



Comprehensive Plan: Recommends Office

Surrounding Zoning and Land Use:

- North: B3PD – Community Shopping District Planned Development; developed as Yorktown mall.
- South: O – Office District; developed as office buildings.
- East: OPD – Office District Planned Development; developed as TGI Friday’s restaurant and office buildings.
- West: O – Office District; developed as an office building.

## ANALYSIS

### SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development on June 23, 2009:

1. Petition for Public Hearing.
2. Applicable Response to Standards for:
  - a. Variations
  - b. Conditional Uses
  - c. Planned Developments
  - d. Planned Development with Other Exceptions.
3. ALTA/ACSM Land Title Survey, prepared by Webster, McGrath, and Ahlberg, Ltd., dated May 16, 2007, showing the location of the existing freestanding sign.
4. Photograph of the existing sign.
5. Plans associated with the proposed sign, prepared by Grate Signs, Inc., dated May 26, 2004, revised March 25, 2009.

### DESCRIPTION

The petitioner, Comar Properties, is proposing to replace a freestanding sign near the northeastern corner of the property located at 555 E. Butterfield Road. The proposed new sign will replace the larger existing sign in the same location. The Zoning Ordinance limits

freestanding signs located in the O – Office District to thirty (30) square feet in area and six (6) feet in height. The proposed sign is ninety-eight (98) square feet in area and is twenty (20) feet in height. Therefore, deviations for sign height and area are required.

The petitioner had originally proposed to install the new sign in the same location as the existing sign which is setback two feet (2') from the northern property line. The Zoning Ordinance requires a minimum setback of ten feet (10') from all property lines. Since the submittal, the petitioner has agreed to meet the required setback of ten feet (10'). Therefore, the third deviation is not necessary.

Section 155.503(F)(3) of the Zoning Ordinance requires that a planned development be established with any variation request on a property which is zoned O – Office District and meets the minimum requirements for lot area and frontage for a planned development. As 555 E. Butterfield Road meets these requirements, the establishment of a planned development is also necessary.

## **INTER-DEPARTMENTAL REVIEW COMMENTS**

### **ENGINEERING**

The Private Engineering Services Division of Community Development has the following comments on the above petition:

- 1) The brick retaining wall in the public right-of-way shall be removed and the area restored with topsoil and sod.
- 2) Private Engineering does not support item #1c, allowing the sign to remain within 2 feet of the property line. The sign is 7' from the watermain in the parkway of the Butterfield frontage road. Thus, to access the watermain, the columns of the sign would be exposed in the dig. Additionally, there is ample green space to the south to relocate the sign and bring it into compliance with the 10' from ROW requirement.

The Utilities Division of the Department of Public Works has reviewed the above petition and concurs with Private Engineering Services' comments. Public Works' comments are as follows:

- 1) A watermain is located under brick retaining wall. (See below photos.\*) The retaining wall would be removed if a repair to the watermain was required. The Village should not be responsible for restoring the retaining wall as it is in the public ROW.



- 2) Public Works does not support item #1c. The new sign should be relocated a minimum of 10 ft. from the property line. This will result in 15ft. separation between sign and watermain which is acceptable to Public Works.

## **FIRE AND BUILDING**

Upon review of the above referenced request for deviation to the current signage ordinance to increase size and height of signage for the property, the Fire Department/Bureau of Inspectional Services has no comments at this time.

## **PLANNING**

### **Compliance with the Zoning Ordinance**

Staff has researched the history of the subject property and has found no records of zoning relief granted to the property. Therefore, any structures, uses, or other situations on the subject property which are not in compliance with the Zoning Ordinance and which were lawfully established at the time can be considered legal non-conforming. The petitioner has decided not to apply for additional zoning relief on the subject property as part of this petition. However, future development activity may require that any such items be brought into compliance or granted the requisite zoning relief.



*Existing office building with bank and drive-through at 555 E. Butterfield Rd.*

Section 155.503(F)(3) of the Zoning Ordinance requires that a planned development be established with any variation request on a property which is zoned O – Office District and meets the minimum requirements for lot area and frontage for a planned development. In the O District, the minimum lot area is 45,000 square feet and the minimum frontage is three hundred feet (300’). The subject property is approximately 78,000 square feet and has approximately five hundred thirty-six feet (536’) of frontage. Therefore, the petitioner is requesting approval of a planned development on the property.

The Zoning Ordinance encourages and/or requires the establishment of planned developments for large-scale developments. Staff believes establishing a planned development will provide the Village Board with an instrument for managing the multiple uses on the property and encouraging high quality development. Office District Planned Developments have been established on many nearby properties south of Butterfield Road, including the two properties directly east of the subject property. Staff supports the establishment of a planned development on the subject property.

#### **Compliance with the Sign Ordinance**

The petitioner is proposing to install a new freestanding sign on the subject property. At ninety-eight (98) square feet in area, the proposed sign would exceed the maximum of thirty (30) square feet permitted by the Zoning Ordinance. The proposed sign will display tenant names and information on a signage face twelve feet (12’) in height by eight feet two inches (8’2”) in width.

The petitioner and the sign contractor have cited several reasons for the size of the proposed sign. The size of the sign is necessary to provide sufficient room to advertise each of the tenants which occupy the building on the subject property. In addition, each sign cabinet must be large enough to be visible from Butterfield Road.

At twenty feet (20’) in height, the sign would exceed the maximum of six feet (6’) permitted by the Zoning Ordinance. Arguments similar to those made for the sign’s area can be made for the sign’s height. The additional sign height will allow the petitioner to provide advertising space for each tenant. The height is also requested to allow for a stone base and a decorative roof.

The petitioner had originally requested three deviations related to the proposed freestanding sign. One of the deviations was a request to reduce the required setback of the sign from the northern property line from ten feet (10’) to two feet (2’). Two feet (2’) is the current setback of the existing sign. Due to the comments of Private Engineering Services and Public Works, the petitioner has agreed to meet a setback of ten feet (10’) making this deviation unnecessary. Exhibit A (attached) shows how the ten foot (10’) setback requirement could be met.

Even at its current two foot (2’) setback from the northern property, the existing sign is far enough from the nearby driveway at TGI Friday’s as not to conflict with the clear line of sight

area. The proposed sign would be constructed outside of the clear line of sight area and would allow for greater visibility at a setback of ten feet (10') from the northern property line.

Staff notes that if the property were zoned B3, B4, or B4A no deviations for the proposed signage would be needed. As the property fronts on a state right-of-way (Illinois 56), the Sign Ordinance would allow a freestanding sign up to one hundred twenty-five (125) square feet in area and up to twenty-five feet (25') in height. As the building contains multiple tenants, including a bank which draws customers to the site, it is reasonable to consider that the property may have similar signage needs to those in the B3, B4, or B4A zoning districts.

The existing freestanding sign on the property, permitted in 1984, is larger in both height and area than the proposed sign. Staff estimates the area of the existing sign to be two hundred two and one-half (202.5) square feet. The estimated height of the sign is twenty-two and one-half feet (22.5'). The petitioner has stated that they want to replace the sign because it is "unattractive and too large for this office complex." Therefore, they wish to reduce the overall size of the sign and aesthetically enhance it by adding a decorative roof, a stone base, and brick columns.

Staff supports the requested signage deviations, with the exception of a reduced setback, due to site considerations, multiple uses on the property, aesthetic enhancements, and size reductions from the existing sign which brings it into closer compliance with Village code.



*Existing freestanding sign at 555 E. Butterfield Rd.*

### **Compatibility with the Comprehensive Plan**

The Comprehensive Plan recommends office uses at this location. The Comprehensive Plan suggests several policies that should be used to guide improvement to commercial developments. One of those policies is ensuring the highest quality of design, including signage and graphics. If the comments and conditions noted in this report are incorporated into the petitioner's final plans, this development will meet the recommendations of the Comprehensive Plan.

### **Compatibility with Surrounding Land Uses**

The site is surrounded by other office uses, a restaurant to the east, and commercial uses to the north. The office and bank uses on the property are unlikely to negatively impact surrounding land uses as they are of a similar nature.

## FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Lombard Zoning Ordinance and the Sign Ordinance, subject to conditions of approval. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition, subject to the attached conditions:

Based on the submitted petition and the testimony presented, the proposed conditional use to establish a planned development and deviations do comply with the standards required by the Lombard Zoning and Sign Ordinances and that granting the planned development approval enhances the overall development and is within the public interest; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-department Group Report as the findings of the Lombard Plan Commission, and recommend to the Corporate Authorities **approval** PC 09-22, subject to the following conditions:

1. The proposed sign shall be constructed in accordance with the plans prepared by Grate Signs, Inc., dated May 26, 2004, revised March 25, 2009 and as depicted in Exhibit A, and made a part of this petition, except as they may be changed to conform with Village code and the conditions below.
2. The proposed freestanding sign shall have a setback of no less than ten feet (10') from all property lines.
3. The existing retaining wall surrounding the sign shall be removed from the public right-of-way and shall be sufficiently set back from all property lines so as to not conflict with public utilities. All disturbed areas shall be restored with topsoil and sod in a manner acceptable to the Director of Community Development.
4. The petitioner shall submit a Plat of Resubdivision to establish a Lot of Record on the subject property.
5. As part of the approval, the petitioner shall also address the comments included within the IDRC Report.

Inter-Departmental Review Group Report Approved By:

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William J. Heniff, AICP  
Director of Community Development

WJH  
c: Petitioner



**Exhibit A**

