

# **Village of Lombard**

*Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
villageoflombard.org*



## **Meeting Minutes**

**Monday, October 18, 2010**

**7:30 PM**

**Village Hall**

## **Plan Commission**

*Donald F. Ryan, Chairperson  
Commissioners: Martin Burke,  
Stephen Flint, Ronald Olbrysh,  
Ruth Sweetser and Andrea Cooper  
Staff Liaison: Christopher Stilling*

## Call to Order

[Play Video](#)

*The meeting was called to order by Chairperson Ryan at 7:30 p.m.*

## Pledge of Allegiance

[Play Video](#)

*Chairperson Ryan led the Pledge of Allegiance.*

## Roll Call of Members

[Play Video](#)

**Present:** Chairperson Donald F. Ryan, Commissioner Stephen Flint, Commissioner Ruth Sweetser, Commissioner Martin Burke, Commissioner Richard Nelson and Commissioner Andrea Cooper

**Absent:** Commissioner Ronald Olbrysh

*Also present: Christopher Stilling, AICP, Assistant Director of Community Development; Michael Toth, Planner I; and George Wagner, legal counsel to the Plan Commission.*

Chairperson Ryan called the order of the agenda.

Christopher Stilling read the Rules of Procedures as written in the Plan Commission By-Laws.

## Public Hearings

[Play Video](#)

[100569](#)

**SPA 10-04ph: 1501 S. Main Street**

Requests that the Village approve a Site Plan Approval request for the Christ the King R2PD Single Family Residential Planned Development, with the following deviations from the Lombard Sign Ordinance, pertaining to temporary signage:

1. Approve a deviation from the temporary sign provisions (Section 153.237 of the Sign Ordinance), in the following respects:
  - a. A deviation from 153.237 (C)(3) to allow for more than eight (8) temporary permits for any one business and to allow for all such signage to exceed one hundred twenty (120) days in any calendar year.
2. Approve a deviation from the sandwich board sign provisions (Section 153.234 of the Sign Ordinance), in the following respects:
  - a. A deviation from 153.234 (A)(1) to allow for a sandwich board sign on residentially zoned property.
  - b. A deviation from 153.234 (A)(3) and (4) to allow for a sandwich board sign on property in which the business and the business entrance is further than ten feet (10') back from the sidewalk.
  - c. A deviation from 153.234 (B) to allow for a sandwich board sign on private

property.

d. A deviation from 153.234 (F) to allow for a sandwich board sign on display at the same time as a temporary sign. (DISTRICT #3)

[Play Video](#)

*Jun Peñas, presented the petition. He indicated he is the Chairperson for the Administration Commission for Christ the King Parish located at 1501 S. Main Street, Lombard. His personal address is 1S348 Morris Lane, Lombard. He thanked the Village for the opportunity to present their requirements for their signage needs.*

*Mr. Peñas indicated that in the course of a year they would usually average three or four banners 32 square feet in size. These banners are not displayed the whole year but vary according to the different uses. For the school they would display a banner at the start of the school year and when there are any significant events that the school is hosting. He gave examples of enrollment time and the white elephant sale where the banner is displayed for only three to four days. Also, they may have a banner if the school has a special event and the banner would not last for more than one week.*

*The church has a different requirement due to periodic events. He exemplified Generation of Faith, which is a whole year event, but the banner is not displayed all the time but only during the month when they have that event or one to two weeks before the event. Also during Christmas they have a live nativity - a banner is displayed once. The only time a banner was present for more than 120 days was for their 150th Celebration, which is now over, and they do not anticipate anything like that again within the next year or two.*

*Mr. Peñas together with Anthony Azzolin, 209 Federick, Wood Dale, presented the remainder of the petition. They explained how they use a sandwich board sign for the St. Vincent DePaul Food Pantry which has a weekly distribution of food. The sign is displayed approximately for four hours between the hours of 10:00 a.m. to 2:00 p.m. on Mondays. One sign is displayed on 16th Street with another located on Main Street. The purpose of these signs are to direct traffic to the proper location. The only people that would see the signs would be the people on Main and 16th Streets.*

*Chairperson Ryan asked if there were any questions of the petitioner. Hearing none, he then opened the meeting for public comment. There was no one present to speak in favor or against the petition.*

*Chairperson Ryan then requested the staff report.*

*Christopher Stilling, Assistant Director of Community Development, presented the staff report. He clarified that although there is another petition relative to sandwich board signs which will be discussed after this petition, final action on this petition will be taken by the Plan Commission and will be based on the current signage code.*

*The petitioner is requesting temporary signage deviations through the site plan approval process for the Christ the King religious institution facility. The petitioner is requesting the actions to address their temporary signage needs pertaining to ongoing activities associated with their church, school and community outreach activities. The petitioner's signage request is intended and limited to temporary banner and sandwich board signs, which are intended to inform the public of a wider variety of messages and activities associated with their religious institution, beyond those which are already provided on their manual reader board. No permanent signage is proposed as part of this petition. Their request is intended to memorialize and authorize them to continue to use their temporary signage as they have done so in the past.*

*With regard to Planning comments the Comprehensive Plan identifies this site for Public and Institutional Uses. The petitioner's temporary sign requests are intended to further advertise or advance the existing institutional nature of the property.*

*The subject property is zoned R2PD Single Family Residence District, Planned Development which generally allows single-family development, but provides for religious institutions through the conditional use process. Single family residences surround the property on three sides. West of the property is a public elementary school and community park. Religious institutions and elementary schools have historically been considered to be compatible with single family residential uses. Therefore, staff finds the use of the property to be compatible.*

*The temporary signage relief that is sought by the petitioner is intended to draw attention to the mission and activities on-site. The temporary signage has historically been located along the Main Street frontage of the property and is intended to provide their message to motorists along Main Street. This location does not immediately abut the adjacent residences and their visibility is limited.*

*To ensure that the activities of the property do not create a burden upon the adjacent neighborhood, staff has worked closely with the petitioner in their site planning activities. These elements are noted later in the report.*

*The subject property has been a religious and educational institution ever since its annexation into the Village in 1988 (PC 88-11; Ordinance 3054). The Village approved the following actions concurrent with or subsequent to the annexation of the property into the Village:*

- \* Ordinance 3055 granting conditional use approval for an existing church and school on the subject property;*
- \* Ordinance 3056 approving a map amendment rezoning the property into the R-2 Single Family Residence District, subject to conditions;*
- \* Ordinance 3270 approving a conditional use amendment to provide for an addition to an existing school, subject to conditions;*
- \* Resolution 41-91 approving a variation increasing the sign size for an institutional sign from 16 to 32 square feet, subject to conditions (Subsequent Sign Ordinance amendments make this relief no longer necessary); and*
- \* Ordinances 5577 through 5579 which granted approval of a planned development for the Christ the King property (including approval of a parish center) with variations and deviations, including deviations for freestanding signage.*

*Ordinance 5578 granted a deviation from Sections 153.213 and 153.219 (A) and (B) of the Sign Ordinance allowing for a manual changeable copy institutional sign of 50.5 square feet in size and 8 feet in height, where 32 square feet in size and 6 feet in height is permitted. This request was to provide for an institutional sign at the northeast corner of 16th Street and Main Street. This sign denotes the church name and includes a manual changeable copy reader board. The petitioner also received approval for two freestanding signs along 15th Street.*

*This petition includes the following elements:*

- \* A deviation from 153.237 (C)(3) to allow for more than eight (8) temporary permits for any one business and to allow for all such signage to exceed one hundred twenty (120) days in any calendar year.*

*The petitioner states a number of activities that they advertise throughout the year. Their signage has promoted various generic religious activities as well as events and*

activities that are occurring on the premises. It is important to note that the church, school and rectory are all located on the same property. Staff notes that each of these buildings has unique signage needs and as such, the church and school can exceed the limitations set forth within Village code. As such, staff recommends and suggests that the Plan Commission memorialize the differing uses and grant a deviation from the Sign Ordinance, by allowing for each use to have rights for 8 permits and 120 days (or a total supply of 16 permits or 240 days) for their temporary banner needs.

The petition also includes a number of deviations for a sandwich board sign that has been used by St. Vincent de Paul Food Pantry, including:

\* A deviation from 153.234 (A)(1) to allow for a sandwich board sign on residentially zoned property.

The St. Vincent DePaul Food Pantry is intended as a separate outreach effort, but closely affiliated with the Christ the King church activities. They currently operate the pantry one day of the week (Mondays) for a four hour time period. The purpose of the sandwich board sign is to inform donors and recipients that individuals are on premises. The sandwich board signage is placed at the premises at the time that the pantry is open and is removed at the time the pantry closes.

The Sign Ordinance does not provide for sandwich board signage on residential property. Staff notes that the unique nature of the food pantry warrants special consideration not envisioned in the established Sign Ordinance. As the overall use of the property is nonresidential in nature and the specific use/function of the sandwich board signage is not inconsistent with the overall development, the deviation can be supported. Furthermore, staff believes this type of signage is less obtrusive in this neighborhood than granting relief other types of signage to convey their multiple messages, such as automatic changeable copy signage. Staff recommends that such signage be limited to the same day that the pantry activity is open.

\* A deviation from 153.234 (A)(3) and (4) to allow for a sandwich board sign on property in which the business and the business entrance is further than ten feet (10') back from the sidewalk

The sandwich board sign regulations are generally intended to provide for the pedestrian oriented user. However, in this case the sandwich board signage is intended to inform and guide donors and recipients that services are available. Moreover, it is also intended to guide parties into the site itself. As it is only offered for a short period during the week, the intent of the signage is to provide some level of temporary, flexible signage specifically during the periods that the pantry is open. While the church building is more than 10 feet from the front property line, the use of the sandwich board signage at this location can be supported.

\* A deviation from 153.234 (B) to allow for a sandwich board sign on private property.

This provision is currently being reviewed by the Plan Commission and Village Board. Should the text amendments as proposed with that petition be approved, no formal action would be needed. However, if not, then staff can support the deviation, as the signage also serves a way-finding component to the activity.

\* A deviation from 153.234 (F) to allow for a sandwich board sign on display at the same time as a temporary sign.

This request is intended to allow for the Christ the King to not have to remove their banner signage during the periods that the sandwich board signs are out on the

property. Staff notes that the banner signage and the sandwich board signage are separate and distinct activities and that their use at the same time does not give the appearance of excessive signage.

The proposed temporary signage relief is consistent with the overall planned development approval and is intended to further advance the intent of the previous approvals. The banner signage on the church and the sandwich board signage is an extension of their overall mission.

Moreover, as the petitioner notes, they have had used this signage in the past without difficulty - their petition is intended to memorialize the activities currently occurring within the planned development.

Staff believes the request is consistent with the overall planned development and recommends approval of the petition subject to the two conditions noted in the staff report.

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

Commissioner Burke noted that he did not have an objection to the petition but questioned the language found in the staff report item 1.a. He stated that the ordinance is implying that it says that they cannot exceed 120 days right now. Mr. Stilling answered that it is a combined total. You are allowed 8 permits for a combined total amount of 120 days. The petitioner is asking that it be moved up to 16 permits for 240 days.

**It was moved by Commissioner Burke, seconded by Commissioner Cooper, that this matter be approved with conditions. The motion carried by the following vote:**

**Aye:** 5 - Flint, Sweetser, Burke, Nelson and Cooper

**Absent:** 1 - Olbrysh

1. The sandwich board signage shall only be placed on the premises on the day in which the food pantry activities are occurring. Said signage shall be securely affixed to the ground and placed at the entrance to the property or the respective building(s).

2. The petitioner shall be permitted up to a total of 16 temporary sign (banner) permits, with a total supply of 240 days for all such signage on the premises.

**100568**

**PC 10-19: 11 S. Eisenhower Lane**

Requests that the Village approve a conditional use to allow a Contractors material storage yard for the subject property located within the I - Limited Industrial District along with the following variations:

1. A variation from Section 155.210(A)(3)(b) of the Lombard Zoning Ordinance to allow an accessory structure to exceed seventeen (17) feet.

2. A variation from Section 155.420(J) of the Lombard Zoning Ordinance to reduce the required transitional building setback from forty-five (45) feet to twenty (20) feet.

3. A variation from Section 155.420(J) of the Lombard Zoning Ordinance to reduce the required transitional landscape yard from thirty (30) feet to twenty (20) feet.

4. A variation from Section 155.205(A)(3)(c)(i) of the Lombard Zoning Ordinance to increase the maximum allowable fence height from ten (10) feet to fifteen (15) feet. (DISTRICT #3)

[Play Video](#)

*Jeff Baity, Matocha Associates, 5846 Sunrise Ave, Clarendon Hills presented the petition on behalf of Gasaway Maintenance Co, located at 11 S. Eisenhower Lane. Mr. Baity indicated that they are proposing to construct an outdoor salt storage bin and outdoor brine storage tanks. The property currently has an outdoor storage yard, which is completely fenced in. The intent of this design is to install the salt storage dome at the southeast corner of property, slightly increase the outdoor yard area and install a two-bin salt storage bin. The intent of the storage bin is to protect the storage of the bulk salt. They will divide the bin into two. Mr. Baity stated that the first variance they are requesting is for the height of the building. The height of the building is approximately 34' in front and will taper down to 25' in height toward the back and is 35' wide at its opening. He then mentioned that the height of the building is indicative of how it will function. In order for the dump truck to raise up, it has to clear the overhang; consequently, the height in the front of the building is designed to be taller in order to provide enough clearance.*

*To be good neighbors to the residential area to the east they will alleviate the impact of the building by making use of the topography. He explained how the property has a radical vertical rise - 26' -30' at the rear of the building and is well vegetative. Currently, there is vegetation, an unimproved right-of-way and another row of vegetation between the subject property and the residential properties to the east. Mr. Baity then mentioned that they have a unique situation on the property because their interior side yard abuts the rear yard of the property to the south because of its configuration. He added that the property to the east and south are owned by the Village of Lombard. They want to bring the building towards the rear of the property for access purposes. This will result in not having to modify or disrupt the cross over to the building. Mr. Baity then discussed the variations being requested. He stated that bringing the building back would hide it from the eastern and southern properties. He added that they will make use of the vegetative berm as a screen. He also mentioned that they are also proposing four brine storage tanks on the property.*

*David Gasaway, 8534 Thistlewood, Darien (owner of Gasaway Maintenance Co.) stated that the brine tanks will contain only salt brine. He noted they distribute products to various villages, including Lombard. Salt brine is used to energize rock salt to make it work faster. The biggest products they have in the tanks are salt brine and magnesium chloride. All these products are non-placard (non- hazardous) products. Everything they deal with (both dry and liquid) are non-hazardous.*

*Mr. Baity finished their presentation by stating that they want to move the proposed building far enough away so as to not impede the operation because they are forced to use their side and rear yards. Lastly, he stated that they're increasing the existing storage yard by 1000 square feet. That back area is currently fenced in and we are increasing that area.*

*Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one present to speak in favor or against the petition.*

*Chairperson Ryan then requested the staff report.*

*Michael Toth, Planner I, presented the staff report. The petitioner is proposing to construct two covered salt storage bins and four brine storage tanks. The salt bins would be constructed adjacent to the southern portion of the existing building and the*

*brine storage tanks would be constructed adjacent to the eastern portion of the existing building. The salt storage bins would be constructed to a height of thirty-four (34) feet. As such, a variation is required to allow an accessory structure to exceed the maximum height of seventeen (17) feet.*

*Properties located within the I - District, which abut properties in a residence district, are required to provide a forty-five (45) foot transitional building setback and a thirty (30) foot transitional landscape yard. The eastern property line of the subject property abuts property in the R4 - Limited General Residential; therefore, the transitional yards are required. The transitional building setback includes accessory structures and the transitional landscape yard requires that the designated area be free of any improved surfaces and/or structures. The proposed salt bins are located twenty (20) feet from the eastern property line; as such, they are located within the required transitional building setback and transitional landscape yard. The brine storage tanks are located forty-two (42) feet from the eastern property line; therefore, they are located within the required transitional building setback, but outside of the required transitional landscape yard.*

*Lastly, the petitioner has been operating on the subject property as a Contractors office since 2009. With the inclusion of the proposed outdoor amenities, the use of the property transitions to become a 'Contractors office and yard', which requires conditional use approval in the I - Limited Industrial District.*

*The Gasaway Maintenance Company has been working in the pavement maintenance industry (snow removal, dust control & bulk water delivery) for almost thirty years. The subject property is primarily used for off-season storage and support activities for their main location in Romeoville, IL. During the winter months, the plow trucks and salt trucks that service the Lombard/Oak Brook area operate out of the subject property. The loaders and heavy pieces of equipment are kept at the job sites, when in operation, but are returned to storage in April. Furthermore, the 14,000 square foot warehouse space is used for inside storage of snow removal equipment and other miscellaneous articles. The 6,000 square foot office is used by sales representatives on an as-needed basis.*

*As previously mentioned, the petitioner has been operating on the subject property as a Contractors office since 2009. With the inclusion of two covered salt storage bins and four brine storage tanks, the use of the property transitions to now be considered a 'Contractors office and yard', which requires conditional use approval in the I - Limited Industrial District.*

*The salt bins would be constructed adjacent to the southern portion of the existing building and the brine storage tanks would be constructed adjacent to the eastern portion of the existing building. With the inclusion of these structures, additional outdoor on-site activities would occur. As the proposed structures would contain elements that are used in the snow removal/de-icing process, they will be primarily used in the winter months during snow and ice events. The hours of operation could fluctuate drastically, depending upon the time of a storm occurrence. Moreover, there is no set timeframe to which the on-site activities could be fully operational. Due to the configuration of the subject property the proposed structures would be located adjacent to the property lines that abut Village-owned properties. As such, the additional outdoor on-site operations would most impact Village-owned property. Staff also notes that both Village-owned properties are currently vacant.*

*Lastly, the previous tenant that conducted business on the subject property, Pyramid Stone, received conditional use approval to operate a concrete and stone fabrication and molding facility in 2004 (PC 04-32). As such, the site has a history of conditional use approval for outdoor 'yard' activities.*



*The intent of a transitional yard is to provide a buffer area between two differing land uses, one of which is more intensely used than the other. The subject industrial property abuts property in the R4 - Limited General Residential; however, the abutting property is actually a forty-three (43) foot wide unimproved strip of Main Street, which is owned by the Village and is heavily vegetated. The unimproved portion of Main Street spans the entire length of the eastern property line of the subject property and acts as a natural buffer between the subject property and the residential properties to the east. The petitioner has indicated that the proposed location of the salt bins was specifically chosen in order provide safe maneuvering and mobility space for vehicles. Essentially, pushing back the salt bins towards the east will allow the existing south side overhead door, which provides access to the main building, to remain clear of any structures and allow for optimal vehicular maneuverability.*

*The salt storage bins would be constructed to a height of thirty-four (34) feet. The salt storage bins would be connected to the principal structure by means of a small enclosed addition. As the storage bins are functionally considered incidental to the principal building, they are still considered to be accessory structures and therefore must meet the seventeen (17) foot height requirement. Although the height variation being requested is double than that permitted by code, the topography of the property significantly minimizes the affect that a taller structure would have on adjacent properties. As previously mentioned, the salt bins would be constructed adjacent to the southern portion of the existing building. As such, those structures would be located closest to the southern and eastern property lines of the subject property. Moreover, both adjacent properties that abut the southern and eastern property lines of the subject property are vacant and owned by the Village. Furthermore, there is a significant grade change on the eastern portion of the property that would diminish the affects of the salt domes from the residential properties that are located to the east of the unimproved portion of Main Street.*

*Staff is supportive of the conditional use and associated variations. If approved, the additional outdoor operations created by the conditional use would not have a significant impact on adjacent properties. The unimproved portion of Main Street acts as a natural buffer between the subject property and the residential property to the east. The change in grade on the eastern portion of the subject property minimizes the height impact of the proposed accessory structures. As such, the geographic and topographic conditions on the subject property reduce the impact that the variations would create on the surrounding area. The petitioner has provided a response to the Standards for Conditional Uses and Variations. Staff finds that those standards have been met. Staff is recommending approval of this petition, subject to six conditions.*

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

*Commissioner Sweetser stated that it seems like everything is straight forward and the rationale is very reasonable.*

*Commissioner Burke questioned the petitioner's testimony in that moving the building to the east and into the berm area, reduces the affect on the adjacent property. He commented that statement was subjective. Even if you move it closer to the back and bury it in the berm, it is still 34' in height. He asked how this will have less affect on the neighbors and requested an explanation.*

*Mr. Baity stated that there is no neighbor to the south except for the Village owned property, which is vacant. The front of the salt bin will be 34' high and the back will get buried. Rather than have a large building and see complete mass, they have the ability to bury it into the berm and minimize the overall visual effect of the storage bins.*

*Mr. Toth distributed a picture of the subject property from a westward perspective. He stated that the picture was taken when he was standing on the unimproved portion of Main Street with the vegetative buffer in front and behind him and the residential properties located at his back. The picture demonstrates how much of a grade change there is and how the vegetative buffers play a significant role in the screening.*

*Commissioner Burke stated that he is not suggesting that it is not going to be visible but by asking for a variance to move it closer to the property line makes it less expensive for the petitioner because they will not have to change the existing building around. It won't be visible meeting our ordinances for setbacks, so moving it back won't make it less visible. There were two reasons the petitioner gave for the variance. One is that it would be less visible from the Village right of way and the other was that it saved on site costs with regard to not having to change the facility. He wasn't sure that either reason is a legitimate reason for our standards for variations.*

*Christopher Stilling, Assistant Community Development Director, answered that there is cost involved, but given the location, grade change and the distance to the residential property, staff felt comfortable supporting the petition.*

*Commissioner Burke questioned the standards for variations and stated that the testimony isn't accurate in that there is a financial benefit for the petitioner for this variation for on site improvements. He added that the variations aren't necessary and added that there is no direct benefit to placing them at their proposed location.*

*Mr. Gasaway stated that there is a 45' to 50' radius they are putting into the hill so you don't see the back of the structure, which makes it less noticeable. We need this because of the rotation of the wheel loader and trucks at the side door. That southern door cannot be moved to the west because there is a 6" main coming into the building. He added that they tried to make the plan functional and they are only asking for relief in what they really need.*

*Mr. Baity mentioned that they are unique in that area because they are the only lot that abuts the R4 in the back yard. Because of the required transitional setback, they are required to be set back 45'. If they were on the next lot, they could build 15' from the lot line because that lot is not adjacent to the R4 District.*

*Commissioner Sweetser stated that she understands Commissioner Burke's point but believes that it has to do with how the petitioner presented his testimony specifically the statement about the visibility. She added that a new piece of information was just provided regarding how the fire requirements preclude the entrance from being changed, which could be a mitigating factor. She stated that she doesn't object to this, but needs clarification and justification as to the testimony.*

*George Wagner, Village Attorney, referred to the standards for variations. One of the issues was if there was a basis to financial gain. The standards say there cannot be a primary basis for financial gain but there can be other valid reasons; so, the standards can still be met.*

*Commissioner Burke stated one of the reasons the petitioner gave isn't legitimate in that the testimony says moving the building makes it less visible when further testimony stated that it would never be visible.*

*Attorney Wagner addressed the fire main issue. He stated that it could be moved so you still get into whether that is a specific condition of the land and unique to cause the reason for the salt bin to be located where it is.*

*Mr. Stilling stated that staff's position is based upon the given circumstances of the existing building. He added that this is the most suitable location for the salt bins and brine tanks and staff is supportive of it.*

*Attorney Wagner added that is based on the uniqueness of the land. That because of the vegetation and the affect it has and where the salt bin would be located in relation to Village property, would weigh in to the uniqueness of the land and could result in a hardship to relocate it. The hardship might be on their operations but also it sill might affect how it will be seen from the outside.*

*Commissioner Burke stated that it can be reworded. He added that all he is saying is that the request and the testimony are not jiving.*

*Chairperson Ryan stated that if the rewording the standards based upon the testimony provided, there is no objection to it.*

*Attorney Wagner stated that they can add that to the standards to reflect the testimony.*

**It was moved by Commissioner Sweetser, seconded by Commissioner Flint, that this matter be recommended to the Corporate Authorities for approval subject to conditions. The motion carried by the following vote:**

**Aye:** 5 - Flint, Sweetser, Burke, Nelson and Cooper

**Absent:** 1 - Olbrysh

- 1. The subject property shall be developed and operated in conformance with the site plan dated October 6, 2010, prepared by Matocha Associates.*
- 2. The petitioner shall satisfactorily address all comments within the IDRC report.*
- 3. The petitioner shall apply for and receive a building permit for the proposed plans.*
- 4. The conditional use shall permit outdoor storage of related equipment within the fenced-in outdoor storage area only.*
- 5. The existing dumpster located on the northeast portion of the subject property shall be screened pursuant to Section 155.710 of the Zoning Ordinance.*
- 6. Such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Board of Trustees prior to the expiration of the ordinance granting the conditional use and variations.*

#### **100346**

#### **PC 10-09: Text Amendments to the Sign Ordinance (Sandwich Board Signs)**

The Village of Lombard requests text amendments to Section 153.234 of the Lombard Sign Ordinance amending the provisions for Sandwich Board Signs. (DISTRICTS - ALL)

#### **Play Video**

*Christopher Stilling, Assistant Director of Community Development, presented the petition on behalf of the Village. He gave a brief history of the petition noting that the Plan Commission at their June 21, 2010 meeting reviewed the petition and made a recommendation to the Village Board.*

*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 the following specific issues:*

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. He stated that any comments should be related to these items.*

*Mr. Stilling then summarized the first item:*

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?*

*Mr. Stilling provided additional background on the matter stating that 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.*

*Mr. Stilling referenced some draft language provided by staff stating that 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.*

Chairperson Ryan then opened the meeting for comments among the Commissioners relative to item #1.

Chairperson Ryan asked staff to clarify if the proposed changes to the "establishment", meant that some businesses located in the downtown that are located towards the back of the building would still not be able to have a sign within the right-of-way. Mr. Stilling clarified by stating that some businesses, such as Capone's, have direct frontage along the street, but their entrance is further back. The proposed new language would allow them to now have a sign. However other businesses, which do not have frontage on the street, would be allowed to have a sign, provided that it was within 10' of their tenant space.

Commissioner Sweetser supported the proposed new language stating that certain businesses that have direct frontage along the street paid a premium for that exposure.

Commissioner Burke agreed and said that he would not want to see the sidewalk lined up with sandwich board signs for all businesses, unless they are within 10 feet.

The Plan Commission recommended approval to amend the proposed language to allow all non-residential establishments, regardless of their zoning, the ability to display a Sandwich Board Sign within ten feet (10') of the "establishment and/or outdoor service area". The proposed amendment would address the concern raised by the Village Board for businesses whose tenant space is adjacent to the right-of-way, but their customer entrance is setback greater than 10'. The proposed amendment would apply to all zoning districts.

Mr. Stilling summarized item #2:

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?

Mr. Stilling said that 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.

Mr. Stilling stated that staff believes 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 from the establishment) 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. Mr. Stilling asked the Commissioners if they supported granting additional rights to non-residential establishments to allow all of them the ability to have a sandwich board

*sign up along the right-of-way.*

*Chairperson Ryan then opened the meeting for comments among the Commissioners relative to item #2.*

*The Plan Commission unanimously recommended against allowing non residential businesses the ability to display a Sandwich Board Sign any closer to the street than allowed (10' away from the "establishment"). The Plan Commission felt that allowing all businesses the ability to have a Sandwich Board Sign, regardless of its location to the establishment, adjacent to the right-of-way, could create visual clutter.*

*Mr. Stilling summarized item #3:*

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

*Mr. Stilling stated that 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. Staff also referenced some draft language for the Plan Commission to consider.*

*Chairperson Ryan then opened the meeting for comments among the Commissioners relative to item #3.*

*Commissioner Sweetser stated that there are a few businesses within the downtown that are located on the lower level of the building and that their only sign is a sandwich board sign. She expressed a concern about limiting it to only businesses on the ground level. Mr. Stilling also reference the building at 3-15 N Main Street which has several businesses located on the second floor.*

*Several of the Commissioners supported allowing businesses not on the ground level the ability to have a sandwich board sign. They cited that the provisions still require a permit and staff has the ability to work with them to ensure signs are placed in the proper locations.*

*The Plan Commission agreed with the draft language provided by staff and recommended approval to amend the proposed language to allow non-residential establishments not located on the ground level in the B5 & B5A Zoning Districts only, the ability to have a Sandwich Board Sign.*

**It was moved by Commissioner Burke, seconded by Commissioner Cooper, that this matter be recommended to the Corporate Authorities for approval accepting staff's findings and recommendations. The Plan Commission further amended the ordinance adding provisions to allow non-residential establishments not located on the ground level in the B5 & B5A Zoning Districts only, the ability to have a sandwich board sign. The motion carried by the following vote:**

**Aye:** 5 - Flint, Sweetser, Burke, Nelson and Cooper

Absent: 1 - Olbrysh

## Business Meeting

[Play Video](#)

*The business meeting convened at 8:57 p.m.*

## Approval of Minutes

[Play Video](#)

*Christopher Stilling noted that Village counsel provided some minor corrections.*

*On a motion by Flint and seconded by Sweetser the minutes of the September 20, 2010 meeting were unanimously approved by the members present with the aforementioned corrections.*

## Public Participation

[Play Video](#)

*There was no public participation.*

## DuPage County Hearings

[100570](#)

### DuPage County Case Z10-045 - 21W133 Kensington Road

Request to reduce the interior side yard setback to one (1) foot from the required three (3) feet to allow for an existing shed in an R-4 Single Family Residence District. (UNINCORPORATED)

[Play Video](#)

*Christopher Stilling, Assistant Community Development Director, presented the petition. DuPage County has received a filing for a public hearing for a variation to reduce the interior side yard setback to 1 foot from the required 3 feet to allow for an existing shed in an R-4 Single Family Residence District. The petition is for the property at 21W133 Kensington Road. As the subject property is located within the ultimate municipal boundaries of the Village of Lombard, the Village has received notice of the public hearing from the County and has been asked to provide comments or concerns regarding this petition.*

*Staff would like to solicit the input and a recommendation of the Plan Commission regarding this petition. Staff has informed the County that this matter is being brought forward to the Plan Commission and the Village Board for consideration.*

*According to discussions with the County representatives, the existing shed on the property does not achieve code compliance concerning County and Village Codes. Both the Village Code and County Codes require a minimum 3 foot setback for accessory structures.*

*As the petitioner's plan shows, the property is 10,050 square feet in size (75' wide by 134' deep). The property is bordered by single family residences on all sides. The Village's Comprehensive Plan included the subject property and identifies the site for Low Density Residential use.*

*Staff finds that based upon the site plan, a great deal of flexibility exists for the property*

owner to locate the shed to an area that meets County and Village Codes. Furthermore, staff finds that the shed's current location may present a negative impact upon the adjacent property owners. Based upon established County and Village codes, there are alternative locations to construct the shed within the buildable area of the lot. Staff also finds that the need for the variation is created by the petitioner and is not unique to the property. Moreover, the variation may also establish a precedent for yard setback relief for other properties in the area. As a practical matter, reductions in side yard setbacks can give an appearance of overcrowding within a subdivision.

Lastly, the existing shed does encroach into an existing public utility easement. Staff does not object to the encroachment so long as it is not permanently affixed to a foundation.

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

Commissioner Sweetser stated she agreed with staff.

**It was moved by Commissioner Sweetser, seconded by Commissioner Cooper, that this matter be recommended for a Resolution of Objection to the Corporate Authorities. The motion carried by the following vote:**

**Aye:** 5 - Flint, Sweetser, Burke, Nelson and Cooper

**Absent:** 1 - Olbrysh

#### [100571](#)

#### **Du Page County Case Z10-065 - 1215 S. Highland Avenue**

Request for a conditional use for an electronic message center sign.  
(UNINCORPORATED)

#### [Play Video](#)

Christopher Stilling, Assistant Community Development Director, presented the petition. DuPage County has received a filing for a public hearing for a conditional use for an automatic changeable copy sign for an unincorporated property located at 1215 S Highland Ave (U-Store-It). As the subject property is located within the ultimate municipal boundaries of the Village of Lombard, the Village has received notice of the public hearing from the County and has been asked to provide comments or concerns regarding this petition.

Staff would like to solicit the input and a recommendation of the Plan Commission regarding this petition. Staff has informed the County that this matter is being brought forward to the Plan Commission and the Village Board for consideration.

Staff has reviewed the proposed plans associated with the above mentioned petition. For clarity purposes, the Village of Lombard's Sign Ordinance recognizes Electronic Message Center signs as Automatic Changeable Copy signs. Therefore this memo will reference the proposed sign as an Automatic Changeable Copy sign. While DuPage County's Zoning Ordinance permits electronic message board signs as a conditional use, the Village of Lombard's Sign Ordinance has specific parameters for which an Automatic Changeable Copy sign is allowed. Staff notes that the proposed sign does not meet the following Village of Lombard Codes:

1. Pursuant to Lombard Sign Ordinance, a minimum of 500 feet of lot frontage is required for any parcel to be allowed to have an Automatic Changeable Copy sign. Staff finds that the existing lot has a frontage of approximately 105 feet. Therefore this provision would not be met.
2. The Village of Lombard Sign Ordinance restricts the overall area of a freestanding



sign at this location to 50 square feet. The addition of the Automatic Changeable Copy sign to the existing freestanding sign would increase the overall area of the sign to over 80 square feet in area, exceeding what is allowed by the Village of Lombard Sign Ordinance.

3. The Village of Lombard Sign Ordinance states that changeable message boards shall not exceed two (2) feet in height, with the display screen not to exceed eighteen (18) inches in height. The proposed sign exceeds both these provisions.

4. The Village of Lombard Sign Ordinance states that changeable message boards shall be located between twelve (12) and fifteen (15) feet above grade at the edge of the right-of-way. The proposed sign would be approximately 16 feet above grade.

In addition to the above mentioned provisions not being met, the Village of Lombard Sign Ordinance requires that any property seeking to have an Automatic Changeable Copy sign must have all other signs in compliance with the Sign Ordinance. Staff finds that the existing freestanding sign does not meet the following provisions:

1. The Village of Lombard Sign Ordinance requires freestanding signs to be setback a minimum of 75 feet from the centerline of the right-of-way. Based on the site plan submitted, it appears that the sign is setback approximately 70 feet.

2. The Village of Lombard Sign Ordinance prohibits any sign located within the 30' clear line of site area. Based on the site plan submitted, the existing sign is within the 30' clear line of site area.

In summary, staff finds that the proposed sign is inconsistent with the established codes and ordinances of the Village of Lombard and may present a negative impact upon the adjacent properties. In addition, should the proposed sign be approved by the County, the sign would then be considered legal non-conforming should it ever be incorporated into the Village of Lombard.

Chairperson Ryan then opened the meeting for comments among the Commissioners. The Commissioners had no comments.

**It was moved by Commissioner Flint, seconded by Commissioner Burke, that this matter be recommended for a Resolution of Objection to the Corporate Authorities. The motion carried by the following vote:**

**Aye:** 5 - Flint, Sweetser, Burke, Nelson and Cooper

**Absent:** 1 - Olbrysh

## Chairperson's Report

[Play Video](#)

The Chairperson deferred to the Assistant Director of Community Development.

## Planner's Report

[Play Video](#)

Christopher Stilling indicated that the Village Board recently passed an ordinance approving landmark site designation of 125 E. Washington Boulevard. Pursuant to that ordinance, specifically Exhibit B, several actions must be undertaken by the Village, one of which is notifying the Plan Commission of this approval. Staff is satisfying this requirement by distributing a copy of Exhibit B.

*Mr. Stilling then provided an update on the Downtown Lombard Plan. He indicated that on October 27 the final open house will take place at the Helen Plum Library at 6 p.m. He noted that you can access any information pertaining to the Plan on the Village's website, under the "Quick Links" section.*

*Lastly, Mr. Stilling stated that the developer for the previously discussed Yorktown Apartments workshop is revising the plans with hopes of appearing on the November agenda.*

## **Unfinished Business**

[Play Video](#)

*There was no unfinished business.*

## **New Business**

[Play Video](#)

*There was no new business.*

## **Subdivision Reports**

[Play Video](#)

*There were no subdivision reports.*

## **Site Plan Approvals**

[Play Video](#)

*There were no site plan approvals.*

## **Workshops**

[Play Video](#)

*There were no workshops.*

## **Adjournment**

[Play Video](#)

*The meeting adjourned at 9:07 p.m.*

---

*Donald F. Ryan, Chairperson  
Lombard Plan Commission*

---

*Christopher Stilling, Secretary  
Lombard Plan Commission*