

September 2, 2010

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

**Subject: SPA 10-02ph; 215 E. Roosevelt (V-Land Highland/Roosevelt
Planned Development**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests site plan approval of a deviation from Section 153.505(B)(19)(b)(1)(a) of the Lombard Sign Ordinance to increase the maximum allowable area of a wall sign from thirty-two and one half (32.5) square feet to eighty-eight and four-tenths (88.4) square feet in the B4APD Roosevelt Road Corridor District, Planned Development.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on August 16, 2010.

Terry Doyle of Doyle Signs, 232 Interstate Road, Addison, IL, is representing the contract for CD One Price Cleaners. CD One Price Cleaners opened their 215 E. Roosevelt location in April 2008. The location is a high profile location and should generate a reasonable amount of business. This location has been struggling to survive. The people that operate CD One Price Cleaners have 30 stores in the metro area. This particular location is 18% below average revenue than the 5 other stores that are located closest to the Lombard area. The most apparent difference is that the Lombard store has the smallest exterior identification sign of all 30 locations. When considering that this location is in the Roosevelt Road Corridor, is set back 75 feet from the property line and has a façade area of 837 square feet you would expect that this business would be allowed a sign that is somewhat larger than the Village Code permits. The Village Code states that if your business is located in the B4A District, the size and scale is greater than what is permitted in other districts. This sounds reasonable and appropriate. If you are a small business with 32'6" of frontage on Roosevelt Road and are setback 75 feet from the property line,

the same ordinance restricts your wall sign area to the same size sign of that of a business (on the sidewalk) of the B5 District. This does not make sense and is the complete opposite of what the ordinance states. The existing sign for CD One Price Cleaners is less than 4% of the façade area of the storefront façade. It's too small. It should be larger than a sign permitted in the downtown with the same frontage. The proposed replacement sign is composed of a 3'6" opaque logo with silhouette illumination and a set of individual "CD One Price Cleaners" illuminated letters. The Village interpretation is that the sign is 88.4 square feet of area (in a rectangle). This includes 42.3 square feet of blank brick wall. If you measure the area of the actual sign it is only 46.1 square feet. Is that too much to ask for if the sign is in the Roosevelt Road Corridor and set back 75 feet? The 75 foot setback is 62% of the 120 foot setback where the ordinance allows the sign to automatically double in size. The ordinance agrees that the further the sign is set back the more difficult it is to read. If the sign area permitted in the B5 downtown (for businesses located at the sidewalk) is the same size that is allowed for a business on Roosevelt Road, it makes sense to allow an increase in sign area and not restrict every business that doesn't have a 120 setback to the size allowed in the B5. It doesn't make any sense and the ordinance is an imperfect guideline for sign sizes, especially wall signs.

Mr. Doyle stated that the staff report indicates that we have not met the standards for variations, more specifically 1, 2 and 4. He referred to standard #1 and stated that it is unfair that the signage is more restricted at their location than it is in the downtown central core. It is a hardship to a business located on Roosevelt Road. Referring to standard #2, he mentioned another sign variation that was granted to the business to the west. He stated that the variation was granted for a 160 square foot sign with only 60 feet of frontage. The CD building façade is 28' in height and the sign is lost in the façade. Referring to standard #4, he stated that the hardship is caused by the ordinance because it limits the size of a sign on Roosevelt Road to that of a sign in the downtown business core (located at the sidewalk), obviously contradicting statements of both zoning districts.

Mr. Doyle then referred to the photos and architect line drawings of the sign and stated that the photos are all in scale and that you can see the existing and proposed signs. It's the same size sign that exists on another CD One Price Cleaners on Roosevelt Road about 5 miles to the west. We believe that it is a reasonable request based upon the setback, size of the façade and surrounding conditions on the Roosevelt Road location. Unfortunately, CD One Price Cleaners has a handicap because their name is long, but all other conditions are reasonable for the variation request.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

Chairperson Ryan then requested the staff report.

Chris Stilling, Assistant Community Development Director, presented the staff report. Doyle Signs is proposing to replace an existing wall sign and install a larger wall sign for the tenant space being occupied by CD One Price Cleaners located at 215 E. Roosevelt Road. The proposed sign on the building's front façade is approximately eighty-eight and four-tenths (88.4) square feet where a maximum of thirty-two and one half (32.5)

square feet is permitted by the Sign Ordinance. Therefore, a site plan approval with a deviation for sign size is required.

The existing CD One Price Cleaners is seeking to replace their existing wall sign with a larger sign of similar design. The existing sign is approximately 32.5 square feet in area which is the maximum allowed by code. The petitioner is seeking to increase the size of the sign to 88.4 square feet in area.

In the B4A Roosevelt Road Corridor District, when a tenant's wall sign is less than one-hundred twenty feet (120') from the nearest property line, the maximum size of a wall sign for a multi-tenant unit is one times the lineal front footage of the tenant space. As the proposed wall sign will be approximately seventy feet (70') from the front property line along Roosevelt Road and the tenant space is approximately thirty-two and one half (32.5) lineal feet, the tenant would be entitled to thirty-two and one half (32.5) feet of signage area.

The petitioner's proposed wall sign on the building's front façade is approximately eighty-eight and four-tenths (88.4) square feet. In the Standards to Variations, the petitioner states that the request for additional square footage is to allow the wall sign to be more legible as thirty-two and one half (32.5) feet of signage area is not effective or easily readable from Roosevelt Road.

In 2006, staff initiated PC 06-26, which proposed text amendments to the Sign Ordinance to clarify that the area of a wall sign should be calculated as the smallest rectangular shape that could completely enclose the sign. Staff had historically performed the calculations of signage area in the same manner. These amendments were proposed and adopted to prevent applicants from using another geometric shape, such as a polygon, as the basis for additional signage area.

The proposed sign contains the business' name "CD One Price Cleaners" as well as the corporate logo. The logo itself is three-and one-half feet in height, while the text is twenty (20) inches in height. The relative size of the logo is the direct cause of the excessive square footage. Wall signage relief had been granted to the Buffalo Wild Wings located to the west at 207 E Roosevelt (SPA 08-02ph). In that case, the wall signage was supported because the actual size of the illuminated sign was less than what was allowed by the Sign Ordinance. The relief was granted to address the trade dress, consisting of the yellow and black/white checkerboard painted on the building itself. In that case both staff and the Plan Commission felt that relief did not have the same visual effect as standard signage. Another notable case in the Village includes the recently closed Hollywood Video within the High Point Shopping Center, which consisted of several unique color schemes unique to their building prototype. When viewed in that context, the proposed sign package was deemed not to be intrusive and was approved.

Staff finds that the existing sign is already legible from Roosevelt Road and the proposed signage is a matter of preference. Also, the indicated hardships do not constitute a physical hardship associated with the property as all businesses along Roosevelt Road are

required to meet the same wall sign size provisions. The Plan Commission recently denied a request by Cricket Wireless for a wall sign deviation in the High Pointe Shopping Center. As in this case, the Cricket sign exceeded code because of the corporate “K” logo.

The Comprehensive Plan identifies the site for Community Commercial uses. The existing use is therefore consistent with the Comprehensive Plan.

The subject property is bordered on the east and west by other existing retail commercial uses. Roosevelt Road has traditionally included a substantial number of stand-alone and integrated shopping center developments. While selected establishments within the corridor have received signage variations, the petitioner’s request would not be consistent with the planned development in which it exists.

Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.

Staff finds that there are no conditions related to the property that prevent compliance with the signage size regulations. The subject tenant space does not have physical surroundings, shape, or topographical features that differ substantially from other corner tenant spaces within the planned development or those otherwise in close proximity. Furthermore, each tenant spaces in the planned development are located within close proximity to Roosevelt Road. Other tenants located in this building have successfully operated with wall signs of twenty-five (25) square feet or less.

The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.

Staff finds that there are no conditions unique to the subject property. There are many tenant spaces within the planned development and nearby on Roosevelt Road that have the similar configurations and are subject to the same signage regulations.

The alleged difficulty or hardship is caused by this ordinance and has not been create by any person presently having an interest in the property.

Staff finds that the sign could be constructed per the ordinance requirements either by reducing the overall size of the sign or reducing the height of the logo. The hardship has been created by the tenant as a result of the preference for a particular letter in this sign’s design.

Staff has concerns about the precedent that would be established if the proposed request was to be granted. Multiple other tenants within the planned development, including those adjacent to the subject tenant space and others located further away from Roosevelt

Road, have been able to meet the established signage size regulations. Should this request be granted, it would strengthen the case of similar requests for other such tenant spaces.

Staff also notes that if this request were granted, future occupants of the subject tenant space would maintain the rights to a larger wall sign. Future signs could potentially have greater bulk than the one proposed as future tenants could make use of surface area that the CD One Price Cleaners sign would leave vacant.

The Department of Community Development has determined that the information presented **has not affirmed** the Standards for Variations. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **denial** of the aforementioned deviation.

Mr. Stilling noted that the Plan Commission has the final decision in this case, unless the petitioner files an appeal, at which point it would go to the Village Board.

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

Commissioner Burke stated he agreed with the staff report.

Commissioner Sweetser questioned what the square footage of the sign would be without the logo.

Mr. Stilling stated that even if the logo were to be removed, the sign would be around forty-seven square feet, which is still too large.

On a motion by Commissioner Flynt and a second by Commissioner Nelson the Plan Commission voted 4 to 0 that the wall sign variation does not meet the standards required by the Lombard Zoning and Sign Ordinances and that the Plan Commission does accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and recommends **denial** of SPA 10-02ph.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission