

November 4, 2010

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

Subject: PC 10-09: Text Amendments to the Sign Ordinance

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard is proposing text amendments to Section 153.234 of the Lombard Sign Ordinance amending the provisions for Sandwich Board Signs.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on June 21, 2010 and made a recommendation to the Village Board for consideration.

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.

The petition was heard at the October 18, 2010 Plan Commission meeting. Christopher Stilling opened the discussion by mentioning that this item was remanded back to the Plan Commission. He referenced the 3 items that the Board of Trustees remanded back for discussion and further recommendation. 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.

On a motion by Commissioner Burke and a second by Commissioner Cooper, the Plan Commission voted 5 to 0 that the Village Board **approve** the text amendments associated with PC 10-09, as outlined in the attached exhibit B, as amended to include the provisions which allow non residential uses not on the ground floor located in the B5 & B5A District be permitted to have a sandwich board sign provided that it meets all other provisions in the Ordinance.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission