<sup>th</sup> Street.
- The open space in the development will remain 45%, as previously approved.



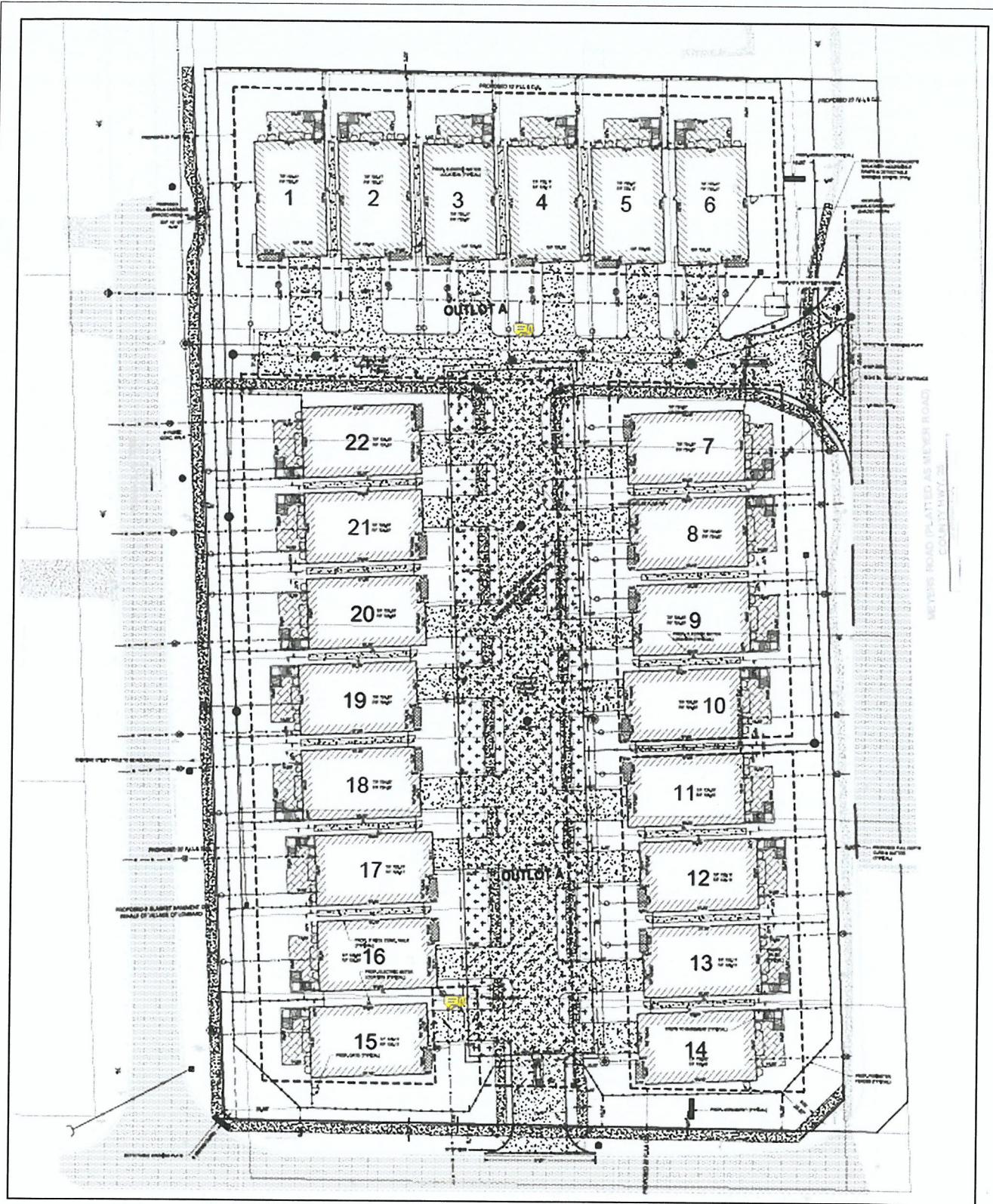


Figure 1. Approved site plan.



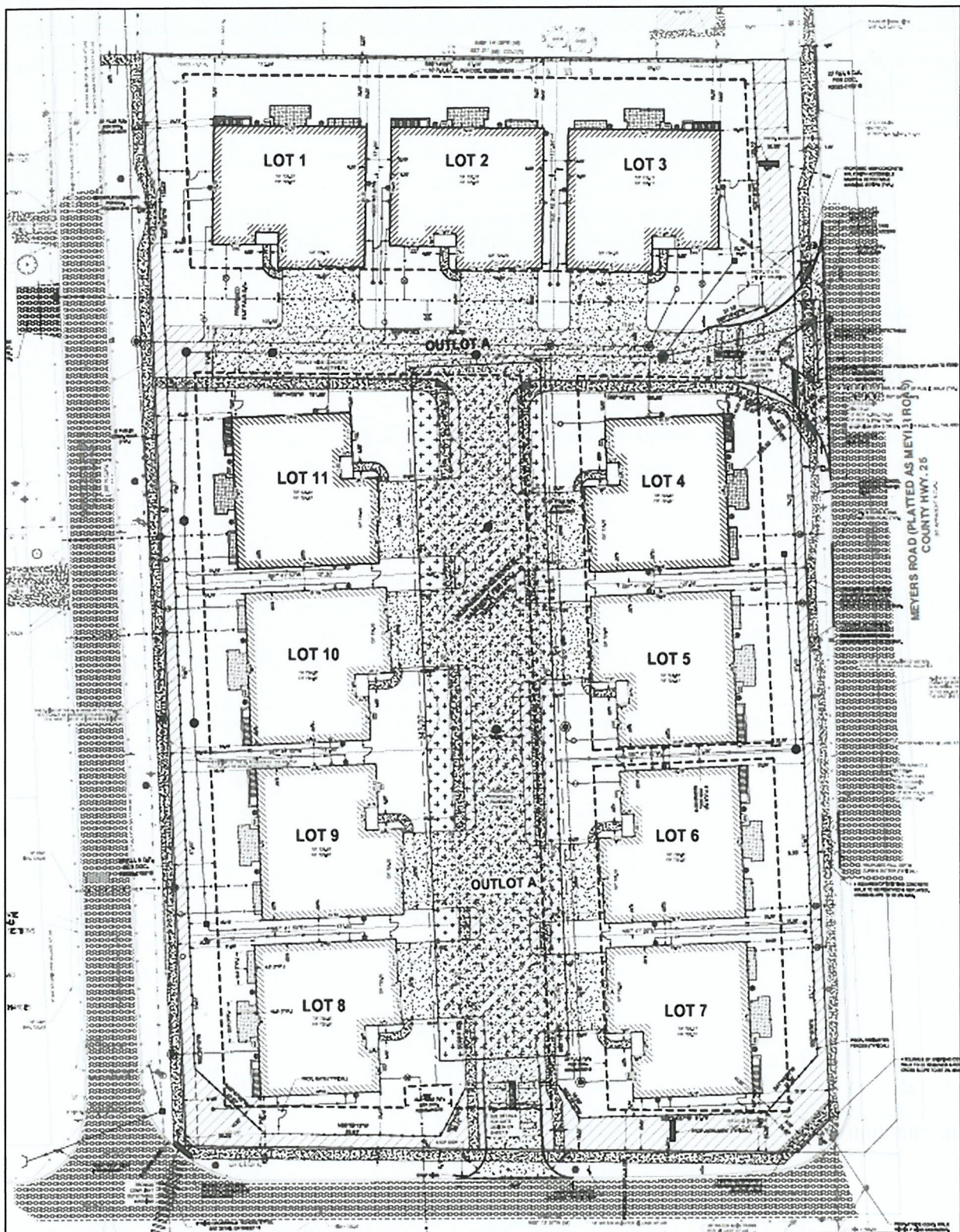


Figure 2. Revised site plan (proposed).



The petitioner is requesting amendments to Ordinance 8292 (PC 24-07) to address the revised development plan. The revised development proposal requires a revision to the language of the zoning relief previously granted. Furthermore, some of the entitlements previously approved for the property remain necessary for the revised plan, and the petitioner requests these approvals be preserved. Two previously approved entitlements are no longer required. The following chart explains how the petitioner's current request relates to the previous approval.

**PREVIOUSLY APPROVED BY ORDINANCE 8292 (PC 24-07), PETITIONER REQUESTS TO AMEND THESE ENTITLEMENTS**

**Item Number in PC 25-10**

<b>Public Notice</b>	<b>Entitlement</b>
1.a.i.	Allow 11 detached single-family residences instead of 22 detached single-family residences
1.a.ii.	Amend previously granted deviation for front yard setbacks to allow front yards of 28' and 25' feet throughout the development (front yard face interior drive aisle)
1.a.iii.	Amend previously granted deviation for corner side yard setbacks
1.a.iv.	Amend previously approved variation to allow 11 lots with frontage on private street instead of 22 lots with frontage on private street
1.a.v.	Amend previously approved variation for utility cabinet to reference Lot 3 instead of Lot 6

**PREVIOUSLY APPROVED BY ORDINANCE 8292 (PC 24-07), REQUIRED FOR REVISED PLAN  
PETITIONER REQUESTS TO PRESERVE THESE ENTITLEMENTS**

**Item Number in PC 25-10**

<b>Public Notice</b>	<b>Entitlement</b>
1.c.i.	Conditional use for buildings with peak height of 38 feet
1.c.ii.	Deviation to allow a planned development with 45% open space
1.c.iii.	Variation to allow a six-foot-high fence around perimeter of development, with four-foot-high fence in proximity to Meyers Road and 14 <sup>th</sup> Street connections
1.c.iv.	Variation to allow innovative landscaping
1.c.v.	Variations to allow public improvements on School Street and 14 <sup>th</sup> Street as shown on preliminary engineering plan
1.c.vi.	Variations to allow public improvements on Meyers Road as shown on preliminary engineering plan



1.c.vii.	Variations to allow continuance of existing widths of abutting rights-of-way
1.c.viii.	Variations to allow driveways onto Meyers Road and 14 <sup>th</sup> Street as shown on preliminary engineering plan, provided gate remains operable to allow entry by all vehicles without access control
1.c.ix.	Variations from Chapter 154 to exclude final landscape treatment from public improvements for purposes of completing final 10% of units
1.c.x.	Deviation to allow subdivision sight at a height of six feet

**PREVIOUSLY APPROVED BY ORDINANCE 8292 (PC 24-07), NOT REQUIRED FOR  
REVISED PLAN  
PETITIONER REQUESTS TO ELIMINATE THESE ENTITLEMENTS**

**Item Number in PC 25-10**

<b>Public Notice</b>	<b>Entitlement</b>
1.b.i.	Deviations to allow individual lot widths of less than 60 feet
1.b.ii.	Deviations to allow interior side yards of less than six feet

The subject property is subject to an annexation agreement that was approved concurrent with the 2024 zoning entitlements. The approved annexation agreement incorporates the approved development plan by reference. Should the petitioner's request for approval of an amended site plan be approved by the Village Board, the annexation agreement will require amendment. Annexation agreements are approved and amended at the sole discretion of the Village Board. The Plan Commission is requested to consider the request for amended zoning entitlements and make a recommendation to the Village Board. The Plan Commission's recommendation on the zoning petition will be forwarded to the Village Board for consideration in conjunction with the petitioner's request to amend the annexation agreement.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has no comments on the petition. Additional comments may be forthcoming during permit review.

**Fire Department:**

The Fire Department has no comments on the petition. Additional comments may be forthcoming during permit review.

**Private Engineering Services:**

Private Engineering Services has no comments on the petition. Additional comments may be forthcoming during final site engineering permit review.



**Public Works:**

The Department of Public Works has the following comment on the petition. Additional comments may be forthcoming during permit review.

1. The proposed parkway trees in the public rights-of-way shall be pre-paid as part of the building permit, and then be planted, owned, and maintained by the Village.

**Planning Services Division:**

The Planning Services Division (PSD) notes the following:

**1. Surrounding Zoning & Land Use Compatibility**

	<b>Zoning Districts</b>	<b>Land Use</b>
<b>North</b>	R-3 (DuPage County)	Single-family residence
<b>South</b>	R-3 (DuPage County), R0	Single-family residence, Village pump station
<b>East</b>	R-4 (DuPage County)	Single-family residences
<b>West</b>	R0	Single-family residences

The subject property is located in the 1300 Block of South Meyers Road. School Street and 14<sup>th</sup> Street border the west and south sides of the subject property, respectively. The north end of the block fronts Roosevelt Road and is developed with commercial uses, including a gas station, home improvement store, and daycare. The southern two-thirds of the block, including the subject property, contains single-family homes on lots of varying sizes, with some vacant lots. The area on the west side of School Street is the York Center Co-Op, a large-lot single-family residential subdivision, most of which is unincorporated. Properties on the east side of Meyers Road are also unincorporated single-family residences. York Center Elementary School and a religious institution (Taiwanese Community Church) are located generally south of the subject property. The petitioner's land use proposal for a single-family residential subdivision on the subject property is compatible with the surrounding land uses.

**2. Comprehensive Plan Compatibility**

The Comprehensive Plan recommends Low Density Residential land uses on the subject property. The Comprehensive Plan designation for the subject property was amended from Estate Residential to Low Density Residential with the 2024 zoning entitlement approval. The petitioner's proposal for an 11-lot single-family residential subdivision is consistent with this Comp. Plan designation.

**3. Zoning Compatibility and Consistency with Previously Approved Zoning Entitlements**

The petitioner is proposing 11 single-family homes on small lots facing a private internal drive. The site layout is unchanged from the plan approved in 2024. Access to each residential lot will be from the private drive. The private drive and the landscape areas around the perimeter of the development will be owned and managed by a homeowners' association. Access to the development will be provided by one curb cut on Meyers Road and one curb cut on 14<sup>th</sup> Street. A fence will enclose the perimeter of the development.

PC 24-07 included approval of a planned development in the R2 District with companion conditional use, deviations and variations. The proposed revised plan for 11 residences is largely consistent with the requirements of the underlying R2 District or the zoning relief granted by PC 24-07. The following table summarizes the bulk requirements for the approved plan and the proposed plan.



**Bulk Requirements**

	<b>R2 District Requirement</b>	<b>Approved Plan</b>	<b>Revised Plan (Pending)</b>	<b>Amendment to 2024 Entitlements Required to Approve Revised Plan?</b>
<i>Minimum Lot Width</i>	60'	38' - 63' (approved by deviation)	72' - 103'	Relief no longer required
<i>Minimum Lot Area</i>	7,500 SF	4,600-6,900 SF (approved by deviation)	11,000-14,000 SF	Relief no longer required
<i>Maximum Density</i>	5.8 DU/acre	5.62 DU/acre	3.81 DU/acre	No relief required for either plan
<i>Minimum Front Yard Setback</i>	30'	20-24' (approved by deviation)	25' -28'	Yes
<i>Minimum Corner Side Yard Setback</i>	20'	1' (approved by deviation)	9' - 10'	Yes
<i>Minimum Interior Side Yard Setback</i>	6'	3' (approved by deviation)	6'	Relief no longer required
<i>Minimum Rear Yard Setback</i>	25'	25' +	25' +	No relief required for either plan
<i>Maximum Building Height</i>	30'	38' (approved by conditional use)	38'	No
<i>Minimum Open Space</i>	50%	45% (approved by deviation)	45%	No

The revised plan is largely consistent with the existing zoning entitlements. As shown in the above table, several pieces of zoning relief granted for the approved plan are not required for the revised plan. Some of the previously granted zoning relief is still needed, but the degree of nonconformity to the underlying zoning district requirement is reduced. Overall, staff finds the revised plan lessens the amount of zoning relief required for the development.

**4. Building Size and Design**

The 11 homes in the revised concept will be larger than the building footprints in the approved 22-lot plan (Figures 3 and 4). Floor plans submitted by the petitioner show homes in the 11-lot plan will have approximately 12,000 square feet of livable space, including the basement. Homes in the 22-lot plan have approximately 6,600 square feet of livable space. The petitioner's materials indicate the number of bedrooms is not increasing. Both concepts call for five bedrooms with the option of two additional bedrooms in the basement.



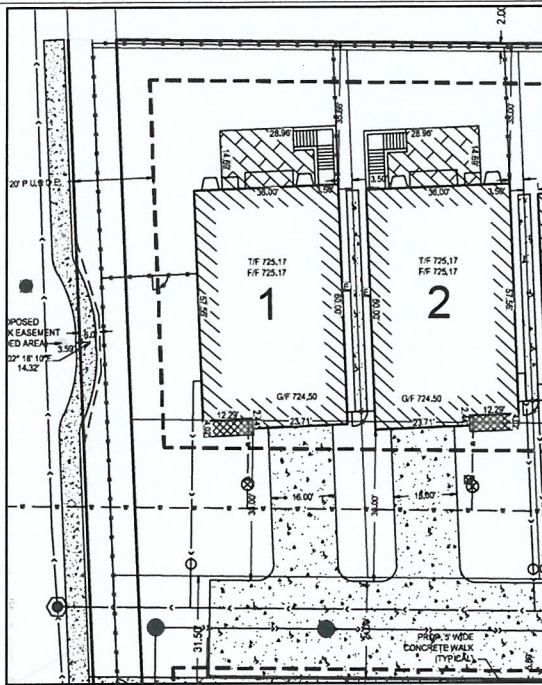


Figure 3. Lots 1 and 2, approved plan.

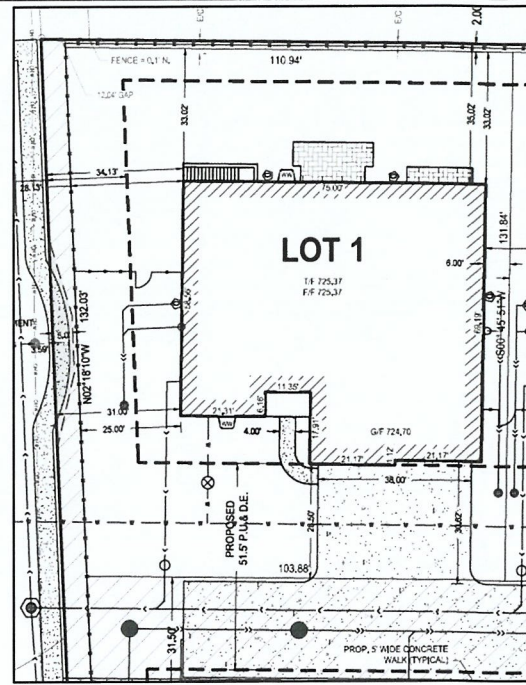


Figure 4. Lot 1, revised plan.

The petitioner has submitted updated building elevations and renderings. The architectural design of the revised houses is similar to the previously approved concept plans. Building height is unchanged at a peak height of 38 feet. The rooftop deck area in the revised plan is smaller than the rooftop deck in the approved concept plans.

#### 5. *Parking and Traffic Circulation*

Under the approved plan, each residence contains a two-car garage plus parking for two to four cars in the driveway. Under the revised plan, each residence would have a six-car garage plus parking for three to four cars in the driveway. With over six parking spaces per unit, the development will exceed the Village Code requirement of two spaces per single-family dwelling unit.

Access to the development is unchanged from the previously approved plan. The drive from Meyers Road will be a right-in/right-out connection. The petitioner is in the process of obtaining a permit for this driveway from DuPage County, which has jurisdiction over Meyers Road. The driveway off 14<sup>th</sup> Street, a Village-controlled right-of-way, will be full access. Internal circulation and access to individual residences will occur via the internal private drive. No changes are proposed to the internal drive layout.

The 22-unit plan was reviewed by the Village's traffic consultant, KLOA, in 2024. KLOA found the 22-unit single-family residential development would generate a relatively low volume of traffic during peak hours. KLOA concluded the overall roadway system is adequate to accommodate the traffic generated by the 22-unit development. KLOA has reviewed the revised site plan and finds the 11-unit plan is projected to generate less traffic than the previously approved plan. A table comparing trip generation levels for the approved plan versus the revised plan is attached to this report.

#### 6. *Request for Approval of a Revised Final Plat of Subdivision*

The petitioner requests approval of a revised final plat of subdivision to reflect the revised site layout. The revised plat alters the location of one public utility and drainage easement that was granted on the original plat of subdivision. The petitioner will submit a plat of abrogation for the original easement to the Village and benefitting utilities prior to recording the revised final plat of subdivision.



## **7. *Neighborhood Meeting and Public Comment***

The petitioner conducted a neighborhood meeting on July 1, 2025. 40 to 50 community members attended and had the opportunity to ask questions of the petitioner about the revised development plan.

Prior to the Plan Commission hearing, staff received one written comment on the petition. This letter is attached to the staff report.

## **SITE HISTORY**

**2008:** For the 1308 S. Meyers Road property, an annexation agreement, annexation, and rezoning of the property to the R1 Single Family Residence District was approved by the Village Board on November 6, 2008 (Ordinances 6270 and 6272) and recorded on December 30, 2008.

**2024 (PC 24-07):** Approval of Comprehensive Plan map amendment, Zoning Map amendment, and zoning entitlements for a planned development with companion conditional use, deviations and variations for a 22-lot single-family residential development.

## **FINDINGS & RECOMMENDATIONS**

Staff finds that the development proposal for the subject property is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, the Zoning Ordinance, and zoning entitlements previously granted by Ordinance 8292 (PC 24-07).


The Inter-Departmental Review Committee has reviewed the standards for the major changes to an approved planned development (Pinnacle Planned Development) and finds that the petition **complies** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 25-10:

Based on the submitted petition and the testimony presented, the petition does comply with the standards required by the Village of Lombard Zoning Ordinance and that approval of the petition is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Committee Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 25-10, subject to the following conditions:

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, except as they may be changed to conform to Village Code;
3. That the petitioner shall apply for and receive building permits for the proposed improvements; and
4. That this approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).



Inter-Departmental Review Committee Report approved by:

  
Trevor Dick, FAICP  
Director of Economic Development and Planning  
c. Petitioner

attachment: Trip Generation Comparison Table, prepared by KLOA.  
Public comment received prior to staff report finalization (1)

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**EXHIBIT A**  
**PETITIONER'S SUBMITTALS**

1. (001) The Village's form application for zoning relief (15 copies);
2. (002) Legal description;
3. (003) Title insurance policies and commitments for the property
4. (004) Recent deeds for the properties (note that most recent will be provided upon request once the County Recorder of Deeds site is functional);
5. (005) Authorization and disclosure from the owner;
6. (006) Parcel Map;
7. (007) County GIS aerial photograph;
8. (008) Recorded Plat of The Pinnacle at Meyers Subdivision;
9. (009) Topographical survey prepared by Ridgeline Consultants;
10. (010) Approved Landscape Plan;
11. (011) Approved Fence Plan;
12. (012) Proposed Final Plat for The Pinnacle at Meyers First Resubdivision;
13. (013) Amended Planned Development Plan for The Pinnacle at Meyers;
14. (014) Table of Lot Area and Open Space by Parcel;
15. (015) Preliminary engineering (to be delivered separately);
16. (016) Exterior and Interior Design Summary;
17. (017) Elevation and roof options;
18. (018) Interior Drawings;
19. (019) Summary of Revisions;
20. (020) Itemization of relief;
21. (021) Table of Compliance; and
22. (022) Project narrative.



Table 1  
TRIP GENERATION COMPARISON

ITE Land Use Code	Type/Size	Weekday Morning Peak Hour			Weekday Afternoon Peak Hour			Weekday Evening Peak Hour			Weekday Daily Trips		
		In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
210	Single-Family Detached Housing (24 units)	5	15	20	10	8	18	16	10	26	136	136	272
210	Single-Family Detached Housing (11 units)	2	8	10	5	3	8	8	4	12	66	66	132
	<b>Difference</b>	<b>-3</b>	<b>-7</b>	<b>-10</b>	<b>-5</b>	<b>-5</b>	<b>-10</b>	<b>-8</b>	<b>-6</b>	<b>-14</b>	<b>-70</b>	<b>-70</b>	<b>-140</b>



## Papke, Anna

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**From:** (   
**Sent:** Friday, July 11, 2025 4:08 PM  
**To:** Papke, Anna  
**Subject:** Information for meeting on 7/21/2025

### Please be cautious

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Anna,

Please include the following information in the packet for the meeting on 7/21/25.

Thanks for your continued assistance.

Doris Dornberger

### Lombard Planning Commission:

I am writing to you again about The Pinnacle on Meyers, a development about which I have written many other letters in the last 16 months. I am glad to see that the developer has again decreased the number of homes he is proposing to place on these approximate 4 acres. Hopefully this will reduce some of the issues resulting from this project that people have described in previous versions.

Traffic and pedestrian safety, parking, very limited green space, and water collection and drainage continue to be concerns for me.

It seems obvious that the developer knows that parking is an important issue since he is now planning to have 6 parking spaces within each home. Apparently as part of each home site, there will also be 4 exterior spots. The attorney during the community meeting stated that there will be times they will need to limit parking, so we can assume there will be times when 10 spots are not adequate. Community members have repeatedly described to your Planning Commission and Lombard Board of Trustees how our community cannot manage this development's overflow traffic. Our streets are too narrow to have cars parking on them; a moving car must go into the opposite lane to avoid a parked car. Just today, I needed to back up as I was attempting to drive on School St. when there was a truck parked by the development, a person walking on the opposite of the street, and another car coming toward me. There just was not enough room for all of us to be safe.

Water retention and water runoff continue to be concerns. Much of the area has been torn up to install an unwater catchment and retention system. Water was running across the road from the development into the lot on the northwest corner of 14<sup>th</sup> and School during a recent heavy rain, and this was apparently with underground water storage equipment having been installed and no buildings on the property. Multiple variations to decrease the amount of open space and green continue to be requested for this project. The proposed homes are now 12,000 square feet, but the developer still cannot provide the few extra feet in multiple areas to comply with Lombard standards. Water concerns would decrease if the various regulations for lot size complied with Lombard regulations. Also, if the 4 exterior parking spaces were constructed of permeable pavement, that would also help with watershed. Providing additional trees and bushes would also provide more water absorption. People spending \$2.5 million for a home should be able to provide these important accommodations for the environment..

My concerns about safety are tentatively decreased by the smaller number of homes now being proposed; however, 7 bedrooms and 10 parking spaces certainly suggest a large number of people living there. There is likely to be traffic backup going in and out of this development, both on 14<sup>th</sup> St. and Meyers Rd. 14<sup>th</sup> St. will be an entrance and exit for the development, as well as the entrance for the people living in the 80 other homes in this same area, and the elementary school and the many other people who use this and School Street to be able to avoid the stoplight at Roosevelt and Meyers. Having gates at the entrances/exits for Pinnacle will also add to the congestion in those spots.

Please consider these concerns and suggest additional remedies to promote the safety and well being of everyone living in this area. The people in these new homes could also benefit from such accommodations.

Thank you for considering these various concerns.

Doris Dornberger

19 W020 13<sup>th</sup> St.

Lombard,



## **VILLAGE OF LOMBARD**

### **Pinnacle at Meyers Density Reduction**

1308, 1312, 1320, 1330 South Meyers Road, Lombard, DuPage County, Illinois

Permanent Index Nos. 06-21-102-010, -011, -012, -013, -014, -028

LOTS 1-22, LOT A IN THE PINNACLE AT MEYERS SUBDIVISION

AFSAR DEVELOPERS LLC ("Applicant"), as owner of 1312 South Meyers Road (PINs -011, -012, -013), 1330 South Meyers Road (PIN -028), 1308 South Meyers Road (PIN -010), and 1320 South Meyers Road (PIN -014), respectfully seeks recommendation and approval of a reduction to eleven (11) homes from the currently entitled 24-lot single-family residential development relying on the authorizations set forth in the Itemization of Relief. Generally, the density reduction to eleven lots avoids a number of deviations while reducing the extent of others.

### ***Project History***

Applicant now owns all of the land and it has initiated site work. The density reduction does not change the private road and home orientation or impede perimeter open spaces. Applicant essentially found a better market that fits in Lombard and this may actually benefit other developers.

Applicant believes this project will appear as contemplated along the Meyers Road corridor. Homes will remain below 38 feet with double the planned spacing.

### ***The Subject Property***

The Village zoned the Subject Property R-2 and allowed a 22-lot planned development with a common outlet. The consolidation of lots to allow eleven lots would be simple in the absence of a planned development and annexation agreement. Aware of neighbor interest, staff informed that the matter was obviously going to see an additional public meeting and counsel for the Village and staff determined it was best to treat this request for density reduction as a major change and process it accordingly.

The Village's Comprehensive Plan contemplates low to medium density on the Subject Property. R2 zoning would be a reasonable zoning classification, but R3 zoning in a transitional setting exists on the east side of Westmore-Meyers Road north of Roosevelt Road. The Village allowed 22 homes in an R2 planned development with a density that is 106% of what is allowed. With the reduction, the density will be within guidelines. The reduction also leads to other benefits such as more open space and more space between buildings, as well as being able to place a roof over the rooftop areas and internalize parking on each lot in the development.

### ***About the Project***

The Pinnacle at Meyers will maintain the same design but have fewer lots. The Meyers Road driveway design meets DuDOT standards.

Outlot A will remain a common area that includes all perimeter areas of the development and the interior private street areas. The association will own and operate Outlot A. Outlot A will remain subject to a collection of Village easements as well as utility and drainage easements. The utility companies have knowledge of the change and no objection. Stormwater storage is still planned underground between the buildings, and related easements will favor the association and Village. On the perimeter, the Village will still have a blanket easement outside of the fenceline so that it can undertake any activity in the event the association fails to do so (the area outside the



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fences will be planted and irrigated). The association will maintain the Outlot A improvements other than the part of the sidewalk on School Street that crosses onto Outlot A which is a public improvement and any other improvements under Village or County control.

The perimeter fence will remain as planned to provide privacy to individual lots and allow some screening for neighbors to the west.

Project landscaping will substantially conform to approval plans. Applicant provides for larger yards and more building spacing while maintaining some building offset.

### ***The Residential Experience at The Pinnacle at Meyers***

The Pinnacle at Meyers floor plans reflect four levels that are reflected in the submitted plans. Total livable area has increased and each home features a six-car garage. Driveways can host three or four cars, but only two overnight under an older Lombard ordinance on the subject. The open rooftop areas are now significantly covered by roof.

The maximum height of any building will remain 38 feet. The Village will rely on the maximum height of the roof at its tallest point. Since all roofs will be lower than 38 feet, as measured according to the Zoning Ordinance, and due to the number of roof variations, it is still more convenient to regulate maximum height of each building in this development.

Elevations, floor plans, and interior and exterior presentations in the materials lay out the living areas. The bulk of the narrative explaining the project in 2024 still applies. The same is true of jurisdictional matters (sanitary, roads, and utilities).

### ***The Property and Its Vicinity***

Applicant substantially repeats the discussion of the area that was in the 2024 narrative. The Subject Property is zoned R-2 and comprises 23 lots between Meyers Road (a County highway) and School Street (a local street), south of Roosevelt Road (a state highway). The project relies on Meyers Road and 14th Street for access. Pedestrian access is also planned at School Street.

Pace Route 313 has bus stops on Meyers Road near the Subject Property. Meyers Road is County Highway 25 which extends from Roosevelt Road south to Ogden Avenue and offers convenient access to Downers Grove, Lombard, Oak Brook, Oakbrook Terrace and Villa Park. Only a few minutes further lie the communities of Elmhurst, Lisle and Westmont. The largest retail and employment resources in DuPage County are convenient to the Subject Property. The Subject Property is near Illinois Route 38 (Roosevelt Road) and Illinois Route 56 (Butterfield Road)—each of which offers access to the west half of DuPage County.

The Subject Property is within the following jurisdictions: County of DuPage; Village of Lombard; Flag Creek Water Reclamation District; York Center Park District; York Center Fire Protection District; High School District 88 (Willowbrook High School); Grade School District 45 (York Center Elementary School is across 14<sup>th</sup> Street). Water and sewer will be provided by the Village of Lombard. Lombard annexed the development tract in 2008 and 2024.



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Despite demolition of structures on site, the block still includes features conforming and nonconforming uses in the County R-3 Single-Family Residence District as well as uses in the Lombard R-1 Single Family District, B-3 Community Shopping District and C-4A Roosevelt Road Corridor District. Opposite the Subject Property on School Street is a stretch of homes in Lombard's R0 Single Family zoning district. A large County R-3 zoning district (larger than 60 acres) extends west from these homes. A large County R-4 zoning district runs along the east side of Meyers Road and extends east to Michigan Avenue.

Lombard plans to the east side of Meyers Road (historically the division between Lombard and Oakbrook Terrace planning areas pursuant to a boundary line agreement) and it has annexed along the west side of School Street south to York Center Elementary School and the Taiwanese Community Church. This finger of Lombard extends into 625 or more acres of unincorporated territory that includes residential (single family, duplex, townhouse, apartment), office and commercial uses as well as public and private schools, public parks, and religious uses. Across 14th Street from the Subject Property, there are two homes, the Taiwanese Community Church, York Center Elementary School and a Lombard public works facility. Further south are Knolls Park (York Center), Knollcrest Funeral Home, and the York Township offices. Montini Catholic High School abuts Knolls Park on the west.

Meyers Road is County Highway 25. The local portion of 14th Street is a two-lane street with its main stretch extending from Chase Avenue nearly 4,000 feet to the east where it intersects with Michigan Avenue. The intersection of Meyers Road and 14th Street features a stoplight as well as through lanes and left turn lanes for all traffic. Uses along this stretch include residential uses, a school, religious institutional, public works facilities, and parks. The south portion of the 14th Street right of way includes student bike racks, parking and loading areas extending nearly 300 feet west of the east line of School Street. School Street is a two-lane street, the west side of which is residential in character while the east side includes a blend of uses described below.

York Center Elementary School has drop off and pick up operations as well as parking and student bike racks within the 14th Street right of way. Periodically observed drop off periods have a morning busy period lasting approximately 8-10 minutes, depending on weather. Afternoon peak school activity along 14th Street lasts between four and eight minutes. There is no change in the direction or flow of traffic along either School Street or 14th Street for the school. Staff at York Center Elementary School confirmed these present conditions.

Sidewalks exist along both sides of Meyers Road and along the south side of 14<sup>th</sup> Street to the west line of the York Center Elementary School parking lot. There are no sidewalks along School Street or any of the residential streets west of School Street, but Applicant will install a sidewalk along the east side of School Street in cooperation with Lombard.

1330 South Meyers Road has not been capable of development without other land. It has been commonly understood that this parcel stretches from the southeast corner of the intersection of Roosevelt Road and School Street south to 14<sup>th</sup> Street where it extends east to Meyers Road along the south side of the former Township garage site, but the annexation agreement resolved treatment of the gap strip. The long northerly extension of 1330 South Meyers Road depicted in the County GIS system along the east side of School Street) has been the subject of nearly 100 years of adverse use by parcels within the Subject Property that now extend across the gap. This includes all lots within the Subject Property. The Ray Graham Association owns land that can only be accessed across the gap. Multiple commercial uses near Roosevelt Road and a few single family



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homes rely on the gap strip, so Lombard control over this is co-executive with others. Within the development, all access other than through a pedestrian gate will be to Meyers Road or 14<sup>th</sup> Street.

Homes on lots extending north to Roosevelt Road developed by the mid-1950's and the Township Highway Department facility was long in place to the south of the Subject Property. Soon after the Subject Property and its block developed, the area within the West York Center Community Co-Op Subdivision to the west developed to single family and park and recreation space. With the growth of DuPage County, Roosevelt Road rapidly commercialized, and by 1998, the block was bookended with non-residential use with at least three lots in the middle hosting outdoor storage uses along School Street. The north three acres hosted commercial uses and the south 1.2 acres was dominated by the trucking and automobile storage use at the old Township garage site. The cooperative dissolved more than ten years ago.

West of the Subject Property are four single family homes, one of which has a 100-foot long driveway. These uses are in Lombard. Along the east side of Meyers Road, there is an outdoor storage facility for the York Township Highway Department and a series of single-family homes that extend north to a CVS Pharmacy on the southeast corner of the intersection of Roosevelt Road and Meyers Road. The bus stop (Route 313) is opposite the Subject Property.

### *Comprehensive Planning Objectives*

All standards for zoning approvals in this matter relate somehow to the Village's Comprehensive Plan. As noted in 2024, the Comprehensive Plan strongly supports R2 zoning. The proposed development meets the prerogatives in the Comprehensive Plan, and does so with greater success than the approved plan.

The approved amendment to the 2014 Comprehensive Plan at Page 23 (before the introduction of the five residential area designations), remain appropriate:

Areas within the R0, R1, R2, and R3 districts, including those the Plan identifies as in Residential Estate or Low Density Residential areas, which are situated uniquely for unified development or situated along highways or arterial roads should be evaluated for higher density uses utilizing the planned development mechanism.

This is so even though the overall density of the project (2.8 dwelling units per acre) is proposed below the 6.14 dwelling units per acre requested in 2024.

Pinnacle on Meyers meets the objectives of the Comprehensive Plan by providing for a proper transitional use from the County highway and non-residential uses in the area to the residential uses west of School Street. In this instance the transition operates from the B4A uses on Roosevelt Road to B3 to R2 (R2PD). The style of housing and size of the lots allows a great housing opportunity for those who no longer (or never did) desire large lot residential use, but who also desire luxury housing opportunities. The development remains an appropriate replacement project that will substitute uniform development for a hodge podge of residential and non-residential uses that have often drawn the ire of residents in the area as well as the enforcement powers of local agencies. The project also achieves a strong balance between the need for new housing and lifestyle opportunities while also respecting existing neighborhoods. (Pages 15, 16, 23, 24)



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The project incorporates storm planning and best management practices for the first time ever at this location. (Page 13) The project is at one of Lombard's gateways and it will certainly present a strong and positive community image—one that allows confidence that the Village remains a thriving community with a diverse housing stock rather than a collection of discordant nonconforming uses. (Pages 14, 15, 16, 23, 24) Development of this type also allows more residents direct access to the PACE system while extending the Village's sidewalk network near a public grade school and between public parks. (Page 18) The development externalizes open space and provides for a heavily landscaped perimeter to be maintained and irrigated by the association. (Page 19) The Facility Planning Area adjustment and utility reduces duplication of government services in the vicinity. (Page 20)

The project will also provide for street or parkway trees on both sides of School Street south of the north development line (Page 48) while also reducing all driveways on School Street and reducing the number of driveways on South Meyers Road. (Page 49) The current rights of way allow ample room for bicycles and there is plenty of access from the Subject Property to walking and biking trails in the unincorporated area even though planned incorporated bikeways are further away. (Page 50)

The Subject Property is not an identified area of concern within the Plan.

### ***Standards for Conditional Use***

Section 155.103(F)(8) provides the standards for conditional use which overlap with the conditional use that is a planned development. Building height involves an approved conditional use that will continue. Applicant addresses the standards in with the findings in italics, the basis following, and reference to the 2014 Comprehensive Plan discussion above.

Preliminarily, it is important to note that a conditional use is a use that the Village has already legislatively deemed appropriate for the zoning district in which the use is listed as conditional. Such a use should be approved unless the use at this particular location poses particular concerns that do not prevail on other lots within the district (or other districts within which the same conditional use is available). There is no particular concern at the Subject Property that counsels against continuing the conditional use for height (three stories and 38 feet) and the conditional use for planned development that is not otherwise being adjusted with the new plans. The development would be common at many locations throughout the R2 zoning district or throughout the R0, R1 and R3 districts if land was available. The assemblage is not unique since most R2 development had its genesis in an assemblage of land.

***The establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.*** The conditional use for a building height of three stories and 38' is available in every zoning district that allows single-family detached residential land use. The additional height allows for a large number of roof design options, but it also allows for private (now roofed) amenity in interior and exterior rooftop settings.

The planned development will not pose detriment to the health, safety, morals or welfare inasmuch as it contemplates the same use available on other lots in the area—single-family detached homes. In this case, the density reduction and parking planning actually touch on neighborhood concerns. The planned development internalizes impacts that would ordinarily



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appear on the perimeter of the development, reducing driveways on School Street to zero and relying on only one driveway on each of Meyers Road and 14th Street. The planned development remains landscaped beyond the level of landscaping required and contains conversion of a series of lots that hosted nonconforming uses to valuable residential use. The proposed density is below the allowed under R2 zoning. The planned development still includes parkway trees on both sides of School Street when it need only provide for these on the east side of School Street. A homeowners' association will be responsible for internal governance and apply covenants that include architectural and design review as well as conditions of residing within the development that align with the Village's and neighbors' interests in responsible and unified control over uses that exist within a carefully-planned community.

***The conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood in which it is to be located.*** In addition to converting a series of longstanding nonconforming contractor and vehicle uses to residential use, the planned development will provide for an attractive residential setting with taller buildings relying on varied building placement that exceeds required street setbacks on streets with opposing residential uses. The three-story buildings with a maximum height of 38 feet will not cause a denial of use or general welfare to other properties and their owners. A two-story, 30-foot building could easily have a maximum height of 38 feet based on the ordained means of calculating building height to points in a roof. The only difference in the use of the proposed buildings lies in the rooftop deck areas to allow for private outdoor amenity that, by design, will necessarily be passive in their use due to the sizes of the uncovered deck areas.

Lot 7 offers a setback from Meyers Road designed with particular attention to the residential uses at the southerly corners of the intersection of Meyers Road and 14th Street (the northeast corner is an outdoor storage site for the township). This area also includes the deepest and largest visible portion of Outlot A which will be maintained and irrigated by the association and not left to a private owner to maintain. This design also meets with various neighbors' interests in having a greenway as people turn west down 14th Street. There is no requirement of a greenway at this location. The homes themselves will be quite expensive, offering a single-family value that should have a positive overall impact on neighboring and nearby values without. At other locations in Lombard, planned developments with adjusted interior setbacks and lot sizes have also operated for years without affecting the value or maintenance of land in the same district that does not benefit from a planned development providing the relief at issue in this application.

***The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*** The project will not impede the use of abutting and nearby parcels for their permitted uses. The property to the north has an as-of-right entitlement under County R-3 regulations to a height of 36 feet, or more when aggregated to an area of 40,000 square feet. Further, nothing related to the height of buildings in this development would prevent the owners of other land from using lots for their permitted purposes even if they preserved any nonconforming front yard setbacks.

The planned development increases the likelihood of normal and orderly development of adjacent and nearby lots by reducing possible curb cuts on Meyers Road and 14th Street and eliminating curb cuts on School Street. Additionally, Applicant has paid close attention to the maintenance of perimeter transitions into the development. The only area where there is a technical



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shortage arises along 14th Street, but the visually apparent distance of buildings from the curb (+/- 36 feet) exceeds the minimum front yard depth of thirty feet.

***Adequate public utilities, access roads, drainage and/or necessary facilities will be provided.*** Roadways are sufficient to serve the development. DuDOT has essentially approved the Meyers Road driveway design and the density reduction will not affect County permits. The 14th Street driveway remains in the middle of the block. Gas and electricity as well as water and sewer from Lombard are directly available to the Subject Property. Drainage is planned in compliance with applicable County and Lombard ordinances. The Village will have a combination of blanket and stormwater easements to insure that it can act in the event that the association fails to do so.

***Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion in the public streets.*** Traffic for the development is oriented to Meyers Road and to 14th Street. Applicant provides a limited access on Meyers Road in a fashion that is consistent as to intent and design with the plans approved by the County. Applicant retains private gates at a greater depth to each gate for a truck or at least two passenger vehicles. Lastly, the gate system will have access controls that open the gates in the event of a power outage and that allow vehicles into the development without delay or the risk of backing into the right of way.

***The conditional use is not contrary to the objectives of the current comprehensive plan for the Village of Lombard.*** Please see the above discussion of the 2014 Comprehensive Plan.

***The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission.*** Applicant seeks a reasonable collection of exceptions and deviations, all of which are designed to provide for a better development that benefits the public as much as it does the Applicant and eventual lot owners. Residential growth in furtherance of additional housing opportunity and new Lombard residents not only leads to efficiencies in the provision of services, but it furthers the economic interests of the Village and its business community. The above-ground utility cabinet serves a practical interest of serving streetlights, gates and landscape irrigation, all of which offer benefit to the public as well as the Applicant and lot owners. The deviation for sign height remains important to neighbors since all prefer effective identification of the driveways sufficiently in advance of a turn movement. The bulk of the yard/setback, landscaping and screening/fencing variations serve to improve the development for the owners and those who will see the development from the outside. The interior side yard and open space relief allows for innovative development and the creation of a residential environment that acknowledges the value of private open space and the circumstance that the buyers of housing of this type often will not desire ongoing maintenance of large yards. To the extent that deviations relate to the perimeter of the development, the objective in allowing the relief ties more to creating lot lines and managing Outlot A which will be maintained by the association with special attention to landscaping and screening.

### ***Applicant Meets the Standards for Planned Developments***

As noted above, the planned development meets the Village's conditional use standards. Developments should attain all of the standards, but the Plan Commission can recommend and the Village Board can approve a planned development that falls short in any one category if the overall merits of the planned development remain in the public interest and warrant approval.



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***Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located.*** As noted immediately above, the development complies with those regulations in the R2 district other than those that would need to be varied slightly to allow the development. Overall the project (lot areas, setbacks, and lot widths) is more compliant than before.

***Community sanitary sewage and potable water facilities connected to a central system are provided.*** Applicant will connect to Village water and sewer and do so in compliance with Village public works and engineering requirements. The planned development is a large step in the direction of reducing duplicative services that overlap with Village, County and Flag Creek.

***The dominant use in the proposed planned development is consistent with the recommendations of the comprehensive plan of the village for the area containing the subject site.*** As noted above, the project meets the objectives of the 2014 Comprehensive Plan. The density reduction in the same form of a responsible unified development is consistent with the Plan.

***The proposed planned development is in the public interest and is consistent with the purposes of this zoning ordinance.*** The Zoning Ordinance (including the map) repeatedly reflects efforts to plan for transitions in use at appropriate locations, be they along rear lot lines or across streets where there is a clear neighborhood change. In this instance, the instant block will benefit from the conversion of some of the more unpopular uses in the area to residential land use that will transition from Meyers Road to School Street, the west side of which further transitions to a larger lot unincorporated area. The Landscape Plan, Amended Planned Development Site Plan and Fence Plan reflect attention to detail on the perimeter of the project such that it attains the objectives of perimeter yards and open space. Applicant provides significant landscaping that is not required under the Zoning Ordinance or the Subdivision Regulations and it does so in recognition of expressed desires of nearby residents.

***The streets are properly designed.*** Access to the planned development is proper. The midblock access on 14th Street is the best location for the south driveway. As noted above, the gates will allow easy access to owners, first responders, delivery drivers and postal staff. The gates will also allow access to those who are simply lost and need to pass through without having to back onto the right of way. The gates are at a depth sufficient to avoid stacking into the streets. The development provides more than enough parking with nine spaces per home. Obstructions to the private drive will not be permitted other than scheduled moving or large-item delivery operations, and the association would obtain a special event permit to have block parties or other events that include the closure of any part of the private street. The number of new trips for the eleven home plan will not overburden existing transportation facilities or unduly increase traffic congestion.

***The development will not impose an excessive burden on public parks, recreation areas, schools, and other public facilities which serve or are proposed to serve the planned development.*** The development is conveniently located near schools and parks. Additionally, the development provides outdoor amenities that will allow owners outdoor recreation opportunity (passive and active). The project is within the boundaries of the York Center Park District. York Center is among those government agencies that will benefit from increased revenues from real estate taxes. The nearest parks offer both active and passive recreation. Co-Op Park is intended to remain a primarily passive park and Knolls Park and York Center facilities on Luther are sufficient to allow use by the new residents. The additional revenues will support employee retention and



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facilities management. For decades, Lombard and Oakbrook Terrace have planned for Lombard public safety services on the west side of Meyers Road. The uses will not over-burden these public services. Additionally, Lombard has adequate water and sanitary sewer capacity to serve the development. To the extent residents use Lombard Park District facilities, they would do so in accordance with the District's regulations and program rules.

***Exceptions and deviations are consistent with the Zoning Ordinance and firmly grounded in responsible planning.*** Applicant seeks only one continuing use exception for the above-ground utility cabinet that allows the association to connect its water and electrical facilities. No use other than single-family detached residential is proposed.

The reduction of yards serves a critical purpose that opens up housing opportunity for those who do not want the maintenance responsibility and do not require large interior side yards. The homes are attractive, luxury residences that offer private outdoor spaces and meet the objective of providing a living space in a private lot format while dedicating land on the perimeter of the development to association care and maintenance for the benefit of the public. The continued deviation relating to fence height is intended to screen, and the residents along School Street prefer a 6-foot solid fence over a shorter fence or an open fence. The 6-foot solid fence can also better screen the use on Lot 6 from the neighbor to the north who has one window and a shed where there can already be a 6-foot fence. Wrapping corner units is a function of the overall landscaping and screening plan, and the intent is to maintain private use on the interior of the development without having it within the general observation of the public. The plan avoids the creation of an appearance of a "compound" by having inviting 4-foot open-style geometric fences and landscaping at the driveways and along most of 14th Street. The list of deviations arose over the course of several discussions with neighbors regarding efforts to avoid driveways on School Street and efforts to realign the residential setting—one that was originally proposed as 15 pairs of attached single family homes. The deviations further a better development that is more beneficial to the residents or occupants of the planned development as well as those of the surrounding properties. Although floor area is not regulated in the R2 district, the relief sought for interior yards and the conditional use for the third floor do not increase the overall floor area by more than 40 percent of what could be planned.

All plans reflect that the buildings in the planned development are situated so as to dissipate adverse impact on adjoining buildings and to avoid an invasion of privacy of neighbors. All perimeter yards are compliant. The south front yard setback was 36 feet from the curb line of a common law dedicated street and 22 feet from the actual lot line reflected in the Planned Development Site Plan. It is now 24 feet from the actual lot line. The perimeter yards are consistent with yards allowed in County R-3 territory and in the Village R0 and R1 districts. Transitional yards are not required, but Applicant heavily landscapes and screens Outlot A as though transitional landscaping were required.

### ***The Subdivision Merits Approval***

A planned development is a blend of subdivision and zoning and planning. The planned development and related preliminary plat of subdivision reflect substantial compliance with the Village's regulations. The preliminary plat of subdivision merits approval. The exceptions and deviations from the Zoning Ordinance, and any related variation from the subdivision regulations in Chapter 154, will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the Subject Property is located. The



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uniqueness of the Subject Property, as being surrounded by streets on three sides, being adjacent to the County highway and being an area of transition between commercial use and lower density residential use to the areas to the west (indeed in an R0 zoning district created specifically and only for the land to the west) support a determination that the conditions are not applicable, generally, to other property. Due to the particular physical surroundings and other conditions of the Subject Property, a particular hardship to the owner would result if the subdivision relief was not granted inasmuch as it would force a wide disagreement over the use of School Street and other matters that are not currently intended to be the subject of a dispute with neighbors (as distinguished from a mere inconvenience). The subdivision variations will not conflict with provisions of the Lombard Zoning Ordinance or Comprehensive Plan. All of the grounds for these conclusions have been explained above.

### *Development and Association Matters*

The Subject Property will be under single ownership until developed. Thereafter, it will be under the control of an association for the purposes of management and operations that include maintenance, repair, insurance, self-regulation, and replacement of common area improvements. A copy of the revised declaration will be provided as necessary at hearing, but it will govern all of the lots.

Applicant will accept the water it must from other properties and convey it. Applicant will store the water it must store and do so in a fashion that calls for an appropriate release rate. Detention will be underground. Applicant also uses a combination of pipes, swales and rain gardens to comply with applicable ordinances. The project will not increase the potential for flood damages to adjacent property.

Each dwelling is reasonably and properly accessible for fire and rescue purposes. The Meyers Road access drive orientation and planning will avoid obstructions to area travel by the York Center Fire Protection District (located south along Meyers) or other rescue personnel assisting in the area. Since the area is already such a large unincorporated area with a combination of more dense housing and a diversity of business and institutional use, police protection from the County already occurs and there is no sign that Oakbrook Terrace is going to be annexing the territory east of Meyers Road.

The project will plan for internal storage of waste until the local hauling day when trash will be stored outside. There is no large congregational area and outdoor areas in units are of the size where it can be expected that they would host smaller gatherings of friends and family. York Center Elementary School has not seen a need to re-plan streets as part of its drop of or pick up program, and it still safely relies on the right of way for purposes that also include parking. Lighting will comply with Lombard standards.

The association will be a point of contact for residents, neighbors, and the Village. It will handle lawn and landscape care, streets and snow removal. Additionally, it will handle design review.

Lastly, underlying agreements such as the annexation agreement and public improvement agreement, for example, will need to be revised and approved. It seems that the ordinance can take a form similar to that used in Creekview which identified adjusted and new relief and eliminated unnecessary prior relief.



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*Conclusion*

This particular site and the block that hosts it have been the subject of years of effort to develop appropriate uses under the Zoning Ordinance. Running north from 14th Street to the north line of the Subject Property, there have been decades of outdoor use and storage (which Applicant now eliminated). Applicant proposes a project revision that should be acceptable at the Subject Property.

Applicant respectfully requests that the Plan Commission recommend and the Village Board approve the matters set forth in the itemization of relief, all plans submitted, and such other matters raised during staff, Commission and Board review to allow the development of eleven lots plus Outlot A with all related adjustments.

Thank you for your attention to this matter.

Respectfully submitted,

AFSAR DEVELOPERS, LLC

*/s/ Mark W. Daniel*

By: \_\_\_\_\_

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