

January 25, 2016

Title

PC 16-02

Petitioner

610 Building, LLC
610 S. Main Street
Lombard IL 60148

Property Owner

Same

Property Location

610 S. Main Street (Trustee
District #6)

Zoning

B2, General Neighborhood
Shopping District

Existing Land Use

Gas station

Comprehensive Plan

Neighborhood Commercial

Approval Sought

Amendment to prior approvals
and two sign variances

Prepared By

Jennifer Ganser
Assistant Director



PROJECT DESCRIPTION

The petitioner is requesting approvals to expand the existing canopy over existing gas pumps, including signage on the canopy. The freestanding sign is also proposed to be replaced. The pole will remain in the same location, but the sign and motor fuel reader sign will be new. Based on Village Code and past approvals at 610 S. Main Street, these requests require a Plan Commission public hearing. No changes are proposed for the companion convenience store and vehicle repair facility.

APPROVAL(S) REQUIRED

The petitioner, 610 Building, LLC requests that the Village grant:

1. An amendment to Ordinances 4021, 4022, and 5594 along with a variance from Section 155.414(E)(1) to allow for a front yard setback of eighteen (18) feet where thirty (30) feet is required to provide for the expansion of the existing canopy;
2. An amendment to the conditions of approval associated with Ordinances 4021 and 4022 to allow for wall (canopy) signage on the canopy;
3. A variance from Section 153.208 (H) to allow for an existing freestanding sign to remain in the clear line of sight area;
4. A variance from Section 153.223 (E) to allow for a reader board of twelve (12) square feet in area, where nine (9) square feet in area is allowed.

PROJECT STATS

Lot & Bulk

Parcel Size 0.45 acres

Submittals

1. Petition for Public Hearing;
2. Response to Standards;
3. Site Plan, prepared by MacKenzie Sales Inc., dated 12/9/15;
4. Proposed sign plans, prepared by ImageFX, and dated 12/21/15 and 1/19/16;
5. Plat of Survey, dated 1/12/5;
6. Ordinances 4021, 4022, and 5594.

EXISTING CONDITIONS

The subject property is currently improved with a gas station, convenience center, and muffler shop.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments.

Fire Department:

The Fire Department has no issues or concerns.

Private Engineering Services (PES):

PES has no comments.

Public Works:

The Department of Public Works notes that the freestanding sign shall be completely enclosed with the airspace of the petitioner's property.

Planning Services Division:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	B2	commercial
South	R2	single family residential
East	B2	commercial
West	R2	single family residential

The B2 District is intended to accommodate neighborhood shopping, which a gas station and convenience store do. This property was a gas station and convenience store previously, but recently the owner/operator has changed.

2. Comprehensive Plan Compatibility

A gas station and convenience store are consistent with Neighborhood Commercial.

3. Zoning Ordinance Compatibility

The petitioner proposes to expand the existing canopy over existing gas pumps. The canopy expansion would be 24' x 24' and extend to the south. Due to the existing canopy encroaching into the front yard setback, a variance is needed for the expansion. The side yard setback meets Code. There will be new LED lighting under the new canopy that will need to comply with Village photometric standards. No additional gas pumps are part of this proposal.

4. Sign Ordinance Compatibility

Signage is proposed to be added to the canopy expansion. This will be typical of what is commonly found on gas station canopies in Lombard and elsewhere. A condition of previous approvals (Ordinance 4021) said no signage shall be installed on the canopy; therefore the request needs Village Board action. The petitioner is proposing to add the word "Mobil" to the canopy. The proposed signage would meet the size requirements of the Sign Ordinance. Two signs of thirteen (13) square feet are proposed for the north and south elevations.

Lastly, the freestanding sign is proposed to be replaced. The existing base will be used, which currently is located in the clear line of sight triangle. A variance was never granted for the current location; therefore the petitioner is requesting the variance. The freestanding sign is proposed at approximately fifteen (15) feet above grade and therefore does not impact vehicle or pedestrian safety. Staff is not aware of any previous safety concerns with the current sign. There is also a large section of right-of-way on Madison Avenue, which allows a vehicle extra space to position their vehicle before they make a turn. Also, much of the Main Street frontage is in the clear line of triangle due to the canopy being close to the street. A new sign will be added, and a portion of the sign will be a motor fuel reader sign that exceeds the allowable nine (9) square feet in area. Staff supports the requested twelve (12) square feet.

HISTORY

610 S. Main received approvals to expand the gas station and construct the canopy in 1995 via Ordinances 4021 and 4022. A fence was required on the west and south lot lines; and that condition will stay in effect. In 2004, approval was granted to allow for the addition of one (1) fuel dispenser via Ordinance 5594.

FINDINGS & RECOMMENDATIONS

Staff finds that the gas station with associated ordinance amendments and variances is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, and Zoning Ordinance.

The Inter-Departmental Review Committee has reviewed the standards for the requested amendment and variances and finds that they **comply** with the standards established by the Village of Lombard Zoning Ordinance, subject to conditions of approval based on the above considerations. As such, the Inter-Department Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 16-02.

Based on the submitted petition and the testimony presented, the proposed request for an amendment and associated variances does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting said request is in the public interest and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 16-02, subject to the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request from MacKenzie Sales Inc dated 12/9/15 and ImageFX dated 12/21/15 and 1/19/16;
2. The petitioner shall satisfactorily address all comments noted with the Inter-Departmental Review Committee Report;

3. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the building expansion and site modification are not constructed and operating by said date, this relief shall be deemed null and void;
4. The freestanding sign on must be completely enclosed within the airspace of the petitioner's property and shall not project into the public ;
5. All lighting must conform to the Village's photometric standards; and
6. All other conditions of approval as set forth in Ordinances 4021, 4022, and 5594 not amended by this petition shall remain in full force and effect.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development
c. Petitioner

Petitioner: 610 Building, LLC

Petitioner Address: 610 South Main Street, Lombard 60148

Petitioner's Objective: Replace existing canopy currently resting over the gasoline service station pumps and expand the canopy to cover all of the gasoline pumps. Add "Mobile" branding to the street side of the canopy as shown in the rendering submitted herewith. Petitioner also proposes replacing the free standing "Citgo" signage with price display for a "Mobile" branded free standing sign with price display. The new free standing sign will be 15ft feet high.

STANDARDS FOR CONDITIONAL USES

1. The establishment, maintenance and operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort or general welfare. To the contrary, the canopy expansion will provide the public with convenience and protection from rain, snow and ice. The free standing sign will also prominently display pricing for the public to see from the thoroughfares running alongside the gasoline service station.
2. The conditional use will not be injurious to the use and enjoyment of other property as the conditional uses are simply modification of a presently existing use. There will be no impairment of property values in the immediate vicinity.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. The conditional use only affects presently existing uses at the subject property, which have not had any adverse effect on development.
4. There are presently existing public utilities, access roads and drainage at the site. The conditional use will not require further installation of public utilities, drainage or access roads.
5. Measures have already been taken to ensure proper ingress and egress so as to minimize traffic congestion on the public streets. No further ingress or egress will be necessary.
6. The proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the Village of Lombard as it only modifies a presently existing use.
7. The conditional use will conform to the applicable regulations of the district in which it is located, except as modified pursuant to the recommendations of the Plan Commission.

STANDARDS FOR VARIATIONS

1. Due to the present shape and physical surroundings of the current canopy, the owner stands to suffer a particular hardship in that the canopy fails to provide coverage over all of the existing pumps, contrary to most every other gasoline service station in the vicinity of 610 S. Main Street. This will have an adverse effect on business operations, especially instances where the Village experiences storms, snow and other weather elements. The current free standing sign poses a particular hardship on the owner as it is not generally visible at its current height. Passersby will not be able to take advantage of the gas pricing if they are unable to view the signage.
2. The conditions giving rise to the variation is unique to the property in that most retailers and convenient stores do not conduct outdoor sales as does a gas station. Further, most retailers do not need or require the use of a canopy outside of the place of business. As a result, the variation is not generally applicable to other businesses in the B2 district. Further, free standing signs with price displays are unique to gas stations and are not generally applicable to other properties in the B2 district.
3. The purpose of the variation is not primarily for financial gain. The primary purpose of the variation concerning the canopy is to provide the customer with protection from the outside elements as well as bring the property into uniformity with other gasoline service stations in the area. The free standing sign with price display is to provide the public with information concerning gasoline prices and to inform the public of the existence of a gasoline service station.
4. The hardship to the petitioner was caused or created by the previous owner. Nobody with a present interest in the property brought about the conditions creating the hardship or the basis for this application.
5. Allowing the proposed variations to the property will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood. In fact, the modifications may improve the public welfare and traffic to other property.
6. The granting of the variation will not alter the essential character of the neighborhood and is only applying variations to the presently existing character of the neighborhood.
7. The proposed variation will not impair an adequate supply of light and air to adjacent property as the present use already allows for adequate supply of light and air. The variation will not substantially increase congestion in the public streets as it is only modifying presently existing signage. The variations do not increase the risk of fire, impair the natural drainage or affect the drainage at adjacent properties. The public safety will not be threatened through the proposed variation and property values will not be diminished.

Signs and canopy fascia will be marked with manufacturers name .

Lighted signs are UL listed and labeled.

Lighted signs will be grounded.

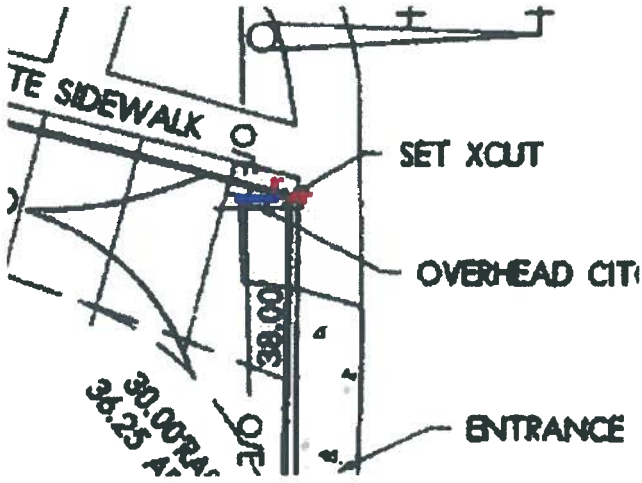
All lighted signs will have a external disconnect visible from the ground.

20.66 square foot total

**48" x 25.5"
8.5 sq. ft.**



**48" x 36.5"
12.16 sq. ft.**



**32 sq. ft.
20' from grade**



Existing

sign 15' from grade
6" x 6" poles mounted to existing base
sign cabinet to be set back 16" from property line on Main
6" from property line on side street

Proposed

Signs and canopy fascia will be marked with manufacturers name .

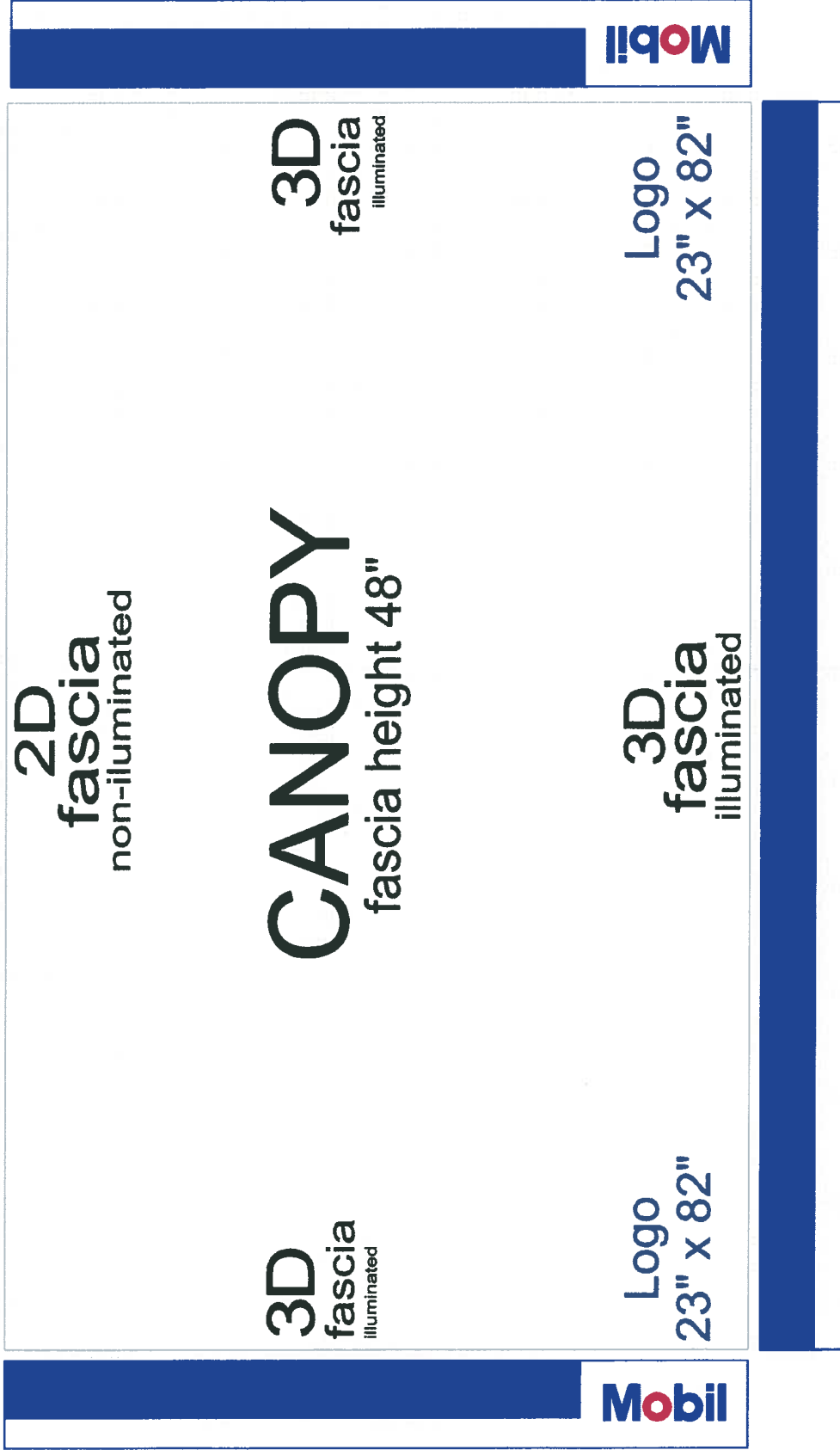
Lighted signs are UL listed and labeled.

Lighted signs will be grounded.

All lighted signs will have a external disconnect visible from the ground.



65'



existing

proposed

IMAGEFX
creative branding
16W 109 83rd Street
Burr Ridge, IL 60527
Phone: 630.655.2850 Fax: 630.655.2857
www.imagefxcorp.com

Start Date: 12.21.15
Last Revision:

Job#: Drawing#: 1
Page:

State Oil CITGO to MOBIL
Location:
610 Main St. Lombard IL.

Sales Rep:

Designer:



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ORDINANCE 4021
4022

PAMPHLET

FRONT OF PAMPHLET

APPROVING A CONDITIONAL USE FOR THE
EXPANSION OF A GASOLINE SERVICE STATION
AT 610 S. MAIN STREET



PUBLISHED IN PAMPHLET FORM THIS 24TH DAY OF MAY, 1995.
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.

Handwritten signature of Lorraine G. Gerhardt in cursive script.

Lorraine G. Gerhardt
Village Clerk

Revised 5/19/95

ORDINANCE NO. 4021

**AN ORDINANCE APPROVING A CONDITIONAL USE
OF THE LOMBARD ZONING ORDINANCE
TITLE XV, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

PC 95-12; 610 South Main Street, Lombard, IL)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title XV, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned B2 General Neighborhood Shopping District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a Conditional Use from Title XV, Chapter 155, Section 103(F)(13) of said Zoning Ordinance, to provide for the expansion of a gasoline service station (canopy); and,

WHEREAS, a public hearing has been conducted by the Plan Commission on May 10, 1995 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 Conditional Use 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 a Conditional Use is hereby granted from the provisions of Title XV, Chapter 155, Section 103(F)(13) of the Lombard Zoning Ordinance, for the property described in Section 2 below and to provide for the expansion of a gasoline service station (canopy).

Section 2: That this ordinance is limited and restricted to the property generally located at 610 South Main Street, Lombard, Illinois, and legally described as follows:

Ordinance No. 4021
Re: PC 95-12
Page 2

Lot 1 in Block 1 in Green Valley, a subdivision in Sections 7 and 18, Township 39 North, East of the Third Principal Meridian, according to the plat thereof, recorded July 25, 1944, in Book 25 of Plats as Document Number 465288, and that part of Madison Street as vacated by Document R70-6437, in the Village of Lombard, DuPage County, Illinois.

Parcel No. 06-18-203-032

Section 3: That this ordinance shall be subject to the following conditions:

1. A six (6) to eight (8) foot board-on-board fence shall be installed along the west and south lot lines adjacent to the residential use properties, provided that within the first thirty (30) feet of the lot along Madison Street and Main Street, the fence shall not be taller than four (4) feet.
2. No wall (canopy) sign shall be installed on the proposed canopy.
3. The proposed conditional use shall become null and void if not substantially underway within one (1) year from the date of Village Board approval.
4. The canopy shall comply with the site plan date stamped March 21, 1995 and prepared by L.S.C.I., Inc.
5. If notified by the Village within five (5) years of the date of this Ordinance that the Village intends to erect a bus shelter for the bus stop on the Main Street side of the property referenced in Section 2 above (hereinafter the "Subject Property"), and that for public safety purposes the bus shelter cannot be entirely located within the dedicated public right-of-way, the property owner shall grant to the Village an easement across that portion of the Subject Property as is necessary for the proper and safe erection of the bus shelter.

Section 4: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Ordinance No. 4021
Re: PC 95-12
Page 3

Passed on first reading this _____ day of _____, 1995.

First reading waived by action of the Board of Trustees this
18th day of May, 1995.

Passed on second reading this 18th day of May, 1995.

Ayes: Trustees Carlson, Tross, Koenig, Jaugilas, Gatz and Mackett

Nayes: None

Absent: None

Approved this 18th day of May, 1995.



William J. Mueller
Village President

ATTEST:


Lorraine G. Gerhardt
Lorraine G. Gerhardt
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

Revised 5/19/95

ORDINANCE NO. 4022

**AN ORDINANCE APPROVING A VARIATION
OF THE LOMBARD ZONING ORDINANCE
TITLE XV, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

PC 95-12; 610 South Main Street, Lombard, IL)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title XV, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned B2 General Neighborhood Shopping District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title XV, Chapter 155, Section 413(F)(1) of said Zoning Ordinance, to provide for the construction of a gasoline canopy ten (10) feet from the front property line (30 required); and,

WHEREAS, a public hearing has been conducted by the Plan Commission on May 10, 1995 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 variation 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 a variation is hereby granted from the provisions of Title XV, Chapter 155, Section 413(F)(1) of the Lombard Zoning Ordinance, for the property described in Section 2 below and to provide for the construction of a gasoline canopy ten (10) feet from the front property line (30 required).

Section 2: That this ordinance is limited and restricted to the property generally located at 610 South Main Street, Lombard, Illinois, and legally described as follows:

Lot 1 in Block 1 in Green Valley, a subdivision in Sections 7 and 18, Township 39 North, East of the

Third Principal Meridian, according to the plat thereof, recorded July 25, 1944, in Book 25 of Plats as Document Number 465288, and that part of Madison Street as vacated by Document R70-6437, in the Village of Lombard, DuPage County, Illinois.

Parcel No. 06-18-203-032

Section 3: That this ordinance shall be subject to the following conditions:

1. A six (6) to eight (8) foot board-on-board wooden fence shall be installed along the west and south lot lines adjacent the residential use properties, provided that within the first thirty (30) feet of the lot along Madison Street and Main Street, the fence shall not be taller than four (4) feet.
2. No wall (canopy) signs shall be installed on the proposed canopy.
3. The proposed variation shall become null and void if not substantially underway within one (1) year from the date of Village Board approval.
4. The canopy shall comply with the site plan date stamped March 21, 1995 and prepared by L.S.C.I., Inc.
5. If notified by the Village within five (5) years of the date of this Ordinance that the Village intends to erect a bus shelter for the bus stop on the Main Street side of the property referenced in Section 2 above (hereinafter the "Subject Property"), and that for public safety purposes the bus shelter cannot be entirely located within the dedicated public right-of-way, the property owner shall grant to the Village an easement across that portion of the Subject Property as is necessary for the proper and safe erection of the bus shelter.

Section 4: 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 _____, 1995.

First reading waived by action of the Board of Trustees this

Ordinance No. 4022
Re: PC 95-12/Variation
Page 3

18th day of May, 1995.

Passed on second reading this 18th day of May, 1995.

Ayes: Trustees Carlson, Tross, Koenig, Jaugilas, Gatz and Mackett

Nayes: None

Absent: None

Approved this 18th day of May, 1995.



William J. Mueller
Village President

ATTEST:



Lorraine G. Gerhardt
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

ORDINANCE 5594

PAMPHLET

**AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 4021
FOR THE EXPANSION OF A CONDITIONAL USE IN THE B2 GENERAL
NEIGHBORHOOD SHOPPING DISTRICT**

ADDITION OF ONE FUEL DISPENSER

610 S. MAIN STREET



**PUBLISHED IN PAMPHLET FORM THIS 6th DAY OF December, 2004
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.**

Barbara A. Johnson

**Barbara A. Johnson
Deputy Village Clerk**

ORDINANCE NO. 5594

**AN ORDINANCE GRANTING
AN AMENDMENT TO ORDINANCE 4021
FOR THE EXPANSION OF A CONDITIONAL USE IN THE B2 GENERAL
NEIGHBORHOOD SHOPPING DISTRICT**

(PC 04-35; 610 S. Main Street)

(See also Ordinance 4021)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned B2 General Neighborhood Shopping District; and,

WHEREAS, companion Ordinance 4021 granted approval for the expansion of a conditional use; and

WHEREAS, said application requests an amendment to Ordinance 4021 to include the addition of one fuel dispenser on the subject property; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on November 15, 2004 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 expansion of the conditional use, subject to the conditions outlined in Section 2 below; 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 the ordinance is limited and restricted to the property generally located at 610 S. Main Street, Lombard, Illinois, and legally described as follows:

LOT 1 IN BLOCK 1 IN GREEN VALLEY, A SUBDIVISION IN SECTIONS 7 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JULY 25, 1944, IN BOOK 25 OF PLATS AS DOCUMENT NUMBER 465288, AND THAT PART OF MADISON STREET AS VACATED BY DOCUMENT R70-6437, IN THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS.

Parcel No. 06-18-203-032

SECTION 2: That an amendment to Ordinance 4021 to include the addition of one fuel dispenser be hereby granted for the Subject Property, subject to compliance with the following conditions:

1. The property shall be developed in substantial compliance with the site plans and building elevations prepared by Petroleum Equipment General Contractors, dated October 11, 2004.
2. The petitioner shall meet all codes and ordinances of the Village of Lombard.
3. That the petitioner shall submit a landscape plan which increases the amount of perimeter parking lot landscaping and right of way landscaping on the subject property, with said plan being subject to the approval of the Department of Community Development.
4. That the petitioner shall keep and maintain a solid fence of at least six (6) feet in height along the southern and western property lines in conformance with Village Code.
5. That fuel truck unloading shall not occur on the subject property between 7:00 p.m. and 7:00 a.m.

6. That the petitioner will secure a permanent wall sign consisting of appropriate materials and construction as defined by Village Code for the automotive repair business.

SECTION 3: 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 _____, 2004.

First reading waived by action of the Board of Trustees this 2nd day of December, 2004.

Passed on second reading this 2nd day of December, 2004.

Ayes: Trustees Williams, Tross, Koenig, Sebby, Florey and Soderstrom

Nayes: None

Absent: None

Approved this 2nd day of December, 2004.


William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk