

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

LOMBARD PINES – 1103-1177 S. Main Street & 150 E. Roosevelt Road

OCTOBER 21, 2013

PC 13-16

Petitioner

The Sackar Company
dba Chicago Title Land Trust
Company 21022
945 W. George Street
Chicago IL 60567

Property Owner

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dba Chicago Title Land Trust
Company No. 21022
945 W. George Street
Chicago IL 60567

Property Location

1103-1177 S. Main Street and
150 E. Roosevelt Road

Zoning

B4A PD

Existing Land Use

Shopping Center

Comprehensive Plan

Community Commercial

Approval Sought

Amendment to Ordinances
5538 and 5624 to allow for
modification to the approved
Shopping Center Identification
sign plan for the Lombard
Pines Shopping Center

Prepared By

Jennifer Ganser, Assistant
Director



LOCATION MAP

PROJECT DESCRIPTION

On April 18, 2005 the Village Board approved a Shopping Center Identification (SCI) sign plan for the Lombard Pines Shipping Center. The Ordinance approval was tied to the specific plans that were submitted as part of the petition for PC 05-07.

The property owner is seeking an amendment to allow for a full color automatic changeable copy sign in lieu of the monochrome sign originally depicted as part of the petition. The monochrome sign is presently in place at Lombard Pines. As staff is making the interpretation that this change constitutes a major change to the plans, this request is being brought back through the public hearing process. No other changes are proposed other than the change in the sign design.

The Plan Commission may remember this case from PC 05-45 on December 19, 2005 when the petitioner had the same request for a full color automatic changeable copy sign. This request was denied by the Plan Commission and Village Board of Trustees.

PROJECT STATS

Lot information

Parcel (s) Size: 19.5 acres

Submittals

1. Petition for Public Hearing
2. Response to Standards
3. Lombard Pines Plaza site plan, submitted September 24, 2013
4. Sign plan, prepared by Doyle Signs, dated November 8, 2005, consisting of a freestanding sign along Roosevelt Road, with the incorporation of a full color automatic changeable copy sign

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments.

Fire Department:

The Fire Department does not have any issues or concerns with the proposed signage installation and variation.

Private Engineering Services:

Private Engineering Services has no comments on the petition.

Public Works:

The Department of Public Works has no comments.

Planning Services Division:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	R2	Single family residences
South	B4A	Retail
East	O PD	National University of Health Sciences
West	B3	Retail

The site is surrounded by other retail commercial uses, both within the shopping center as well as along Main Street and Roosevelt Road. The visual impact of the sign is along Roosevelt Road and staff believes a full color sign would not be more prominent than the current monochrome sign. The current monochrome sign is difficult to read and a full color sign should be more readable. Furthermore, since the original Plan Commission public hearing, market conditions have changed and monochrome signs are going away.

2. Zoning Ordinance Compatibility

In 2005, the Village approved Ordinance 5624 which approved the sign design for the sign and granted additional signage relief for the SCI along Main Street. A condition of the approval was that the petitioner constructs the sign in accordance with the submitted plans, which included an LED red monochrome automatic changeable copy (ACC) sign. Since the date of approval of the aforementioned Ordinance, the petitioner is now proposing to change the ACC sign to allow for a full color sign to be incorporated into the overall sign design. The petitioner's revised Roosevelt Road sign is within the prescribed size limits previously approved in Ordinances 2555, 4088 and 5624. Staff reviewed this request and has determined that this change is substantial enough to consider it to be a major change to the original approval, which would require a new review and approval by the Village.

Ordinances 2555, 4088 and 5538 established the following standards for the Roosevelt Road SCI sign:

Roosevelt Road SCI Sign		
	Maximum Allowed	Proposed
Height	35 feet	35 feet
ACC element	6'x16' (96 sq. ft. total)	4'x10' (40 sq. ft. total)
Type of Sign	monochrome	color
Sign Area	Supply available of at least 17' x 30.5' = 518.5 sq. ft.	SC Name = 70 sq. ft. Anchor box = 107.1 sq. ft. ACC box = 40 sq. ft. Tenant box = 50 sq. ft. (459 sq. ft. total)

Automatic Changeable Copy Signage Actions

The Village has considered a number of requests for relief from the ACC sign requirements, including:

Case	Business	Location	Requested Relief	Staff Recommendation	PC/ZBA Recommendation	BOT Action
PC 10-12	Shell Gas Station	930 E. Roosevelt Road	ACC sign on a property with less than 500 lineal front footage	Denial	Approval	Approval
PC 10-11	Shell Gas Station	600 W. North Avenue	ACC sign on a property with less than 500 lineal front footage, to exceed two feet in height, allow the display screen to exceed 18 inches	Denial	Approval	Approval

PC 06-16	CVS	350 E. North Avenue	Increase in height of an electronic message board from two feet to 3.65 feet with a display screen greater than 18 inches in height and to allow for an electronic message board that is less than twelve feet above grade	Denial	Denial	Denial
PC 05-45	Lombard Pines	1103-1177 S. Main; 150 W. Roosevelt	Requested full color ACC sign	Denial	Denial	Denial
PC 04-21	Lombard Pines	1103-1177 S. Main; 150 W. Roosevelt	Transfer ACC rights from shopping center to Culver's	Approval	Approval	Approved
PC 04-20	CVS	350 E. North Avenue	sign less than 12' above grade, 3'6" ACC sign height, display screen greater than 18"	Approval of location & display screen; Denial of ACC sign height	Approval of location & display screen; Denial of ACC sign height	Approval of location & display screen; Denial of ACC sign height
PC 04-15	Walgreens	255 E. Roosevelt	32.5" display screen	Denial	Denial	Denied
PC 03-45	CVS	350 E. North Avenue	sign less than 12' above grade, 3'6" ACC sign height, display screen greater than 18"	Denial	Denial	Withdrawn prior to consideration
PC 03-40	Heritage Cadillac	303 W. Roosevelt	4' ACC sign height	Approval	Approval	Approved
ZBA 02-22	Crossroads Church	611 W. St. Charles	ACC sign in R2 District	Denial	no recommendation (3-1 vote for denial)	Denied
PC 02-14	Merlin Muffler	234 W. Roosevelt	ACC sign with less than 500' frontage, 2' 8" ACC sign height	Denial	Denial	Denied
SPA 02-05	Taylor Brewing Company	717 E. Butterfield	ACC sign in OPD District, 3' 2" ACC sign height, display screen greater than 18"	Denial	Denial	n/a

As the table shows, most of these requests were denied by the Village Board. Of the approved requests, the Heritage Cadillac was the only sign that used color graphics in the ACC sign. This approval was granted in consideration that the relief removed two existing free-standing signs that far exceeded current code requirements. Staff finds the proposed full color sign for Lombard Pines would be more aesthetically pleasing than the current monochrome sign.

Staff also notes that such signs are designed to provide striking and eye-catching graphics to the motorist. Staff believes the full color sign will not pose a greater risk to driver safety than the current monochrome sign. The current sign is difficult to read, especially at night, and a new full color sign could remedy that issue.

3. *Compatibility with the Comprehensive Plan*

The Comprehensive Plan ensures the highest quality of design, including signage and graphics. The proposed new signs are intended to be an overall site enhancement.

Staff supported the initial layout of the sign design presented by the petitioner for the Roosevelt Road and the Main Street freestanding signs. The LED automatic changeable copy sign of 40 square feet in size was approved as part of the overall sign design and met the previous planned development approvals.

FINDINGS & RECOMMENDATIONS

Staff finds that the proposed signage is consistent with its surrounding context, the Planned Development, and the Zoning Ordinance.

The Inter-Department Review Committee has reviewed the standards for variations and finds that the proposed signage **complies** with the standards established by the Planned Development and the Village of Lombard Zoning and Sign Ordinances, subject to conditions of approval based on the above considerations. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 13-16:

Based on the submitted petition and the testimony presented, the proposed conditional use does comply with the standards required by the Village of Lombard Zoning Ordinance and that granting the conditional use permit 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 13-16, subject to the following conditions:

1. The petitioner shall develop the site in substantial conformance with the plans, prepared by Doyle and dated November 8, 2005, but will allow for an automatic changeable copy sign with color not to exceed the size and square feet of the existing automatic changeable copy sign.
2. Any future signs involving the subject property shall apply for and receive a building permit. Those permits will be reviewed in connection with the aforementioned conditions.
3. The petitioner shall satisfactorily address all comments noted within the IDRC report.
4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the sign is not constructed operating by said date, this relief shall be deemed null and void.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

STANDARDS FOR VARIATIONS

of the Lombard Zoning Ordinance and Lombard Sign Ordinance

The following is an excerpt from the Lombard Zoning Ordinance. A **detailed response** to all of these standards should be provided for all variations of the Lombard Zoning Ordinance and Lombard Sign Ordinance.

SECTION 155.103.C.7 OF THE LOMBARD ZONING ORDINANCE:

The regulations of this ordinance shall not be varied unless findings based on the evidence presented are made in each specific case that affirms each of the following standards:

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

While §153.210 of the Village of Lombard Code of Ordinances does not require a monotone color for Automatic Changeable Copy (ACC) signs, the approved and installed ACC adopted in ORDINANCE No.5624, depicts monotone red changeable copy. The Landlord seeks a change to color ACC to increase current readability of the ACC by approximately 25%. Such a change is not against Village of Lombard regulations.

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

Conditions are unique in that a red monochrome ACC has already been approved and installed at the Lombard Pines shopping center. The technology is older, and newer technology can improve the readability of the monochrome ACC currently in existence at the location. The implementation of the improved technology, with corresponding legibility, will directly impact passing motorists attempting to read the signage.

3. The purpose of the variation is not based primarily upon a desire to increase financial gain.

The purpose is not to increase financial gain. The purpose is to maximize the existing ACC message presentation with a proper use of color. Such a proper use of color will increase the legibility of the sign, and our primary purpose is to make the sign as legible as possible for passing motorists.

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

A change to color from monochrome is not due to hardship, or difficulty. Rather, the change would utilize advanced technology to present a cleaner and more attractive presentation of what already exists. Legibility will improve by 25%, with corresponding easier legibility for the reader.

5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

To the contrary: Color will improve the legibility and thereby reader comprehension in a shorter amount of time than what is currently in existence.

6. The granting of the variation will not alter the essential character of the neighborhood; and,

The neighborhood is commercial in nature and we will remain within the character of the neighborhood. The variation is not a variation from the code, rather it will slightly modify the changeable copy design already approved for the shopping center.

7. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

None of these characteristics will be affected negatively. Technically, the only difference that we are requesting, from what is already approved, is a change to color capable LEDs instead of red LEDs. General operating technology will also be upgraded. Otherwise, the dimensions, and all other aspects of the approved sign will remain the same.

**STANDARDS
FOR PLANNED DEVELOPMENTS**

The following is an excerpt from the Lombard Zoning Ordinance. A detailed response to all of these standards should be provided for all requests for Planned Developments.

SECTION 155.508 (A) (B) (C) OF THE LOMBARD ZONING ORDINANCE

Except as provided below, no planned development shall be approved unless the Village Plan Commission and the Village Board find that the development meets the standards for conditional uses, and the standards set forth in this Section. Notwithstanding the foregoing, the Village Board may approve a planned development which does not comply with these standards or with the standards for conditional use, if the Board finds that the application of such standards, to the development being considered, would not be in the public interest.

A. General Standards

1. Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located.

Correct – the color automatic changeable copy (ACC) will be a part of a shopping center identification pylon already constructed within the Lombard Pines Shopping Center and except as modified and approved, shall fall within the Village’s ordinances.

2. Community sanitary sewage and potable water facilities connected to a central system are provided.

N/A

3. The dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.

N/A

4. That the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.

The amendment sought, specifically, a change to color ACC from monochrome ACC, is in the public interest because the color presentation will

be more legible than the existing monochrome. A proper use of higher resolution color display will enhance readability and lessen any negative impact of the less legible monochrome ACC. The color ACC operates with significantly improved technology than the monochrome ACC currently installed, which is approximately eight year old technology.

5. That the streets have been designed to avoid:

- a. Inconvenient or unsafe access to the planned development;

N/A

- b. Traffic congestion in the streets which adjoin the planned development;

N/A

- c. An excessive burden on public parks, recreation areas, schools, and other public facilities which serve or are proposed to serve the planned development.

N/A

B. Standards for Planned Developments with Use Exceptions

The ordinance approving the Final Development Plan for the planned development may provide for uses in the planned development not allowed in the underlying district, provided the following conditions are met:

N/A – the installation of a color electronic changeable copy board is not prohibited in the underlying district.

1. Proposed use exceptions enhance the quality of the planned development and are compatible with the primary uses
2. Proposed use exceptions are not of a nature, nor are located, so as to create a detrimental influence in the surrounding properties
3. Proposed use exceptions shall not represent more than 40% of the site area or more than 40% of the total floor area, whichever is less. However, in a residential planned development area no more than 10% of the site area or the total floor area shall be devoted to commercial use; furthermore, no industrial use shall be permitted.

4. That the overall floor area of the planned development shall not exceed by more than 40% the maximum floor area permitted for the individual uses in each applicable district

N/A

5. That in residential planned developments the maximum number of dwelling units allowed shall not exceed by more than 40% the number of dwelling units permitted in the underlying district

N/A

6. That all buildings are located within the planned development in such a way as to dissipate any adverse impact on adjoining buildings and shall not invade the privacy of the occupants of such buildings and shall conform to the following:

N/A. The area in which a color ACC is proposed is commercial in nature, with an approximate traffic flow in excess of 40,000 VPD. To the East is the National University of Health Sciences, which uses electronic messaging, and the nearest residential is at the extreme North end of the PUD, over 1300 feet away. Additionally, the proposed change to color might allow for a reduction of brightness due to the increased legibility.

- a. The front, side or rear yard setbacks on the perimeter of the development shall not be less than that required in the abutting zoning district(s) or the zoning district underlying the subject site, whichever is greater.
- b. All transitional yards and transitional landscape yards of the underlying zoning district are complied with.
- c. If required transitional yards and transitional landscape yards are not adequate to protect the privacy and enjoyment of property adjacent to the development, the Plan Commission shall recommend either or both of the following requirements:
 - 1) All structures located on the perimeter of the planned development must set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses;
 - 2) All structures located along the entire perimeter of the planned development must be permanently screened with sight-proof screening

in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.

7. That the area of open space provided in a planned development shall be at least 25% more than that required in the underlying zone district.

N/A