



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, Andrea Cooper, Stephen Flint and
John Mrofcza
Staff Liaison: William Heniff

Monday, August 19, 2013

7:30 PM

Village Hall - Board Room

Call to Order

Chairperson Ryan called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Chairperson Ryan led the Pledge of Allegiance.

Roll Call of Members

Present 6 - Donald F. Ryan, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint
Absent 1 - Ronald Olbrysh

Also present: William Heniff, AICP, Director of Community Development; Jennifer Ganser, Assistant Director of Community Development; Matt Panfil, Sr. Planner, and Jason Guisinger, legal counsel to the Plan Commission.

Chairperson Ryan called the order of the agenda.

Mr. Heniff read the Rules of Procedures as written in the Plan Commission By-Laws.

Public Hearings

[130392](#)

PC 13-14: Text Amendments to the Zoning Ordinance - Limited Industrial Distribution Definitions

The Village of Lombard is proposing the following texts amendment to the Lombard Zoning Ordinance:

1. An amendment to Section 155.802 (and any other relevant sections for clarity) of the Lombard Zoning Ordinance regarding the definitions of "cartage and express facilities," "motor freight terminal," and

“warehousing, storage, and distribution facilities” and add provisions for “distribution center,” “truck terminal,” and “warehouse”; and

2. An amendment to Section 155.420 (B) and (C) the permitted or conditional use status of “cartage and express facilities,” “motor freight terminal,” and “warehousing, storage, and distribution facilities” and add provisions for “distribution center,” “truck terminal,” and “warehouse.”

(DISTRICTS #1, #3, and #4)

Petitioner William Heniff, Director of Community Development was sworn in. He presented the staff report, which was submitted to the public record in its entirety.

Aware of possible confusion due to the syntax and lack of definitions within the Zoning Ordinance for the above referenced uses, staff researched best practices from other communities and gave careful consideration to the context of the Village in order to create a clearly defined distinction between three (3) different types of use where the primary functions are;

- a. Storage of goods and materials for an undetermined amount of time and the transportation to and from the site is ancillary;*
- b. Breaking down and sorting of shipments of goods and materials for further, near immediate, distribution; and*
- c. Parking and/or storage of semi-trailers and other trucks as they wait for dispatch orders.*

Staff is proposing a series of text amendments to provide additional clarity within the zoning ordinance. Noted in the staff report the existing regulations Cartage and Express Facilities are listed as a conditional use, Motor Freight Terminal is unlisted, and Warehousing, Storage, & Distribution Facilities are a permitted use.

In the rules and definitions section, cartage and express facilities is not defined. Motor freight terminal is "a building or area in which freight, shipped by motor truck or railroad is received, assembled, sorted, and/or rerouted for local intrastate or interstate shipment by motor truck." Warehousing, storage, and distribution facilities have no definition.

Staff is trying to provide clarity for any future business entities that want to locate within our I Limited Industrial District and with an understanding of our regulations. Three new definitions are being proposed along with the deletion of the motor freight terminal definition.

Mr. Heniff concluded that staff believes the three new definitions for warehouse, distribution center and truck terminal will help future businesses locating to the district and staff provide proper information relative if they are deemed permitted or conditional use. He noted Staff recommends approval of the proposed text amendments.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Sweetser asked how staff will be defining a truck. Mr. Heniff replied it would be reviewed as to how its being operated and through the State of Illinois the plating and licensing of the vehicle.

A motion was made by Ruth Sweetser, seconded by Stephen Flint, that this petition be recommended to the Corporate Authorities for approval. The motion carried by the following vote:

Aye: 5 - Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

Absent: 1 - Ronald Olbrysh

[130391](#)

PC 13-12: 1111 N. Ridge Avenue

Requests that the Village grant a conditional use, pursuant to Section 155.420 (C) (6) of the Village of Lombard Zoning Ordinance, to allow for a Cartage and Express Facility (or Distribution Center as amended by PC 13-14) within the I Limited Industrial Zoning District. (DISTRICT #1)

Sworn in to present the petition were Ron Castaldo of United Delivery Service, Ltd. (UDS), 1220 National Avenue, Addison, IL and Mike Castaldo, the attorney for UDS. Mr. Ron Castaldo stated that UDS is purchasing the building at 1111 N. Ridge Avenue. UDS has been in business for over forty (40) years and has over 500 customers for which they deliver general commodities, but do not handle any hazardous materials. The company is looking to consolidate the operations of two existing locations in Addison and Itasca. Mr. Ron Castaldo stated that UDS chose the Village of Lombard because it is centrally located and they are able to conduct their distribution operations, and some warehousing, within the proposed location.

Elaborating on their operations, Mr. Ron Castaldo stated that UDS takes in deliveries through tractor-trailers in stages throughout the evening, starting at approximately 6:00 PM and every few hours thereafter. A staff of approximately twenty (20) then sorts the deliveries overnight and routes it either for temporary warehousing or same day pickup. The smaller deliveries go out for redistribution via smaller delivery vehicles in the morning, starting at approximately 6:00

AM and every one to three hours thereafter. Mr. Ron Castaldo stated that both sides of the building will be utilized for loading deliveries in order to minimize congestion and cause no additional impact on traffic to and from the area. Finally, throughout the daytime hours UDS has an office staff of approximately fifteen (15) to (20) within the building.

There being no questions or comments from the public, Chairperson Ryan requested the staff report.

Matt Panfil, Senior Planner, presented the staff report, which was submitted to the public record in its entirety. There are two issues at hand. First, the previous public hearing, PC 13-14, established new terms and definitions for a distribution center, which requires a conditional use permit. The proposed physical improvements required for the petitioner to function at their maximum efficiency include: approximately 7,200 square feet (of 65,000 total square feet) of remodeled interior space for offices and a dispatch room, twenty-four (24) new overhead doors for small vehicle loading, and a new parking lot and dry bottom detention basin at the south end of the lot.

Mr. Panfil stated that the amount of parking spaces and loading births provided actually exceed the amount required by the Zoning Ordinance.

As the site is located within an industrial park, staff finds that the proposed use is compatible with the surrounding zoning and land uses as well as the Comprehensive Plan's light industrial designation. The site also meets all other Zoning Ordinance criteria.

Staff further finds that the proposed use will not have a negative impact on the Village's transportation network based on: a.) the petitioner's representation that almost all of the traffic to and from the site, particularly the tractor-trailers, occurs at non-peak hours; b.) the site is far enough removed from residential uses that the late night and early morning loading and unloading will not represent a nuisance; and c.) Ridge Avenue is a non-through street where traffic is generally limited to vehicles having a direct interest in the adjacent businesses.

Staff recommends approval of PC 13-12.

There being no questions or comments for staff from the public, Chairperson Ryan opened the petition to the Commissioners. There were no comments from the Commissioners.

A motion was made by Martin Burke, seconded by Stephen Flint, to recommend to the Corporate Authorities approval of the petition, subject to the following conditions:

1. The conditional use shall be valid only for a distribution center and shall not be interpreted as permitting the operation of a truck terminal;
2. That the petitioner shall develop the site in accordance with the plans dated July 11, 2013 and submitted as part of this request;
3. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the distribution center is not operating by said date, this relief shall be deemed null and void.

The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

Business Meeting

The business meeting convened at 8:17 p.m.

Approval of Minutes

On a motion by Commissioner Sweetser and seconded by Commissioner Mrofcza the minutes of the July 15, 2013 meeting were approved by a 4-0 vote with Commissioner Burke abstaining.

Public Participation

There was no public participation.

DuPage County Hearings

There were no DuPage County hearings.

Chairperson's Report

The Chairperson deferred to the Director of Community Development.

Planner's Report

Mr. Heniff, Director of Community Development gave the Planners Report. The Dump will be opening August 30th and they are currently working to stock the store. This was a Plan Commission case from this past June. In addition, a series of Plan Commission cases were approved by the Board of Trustees. This includes fence regulations in downtown Lombard as well as the decorative fence for Glenbard Wastewater Authority.

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Subdivision Reports

There were no subdivision reports.

Site Plan Approvals

[130394](#)

SPA 13-03: 1301 N. Lombard Road

Requests site plan approval for a new two story 59,200 square foot office/warehouse facility for Native Floral Group. The property has received approvals by Ordinance 5695, subsequently amended by Ordinance 5794. This petition seeks approval of a final development plan which is consistent with the concept plans previously approved by the Village Board in the development agreement for the property. (DISTRICT # 1)

Martin Burke recused himself from the case since he works for the company which is the owner and developer of the property. Mr. James Brucato was sworn in to speak for the case. The petitioner, Mr. Brucato, President of Principle Construction Corp, spoke on behalf of Native Floral Group. Native Floral Group is a current resident of Lombard and is requesting to move into a larger facility. Native Floral Group assembles and packages bulk flowers for major retailers throughout the nation. This facility will focus on the Midwest. The site is located on 13 acres at the end of Lombard Road just north of Cortland Road. To show the property is in keeping with the site plan approval Mr. Brucato presented a copy of the development agreement plan approved in 2005 that demonstrates the spirit of the intended development. Next, he presented the site plan for the 59,200 square foot facility. The office will be in the southeast corner of the building. He explained how the docks could be expanded and how the operations are routed through the building. An aerial view was then presented to show what the building will look like from high above the southwest corner. Mr. Brucato noted the architecture, docks, and parking. The building will be constructed of load bearing insulated precast materials and an insulated membrane roof. There will be 14 current docks and 8 future docks. The construction will be a

conventional steel frame and everything will be done to international building codes, Village of Lombard codes, and state and local codes.

Chairperson Ryan asked for public comment, and, hearing none, asked for the Staff Report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety.

Ms. Ganser noted that there are no standards for review since this is a Site Plan Approval case and will focus on the staff report. The petitioner is requesting site plan approval for a new 59,200 square foot office/warehouse facility at 1301 N Lombard Road. This is located at the northernmost part of Lombard and the largest parcel of undeveloped industrial land in the Village.

After further discussions with the petitioner on SPA 13-03, staff would like to make the following recommendations to the conditions of approval of the IDRC report.

Under Inter-Departmental Review from Public Works the first bullet point currently reads "The storm water management system and water distribution system including fire hydrants shall be functional prior to constructing the building."

Staff would like to amend the first bullet point to read "An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. Approved fire department vehicle access shall be provided to all temporary or permanent water supply connections."

The change allows the petitioner to construct the foundation of the building prior to constructing a water distribution system. Once combustible materials arrive an approved water supply for fire protection would need to be installed. The storm water management system will be reviewed when building permits are submitted.

Staff requests that the Plan Commissioners consider this change.

Chairperson Ryan asked if anyone had questions of the staff report. Hearing none he opened the discussion to the Commissioners.

Commissioner Sweetser asked if the petitioner is aware of the changes from Public Works. Ms. Ganser replied they were aware.

A motion was made by Ruth Sweetser, seconded by Stephen Flint, that this SPA be approved subject to the following conditions and as amended at the meeting:

1. The petitioner shall develop the site in conformance with the submitted site plan, prepared by Harris Architects, Inc., dated July 22, 2013, except as may be changed for final engineering and building permit approval and the following conditions below.
2. The petitioner shall satisfactorily address all comments raised within the Inter-Departmental Review Report as part of their building permit application.
3. The petitioner shall apply for and obtain a building permit for any development activity on the subject property.
4. As part of the requisite permit for the site improvements, the petitioner shall provide a copy of the final landscape plan that incorporates the approved wetland plantings for the property.
5. The petitioner shall apply for a building permit denoting the proposed parking lot lighting for the site. The light poles shall be of a uniform design and shall meet Village specifications for parking lot lighting.
6. All provisions associated with Ordinances 5695 and/or the approved development agreement for the subject property shall remain in full force and effect.
7. Any future development on the remaining property to the west shall be subject to site plan approval. In the event that the plan for that portion of the property is not consistent with the approved concept plans approved as part of ordinance 5695, a planned development amendment shall be required.
8. All outdoor trash collection areas shall be screened on all four (4) sides, with a masonry or concrete wall constructed with the same materials as the principal building.
9. The existing ordinance expires January 5, 2014. If construction has not commenced at that time, the petitioner should seek an additional time extension from the Village Board.

The motion carried by the following vote:

Aye: 4 - Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

Abstain: 1 - Martin Burke

Absent: 1 - Ronald Olbrysh

Workshops

AUTOMATIC CHANGEABLE COPY SIGNAGE REGULATIONS

Mr. Heniff presented the workshop regarding automatic changeable copy signage regulations and stated that the purpose of the workshop is to solicit some input from the Plan Commission as to whether additional text amendments are warranted or the conditional use process should be maintained.

As a reminder to the Plan Commissioners, Mr. Heniff stated that automatic changeable copy signs are permitted only in the CR, B3, B4A, B5, and B5A zoning districts, which are most of the commercial zoning districts that are not in close proximity to residences. Within these districts sites must have at least 500 lineal feet of street frontage so that each small individual property would not be entitled to a sign, but rather large shopping centers would be able to utilize such signage. Nine (9) square feet is the maximum area for an automatic changeable copy sign, which is somewhat small, but based on the conversation about gasoline station fuel rate signage for the original automatic changeable copy sign text amendment from a few years ago. Automatic changeable copy signs cannot change more than every two (2) seconds, which is an industry standard. No animation, chasing, blinking, or scrolling is allowed in order to avoid driver distraction. Automatic brightness and contrast controls are also required in order to minimize the impact on neighboring properties.

Mr. Heniff then stated that when discussing signage regulations it is important to remember that they must be content neutral, meaning that they cannot give preference to one type/content of message over another, but rather regulated based on factors such as underlying zoning, the nature of the property, and the signs location on a property.

Mr. Heniff continued by stating that there are context issues regarding automatic changeable copy signs. Mr. Heniff cited the example that these types of signs are highly desirable along major commercial corridors such as Butterfield Road (SPA 13-01ph) where the signage needs for Yorktown Mall, where there are a lot of different businesses and frequently changing events, are fundamentally different from those of a single business located on a slower collector street.

Staff conducted a surrounding survey of neighboring communities and found that no two communities regulate signs the same. Some communities flat out prohibit automatic changeable copy signs and others are quite liberal with their regulations. Lombard is unique in some context that the Village uses street frontage as a determining factor and that some other communities determine the maximum area of automatic changeable copy signage allowed by a percentage of the total sign area permitted.

This background discussion is a precursor to some larger discussions regarding the factors the Plan Commission deem to be most important when regulation automatic changeable copy signage. To facilitate further discussion Mr. Heniff mentioned a request from a religious institution that wants to consider putting up an automatic changeable copy sign larger than permitted along Main Street, a minor arterial within the B5 zoning district. Mr. Heniff asked if because of the nature of religious institutions or business in general, is a relaxation of the sign ordinance warranted.

Chairperson Ryan opened the workshop to Commissioners for comments.

Commissioner Mrofcza stated that his primary concern would be any disruption near residential areas. The data from other communities shows that the Village allows the smallest amount of area for an automatic changeable copy sign. If the arterial streets are residential streets it makes sense to not allow these across the street from a home. Commissioner Mrofcza then asked if these regulations include images or just copy, because he feels just copy is less distracting than images.

Mr. Heniff answered that these regulations apply to anything that fits in a sign box.

Commissioner Mrofcza stated that if this is the case he finds that it is most advantageous to the Plan Commission to review the requests on a case by case basis.

Commissioner Sweetser asked if the nine (9) square foot regulation applies to the whole sign or just that part with the changeable copy and if that is applicable to each side of the sign.

Mr. Heniff responded that the nine (9) square foot maximum area is for the changeable copy portion of the sign and that it is in fact nine (9) square feet of changeable copy allowed per side of the sign.

Chairperson Ryan stated that if you drive down the highway you see them all the time. The initial regulations for automatic changeable copy signs was due to them being a safety issue for drivers. Because technology is always changing so rapidly, Chairperson Ryan asked if the Plan Commission should be flexible to allow businesses to deal in today's market or are the current regulations too restrictive. Chairperson Ryan finds that the Plan Commission needs to be cautious. If the Plan Commission were to allow one church in a business district to have a larger automatic changeable copy sign how

do we restrict a church in a residential area from having one.

Commissioner Mrofcza agreed that these type of signs can be distracting and could cause some serious safety concerns and agrees that it is difficult to determine how to specifically regulate religious institutions because they are located in several different zoning districts. However, he also finds that there may be cases where a sign that meets all other code and is just limited to copy would be overly disruptive in a residential zoning district and merits a case by case review.

Commissioner Burke stated that he finds that the Village does not need to relax the code and he accepts the current case by case review process as effective. There is no change required.

Commissioner Sweetser suggested that as the process moves forward it may be helpful to categorize some of these issues. She also asked if it would help to examine the hours of operation for the lighting of such signs based on the zoning district.

Mr. Heniff replied that the lighting criteria is an example of content neutral regulation because it is based on being sensitive to the adjacent land uses, not regulating the message that is being delivered.

Commissioner Mrofcza stated for consideration if automatic changeable copy signs are any less or more distracting than manual changeable copy signs and if there are any studies on this topic.

Mr. Heniff cited the example that Glenbard East has had a sign out for fifteen (15) years and that there is probably an argument for both side of the different type of signs.

Commissioner Sweetser asked for clarification if there is anything said about the color of the lights.

Mr. Panfil replied that in other communities, if there are color regulations, it is usually limited to one (1) color on a black background.

Commissioner Cooper stated that she does not support the use of automatic changeable copy signs within the downtown business district and she finds that automatic changeable copy signs should remain under review on a case by case basis.

Commissioner Sweetser requested clarification that there would be no movement or flashing copy.

Mr. Heniff confirmed that moving and flashing copy is prohibited. Mr.

Heniff also added that there would be very few properties within the downtown business district that would have the amount of street frontage required to be eligible for such signs.

Commissioner Mrofcza questioned if there are regulations for window-mounted scrolling signs.

Mr. Heniff replied that a strict interpretation of the code suggests that those type of signs are not permitted.

Adjournment

The meeting adjourned at 8:37 p.m.

*Donald F. Ryan, Chairperson
Lombard Plan Commission*

*William J. Heniff, Secretary
Lombard Plan Commission*