

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda


  X   Resolution or Ordinance (Blue)   X   *Waiver of First Requested*  
  X   Recommendations of Boards, Commissions & Committees (Green)  
\_\_\_\_\_ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: August 11, 2014 (B of T) Date: August 21, 2014

TITLE: PC 14-17; Text Amendments to the Sign Ordinance

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard and Merlin requests the following text amendment to the Sign Ordinance (Section 153 of the Code of Ordinances): an amendment to Section 153.505 (B)(6)(c)(ii), B3, B4, and B4A Community Shopping District Requirements to change the setback of a freestanding sign from seventy-five (75) from the centerline of a state right-of-way to five (5) feet from the front property line. (DISTRICTS #1, 2, 3, 4 and 6)

The Plan Commission recommended approval of this petition by a voted 6 to 0 vote.

The petitioner requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:


Review (as necessary):  
Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development 

**DATE:** August 21, 2014

**SUBJECT:** **PC 14-17; Text Amendments to the Zoning Ordinance – Sign Ordinance**

Please find the following items for Village Board consideration as part of the August 21, 2014 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 14-17; and
3. An Ordinance granting text amendments to Section 153.505 (B)(6)(c)(ii), B3, B4, and B4A Community Shopping District Requirements to change the setback of a freestanding sign from seventy-five (75) feet from the centerline of a state right-of-way to five (5) feet from the front property line.

The Plan Commission recommended approval of this petition by a vote of 6-0. Please place this petition on the August 21, 2014 Board of Trustees agenda with a waiver of first reading, as requested by the petitioner (attached).



## VILLAGE OF LOMBARD

255 E. Wilson Ave.  
Lombard, Illinois 60148-3926  
(630) 620-5700 Fax (630) 620-8222  
[www.villageoflombard.org](http://www.villageoflombard.org)

August 21, 2014

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

**Trustees**  
Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Peter Breen, Dist. 4  
Laura A. Fitzpatrick, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
Scott R. Niehaus

*"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. Keith T. Giagnorio,  
Village President, and  
Board of Trustees  
Village of Lombard

### **Subject: PC 14-17; Text Amendments to the Sign Ordinance**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard and Merlin requests the following text amendment to the Sign Ordinance (Section 153 of the Code of Ordinances): an amendment to Section 153.505 (B)(6)(c)(ii), B3, B4, and B4A Community Shopping District Requirements to change the setback of a freestanding sign from seventy-five (75) from the centerline of a state right-of-way to five (5) feet from the front property line.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Sworn in to present the petition was Jennifer Ganser, Assistant Director of Community Development and Mark Hameister of Merlin Corporation in St. Charles.

Mr. Hameister said that Merlin has been in the Lombard business community since the mid-1970s. They are looking at a change in their signage due to visibility issues. The new sign would be approximately thirty percent smaller than the existing sign. The height would also be reduced to have a pole sign that is more visible on Roosevelt Road. Mr. Hameister referenced a new copy of the proposed sign and said he has worked with staff to ensure that the new sign will be five feet within the lot line and comply with the proposed text amendment.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked

for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. As staff met with Merlin Corporation and discussed the sign, staff decided to request a text amendment for the B3, B4, and B4A zoning districts and proposed a five foot setback. This is consistent with the setback for freestanding signs in the B1 and B2 zoning districts. Ms. Ganser referenced the staff report showing North Avenue, Roosevelt Road, and Butterfield Roads. In some instances the seventy-five (75) foot setback from the centerline doesn't reach private property. In the past, there have been variances granted for relief from the centerline setback.

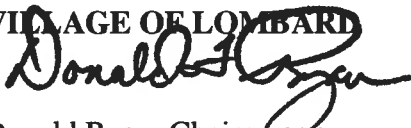
Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Olbrysh said this is a unique situation since the proposed sign will be smaller than the current sign.

On a motion by Commissioner Olbrysh, and a second by Commissioner Sweetser, the Plan Commission voted 6-0 that the Village Board approve the petition associated with PC 14-17.

Respectfully,

VILLAGE OF LOMBARD



Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

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July 28, 2014

#### Title

PC 14-17

#### Petitioner

Merlin Corporation  
3815 E. Main Street, Suite D  
St. Charles, IL 60174

#### Property Location

B3, B4, and B4A Zoning  
Districts

#### Approval Sought

Text amendments to Section 153.505 (B)(6)(c)(ii), B3, B4, and B4A Community Shopping District Requirements to change the setback of a freestanding sign from seventy-five (75) feet from the centerline of a state right-of-way to five (5) feet from the front property line.

#### Submittals

1. Petition for a public hearing,
2. Plat of Survey, dated September 12, 2000; and
3. Proposed new sign, dated May 30, 2014, from Grate Signs.

#### Prepared By

Jennifer Ganser  
Assistant Director

#### DESCRIPTION

The petitioner, Merlin Corporation, requests a text amendment to Section 153.505 (B)(6)(c)(ii), B3, B4, and B4A Community Shopping District Requirements to change the setback of a freestanding sign from seventy-five (75) feet from the centerline of a state right-of-way to five (5) feet from the front property line.

Recently, Merlin Corporation located at 234 W. Roosevelt Road inquired about a variance from the setback requirement for a freestanding sign. The required setback is seventy-five (75) feet from the centerline of a state right-of-way. Upon review, staff, with concurrence from the petitioner, decided to proceed forward with a text amendment. The B1 and B2 districts have a setback of five (5) feet from the street right-of-way for a freestanding sign. Staff proposes using the same language in the B3, B4, and B4A districts to ensure consistency within the Code. A five (5) foot setback provides additional separation from the right-of-way and other existing utilities placed with the right-of-way. Furthermore, some streets, such as North Avenue, are approximately two hundred (200) feet wide and a seventy-five (75) feet requirement would make such a regulation meaningless. The attached maps demonstrate the 75 foot setback from the centerline and the new proposed five (5) foot setback.

Merlin proposes to reduce the size of sign from 6' x 12' to 5' x 10', a thirty percent (30%) reduction. The sign would be lowered from 18' to 13'8" and flag mounted to the existing southern pole. The existing sign is currently 60' from the centerline.

**INTER-DEPARTMENTAL REVIEW**

**Building Division:**

The Building Division has no comments regarding the proposed text amendments to the Sign Ordinance.

**Fire Department:**

The Fire Department has no issues or concerns regarding the proposed text amendments to the Sign Ordinance.

**Private Engineering Services:**

Private Engineering Services has no comments regarding the proposed text amendments to the Sign Ordinance.

**Public Works:**

The Department of Public Works noted that the property owner shall ensure that the sign is not installed on or over other properties, such as the State right-of-way. The petitioner provided an updated plat of survey from September 12, 2000 that demonstrates the entire sign will be on private property.

**Planning Services Division:**

Staff and the Village Board of Trustees have supported past variations from the centerline as shown below.

<b>PC/ZBA case</b>	<b>Address</b>
SPA 13-01ph	1-378 Yorktown Center
PC 11-25	321-395 E. Roosevelt Road
PC 06-11	300 E. Roosevelt Road
PC 06-06	844 E. Roosevelt Road
ZBA 05-18	105-121 E. Roosevelt Road
PC 98-11	844 E. Roosevelt Road

Staff proposes the following text amendments in **bold and underline**. Deletions are denoted by a ~~strikethrough~~.

**EXISTING & PROPOSED REGULATIONS**

**§153.505 B3, B4, and B4A Commercial Shopping District Requirements**

**(B) (6) (c) (ii)**

- i) The leading edge of freestanding signs shall not protrude beyond the edge of the adjacent right-of-way unless specifically regulated below.
  
- ii) ~~Any freestanding sign fronting on a state right-of-way shall be set back not less than seventy-five (75) feet from the centerline of the adjacent right-of-way.~~ **The leading edge of freestanding signs shall be set back a minimum of five (5) feet from the street right-of-way.**

## **STANDARDS FOR TEXT AMENDMENTS**

For any change to the Zoning Ordinance, the standards for text amendments must be affirmed. The standards and staff comments are noted below:

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*

The text amendment is generally applicable to all properties in the B3, B4, and B4A zoning districts. The new setback would be consistent with regulations in the B1 and B2 district. A five (5) foot setback provides additional separation from the right-of-way and other existing utilities placed with the right-of-way. Staff and the Village Board of Trustees have supported variations from the centerline requirement in the past.

2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*

The proposed text amendments still allow for freestanding signs in the B3, B4, and B4A districts.

3. *The degree to which the proposed amendment would create nonconformity;*

The proposed text amendment is additive in nature and would allow for a setback of greater than five (5) feet. Staff and the Village Board of Trustees have supported variations from the centerline requirement in the past.

4. *The degree to which the proposed amendment would make this ordinance more permissive;*

The proposed amendment is more permissive to the extent that it is a reduced setback. Staff finds this to be acceptable since the regulations would be consistent with B1 and B2 freestanding sign regulations. A five (5) foot setback provides additional separation from the right-of-way and other existing utilities placed with the right-of-way. Staff and the Village Board of Trustees have supported variations from the centerline requirement in the past.

5. *The consistency of the proposed amendment with the Comprehensive Plan; and*

Staff finds that the proposed amendments would be consistent with the Comprehensive Plan.

6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*

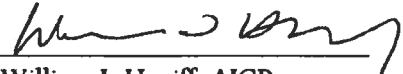
The Village has a history of amending its Sign Ordinance to address evolving circumstances presented by petition or by recognizing a desire to amend the code to address desired code regulations. The proposed amendments are consistent with established Village policy in this regard.

## **FINDINGS & RECOMMENDATIONS**

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 14-17.

Inter-Departmental Review Committee Report approved by:



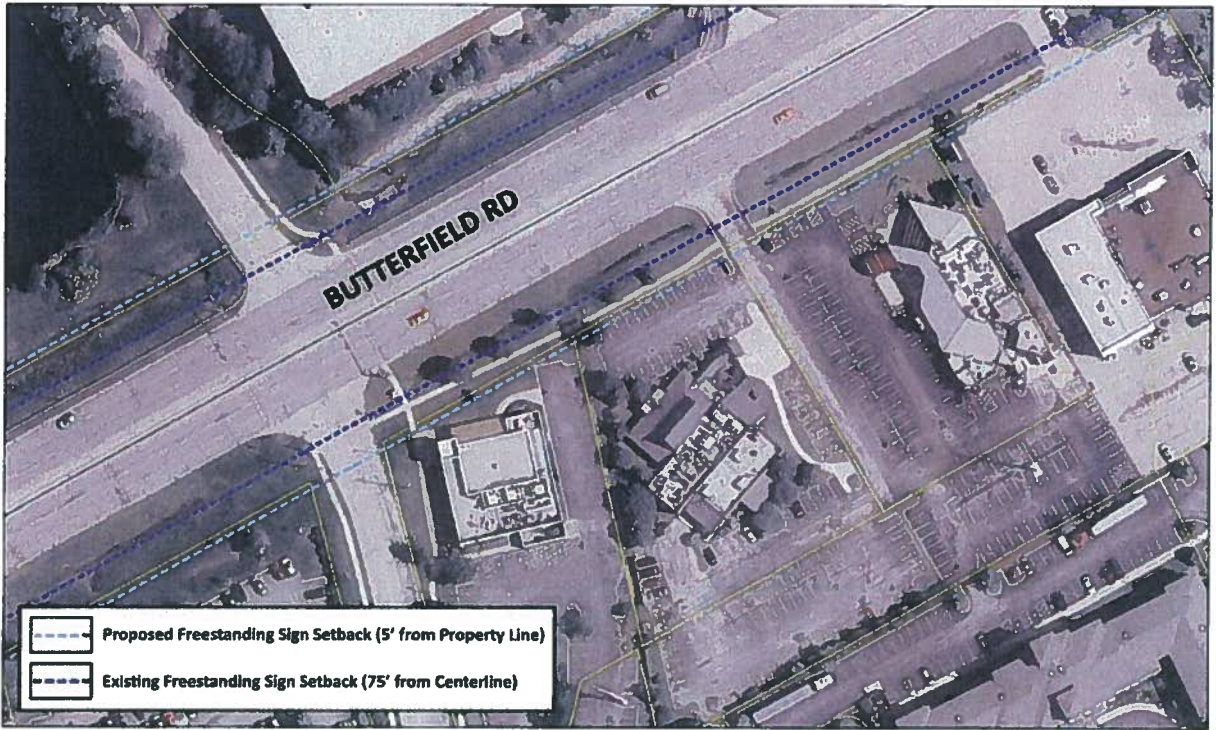
William J. Heniff, AICP  
Director of Community Development

c. Petitioner

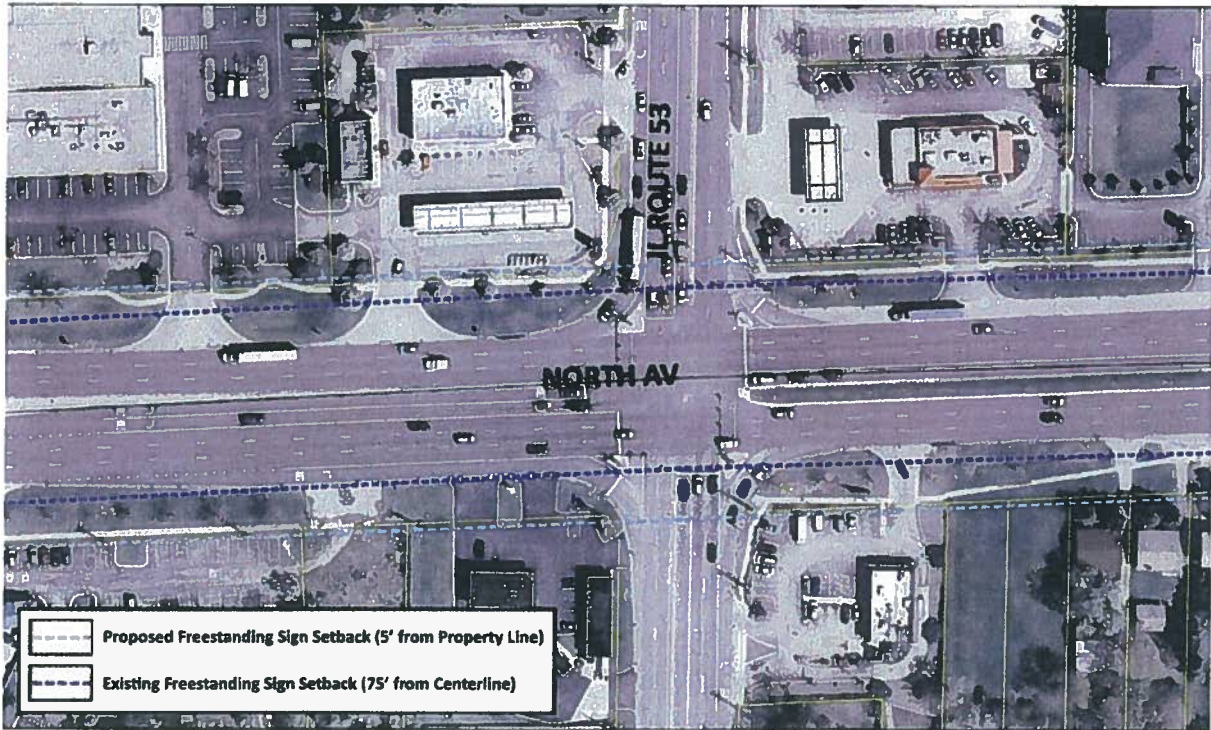
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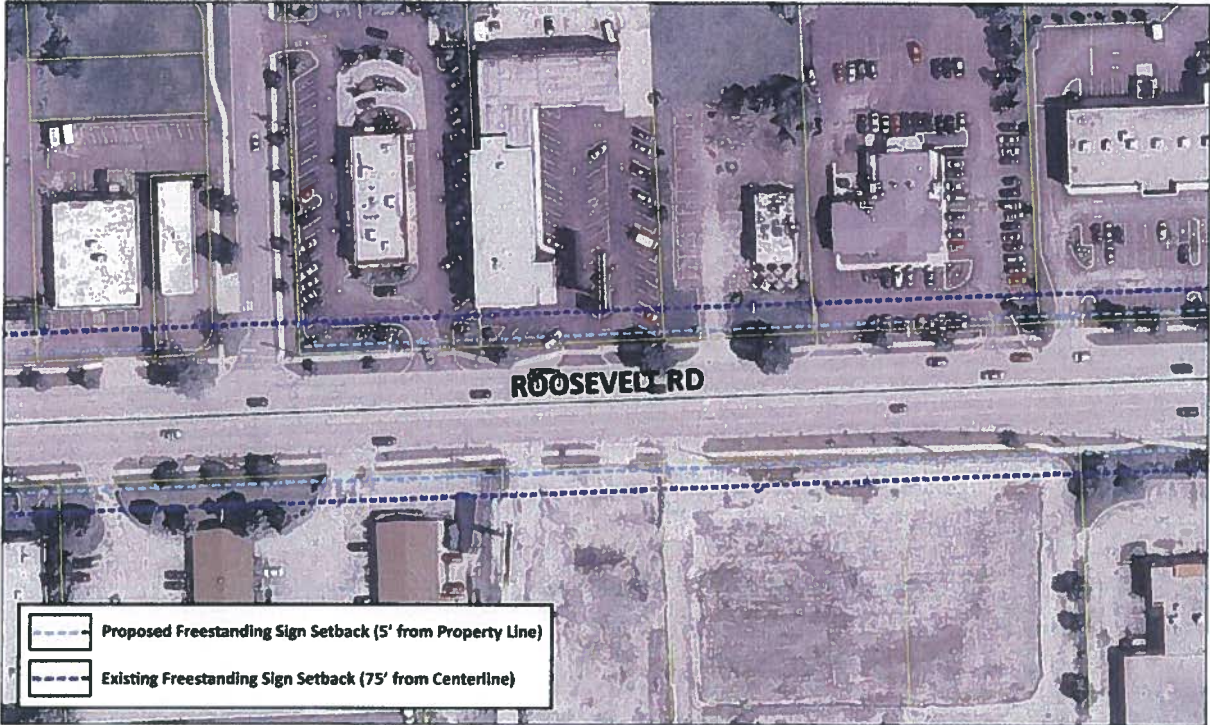
# Butterfield Road Centerline



# North Avenue Centerline

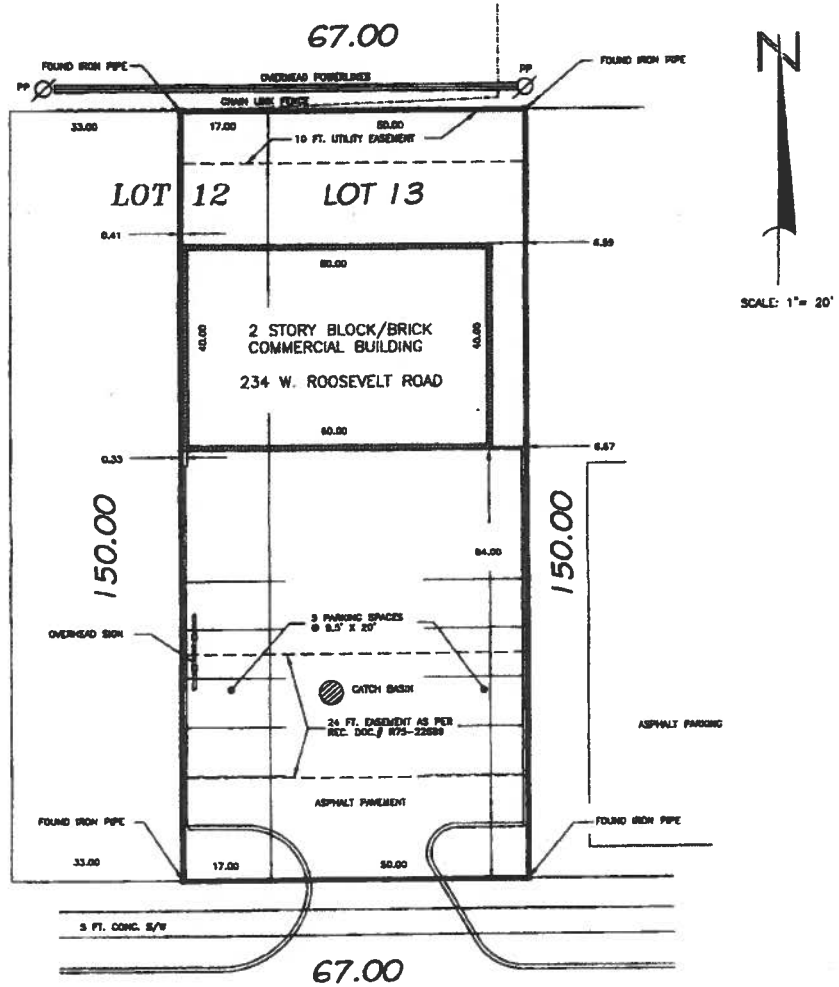


# Roosevelt Road Centerline



# PLAT OF SURVEY

LOT 12 (EXCEPT THE WEST 33 FEET THEREOF) AND ALL OF LOT 13 IN BLOCK 5 IN ROOSEVELT CREST, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE SOUTH EAST 1/4 OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 12, 1930 AS DOCUMENT 298665, IN DUPAGE COUNTY, ILLINOIS.



