

# Village of Lombard

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



## Meeting Agenda

**Thursday, September 1, 2011**

**7:30 PM**

**Village Hall Board Room**

### **Village Board of Trustees**

*Village President: William J. Mueller*

*Village Clerk: Brigitte O'Brien*

*Trustees: Greg Gron, District One; Keith Giagnorio, District Two;*

*Zachary Wilson, District Three; Peter Breen, District Four;*

*Laura Fitzpatrick, District Five; and Bill Ware, District Six*

**I. Call to Order and Pledge of Allegiance****II. Roll Call****III. Public Hearings****IV. Public Participation**

[110535](#) Presentation - Business Property Improvement Award - Tony Youshaei

[110511](#) Swearing-in - Probationary Patrol Officer Nicholas Barron

**Attachments:** [110511bot09012011.doc](#)

[110525](#) Proclamation - National Recovery Month

[110526](#) Proclamation - National Payroll Week

**V. Approval of Minutes****VI. Committee Reports**

**Community Relations Committee - Trustee Keith Giagnorio, Chairperson**

**Economic/Community Development Committee - Trustee Peter Breen,  
Chairperson**

**Environmental Concerns Committee - Trustee Laura Fitzpatrick, Chairperson**

**Finance Committee - Trustee Greg Gron, Chairperson**

**Public Works Committee - Trustee Bill Ware, Chairperson**

**Transportation & Safety Committee - Trustee Zach Wilson, Chairperson**

**Board of Local Improvements - Trustee Greg Gron, President**

**Community Promotion & Tourism - President William J. Mueller, Chairperson**

**Lombard Historical Commission - Clerk Brigitte O'Brien**

## VII. Village Manager/Village Board Comments

## VIII Consent Agenda

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### Payroll/Accounts Payable

- A. [110496](#) Approval of Village Payroll  
For the period ending August 13, 2011 in the amount of \$770,119.88.
- B. [110497](#) Approval of Accounts Payable  
For the period ending August 19, 2011 in the amount of \$1,298,935.64.
- C. [110510](#) Approval of Accounts Payable  
For the period ending August 26, 2011 in the amount of \$609,577.25

### Ordinances on First Reading (Waiver of First Requested)

- D. [110483](#) PC 11-18: 817 E. Roosevelt Road (Harmony Therapeutic Wellness Center)  
Requests a conditional use, per Section 155.417(2)(b)(11) of the Village of Lombard Zoning Ordinance to allow for a therapeutic massage establishment on the subject property located within the B4A Roosevelt Road Corridor District. (DISTRICT #6)

**Attachments:** [110483BOT09\\_01\\_11.pdf](#)  
[110483-CoverPage-9-1-11.pdf](#)  
[Ordinance 6639](#)

*Presenting the petition were Kim Sevenz, 719 S. Grace, Lombard, and Michele Hull, 724 E. Wilson, Lombard. Ms. Sevenz stated that they are the owners of Harmony Therapeutic Wellness Center and want to comply with the standards within the conditional use of the Zoning Ordinance for running their business, located in the York Center Plaza at 817 Roosevelt Road. Their main goal as a company is to focus on the safety, health and welfare of their clients. Their company relies on the tranquility and wellness of their clients and the community. Their main focus will be to ensure that their services and products reflect a high quality. They will obtain an establishment license and will ensure that their facility and operations will maintain the highest quality. They are petitioning for a conditional use in the B4A and will operate within the Lombard Business Regulations Chapter 122: Massage Establishments. They will also operate within Village Codes and will comply with the Code of Ethics. Their management team consists of two owners, her and Michelle, both licensed massage therapists. She detailed her and Michelle's credentials and school and work experience and noted that they have both lived and have been active members in the Lombard community for many years. They have well-rounded professional backgrounds and appreciate the opportunity to business within the standards of the conditional use of the Zoning Ordinance and establish their business in the Village of Lombard.*

*Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one spoke in favor or against the petition.*

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, presented the staff report. Staff has prepared the IDRC report to submit to the public record in its entirety. The proposed physical culture and massage establishment use will occupy a currently vacant 1,374 square foot space within the multi tenant building located within the Roosevelt Road Corridor. The subject business is located within a commercial strip center which consists of five restaurants, one retail clothing store, one jewelry store, two beauty shops, and one vacant tenant space (the subject tenant space). The Zoning Ordinance lists "Physical culture and massage establishments as conditional uses within the B-4A Roosevelt Road Corridor District.

Individual masseurs/masseuses are licensed through the State of Illinois and are required to provide a copy of their license as part of the overall business license application. The petitioner notes that the proposed establishment would be primarily operated by two licensed masseurs/masseuses. Additional masseurs/masseuses may be added based upon business conditions. The concept floor plan proposes to have five massage rooms, one restroom, reception/waiting area and an office/storage room. No external improvements are proposed as part of the business operation.

The subject property is bounded by commercial uses on two sides. To the north and west are commercial establishments, providing a wide variety of retail and service commercial as well as office activities. A vacant lot is located to the east of the subject property while the southern portion of the property abuts residential. As the primary entrance to the establishment is on the north building elevation, it is oriented away from the residences to the south. It is not anticipated that the proposed use would generate any loading or additional traffic demand on the subject property.

Staff has historically recommended approval of massage establishments within the Roosevelt Road Corridor. In 2007 (PC 07-10), the Village Board approved a massage establishment at 1263 S. Main Street within the Oxford Corners Shopping Center. Staff finds that the petitioner has addressed the standards for conditional uses and that the proposed physical culture and massage establishment is consistent with past approvals and will not have any negative impacts on the surrounding area.

Staff has reviewed the response to standards included as part of the petition and concurs that the petition meets the standards set forth in the Zoning Ordinance. Staff believes that the proposed use is appropriate at the subject location and is compatible with surrounding uses, provided that it is operated in compliance with Village Code and recommends approval of PC 11-18 subject to the four conditions outlined in the staff report.

Chairperson Ryan then opened the meeting for comments among the Commissioners. The Commissioners had no comments.

## Other Ordinances on First Reading

- E. [110480](#) PC 11-15: 240 E. Progress Road (School of Expressive Arts and Learning)  
Requests that the Village take the following actions on the subject

property located within the I Limited Industrial District/Terrace Lakes Planned Development:

1. Approve a planned development amendment (Major Change) to Ordinance 5358 with the following companion conditional use and variation, as follows:
  - a. A conditional use, per Section 155.420(C) of the Lombard Zoning Ordinance, to allow for a school; and
  - b. A variation from Section 155.602(A)(10)(f) to allow two-inch curbing where six-inch barrier curb is required; and
2. Site plan approval with the following deviations from the Lombard Sign Ordinance:
  - a. A deviation from Section 153.507(B)(11)(a)(1) to allow for a total wall sign surface area of approximately 120 square feet where a maximum of 79.5 square feet is permitted; and
  - b. A deviation from Section 153.507(B)(11)(a)(2) to allow for three wall signs where one wall sign is permitted; and
3. Approval of a development agreement for the property. (DISTRICT #4)

**Attachments:** [110480BOT09\\_01\\_11.pdf](#)  
[Ordinance 6649.pdf](#)  
[R 31-12.pdf](#)  
[110480 Cover Page.pdf](#)

*Steven Tetens, 2007 Ashbrook Court, Plainfield, introduced the petition on behalf of the School of Expressive Arts and Learning (SEAL) and presented an area map. David Weber, 21 Oneida St, Joliet, presented an aerial exhibit and explained how the site had been designed to accommodate the endangered Blanding's turtle that is native to the area, which resulted in the variation request to allow two-inch curbing. Mr. Tetens then summarized the proposed site plan and elevations.*

*There was no one present to speak in favor or against the petition.*

*Jennifer Henaghan, Senior Planner, presented the staff report. The petitioner is proposing a new school building on the subject property. This requires an amendment to the underlying planned development, a conditional use for a school, and site plan approval with variations for signage and parking lot curbing. There were a number of comments from Fire and Private Engineering that are being addressed through the building permit process.*

*SEAL is a private K-12 school currently located at 1110 N. Main Street. In 2003, the Village approved the Terrace Lakes Planned Development. Since that time, the approvals for the proposed industrial building have been extended by the Village Board six times, with the most recent extension due to expire on August 19, 2011. The proposed site plan is very similar to that which was approved for the original industrial building on the site. However, the proposed change in use from industrial to educational is a major change to the planned development requiring an amendment.*

*The petitioner is proposing a 26,000-square foot school building with a combination of masonry and precast design elements. The proposed site plan shows 69 parking spaces where 68 spaces are required by Code (based on a*

maximum of 40 faculty members and 100 students). However, all students are bused to the school so there is no parent pickup/drop-off occurring on-site. The building design, orientation, and layout is consistent with the 2003 approval.

As currently done for the existing facility, students attending the school would be transported to and from the site by the respective school district referring the student. The school would be open from approximately 8:30 a.m. to 2:30 p.m., Monday through Friday. The school will operate as a closed campus - students will only arrive and/or depart the site through their pre-arranged transportation. The school has successfully operated within the North Avenue industrial park for several years without incident, and the proposed new location would offer greater separation between the school and the surrounding industrial uses.

To accommodate the movement of local wildlife in and around the surrounding wetlands, the petitioner is proposing a three-inch high curb with a "turtle-friendly design" in place of the six-inch barrier curb mandated by Code. Staff has no objection to this variation provided that all other engineering requirements are met.

The allowable square footage and number of signs is based on the property's single frontage on Progress Road. The subject property has an extremely limited amount of frontage (53 feet) relative to its overall size (5.7 acres). The three 40-square foot signs as proposed are in keeping with the scale of the building and will not have a significant visual impact on the surrounding properties.

The Comprehensive Plan identifies this area as Light Industrial. While schools are not traditionally envisioned to be a use that would be compatible with industrial uses, staff finds that the proposed use presents unique location challenges. Private schools often have greater traffic generations and draw upon a larger than local area. Therefore, from a transportation standpoint, staff believes locating a school outside of a single-family residential area is more appropriate.

The petitioner's specific site can be supported for the school as the building promotes good circulation for busses, provides adequate parking and is somewhat isolated from the surrounding industrial uses by wetlands. Therefore, staff believes the use is consistent with the Comprehensive Plan and surrounding land uses.

Associated with the development proposed, the petitioner is also requesting approval of a development agreement that is fundamentally identical to that approved by the Village Board in 2003. This item will be considered as part of the Village Board's consideration of the petition.

Staff is recommending approval of this petition, subject to the conditions noted in the staff report.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweetser asked if the school is accredited. Mr. Tetens stated that SEAL is a private, for-profit school, but he was not certain as to its accreditation.

F. [110482](#)

## PC 11-16: Text Amendments to the Lombard Sign Ordinance

The Village of Lombard is proposing the following text amendments to the Lombard Sign Ordinance:

1. An amendment to Section 153.233 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Motor Fuel Rate Signs.
2. An amendment to Section 153.210 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Automatic Changeable Copy Signs.
3. An amendment to Section 153.103 & 153.209 (and any other relevant sections for clarity) of the Lombard Sign Ordinance relating to Attention-Getting Devices and Inflatables. (DISTRICTS - ALL)

**Attachments:** [110482BOT09\\_01\\_11.pdf](#)

[Ordinance 6650.pdf](#)

[110482 Cover Page.pdf](#)

*Presenting the petition on behalf of the Village was Michael Toth, Planner I. Mr. Toth stated that staff has prepared a revised IDRC report which reflects today's date. The revised staff report includes some editorial comments but no substantive revisions to the language.*

*Staff recently undertook a comprehensive review of the Sign Ordinance based upon current regulatory trends of particular sign types. More specifically, staff examined the trends in motor fuel rate signs and attention-getting devices. The result of this effort was to address industry standards for motor fuel rate signs (as they relate to other sign types) and a more business-friendly approach to the regulation of attention-getting devices on sandwich board signs.*

*The Village has a history of amending its Zoning and Sign Ordinances to address evolving circumstances presented by petitions or to clarify the intent of the Ordinance provisions. In 2009, the Village approved text amendments (as part of PC 09-26) relative to the regulation of temporary signage. Due to recent demand, staff examined amendments to the Sign Ordinance relative to automatic changeable copy signs, more specifically as they pertain to motor fuel rate signs.*

*Motor fuel rate signs currently have their own separate and distinct provisions. Due to frontage requirements of automatic changeable copy signs; in most cases, motor fuel rate signs do not have the ability to display electronic message reader boards. As electronic reader boards have become the standard in the motor fuel industry, staff believes that a variation should not be required any time a gas station wishes to install an electronic message reader sign. As such, staff examined amendments to the Sign Ordinance relative to automatic changeable copy signs, more specifically as they pertain to motor fuel rate signs and other product rate signs.*

*As a result, staff created a new sign classification that would allow motor fuel rates to be displayed electronically, but also allow other businesses and institutions to display similar electronic messages. For purposes of consistency, staff is proposing to combine motor fuel rate signs with the newly-created 'product rate signs' to allow other businesses to utilize electronic reader boards as well. Furthermore, staff believes that the numerical fuel rate should not be*

*regulated different than any other business wishing to advertise their specific products. Such signs will only be permissible in non-residential districts so as not to impact residential properties with any additional lighting.*

*As previously mentioned, motor fuel rates can be displayed electronically as automatic changeable copy signs; however, to be able to display an electronic message reader, the property would have to consist of 500 lineal feet of right-of-way frontage. As automatic changeable copy signs are intended to be ancillary features of shopping center identification signs, the 500 lineal foot frontage requirement specifically limits the use of such signs to larger properties that typically contain regional shopping centers and the like. As the 500 lineal foot frontage requirement will not be included as part of motor fuel and product rate signs, any business located on properties in non-residential districts could display electronic message reader signs where it may not have been previously possible. The provisions of automatic changeable copy signs will also be amended to be consistent with the newly-created motor fuel and product rate signs. If you look at the language created they have been morphed together and the automatic changeable copy signs were amended to be more consistent with the motor fuel rate sign.*

*Aside from the 500 lineal foot frontage requirement, the only difference between said signs would be the interval ratio. As motor fuel and product rate signs are intended to advertise products, which contain static prices, they will only be allowed to change twice in a twelve-hour period, whereas automatic changeable copy signs will still be allowed to change messages in two-second intervals. Again, automatic changeable copy signs are intended to be ancillary features of shopping center identification signs so they are relaying messages from a number of different tenants; as such, they are required to change more frequently. Staff used similar provisions from Glen Ellyn as a reference to the proposed text amendments. Staff finds that the proposed amendments will address evolving circumstances by allowing businesses greater access to electronic message readers.*

*Mr. Toth mentioned how this amendment is a result of a demand mostly by gas stations and how this type of sign has become an industry trend. He noted how staff had granted a couple of variations in the past and gave the Shell Gas Stations as examples.*

*Continuing, Mr. Toth stated there has been a recent demand from the business community to have greater flexibility to be able to effectively advertise their businesses. To address such need, the sandwich board sign provisions were amended in 2010 to allow all businesses located in non-residential zoning districts the ability to display a sandwich board sign. There has been a surge in sandwich board sign use since such amendments were approved. Additionally, businesses have been displaying attention-getting devices on their sandwich board signs. Under the current attention-getting device regulations such devices can only be displayed for a certain time period once a permit has been obtained. The permits are restricted to 14 days each with four permits being allowed for the calendar year for a total of 56 days. To allow businesses to effectively draw attention to their establishment, staff is proposing to remove the time limitations and need for a permit for balloons attached to a lawfully establish sandwich board sign.*

*Staff is also proposing to clean up the provisions relative to balloons and inflatables. There are no changes being proposed to the regulations of inflatables, just the reference made to the correct device.*



*Staff finds that allowing balloons that are less than two feet when measured in any dimension on a lawfully-established sandwich board sign or attached to a permanent structure will not be detrimental to public safety or neighborhood aesthetics, but rather will provide businesses with another tool to effectively draw attention to their establishment.*

*Concluding, Mr. Toth stated that the proposed amendments meet the standards set forth in the Zoning Ordinance and is recommending approval of PC 11-16.*

*Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one to speak in favor or against the petition.*

*Chairperson Ryan then opened the meeting for comments among the Commissioners.*

*Commissioner Burke referred to the approval of the variances for the Shell Gas Stations and recalled that staff's recommendation at that time was strict. He questioned why staff now has had a change of heart as there was a different approach at that time.*

*Christopher Stilling, Assistant Director of Community Development, answered that when staff initially looked at the variations it was from an automatic changeable copy sign standpoint, but after speaking to Village Counsel, as well as the business community, we found that these signs are becoming a growing trend. Staff did the research and thought this was a fair compromise as it seems that most gas station signs in the future will be this type.*

*Commissioner Burke asked about the two second interval on some of the signs. Mr. Toth answered that it is a current requirement that automatic changeable copy signs can only change the message after a two second interval. The motor fuel signs we are discussing have a more static message. Mr. Stilling noted that there is a provision in place that prohibits flashing signs.*

*Commissioner Olbrysh indicated that he was absent from the meeting when the Commissioners discussed approval of the fuel rate sign petitions. He referred to the Shell sign on Westmore and Roosevelt and asked if that particular sign comes within the 9 square feet or if it is less because it is hard to see. Mr. Toth answered that he did not think that they used the maximum allowable square footage allowed by code. Commissioner Olbrysh stated how it might cause an accident if it is too small and unreadable. He hoped that was not the standard. Mr. Toth answered that staff looked at various applications and submittals and also talked with business owners and other communities and the 9 square feet seemed to be a good fit. Mr. Stilling added that 9 square feet is consistent with code. If you sell gas you are required to post the price - our code recognizes this and it was always at 9 square feet. Staff feels comfortable with that provision as long as it is static.*

*Commissioner Sweetser asked about the automatic changeable copy sign that has a crawling message and how that fits into these provisions. Mr. Stilling answered that it would not be allowed as this is a product rate sign and that type of sign you are referring to is a scrolling sign. If someone wanted to have a crawling sign or a scrolling sign they would have to meet the provisions of an automatic changeable copy sign that allows a message that changes more frequently. This would include having 500 linear feet of frontage. Commissioner Sweetser asked if the crawling sign is covered by this ordinance.*

*Mr. Toth referred to the language on page 5, letter D. which prohibits the use of animation, flashing, scrolling or blinking characters. He added that if someone desired this, they would have to go through the variation process.*

*Commissioner Mrofcza questioned legally established sandwich board signs that have balloons attached to it. He asked how far the sign has to be from the curb and if the length of the balloon string is regulated. He expressed concern that the balloons could possibly obstruct traffic if the sign is placed too close to the curb. Mr. Toth referred to the provision on page 8, 2.B. which indicates that a sandwich board sign has to be at least 10' away from the building and/or outdoor service area with a minimum of 4' of public sidewalk remaining unobstructed. Commissioner Mrofcza acknowledged that the provision addresses how far away it has to be located from the building but does not address how close it can be located to the curb. He was concerned that if the balloons fly into traffic they could possibly obstruct someone's view. Mr. Stilling noted that was a good point and staff will amend the language so it states that at no point shall any portion of the sign and balloons extend beyond the curb.*

*Commissioner Cooper commented that balloons are a management responsibility to ensure that they are maintained, not blowing into traffic, not deflated and aesthetically pleasing. She asked how the Village will control and monitor the use of balloons. Mr. Stilling answered that if they are located in the right of way they have to carry insurance and staff ensures they have the proper paperwork. There are also maintenance provisions within code so Code Enforcement is active in ensuring that the signs comply with code.*

**G. [110484](#)**

**PC 11-19: Text Amendments to the Lombard Zoning Ordinance**  
The Village of Lombard is proposing text amendments to Section 155.405 through Section 155.411 of the Zoning Ordinance relative to front yard setback requirements for single-family residences.  
(DISTRICTS - ALL)

**Attachments:** [110484BOT09\\_01\\_11.pdf](#)  
[Ordinance 6651.pdf](#)  
[110484 Cover Page.pdf](#)

*Presenting the petition on behalf of the Village was Michael Toth, Planner I. Mr. Toth stated that staff has prepared the IDRC report to submit to the public record in its entirety. In October 2008, the Village Board formally adopted the text amendments associated with residential development (PC 08-21), which included the residential front yard setbacks. As a result of said amendments, setbacks for all detached single-family homes are now required to consider the average front setback of adjacent properties to determine the required front setback for a given property. Since adoption in 2008, property owners and the development community faced a number of challenges with regard to the average front yard setback provisions. Such issues included: data interpretation, non-conforming scenarios and complications resulting from the maximum building line. As a result of said issues, staff is requesting text amendments to the average front yard setback provisions.*

*Staff conducted two Plan Commission workshops on this item - the first on March 21, 2011 and then July 18, 2011. During the March 21, 2011 Plan Commission meeting, staff presented the aforementioned issues with the existing provisions and solicited feedback on the existing Zoning Ordinance provisions.*

*As recommended by the Plan Commission, staff drafted amended provisions based upon their recommendations and brought the proposed language back to the Plan Commission during the last workshop session on July 18, 2011 meeting. The Plan Commission was supportive of the proposed language; as such, staff is now bringing the proposed language forward for formal adoption.*

*Concluding, Mr. Toth noted that the proposed amendments apply to all detached single family residences in all residential districts and meets the standards set forth in the Zoning Ordinance and is recommending approval of PC 11-19.*

*Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one to speak in favor or against the petition.*

*Chairperson Ryan then opened the meeting for comments among the Commissioners. The Commissioners had no comments.*

## **Ordinances on Second Reading**

- H.     [060542](#)     ZBA 06-21: 820 E. St. Charles Road  
Granting a further time extension to Ordinance 5935, as amended by Ordinances 6094, 6247, 6373, and 6515 relative to the approval of a reduction in the minimum required lot area for the property located at 820 E. St. Charles Road. (DISTRICT #4)

**Attachments:** [apoletter 06-21.doc](#)  
[coversheet.doc](#)  
[ORDINANCE 06-21.doc](#)  
[PUBLICNOTICE.doc](#)  
[Referral Let 06-21.doc](#)  
[Report 06-21.doc](#)  
[WTL referral memo.doc](#)  
[ORD 5935.pdf](#)  
[coversheetextension.doc](#)  
[Ord Extension.doc](#)  
[Extension memo.doc](#)  
[60940001.pdf](#)  
[Ordinance 60940001.pdf](#)  
[coversheetextension2.doc](#)  
[Extension memo2.doc](#)  
[Ordinance 6247.pdf](#)  
[coversheetextension3.doc](#)  
[Extension memo3.doc](#)  
[Ordinance 6373.pdf](#)  
[060542.pdf](#)  
[060542.pdf](#)  
[060542.pdf](#)  
[Extension memo4.doc](#)  
[coversheetextension4.doc](#)  
[060542.pdf](#)  
[060542.pdf](#)  
[Ordinance 6515.pdf](#)  
[060542BOT08\\_18\\_11.pdf](#)  
[060542-CoverPage-9-1-11.pdf](#)  
[Ordinance 6640.pdf](#)

*Robert Mueller presented the petition. He described the location of the subject property as well as the surrounding zoning and land uses. There was previously a dilapidated residence on the property that has been removed. He became aware of the need for a lot area variation after submitting plans for a building permit. In this case there is no way to meet the lot area requirement because there is no available land.*

*Chairperson DeFalco then opened the meeting for public comment. There was no one present to speak for or against the petition.*

*Chairperson DeFalco then requested the staff report.*

*Jennifer Backensto, Planner II, presented the staff report. The subject property is currently a legal Lot of Record; however, it does not meet the minimum lot area requirements for the B4 District. The petitioner is requesting a lot area variation to allow for the redevelopment of the property as an office building. Aside from the lot area requirement, no other zoning relief is being requested.*

*When this property was developed as a single-family residence in 1927, there were no minimum lot area requirements. In 1986, the Village approved a rezoning of the western side of the block from B4 to R2, leaving two remainder B4 parcels that did not meet the minimum lot area requirements for that district.*

*Staff finds that the physical surroundings of the subject property create a hardship. Due to the configuration and zoning of the adjacent lots, there is no way this property could be redeveloped without some sort of zoning relief. There are three scenarios under which redevelopment could occur, all of which would require approval through the public hearing process: the proposed lot area variation, rezoning of at least three of the single-family residential properties to the north and consolidation with those properties, or a variation to the subdivision regulations regarding lot configuration. Staff feels that a lot area variation would be the most appropriate type of zoning relief in this case as it would avoid both the encroachment of commercial development into the neighboring residential area as well as setting a precedent to allow unusual, "L" shaped lots.*

*Although the B4 zoning within the East St. Charles Road corridor reflects the Village's general desire to see redevelopment of entire block faces within this corridor, the previous approval of R2 zoning at 806 E. St. Charles Road prevents such a consolidated development. The granting of the requested lot area variation would not alter the character of the neighborhood or negatively impact the surrounding properties as the subject property has maintained the same boundaries since its development in 1927. Furthermore, the granting of this variation would not grant a precedent for other properties within the corridor as the nearby R2 zoning and irregular lot configurations present a unique situation that is not found elsewhere in the corridor.*

*Chairperson DeFalco then opened the meeting for discussion by the Board Members.*

*Mr. Young asked if there were any other issues associated with the redevelopment. Ms. Backensto stated that the permit had already been reviewed and the lot area variation was the only relief necessary. All transitional yards and other B4 District requirements will be met.*

- I. [110438](#) Text Amendment to Title 3 of the Village Code  
Amending Title 3, Chapter 32, Section 32.079 of the Lombard Village Code allowing abandoned cemeteries to be designated as landmark sites without the written approval of the property owner(s). (DISTRICTS - ALL)

**Attachments:** [Text Amendment.pdf](#)

[110438BOT08\\_18\\_11.pdf](#)

[Ordinance 6641.pdf](#)

[110438-CoverPage-9-1-11.pdf](#)

*The proposed text amendment to Section 32.079 of the Village Code to allow the designation of abandoned cemeteries as local landmarks without the written approval of the property owners was reviewed by the Local Landmarks Committee.*

- J. [110440](#) PC 11-14: Text Amendments to the Lombard Zoning Ordinance  
The Village of Lombard is requesting text amendments to remove Scrivener's errors, redundancies, and ambiguities within the Zoning Ordinance, as follows:
1. Sections 153.211 Awnings and Canopies and 153.602 Definitions Clarify language regarding the classification of signage as awning signs, valance signs, and/or wall signs.
  2. Sections 155.211 Home Occupations, 155.223 Live Entertainment, and 155.602 Off-Street Parking Update existing references to the BOCA Basic Fire Prevention Code to reflect current Fire Code requirements.
  3. Sections 155.404 Conservation Recreation District Requirements, 155.412 O Office District Requirements, 155.413 B1 Limited Neighborhood District, 155.414 B2 General Neighborhood Shopping District, 155.415 B3 Community Shopping District, 155.416 B4 Corridor Commercial District, 155.417 B4A Roosevelt Road Corridor District Requirements, 155.418 B5 Central Business District Requirements, 155.419 B5A Downtown Perimeter District Requirements, 155.420 I Limited Industrial District Requirements, and 155.802: Definitions Establish consistent terminology, delete redundant references, and adding or modifying definitions (where necessary) pertaining to the following land use categories: indoor and outdoor amusement establishments and parks, animal hospitals and kennels, bakeries, banks and financial institutions, building material and products sales and storage, clubs, coffee shops and restaurants, compact disc, record, and sheet music stores, dry cleaning and pressing establishments, electrical stores and showrooms, florists and flower shops, furniture stores and interior decorating shops and upholstery, furriers, garden supply stores, gasoline sales, greenhouses and nurseries, home improvement stores and showrooms, laboratories, laundries and laundrettes, liquor stores and party supply stores, automobile, motor vehicle, and recreational vehicle repair, sales, and service, offices, parking lots and structures, post offices and parcel packing and shipping establishments, public

utility and service uses and municipal buildings and facilities, recreation and community centers, recreational and social facilities, religious institutions, shoe stores and repair, tailor and custom dressmaker shops, taverns and cocktail lounges, sale and rental of video tapes, compact and laser discs, and electronic game cartridges, and wearing apparel and clothing shops. (DISTRICTS - ALL)

**Attachments:** [110440BOT08\\_18\\_11.pdf](#)  
[Ordinance 6642 & 6643.pdf](#)  
[110440-CoverPage-9-1-11.pdf](#)

*Christopher Stilling, Assistant Director of Community Development, presented the petition. The Village of Lombard is proposing a series of text amendments to address inconsistencies and ambiguities within the Sign Ordinance and Zoning Ordinance pertaining to signage on awnings, land use classifications, and references to the Village's Fire Code. None of the proposed amendments are intended to change current requirements; rather, they are meant to make the Village Code more consistent in its terminology and references.*

*Relative to awning signage, the proposed amendments to the Sign Ordinance attempt to create consistency and clarification, while still keeping with the intent of the Sign Ordinance. Any regulation that specifically establishes limitations based upon speech may not be content neutral. Moreover, the temporary sign provisions were amended to eliminate signage regulation based upon speech, as part of PC 09-26. Currently, only the name of the establishment or owner of the business may be displayed on the front and side valance of the awning or canopy. In keeping with the content neutral subject matter, staff is proposing to allow any text, graphics and logos to be displayed on a valance, within the ten inch height requirement.*

*Staff is also seeking to add clarification to the awning and canopy signage provisions. Currently, advertising placed on any awning or canopy is considered to be a wall sign and is subject to the size requirements established for wall signs. Such regulations create conflict within the Sign Ordinance as wall signs and awning & canopy signs each have separate regulations, with respect to the number and size, in all commercial zoning districts. By eliminating such reference, each sign would continue to be regulated separately, as intended.*

*Mr. Stilling then referred to the staff report noting that the proposed changes to the Sign Ordinance are denoted by underlining new text and removed by strikethroughs.*

*Relative to the Fire Code the Department of Community Development has formally adopted the 2009 International Code Council Fire Code to replace the Building Officials Code Administrators International Code. As an administrative clean up, staff is proposing to remove all references to the old BOCA National Building Code and in its place insert a general reference to the current fire code. By utilizing a broad reference to the 'current fire code', this will eliminate the need for a text amendment, to the relevant sections of Code, if the fire code were to again change. Again, proposed changes to the Zoning Ordinance are denoted by underlining new text and removed by strikethroughs.*

*As the Zoning Ordinance has been amended over time, the nomenclature used for various Land Use Categories has not always been kept consistent. For*

*example, there are references to both automobile repair and motor vehicle repair, although both are the same land use. Also, due to the way in which the business districts refer back to one another, some uses are duplicated. For example, the B4 District allows both laundrettes and laundries, although there is no difference between these uses. Finally, as amendments have been made to certain land use categories, those amendments have not always been applied to every zoning district. For example, although references to specific types of religious institutions were removed from all residential zoning districts as well as the B5 and B5A Districts in 2004 as part of PC 04-22, the O District still lists out specific types of religious institutions.*

*He noted that the proposed text amendment list in the staff report is too extensive to read each one but indicated that the report was being entered into the public record in its entirety.*

*Lastly, he stated that the standards for text amendments have been affirmed and staff is recommending approval of PC 11-14.*

*Chairperson Ryan asked if anyone was present to speak in favor or against the petition. No one spoke in favor or against the petition.*

*Chairperson Ryan opened the meeting for discussion among the Commissioners. The Commissioners had no comments.*



- K. [110466](#) BOT 11-10: 11 Eisenhower Lane South  
Granting a variation to Chapter 151 "Flood Control", Subsection 151.55 "Retention/Detention Basins" of the Lombard Code of Ordinances for stormwater detention at the property located at 11 Eisenhower Lane South. (DISTRICT #3)
- Attachments:** [110466BOT08\\_18\\_11.pdf](#)  
[110466-CoverPage-9-1-11.pdf](#)  
[Ordinance 6644.pdf](#)

## Resolutions

- L. [110495](#) Finley Road (Wilson Avenue To Glen Oak Road) Whitetopping, Design Engineering  
Approving a contract with Civiltech Engineering, Inc. in the amount of \$257,732.20. (DISTRICTS #1 & #2)
- Attachments:** [R 28-12.pdf](#)  
[Contract ST 12-05.pdf](#)  
[110495BOT9-1-11.pdf](#)  
[PO #068659 CIVILTECH CO#1.pdf](#)
- M. [110505](#) Village Hall ADA Accessibility, Community Development Block Grant  
Authorizing the signatures of the Village Manager and Village Clerk on an Agreement with DuPage County relative to receiving Community Development Block Grant funds in the amount of \$22,000.00. (DISTRICT #6)
- Attachments:** [110505 BOT 9-1-11.pdf](#)  
[R 29-12.pdf](#)  
[110505-CoverPage-9-1-11.pdf](#)  
[Dupage County Agreement-ADA](#)
- N. [110531](#) 2011 North Avenue Standpipe Painting Project, Resident Engineering Agreement  
Authorizing an Agreement with Tank Industry Consultants in the amount of \$52,400.00 to perform resident inspection, documentation and contract administration services for the 2011 North Avenue Standpipe Painting Project. (DISTRICT #1)
- Attachments:** [110531 BOT 9-1-11.pdf](#)  
[R 30-12.pdf](#)  
[110531-CoverPage-9-1-11.pdf](#)  
[Document pending 110531](#)

## Other Matters

- O. [110502](#) Tree & Stump Removal  
Request for a waiver of bids and award of a contract to Ciosek Tree

Service in the amount of \$20,000.00. Public Act 85-1295 does not apply.

**Attachments:** [110502 BOT 9-1-11.pdf](#)

[110502-CoverPage-9-1-11.pdf](#)

[Ciosek](#)

P. [110503](#)

Tree Planting

Request for a waiver of bids and award of a contract to the Suburban Tree Consortium in the amount of \$55,800.00. Public Act 85-1295 does not apply.

**Attachments:** [110503 BOT 9-1-11.pdf](#)

[110503-CoverPage-9-1-11.pdf](#)

Q. [110504](#)

Cardiac Monitor Defibrillators

Request for a waiver of bids and award of a contract to Philips Healthcare in the amount of \$77,949.00 for the purchase of four monitors. Public Act 85-1295 does not apply.

**Attachments:** [110504BOT08-22-11.pdf](#)

[110504-CoverPage-9-1-11.pdf](#)

R. [110507](#)

Lift Station Improvements, Purchase of Back-up Generators

Request for a waiver of bids and award of a contract to Cummings NPower in the amount of \$99,138.00. Public Act 85-1295 does not apply. (DISTRICTS #1, #2 & #6)

**Attachments:** [110507 BOT 9-1-11.pdf](#)

[Contract SAN 11-03 Cummins NPower.pdf](#)

[110507-CoverPage-9-1-11.pdf](#)

S. [110508](#)

Lift Station Improvements, Purchase of Control Panels

Request for a waiver of bids and award of a contract to The Flolo Corporation in the amount of \$111,093.00. Public Act 85-1295 does not apply. (DISTRICTS #5 & #6)

**Attachments:** [110508 BOT 9-1-11.pdf](#)

[Contract SAN 11-03 FLolo.pdf](#)

[110508-CoverPage-9-1-11.pdf](#)

T. [110506](#)

Appointment - Environmental Concerns Committee

Request for concurrence in the appointment of Dustin Smith to fill a vacancy created by the resignation of Clark Adams.

**Attachments:** [Appointments 9-1-11.pdf](#)

[110506BOT9-1-11.pdf](#)

\*U. [110542](#)

Appointment - Finance Committee

Request for concurrence in the appointment of David Cain, Jr. to fill a vacancy created by the resignation of Qureish Esmail.

**Attachments:** [Appointments 9-1-11.pdf](#)  
[110542BOT9-1-11.pdf](#)

- \*V. [110544](#) Appointment - Community Relations Committee  
Request for concurrence in the appointment of Barbara Ware to fill a  
vacancy created by the resignation of Kimberly Angland.

**Attachments:** [Appointments 9-1-11.pdf](#)  
[110544BOT9-1-11.pdf](#)

## **IX. Items for Separate Action**

### **Ordinances on First Reading (Waiver of First Requested)**

### **Other Ordinances on First Reading**

### **Ordinances on Second Reading**

### **Resolutions**

### **Other Matters**

## **X. Agenda Items for Discussion**

## **XI. Executive Session**

## **XII. Reconvene**

## **XIII Adjournment**

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