

April 6, 2006

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

Subject: PC 06-11: 300 E. Roosevelt Road

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant the following variations from the Lombard Sign Ordinance for an existing legal non-conforming, freestanding sign, located on property within the B4 Corridor Commercial District:

1. A variation from Section 153.505 (B)(6)(b)(2) to allow for an existing one-hundred ninety two (192) square foot freestanding sign, where a maximum of one-hundred twenty-five (125) square feet is permitted.
2. A variation from Section 153.505(B)(6)(c)(2) to allow for a freestanding sign to be located closer than seventy-five feet from the center line of the Roosevelt Road state right-of-way.
3. A variation from Section 153.208(H) to allow for an existing freestanding sign within the clear line of sight area.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 20, 2006.

William Heniff, Senior Planner, presented the staff report on behalf of the petitioner, Soos & Associates and the property owner, McDonald's Corporation. He stated that the Plan Commission considered and recommended approval of PC 06-04 at the February 20, 2006 Plan Commission meeting. This approval allows the current property owner, McDonald's Corporation, to redevelop the subject property with a new fast-food restaurant building with a double drive-through facility, subject to conditions.

In staff discussions with the petitioner, McDonald's expressed a concern regarding legal status of the existing free-standing sign on the property. In review of the initial petition, staff noted that the sign did not meet the current provisions of the Lombard Sign Ordinance. Staff originally sought to have the sign come into compliance with the Sign Ordinance with the redevelopment of the site. However, the petitioner was only amenable to this provision if they could incorporate an automatic changeable sign cabinet within the overall freestanding sign, which would require additional relief. As staff did not support this option, the petitioner requested that the existing sign be allowed to remain on the premises and not be subject to future amortization provisions. As the signage relief was not included as part of the initial petition, an additional public hearing must be held to address this request.

He noted that there were no comments from the other IDRC members.

He then described the nonconforming sign elements. The existing free-standing sign was erected in 1972 and was approved as part of building permit 20552. As the Sign Ordinance has been amended to reduce the overall size of such signage, the sign currently has legal non-conforming status. As a non-conforming sign, the sign cannot be expanded or extended without zoning relief. It also cannot be replaced with a new sign unless the new sign meets all code provisions.

The Village has adopted amortization provisions for such signage. Upon receipt of a notice from the Village stating that the signage is legal nonconforming and subject to the amortization provisions, the property/business owner shall have seven years from the date of the ordinance to bring the sign into compliance with code, or seek relief to allow the signage to remain on the premises. Rather than letting the seven year period start for the existing sign, the petitioner is seeking approval at this time to allow for the existing sign to remain on the premises.

The existing sign calculates to one-hundred ninety two (192) square feet in sign area, as determined by the Sign Ordinance. The petitioner notes that the majority of the sign area consists of the "arch" elements and includes a fair amount of open space within the arches, which decreases the overall visual prominence of the sign.

The Sign Ordinance requires freestanding signage to be located at least 75 feet off of the centerline of a state right-of-way (i.e., Roosevelt Road). The petitioner's existing plat of survey shows that the sign is located 53.5 feet from the right-of-way center line. The survey shows that if the sign was located per code, it would be placed within the exit drive aisle. As a practical matter, such placement would not be appropriate as it would have limited visibility and would interfere with the parking and access drive areas.

Lastly, the existing sign is located within the clear line of sight area. Staff notes that the existing sign is a pole sign and the bulk of the sign area is above the perceived line of sight. As such, it may not create as great of a visual impediment as monument signage.

Staff notes that many existing signs are not in compliance with all provisions of Village Code. It is not substantially out of character with other signage erected along Roosevelt Road. Staff can

support the relief to allow for the existing sign to remain, but relief should be tied to the existing sign and should not run with the property in perpetuity.

He noted that the Comprehensive Plan calls for this area to be developed with Community Commercial uses. While the Plan encourages bringing such signage into compliance with Code, particularly along commercial corridors like Roosevelt Road, staff believes that allowing the existing sign to remain on the premises without amortization provisions would not negatively impact the overall development patterns and desired goals of the Plan. However, to ensure that all business uses eventually come into compliance with code, staff recommends that the relief be tied to the existing sign only.

Vice-Chairperson Flint then opened the meeting for public comment. There were no public comments. He then opened the meeting for discussion among the Commissioners.

Commissioner Olbrysh stated that he agrees with staff's recommendation relative to the requested relief and tying the approval to the existing free-standing sign only.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning and Sign Ordinances. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 06-11, subject to the following condition:

1. The relief granted as part of this petition shall only apply to the existing free-standing sign approved by the Village as part of building permit number 20552, dated January 19, 1972. Any repair of the sign greater than fifty percent (50%) of the value of the sign or any future modification, expansion, replacement of the sign shall be subject the full provisions of Section 153 of the Village Code.

Respectfully,

VILLAGE OF LOMBARD

Stephen Flint, Vice-Chairperson
Lombard Plan Commission

att-

c. Petitioner
Lombard Plan Commission