## ROOSEVELT ROAD

I HEREBY CERTIFY TO: THE WEST SUBURBAN BANK, DANIEL & NANCY HESS, AND TCF BANK, THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON AND THIS PLAT IS A CORRECT REPRESENTATION OF THAT SURVEY AND THAT I AM A REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF ILLINOIS.

*Timothy P. Bell* 9/2/00  
 ILLINOIS REGISTERED  
 LAND SURVEYOR NO. 2782



# Merlin CORPORATION

3815 E. Main Street, Suite D  
St. Charles, IL 60174-1488

Main 630.513.8200  
Direct 630.513.8207  
Fax 630.513.1388

June 16, 2014

**HAND DELIVERED WITH SIGN VARIANCE REQUEST**

Ms. Jennifer Ganser  
Assistant Director of Community Development  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148

**RE: Road Sign Variance Request for Merlin 200,000 Miles Shop, 234 W. Roosevelt Road, Lombard**

Dear Ms. Ganser:

I am respectfully submitting herewith a road sign variance request pursuant to our recent discussions. We would appreciate being on the July 21 Plan Commission agenda.

We would like to reduce the size of the sign from 6'X12' to 5'X10', a 30% reduction. We would also like to lower the sign from 18' to 13'8". Then, the new sign would be flag mounted to the existing south pole. Our new sign will be about 8'6" in from the sidewalk.

The change requested does not compromise any of Lombard's Standards for Variations. It would still be set back farther than several neighboring signs.

Please contact me with any questions.

Thank you,

**MERLIN CORPORATION**



Mark M. Hameister  
Director, Market Development

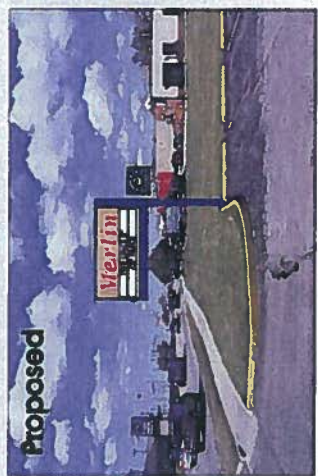
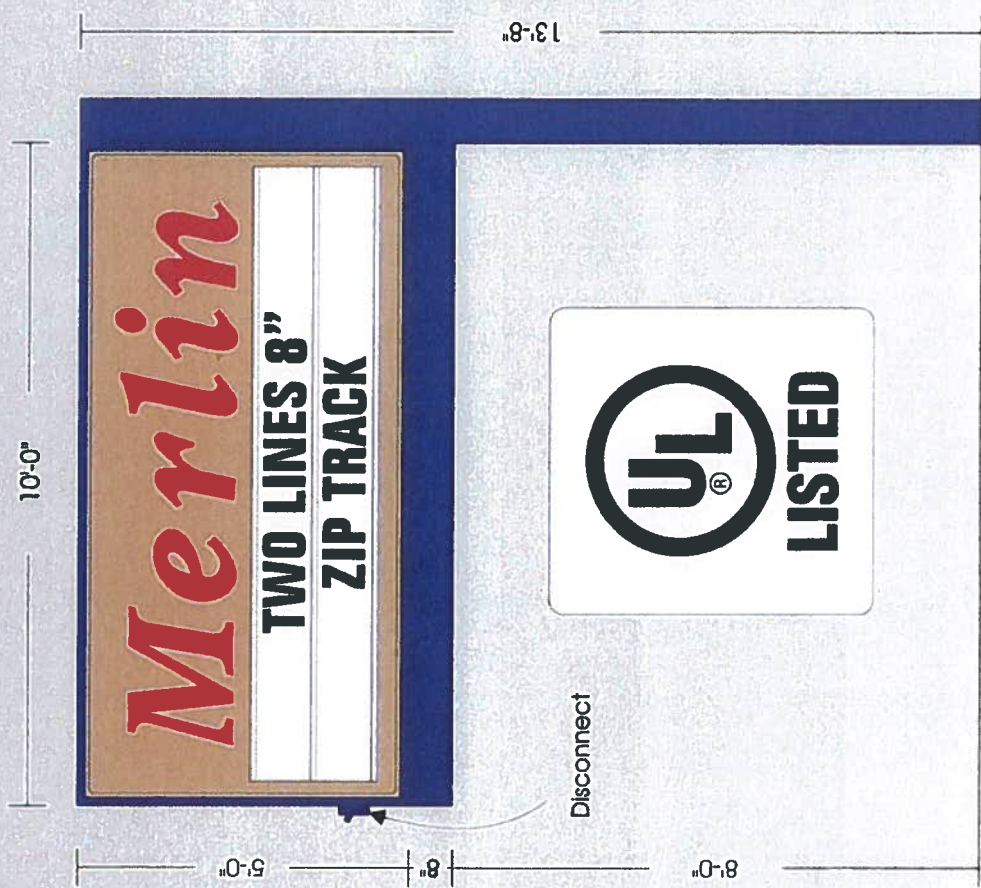
MMH:mmh  
Enclosures (Variance Request Package)

**Refurbish Existing Double Face Sign and Mount on Modified Existing Supports**

1 1/2" Pan-Formed Faces, Background Painted Opaque Chrysler Gold Cabinet & 1 1/2" Retainer Painted Reflex Blue

"Merlin" - Translucent Red & White 3/4" Embossed Letters, Changeable Text Board - 2-Line 8" Changeable Copy Zip Track

Remove North Pole and Reuse an 8' Section as Horizontal Support for New Sign on South Pole



All sign designs, text, concepts, images, materials, specifications, and drawings are the property of Gracie Signs, Inc. They are not to be reproduced, transmitted, copied, or otherwise used without our written permission.  
**COMPUTER GENERATED COLORS ARE NOT A TRUE GRATE SIGN!**  
 MATCH TO ANY PMS, VINYL, OR PAINT.

Client: Merlin - Lombard	Drawing #: 14-0196
Approved:	Drawn By: SJV
Scale: 3/8" = 1'	Sales: Linda
	Rev By:
	Date: 5-30-14
	Rev Date:

234 W Roosevelt Rd, Lombard, IL 60148, USA

Existing sign is approximately 60 ft.  
from center line of Roosevelt Road.

Leading edge of new sign to be  
approximately 52.5 ft. from center  
line of Roosevelt Road

©2014 Google

GO

## Nowakowski, Tamara

---

**From:** Ganser, Jennifer  
**Sent:** Wednesday, July 30, 2014 4:07 PM  
**To:** Nowakowski, Tamara  
**Subject:** FW: 234 W. Roosevelt Road

**From:** Mark Hameister [<mailto:mhameister@merlins.com>]  
**Sent:** Wednesday, July 30, 2014 4:06 PM  
**To:** Ganser, Jennifer  
**Subject:** 234 W. Roosevelt Road

Jennifer:

I am hereby requesting that the first reading of PC 14-17 be waived.

Thank you,

Mark M. Hameister  
Director, Market Development  
MERLIN CORPORATION

**3815 E. Main Street, Suite D**  
**St. Charles, IL 60174-2488**  
**Direct:(630)513-8207, ext. 115**  
**Fax:(630)513-1388**  
**Cell: (630)240-8466**

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ORDINANCE \_\_\_\_\_

**AN ORDINANCE APPROVING A TEXT AMENDMENT  
TO THE LOMBARD SIGN ORDINANCE  
TITLE 15, CHAPTER 153, SECTION 153.505(B)(6)(c)(ii)  
OF THE LOMBARD VILLAGE CODE**

PC 14-17: Text Amendments to the Zoning Ordinance – Sign Ordinance

WHEREAS, the Village of Lombard maintains a Sign Ordinance which is found in Title 15, Chapter 153 of the Lombard Code; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Sign Ordinance and make necessary changes; and,

WHEREAS, a public hearing to consider text amendments to the Sign Ordinance has been conducted by the Village of Lombard Plan Commission on July 28, 2014 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That Title 15, Chapter 153, Section 153.505(B)(6)(c)(ii) of the Lombard Village Code is hereby amended as follows:

~~(ii) Any freestanding sign fronting on a state right-of-way shall be set back not less than 75 feet from the centerline of the adjacent right-of-way.~~

**(ii) The leading edge of freestanding signs shall be set back a minimum of five (5) feet from the street right-of-way.**

**SECTION 2:** That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2014.

Ordinance No. \_\_\_\_\_

Re: PC 14-17

Page 2

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2014.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2014.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk