



## MEMORANDUM

**TO:** LOMBARD PLAN COMMISSION  
Donald Ryan, Chairperson

**FROM:** Christopher Stilling, AICP  
Assistant Director of Community Development

**DATE:** October 18, 2010

**SUBJECT: PC 10-09: Text Amendments to the Lombard Sign Ordinance pertaining to Sandwich Board Signs**

At the August 19, 2010 Village Board meeting, the Village Board remanded PC 10-09 back to the Plan Commission for further consideration and discussion related to specific issues. The petition is scheduled to be heard at the October 18, 2010 Plan Commission meeting. This memorandum outlines the process and steps associated with this action and provides direction to the Commissioners relative to this petition.

### **BACKGROUND**

Staff conducted a Plan Commission workshop session for direction regarding Sandwich Board Signs at their May 17, 2010 meeting. The following is a summary of the findings at the workshop:

- The Plan Commission was comfortable with the location and applicability requirements of the current sandwich board sign regulations.
- The Plan Commission expressed a concern about allowing mixed signage (Temporary Signs in conjunction with Sandwich Board Signs). More specifically, the Plan Commission was concerned that mixed signage could create a negative visual impact due to extraneous signage.
- The Plan Commission also suggested that Sandwich Board Signs in the downtown be allowed additional hours of display.

After direction from the Plan Commission was obtained, staff brought the amendments back to the Plan Commission at their June 21, 2010 meeting for a formal recommendation. The Plan Commission recommended approval of the proposed text amendments, specifically related to the following:

- **Applicability-** Allow all non-residential properties, regardless of zoning, the opportunity to have a Sandwich Board Signs.
- **Sign Location-** Sandwich Board Signs may be located on private property, provided that it was within ten feet (10') of a customer entrance or service window.
- **Time Restrictions-** Changes were proposed to allow sandwich board signs to be up until 2AM in the B5 and B5A districts.

The recommendation from the Plan Commission was formally discussed at the August 19, 2010 Village Board meeting. The Village Board expressed some concerns about the proposed changes and remanded this item back to the Plan Commission for further review and consideration. Specifically, the Village Board directed the Plan Commissioners to review the following items:

1. **Should all non-residential establishments in the downtown have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?** The Village Board raised concerns about the proposed text amendments with regard to the ten feet (10') setback requirement adjacent to customer service entrances or windows. The Board stated that there are businesses located in the downtown, which would not benefit from the proposed text amendments as their customer service entrances or windows are located a greater distance from the sidewalk.
2. **Should all non-residential establishments (outside of the downtown area) have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?** The Village Board stated that the proposed ten (10) foot setback from the customer service entrance or window area may not provide adequate right of way exposure for all non-residential establishments, specifically those located along Roosevelt Road. The Board cited X-Sport Fitness and other businesses located within the Hobby Lobby Plaza Shopping Center.
3. **Should establishments that are not located on ground floor have rights to display a Sandwich Board Sign?** The Village Board raised concerns about whether or not businesses that are not located on the ground level should be afforded rights to a Sandwich Board Sign.

The Plan Commissioners are asked to review this information and offer a recommendation back to the Village Board accordingly.

#### **REFERENCE MATERIALS**

For the Commissioner's reference, staff is providing a copy of the following information:

1. Copies of the IDRC staff report as previously presented to the Commissioners;

2. Minutes and notes of the May 17, 2010 and June 21, 2010 Plan Commission meetings;
3. Minutes of the August 19, 2010 Village Board Meeting;
4. Exhibit A- text amendments reflecting the Plan Commission recommendation from the June 21, 2010 meeting.
5. Exhibit B- text amendments reflecting staff changes, dated 10/13/10.

### **MEETING FORMAT**

The format of the Plan Commission meeting will be as follows:

1. Staff will outline the reason for the remand and will note the actions to be considered as part of the meeting. Staff will provide a very brief history of the petition and will summarize the zoning actions associated with the petition.
2. Staff will then present the details of the remand memorandum. Once completed, an opportunity to cross-examine staff by anyone in the public will be provided.
3. After completion of the cross-examination, the public participation period will be closed. The Plan Commissioners shall then be given an opportunity to discuss the petition. Questions may be asked to staff or objectors. The Plan Commission should provide a response to the additional signage issues raised by the Board of Trustees.
4. The Plan Commissioners shall then vote to uphold their original recommendation or amend their recommendation as deemed necessary. The Commissioners could amend the language as they deem appropriate.
5. The recommendation will be forwarded to the Village Board for their final consideration.

### **STAFF REVIEW**

Staff has reviewed each of the items identified by the Village Board and offers the following corresponding comments:

1. ***Should all non-residential establishments in the downtown have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?***

As previously mentioned, the Village Board raised concerns about the proposed text amendments with regard to the ten foot (10') setback requirement adjacent to customer service entrances or windows. The Board stated that there are businesses located in the

downtown, which would not benefit from the proposed text amendments as their customer service entrances or windows are located a greater distance from the sidewalk, such as Capone's or Praga/Bon Ton. Staff believes that Sandwich Board Signs are intended to address pedestrian-oriented traffic. As the downtown caters to pedestrian traffic, staff believes that non-residential establishments in the downtown should be afforded the right to display a Sandwich Board Sign adjacent to the sidewalk. As such, staff has further amended the proposed text amendments to allow non-residential establishments the ability to display a Sandwich Board Sign adjacent to the "establishment", rather than the customer service entrance or window. The updated amendment is as follows:

- B. Location: Sandwich board signs shall be located within ten feet (10') of the establishment and/or outdoor service area. Sandwich board signs ~~shall~~ may be located partially or entirely on a sidewalk within a public right-of-way. A minimum of four feet (4') of public sidewalk shall remain unobstructed at all times.

As proposed, this revision allows businesses within the downtown area to display Sandwich Board Signs directly adjacent to their building or tenant space frontage - therefore closer to the sidewalk. For example, Capone's Restaurant is located along St. Charles, with the building and tenant space located up along the right of way. However, their customer entrance is greater than 40' away. Under the previous provisions, Capone's would not have been able to have a Sandwich Board Sign on or near the sidewalk. The revised text amendment would allow them to now have a sandwich board sign within the sidewalk, to the north of their building. Staff notes that this amendment would also apply to all non-residential establishments that are eligible to display a Sandwich Board Sign.

2. ***Should all non-residential establishments (outside of the downtown area) have the ability to display a Sandwich Board Sign adjacent to the right of way, regardless of where their customer entrance is located?***

The Village Board stated that the proposed ten (10') foot setback from the customer service entrance or window area may not provide adequate right of way exposure for all non-residential establishments, specifically those located along Roosevelt Road. The Board cited X-Sport Fitness and other businesses located within the Hobby Lobby Plaza Shopping Center as an example. As previously stated, staff believes that Sandwich Board Signs are intended to address pedestrian-oriented traffic. On the contrary, staff feels that non-residential establishments located outside of the downtown already have sufficient signage mechanisms, such as banners, which are specifically intended to capture the attention of automobile traffic. Furthermore, the current permanent signage provisions allow businesses outside the downtown area, greater rights to larger freestanding and wall

signs. Additional rights are also afforded to a business if they are setback at greater distances.



**Hobby Lobby Plaza (Roosevelt Road Corridor) with Superimposed Sandwich Board Signs**

As such, staff believes that those establishments located outside of the downtown should not be able to display a Sandwich Board Sign any closer to the street than allowed (10' away) as it could create visual clutter along the right of way. The intent to allow Sandwich Board Signs in other areas outside of the downtown was to cater to the customers already within the shopping center. Staff notes that the Code does not allow establishments, which display a sandwich board sign, the right to display any other temporary sign. Therefore, if a business was displaying a banner (or other temporary sign) they could not display a Sandwich Board Sign.

**3. *Should establishments that are not located on ground floor have rights to display a Sandwich Board Sign?***

The Village Board raised concerns about whether or not businesses that are not located on the ground level should be afforded rights to a Sandwich Board Sign. The Code has always required establishments must to be located on ground level in order to display a Sandwich Board Sign. The proposed text amendments did not change this provision. There are a number of businesses in Lombard that are either located on a second floor (or higher) or below ground level. Staff believes that maintaining this provision in its current

state will prevent unnecessary visual clutter that could be a result of an excessive amount of Sandwich Board Signs. If the Plan Commission finds that non-residential establishments, not located on the ground level, should be afforded rights to a Sandwich Board Sign, the provision should only be applicable to properties within the B5 and B5A districts. The following is some example language:

- A. Applicability: Sandwich board signs shall be permitted only for ~~businesses~~ establishments which meet all of the following criteria:
1. ~~The use of the property on which the business is located is zoned B1, B2, B3, B4, B4A, B5 or B5A~~ must be non-residential.
  2. ~~The establishment is on the ground level. For properties in the B5 and B5A Zoning Districts, uses not on the ground level may be allowed to have a sandwich board sign, provided that it meets all other provisions of this Ordinance.~~
  3. ~~The building in which the business is located is set no more than ten feet (10') back from the sidewalk on which the sandwich board sign will be located.~~
  4. ~~The business has a customer entrance or service window which faces and is within ten feet (10') of the sidewalk on which the sandwich board sign will be located.~~

### **ACTION TO BE TAKEN**

At such time that the Plan Commission is ready to make a motion, the Commissioners have the following options:

1. *If the motion is to approve the petition with the same recommendation from the June 21, 2010 plan Commission meeting, the Commissioners can use the language below or amend it as they deem appropriate.*

Based on the submitted petition and the testimony presented, the proposed text amendments comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-department Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of the text amendments described in PC 10-09 and attached as Exhibit A.

2. *If the motion is to approve the petition with a new recommendation based on the revised information provided by staff in this memo, the Commissioners can use the language below or amend it as they deem appropriate.*

Based on the submitted petition and the testimony presented, the proposed text amendments comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-department Review Report, as amended by the staff memo dated October 18, 2010 be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of the text amendments described in PC 10-09 and attached as Exhibit B.