



# Village of Lombard

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

## Minutes

### Plan Commission

*Donald F. Ryan, Chairperson  
Commissioners: Ronald Olbrysh,  
Martin Burke, Ruth Sweetser,  
Stephen Flint and John Mrofcza  
Staff Liaison: Jennifer Ganser*

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Monday, April 16, 2018

7:00 PM

Village Hall

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### Call to Order

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

### Pledge of Allegiance

*Chairperson Ryan led the Pledge of Allegiance*

### Roll Call of Members

**Present** 6 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

*Also present: William Heniff, AICP, Director of Community Development, Jennifer Ganser, AICP, Assistant Director of Community Development; Keith Steiskal, Building Commissioner; Jana Bryant, Private Dev Engineer and Jason Guisinger, legal counsel to the Plan Commission.*

*Chairperson Ryan called the order of the agenda.*

*Ms. Ganser read the Rules of Procedures as written in the Plan Commission By-Laws.*

### Public Hearings

[180163](#)

**PC 18-14: 350 S. Westmore-Meyers Road (Request to withdraw petition)**

The petitioner requests that the Village grant a conditional use to continue the use "as is" and have the ability to re-establish the legal conforming status of the property if it is ever damaged or destroyed. (DISTRICT #5)

**A motion was made by Commissioner Sweetser, seconded by Commissioner Burke, to recommend to withdraw this petition. The motion carried by the following vote:**

**Aye:** 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, John Mrofcza, and Stephen Flint

[180191](#)

**PC 18-08: 550 E. 22nd Street (Hilton Tru)**

The petitioner requests that the Village take the following actions on the subject property located within the R4PD Planned Development District:

1. Repeal Ordinance 7243 in its entirety, which established a conditional use for a planned development, a conditional use for more than one building on a lot of record, and a deviation to reduce the rear yard setback;
2. Approve a Map Amendment rezoning the property to the O Office District;
3. Approve a conditional use pursuant to Section 155.412(C)(8) of the Lombard Zoning Ordinance for hotels and motels; and
4. Approve a variance pursuant to Section 155.412(H) of the Lombard Zoning Ordinance for the floor area ratio (FAR) to exceed 0.35 FAR. (DISTRICT #3)

*Steve Flint recused himself as he is the project architect.*

*Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development; William J. Heniff, Director of Community Development; Jana Bryant, Private Development Engineer; Keith Steiskal, Building Commissioner; Javier Millan, Senior Consultant with KLOA, Inc., the petitioners, and members of the public.*

*Chairperson Ryan read the Plan Commissions procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing yes, he proceeded with the petition.*

*Mr. Mark Sargis said he represents property owners in Congress Knolls. He noticed the architect and petitioner is a Plan Commission member and asked if Mr. Flint would be presenting as there are architectural elements to the plan.*

*Mr. Zohaib Ali gave an overview and noted there are 96 rooms and parking spaces, a breakfast bar, and an indoor pool. Mr. Steve Bader will operate with United Hospitality Resources Management and has experience with hotel management. It's a modern hotel, with a 2,800 square foot lobby. It is similar to a Hyatt Centric or Radisson Red for*

*young urban professionals. The room size is 175-250 square feet and he showed elevations.*

*Mr. Aamir Razvi talked about the layout and lobby. He said they did do a feasibility study, and it will be profitable business. It is a \$10M+ investment.*

*Mr. Osvaldo Pastrana discussed lighting. He said a backlight control will prevent light from exiting the property. The light level will be zero at the property line and there will be motion lights.*

*Mr. Razvi said there will be no sound from mechanical units. The rooftop mechanicals will be at the center of building and screened. No sound at the property line. Trash pickup will be once a week. He referred to the Village's traffic study. The sole access is 22nd and many people may use ride sharing or renting cars. He looked at Magellan and Garmin for directions and they were routed on 22nd Street.*

*Mr. Larry Glasscock said they met the Village requirement on landscaping with evergreens and shade trees. He noted the east side landscaping and fencing.*

*Mr. Pastrana said they were required to provide stormwater detention. They are provided three 280-foot rows of 96" diameter CMP beneath the parking lot. There is 0.95 acre feet of detention. He discussed hydrology and grading.*

*Mr. Ali discussed the FAR relief and noted most hotels don't meet the FAR and that this is a four story building. He said they required a rezoning and said the land was zoned office before. It is surrounded by a mix of land uses.*

*Mr. Bader said he is very experienced in managing and developing hotels. He operates a Fairfield Inn and Suites, and Hampton Inn in Addison. He has 13 hotels total. He used to own apartment buildings, and noted that hotels are better neighbors than apartment buildings. He said Hilton Tru is a new brand and that certain generations don't like staying at a full service hotel. Within 6 months of the brand announcement they had 300 franchises sold. The existing Tru's are doing well. There is 24 hour surveillance.*

*Chairman Ryan read the procedures and asked if anyone intended to speak for the petition. The cross-examination period started.*

*Mr. Sargis, an attorney in Wheaton, said he is concerned that other*

witnesses didn't speak, and would have expected that there be more details or a land planner, architects and others. He noted he called the Village on Thursday and received information Thursday and Friday. He said he didn't have enough time to talk to other professionals. Mr. Jason Guisinger asked who he represented; Mr. Sargis said George Bedard and others on 21st Place in the unincorporated area.

Mr. Brian O'Connor said he lives about 100 feet away and a lot of the record is Mr. Flint's information. He said he's concerned the traffic engineer isn't here. Ms. Ganser said he is and introduced Mr. Javier Millan. Mr. Heniff introduced Village staff.

Mr. Sargis asked if KLOA did a traffic report for the Village and asked if the petitioner did a traffic report. Mr. Heniff said not that he's aware of. Mr. Sargis said he feels that's a procedural issue and identifies that as an objection that the petitioner relies on the Village's traffic study. Mr. Ali said they are using the Village's. Mr. Sargis asked if they paid for it. Mr. Ali said he wasn't sure and Ms. Ganser said that the petitioner pays a deposit for the traffic study and the bill is rectified in the end. Mr. Sargis asked did the applicant evaluate the parking needs at the site and Mr. Ali said they meet Code.

Mr. Sargis asked how many employees. Mr. Bader said a max of 8 during the day, at night 1 person. The parking also corresponds to what Hilton requires. Mr. Sargis asked about rideshares and Mr. Bader said he noticed at other hotels people take taxis. Mr. Sargis asked if they have information on actual parking needs. Mr. Bader said they have that information for existing hotels; this would be people doing business and may have a car or take a taxi. Usually 60% of the people park a car. Mr. Sargis asked if they did parking counts and Mr. Millan said they were not asked by the Village and the parking meets Code. Mr. Sargis asked if that was typical in commercial projects and Mr. Millan said yes, but this development meets Code. Mr. Sargis asked are there industry standards you use for hotel. Mr. Millan said yes, ITE parking generation manual and typically the 1 to 1 ratio is acceptable. Mr. Sargis asked if it addresses different types of hotels and Mr. Millan said yes. Mr. Sargis asked if ridesharing was taken into account. Mr. Millan said yes, for other projects. Mr. Sargis said a navigation system may send people whatever route is quickest. Mr. Millan said he did not analyze navigation systems. Mr. Sargis asked if others should ask their traffic comments. Mr. Guisinger said counsel should finish his cross examination and let the other attorney's cross examine for efficacy purposes.

Mr. Sargis said if the hotel was 3 stories the FAR would be 0.36 which would be very close to Code. Mr. Ali said it won't be feasible for the hotel to be 3 stories. Mr. Bader said the 1st floor has very few rooms.

*There are approximately 12 rooms, lobby, office, exercise room, and laundry. The top floors are completely rooms.*

*Mr. Sargis asked if Mr. Bader was involved in design and Mr. Bader said yes. Mr. Sargis noted he doesn't see him in the application as listed as the management company. Chairman Ryan said Mr. Bader already said he was the management company. Mr. Sargis asked who Rubina Hospitality was. Mr. Bader said the owner. Mr. Sargis asked if that was RSS homes. Mr. Bader said his company is one of the partners. Mr. Sargis said he would like to raise an objection. Mr. Ali said Rubina is the franchisee, will hire Mr. Bader's company to operate. RSS Homes LLC owns the land. Mr. Sargis asked if they are available tonight. Mr. Ali said no. Mr. Sargis asked if Rubina Hospitality was here and Mr. Ali said he represents those companies and they are not present.*

*Mr. Sargis asked for the ability and right to ask questions of those principals. Mr. Guisinger asked what questions do you have and said we can determine if there is someone here who can answer them. Mr. Sargis said he doesn't want to do the applicants work. It's important to know if they've done this project before and have a track record. The owner was incorporated for the townhouse project. He said he would like to ask the owners and applicant why a hotel is appropriate when before it was townhomes. Mr. Guisinger asked counsel if they can answer. Mr. Razvi said they will answer, but have limited info. RSS owns the land and is very passionate about the project. Mr. Sargis said which project and Mr. Razvi said the hotel.*

*Mr. Sargis said he questioned the land use appropriateness for a hotel and a change of zoning, a conditional use, and other variations. He requested the ability to question the owner. Mr. Guisinger asked if he has other questions.*

*Mr. Sargis said he heard nothing about neighborhood trends and development, appropriateness of this use as opposed to the allowed and approved use. Mr. Guisinger asked if he has questions for those here. Mr. Sargis noted the area map. Mr. Ali said the closest map is the landscaping map. Mr. Sargis said yes, there is no area map and no information on the development trends.*

*Mr. Sargis asked if the zoning was changed at that time of the townhomes. Mr. Razvi said no. He noted the west is office, across the street is Target and there is residential to the north and east. Mr. Sargis asked if the townhomes were built in the late 1980s and 1990s. Mr. Razvi said he wasn't sure, Mr. Heniff said that is correct. Mr. Sargis said at least thru late 90s that was development of area, and in 2016 this prop was a targeted to townhomes. Mr. Ali said the comprehensive plan from 1998 and 2014 show office. Mr. Sargis said as of 2016, when*

*the property was owned by same client, it was zoned residential. He asked if they can speak to the highest and best use. Mr. Ali said there are mixed use all around, and the Village shows best use as Office, so we are requesting to go to Office. Mr. Sargis said this is not office, it's a hotel. Mr. Ali noted the conditional use for a hotel.*

*Mr. Sargis asked if there is an appraiser or land use consultant to discuss the highest and best use and land uses. Mr. Ali said no. Mr. Sargis asked if trash pickup is once a week. Mr. Bader said correct, they don't generate much trash, similar to his hotel in Addison. Mr. Sargis asked where the trash receptacle is. Mr. Bader said now the northeast side, they were able to move to the other side away from residential. Mr. Sargis asked if this is shown in the plans. Mr. Ali said not yet, it will be adjusted. Mr. Sargis questioned why it wouldn't be there from the beginning. Chairman Ryan and Ms. Ganser said the new location is a condition of approval in the staff report. Mr. Sargis asked if the petitioner is agreeable and Mr. Ali said yes.*

*Mr. Sargis asked Mr. Bader if his hotels had long term contracts for the operations. Mr. Bader said yes and some he owns. Mr. Sargis asked how many, Mr. Bader said three. Mr. Sargis asked if there is a minimum time period. Mr. Bader said it can be cancelled with 60 day notice; it started with 5 year terms. He has never lost a contract. Mr. Sargis asked if he can identify the three you own and ten you manage. Mr. Bader said the Fairfield Inn in Lombard, Delta Hotel by Marriott in Glenview, and the Wyndham in O'Hare. Mr. Sargis asked about the hotels he manages. MR. Bader said a Holiday Inn in Minneapolis. Mr. Sargis said he thought they were local. Mr. Bader said there are 14 total, as well as a Hilton Garden Inn in Bolingbrook, Hampton Inn in St. Charles, Addison, O'Hare, Libertyville, and Dells, and an independent hotel in Seal Beach California. Mr. Sargis asked if he has a management contract for the Hilton Tru. Mr. Bader said yes.*

*Mr. Sargis asked can you tell us who Rubina is and his other projects. Mr. Guisinger asked what zoning factor this line of questioning is relevant to. Mr. Sargis said hotel operations depend on track record of others, and operator history, and just heard a contract can be cancelled in 60 day notice. It could have adverse effects on surrounding property. Mr. Guisinger said this is not relevant to the zoning factors and requests that counsel move on to a different line of questions. Chairman Ryan said yes.*

*Mr. Sargis asked Mr. Bader what he meant by hotels are better neighbors than apartments. Mr. Bader said hotels are staffed by someone 24 hours a day, apartments are not. He used to own an apartment building in Addison. Mr. Sargis asked if hotels are a better neighbor than townhomes, Mr. Bader said yes. Mr. Sargis said why,*

*Mr. Bader said no, better than apartment buildings and noted that no one is controlling the townhomes.*

*Mr. Sargis said the property was approved for townhomes less than two years ago and thought to be the highest and best use, the owner isn't here so I can't ask him this. Mr. Bader said I think he felt this was a better use. Mr. Sargis asked if that was Mr. Shakir. Mr. Bader said yes and that he owned a hotel in Indiana.*

*Mr. Sargis asked if he was at the informal meeting. Mr. Bader said no. Mr. Sargis asked who was and was the property owner. Mr. Glasscock said he was but didn't see the property owner. Mr. Sargis said the letter said that the applicant and owner would be there. So far the owner isn't here to ask questions.*

*Mr. Sargis asked the civil engineer to explain the dotted line. Mr. Pastrana said it's the drainage area to the existing detention basin. Mr. Sargis asked does that portion of the subject property have stormwater that will be handled by that basin. Mr. Pastrana said yes. Mr. Sargis said what agreements or rights are in place to allow the subject property to use that basin. Mr. Pastrana said it drains there naturally, Illinois drainage law allows you keep draining there. Mr. Sargis asked if it is part of the townhomes to the north. Mr. Pastrana said he is not sure who owns or maintains. Mr. Sargis asked if the subject property is legally allowed to drain there. Mr. Pastrana said it drains there now. Mr. Sargis asked if there are easements or agreements. Mr. Pastrana said he is not sure, water doesn't look for easements. Mr. Sargis asked if you looked at historic flooding to the east. Mr. Pastrana said a cursory review, looked at FEMA and DuPage maps for area. Mr. Sargis asked if they consulted with DuPage County. Mr. Pastrana said they looked at maps. Mr. Sargis asked if they talked with Village engineers. Mr. Pastrana said not at that stage, this is prelim engineering and this is a localized area. Mr. Sargis said on the landscape map the open space is 38%. Mr. Pastrana said correct. Mr. Sargis said does that include only on the subject property. Mr. Pastrana said yes. Mr. Sargis asked if he can have the calculations for the open space. Mr. Pastrana said they are on the plan.*

*Mr. Sargis asked how high are the lights. Mr. Pastrana said they will be mounted 25 feet high. Mr. Sargis asked will the motion lights flare up for 5 minutes. Mr. Pastrana said they will flare up for as long as motion is around and then after no motion they will go down to a lower light level. Mr. Sargis asked what is the light level triggered by. Mr. Pastrana said mostly cars and people. Mr. Sargis asked on the landscape plan, where would the lights be. Mr. Pastrana noted locations on map, there will be 4 lights along the east property line, evenly spaced. Mr. Sargis asked if there are nearby lights with the flare*

up motion detection. Mr. Pastrana said not in the area, but has used this light fixture for other hotels. Mr. Sargis said for a use like this next to residential, I would ask for examples; there could be concerns about glare. Mr. Pastrana said glare is separate issue, you may get glare from the north and south because you can see the sides. The lights on the east side will have a back light control and there wouldn't be glare towards the east. They are designed to provide zero light at the property. Mr. Sargis asked when the zero starts. Mr. Pastrana said when it's flared or not, everything behind the fence will be zero. Mr. Sargis asked will there be indoor meeting space. Mr. Razvi said there will be none, there are also no conference rooms, and the main floor has a snack bar, pool, and offices for the hotels. Mr. Sargis started to ask about the indoor meeting space. Mr. Razvi said there is none. Mr. Bader said there is a large lobby, and no Tru is allowed to have meeting space. Mr. Sargis asked why. Mr. Bader said there is no restaurant; people stay here for a good night's sleep and a place to work with computers in the lobby or their room. Mr. Sargis asked where the pictures are from. Mr. Bader said from another Hilton Tru, they are all identical. Mr. Sargis asked what types of meals are provided. Mr. Bader said a continental breakfast with a few hot items. Mr. Sargis asked if there is a pool, Mr. Bader said yes. Mr. Sargis asked if this hotel was approved, could conditions be added with no meeting space and no restaurants, for the duration of the use. Mr. Bader said yes that is ok. They can't change the function of the hotel while it's a Hilton. Mr. Sargis asked is there a minimum time to brand a Hilton. Mr. Bader said yes, the franchise agreement is for 20 years.

Mr. O'Connor showed a map of the area and said Congress Knolls are very good neighbors. He asked the petitioner to describe a picture and noted the lights may glow and that the building would be metallic and reflective. Mr. Pastrana said the lights will be directed downward and not at the building. Mr. O'Connor said he lives 100 feet away and asked if he'll notice the lights. Mr. Pastrana said you'll see the light at the cobra head on 21st more.

Mr. O'Connor asked how tall the building will be and noted the elevation will be above the neighboring houses. Mr. Pastrana said the elevation will be approx. 4 to 6 feet higher.

Mr. O'Connor said he'll be seeing light and noise 24/7, and has a lot of questions about the economic viability of the use and would rather ask the owner. Mr. Guisinger said the economic viability isn't a zoning issue and not a factor this Plan Commission will consider in making a decision. Mr. O'Connor said it is appropriate, and the standards ask if there is an economically viable project than that project should go ahead. Mr. Guisinger said it is not relevant. Mr. O'Connor said a

*variance must not be for financial gain. Mr. Guisinger said he wasn't subject to cross examination. Mr. O'Connor said the petitioner could be better prepared to answer the questions.*

*Mr. O'Connor gave Mr. Heniff a list of 9 hotels in Lombard. Mr. Heniff submitted the list of current hotels into the public record. Mr. O'Connor asked if the Holiday Inn Express off 22nd street was approved. Mr. Heniff said yes. Mr. O'Connor asked Mr. Bader if the Fairfield is yours and could you describe the access to the hotel and if there are residences nearby. Mr. Bader said there is residential to the south near entrance, and the hotel sits near North Avenue in an office park. Mr. O'Connor asked are there other ways to enter the hotel. Mr. O'Connor said other hotels have other access points. Mr. O'Connor submitted an aerial map of hotels in the general area, and Mr. Heniff noted the access points of the hotels. Mr. O'Connor said the proposed hotel has access on a two lane road. Mr. Heniff said a four lane road. Mr. O'Connor said does that set up make for easier access if all the traffic is not all coming in from the main road. Mr. Millan said full access is usually better, but you can't do more than that here. Mr. O'Connor asked from a traffic perspective is this good, bad, or average? Mr. Millan said this is a business hotel and the majority of traffic is from the airports so a three quarter access works. Mr. O'Connor mentioned other hotels he was in and said the parking lot was full, some cars used more than 1 space, and asked if he foresees this. Mr. Millan said he can look into information.*

*Mr. O'Connor said someone said there is no sound at the property line. Mr. Pastrana said from the air conditioners, yes. Mr. O'Connor said at similar hotels he could hear the sound in the parking lot from the fans. Mr. Razvi said the nearest Tru is in Wisconsin, being built, and he's not sure if they're using the same units. Mr. Ali asked if he was at the property line. Mr. O'Connor said he is more concerned about the front yard, but yes.*

*Mr. O'Connor said a 28' berm will be on the side, and the water flows to the detention pond, he asked where their calculations are. Ms. Bryant said only preliminary engineering was reviewed so far. Mr. O'Connor asked what is the confidence level that the stormwater system on 22nd Street can manage the new flow from the hotel and other new development at YTC. Ms. Bryant said they are required to follow the County's stormwater ordinance and the allowable release rate, so it should be adequate. Mr. O'Connor submitted the March 18th Chicago Tribune article about how a stormwater system is failing in Cook County. Mr. Heniff said he will submit to the public record; however this article discusses the deep tunnel, which this property is not covered by. Mr. O'Connor submitted a record on criminal activity in Congress*

*Knolls, the Sheriff's office said this is a safe neighborhood. He has a FOIA in to the Sheriff's office on the level of criminal activity at the hotels in the area. He said the Lombard police blotter listed four crimes at area hotels. This could introduce transient people to the area, people could walk thru the neighborhood, and though many are good citizens, it will change the quality of life. Mr. Guisinger asked if he has any information on the property values he could like to submit. Mr. O'Connor said no and he doesn't feel he needs to make their case. He said it's an absolute fact that the nearby homes will have depressed property values. When someone looks at their homes, they will see a hotel looming over. The office building next door is one story; the other office is two stories. The petitioner should have to prove it won't affect property values. He said the petitioner hasn't met the standards under the code, and it's vitally important you stay by the standards. He said this is a bad precedent, and then you can't stop another hotel on Meyers or Roosevelt Road.*

*Mr. Kevin Lavin, the President of the Congress Knolls Civic Association, asked where does the water currently drain. Mr. Pastrana said to the east. Ms. Bryant said towards 22nd, into regulatory floodplain. Mr. Lavin said the pond was at capacity after a moderate rainfall. Mr. Pastrana said he was there this evening and it's empty. Mr. Lavin said the one on 22nd Street. Mr. Pastrana asked how do you know it was at capacity. Mr. Lavin said he was pictures, he wasn't sure, but observed it. He asked if the current development drains to same area. Mr. Pastrana said yes. Mr. Lavin said how long does that take. Mr. Pastrana said it has to retain water for 48 hours. Mr. Lavin said the current pond was and still at capacity. Mr. Pastrana said it will slowly drain in. Mr. Lavin asked if there is an overflow. Mr. Pastrana said yes, in the restrictor. Mr. Lavin asked how many gallons it is. Mr. Pastrana said it 0.95 acre feet, or approximately 309,559 gallons. Mr. Lavin asked is the development at Yorktown is the same system. Mr. Pastrana said no. Ms. Bryant said it is routed to the detention basin at Yorktown. Mr. Lavin asked how the impact will be without a study. Mr. Pastrana said this will reduce flooding by 5 inches, they looked at the localized drainage area and other areas are downstream so if the local area benefits the area downstream will benefit.*

*Mr. Lavin asked about traffic in Congress Knolls. Mr. Millan said a traffic study analyzes peak hours of a rush period. They assume the hotel is 100% occupied, typical occupancy is about 80%, but we assume 100%. In the morning there are 56 trips in and out, in the afternoon it is 60 trips in and out. Mr. Millan drove the area several times, and was there three times at am and pm periods. He looked at different routes. The traffic study notes adding around 20 vehicles from*

the east; leaving they will go west. Mr. Lavin asked what is it currently at. Mr. Millan said westbound is over 400 in AM, 800 during PM peak. Mr. Lavin asked about street definition. Mr. Millan said 22nd Street is a minor arterial, arterial receives traffic from collector streets. Mr. Lavin asked if the median removal changes the road classification. Mr. Millan said no, it changes the capacity. 22nd street is under capacity. It's a level A, which is very good. Mr. Lavin asked about Vista and the timing and if there have been studies on the actual speed of Vista, as the report stated the speed limit. Mr. Millan said you could also speed on Meyers Rd. Mr. Lavin said the Sheriff stated they were low on resources and said there was a drop in traffic tickets, but if there is a reduction in traffic patrols maybe a study should be done about the actual speed vs the posted speed. Mr. Millan said from what I have seen the shorter route is always the faster. Google will tend to give the faster route. We did several runs at the speed limit over 2 days. Mr. Lavin asked would it be a benefit to provide more information on cut thru traffic. Mr. Millan said they counted during the peak periods, in the morning no one went thru Vista. In the afternoon there was one car. On Vista there were 10 cars making a right in the morning and 13 in the afternoon. Mr. Lavin asked does the school time fall in the peak period. Mr. Millan said schools typically don't fall in the afternoon peak period, it's usually higher later when people are leaving work. Mr. Lavin asked if additional information should be provided because there is a large school. Mr. Millan said the hotel doesn't peak when the school does, not necessary in my opinion.

Mr. Lavin asked will Hilton Tru be developing additional hotels in this market. Mr. Ali said they do have plans but not specific locations. Mr. Lavin said if others were developed what would happen to this one. Mr. Ali said there are a lot of offices in this area which makes this a good market for Hilton. Chairman Ryan said these questions have nothing to do with land use and this petition. Mr. Lavin said the questions have to do with the draw of customers and feasibility. Chairman Ryan said that has nothing to do with this specific petition.

Mr. Lavin asked will the proposed project be at the same grade as the current structure. Mr. Pastrana said the site will be leveled off at the halfway point and it will be about 4 to 6 feet higher. The north end will be leveled off. Mr. Lavin asked can you lower the south end so the elevation change isn't drastic. Mr. Pastrana said yes, but we are trying to remove property from the detention pond to the north and this will allow much of the water to go to 22nd. Mr. Lavin asked if the water would drain to the retention pond near the office buildings. Mr. Pastrana said yes. Mr. Lavin asked if the landscape architect considered a drainage system that would be incorporated into pervious

pavers to retain some water on location. Mr. Pastrana said the detention pipes have a volume control component. The bottom quarter will be retention storage. You have to retain for a certain number of hours before releasing it to the system, with pavers you would still have drain tiles to drain the water. All systems perform the same function. Mr. Lavin asked how will the vacant parcels on the north be affected regarding their property values. He said I don't think we have anyone to discuss that. Mr. Guisinger said no, but you can submit information. Mr. Lavin asked are there other properties with this type of lighting. Mr. Pastrana said yes, but without the back light control. Mr. Lavin asked how dependable they are. Mr. Pastrana said very low maintenance; they are LED. Mr. Lavin asked about issues with the movement sensor. Mr. Pastrana said they don't detect objects larger than a certain size, and compared it to the motion detector in a house.

The Cross Examination period concluded.

There was a 10 minute break.

The Public Comment section began.

George Bedard, 18w181 21st place, said his house is next to the development. He didn't realize the grade would be raised. He is concerned about privacy. He feels the development is in the wrong area. He said he was in the real estate business and his property will be reduced 30-50% next to a hotel, other property nearby will also be affected. Water comes from Highland and goes into detention next to my home and then back fills, he hasn't seen anyone clean out the pond, the soil underneath is very organic, and the pipes haven't been maintained. He asked if anyone knows the occupancy rate of the current hotels. He said the property was never zoned office, he is bothered by the elevation grade changes, he remembers the townhomes which was an appropriate buffer between the office and residential. He believes the Village has responsibility to Congress Knolls because of a boundary agreement with Oak Brook Terrace. He said there are 3 houses for sale on Meyers Rd, you could add 3 more houses and do the same thing at other residential areas.

Jean Pagorek, 1S646 Fairview, asked about a rope she saw stretched across 22nd, east of Meyers, asked if anyone looked at the additional traffic on 22nd from the new Yorktown development, she has seen a big increase of traffic on Vista, with no sidewalks it's an unsafe area, she asked if there is comprehensive traffic plan, and what incentives were given to the developer.

Suzan Kramer, representing 55 neighbors of Abbey Woods, thanked the Plan Commission for opportunity to present. She is opposed, believes it is overly intense and obtrusive use adjacent to residential, developer is unable to address standards for a conditional use. 1 - The

24 hour nature will be detrimental to a peaceful neighborhood, and not mitigated with an 8' fence. 2 - Decrease in privacy, will block sunlight, create noise, glare, and impact on the property values. 4 - Flooding is a concern, increase of the FAR increases the flooding risk and boosts density. 5 - Adequate measures not taken to mitigate the traffic, increased traffic will tax area, people may be making u-turns. 6 - The Comprehensive Plan states Lombard wants compatible development, this is a decent development in the wrong location, can't provide adequate buffers, the townhomes were compatible. Fountain Square was denied the first time to provide for a better development and asked for the request to be denied.

Loran Eatman, lives on Vista near 22nd, he is incorporated into Lombard. Believes when the zoning is for residential, you have a reasonable right to think that it will be residential, could change property values, the 45' height doesn't include parapet or screening, wonders if this is spot zoning, feels its incompatible.

James Rader, lives in Congress Knolls on Chase, safety issues near Target, increased traffic, short-cut traffic, should take into consideration the neighborhood.

Rich Penner, 532 Rosebud Drive N, lived here for 27 years, thinks this is inappropriate and incompatible for the location, will affect property values.

Mr. Sargis asked if he could make a final comment. Mr. Guisinger said he'll have an option for closing remarks at the end for his client.

*Petitioner Rebuttal*

Mr. Razvi said he has no report on property values.

Mr. Pastrana said he haven't done an overall drainage study, did a local study, noted the new development is the same amount of detention, storage, and impervious areas the townhomes. It's a different product, but engineering is designed the same.

Mr. Heniff said based on the DuPage County Convention and Visitor Bureau 60-70% occupancy rates in the corridor. He noted the difference between the Zoning Ordinance and the Comprehensive Plan. The 2014 Comprehensive Plan is the vision document for the village. The Zoning Ordinance is the regulatory document. Legally speaking the two should be in sync. The property was not zoned office in the past. The 1998 Comprehensive Plan designated the property for community commercial. Zoning is R4. R4 is general residential, allows single family, townhomes, apartments, and condos. Zoning is what you can legally do; the Comprehensive Plan is the vision document. We are having the public hearing because it's zoned R4 and a hotel can't be developed, therefore the petitioner is asking for a rezoning.

*Mr. Pastrana said we are leveling off the property, ranging from zero to a max of 5' at the north end. It allows for better drainage.*

*Staff did not know what the traffic rope was for.*

*Mr. Millan said currently 22nd street carries 16,100 vehicles per day; however the carrying capacity is 36,800. KLOA applied a growth factor to the numbers. This takes into account the mall redevelopment and other things we aren't aware of. The growth factor is from the Chicago Metropolitan Agency for Planning (CMAP).*

**A motion was made by Commissioner Sweetser, seconded by Commissioner Olbrysh, to recommend to continue this petition to the May 21, 2018 Plan Commission meeting. The motion carried by the following vote:**

**Aye:** 4 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, and John Mrofcza

*Mr. Heniff said no incentives were given to the developer.*

*Mr. Bader said many people are coming in cabs, and most of the parking is on the west side away from the residential and the entrance is on 22nd street. The noise mostly faces the street.*

*Mr. Ali said the building height is 42' and with the enclosed unit it is 45'. They need a variance from FAR because the hotel is 4 stories. It is less than FAR variances for other hotels in area.*

*Mr. Heniff said 22nd and Fairfield stop lights or signals would be handled by the Public Works Committee and looked at thru the Capital Improvement Program (CIP).*

*Ms. Bryant said ponds are inspected every 5 years. Pipes are checked if thought they are holding water. Mr. Heniff said the Village does not maintain private property detention facilities. If a pipe is blocked Public Works should be called. Mr. Heniff said we look if the property is consistent with the Comprehensive Plan and the Zoning Ordinance, not necessarily the highest and best use. That is usually a real estate term. We look if its code compliant or not.*

*Mr. Razvi said his client did a feasibility study, and found a hotel would be needed.*

*Chairman Ryan said that concludes the questions and rebuttals.*

## **Business Meeting**

*The business meeting convened at 10:08 p.m*

## **Approval of Minutes**

On a motion by Commissioner Olbrysh, and seconded by Commissioner Burke, the minutes of the March 26, 2018 meeting were approved. The motion carried by the following vote:

Aye: 4 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, and John Mrofcza

## **Public Participation**

*There was no public participation*

## **DuPage County Hearings**

*There were no DuPage County hearings*

## **Chairperson's Report**

*The Chairperson deferred to the Assistant Director of Community Development*

## **Planner's Report**

*The Assistant Director of Community Development had no report.*

## **Unfinished Business**

*There was no unfinished business*

## **New Business**

*There was no new business*

## **Subdivision Reports**

There were no subdivision reports

## **Site Plan Approvals**

*There are no site plan approvals*

## **Workshops**

There were no workshops

## **Adjournment**

A motion was made by Commissioner Olbrysh, seconded by Commissioner Burke, to adjourn the meeting at 10:14 p.m. The motion passed by a unanimous vote.

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*Donald F. Ryan, Chairperson  
Lombard Plan Commission*

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*Jennifer Ganser, Secretary  
Lombard Plan Commission*