

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) *Waiver of First Requested*
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: April 9, 2008 (BOT) Date: April 17, 2008

TITLE: ZBA 08-02: 200-212 W. North Ave.

SUBMITTED BY: Department of Community Development *Wall*

BACKGROUND/POLICY IMPLICATIONS:

The Zoning Board of Appeals transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests a variation from Section 153.507 (B) (11) (b) of the Lombard Sign Ordinance to allow more than two wall signs to be permitted in the I Limited Industrial District. (DISTRICT #1)

The Zoning Board of Appeals recommended approval of this request with conditions.

Please place this item on the April 17, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<i>W. Lichter</i>	Date	<i>4/10/08</i>

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.





MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development *DAL/WH*

DATE: April 17, 2008

SUBJECT: ZBA 08-02: 200-212 W. North Ave.

Please find the following items for Village Board consideration as part of the April 17, 2008 Village Board meeting:

1. Zoning Board of Appeals referral letter;
2. IDRC report for ZBA 08-02;
3. An Ordinance granting approval of the requested variation from Section 153.507 (B) (11) (b) of the Lombard Sign Ordinance to allow more than two wall signs to be permitted in the I Limited Industrial District; and,
3. Plans associated with the petition.

Please contact me if you have any questions regarding the aforementioned materials.



VILLAGE OF LOMBARD
 255 E. Wilson Avenue
 Lombard, IL 60148-3931
 (630) 620-5700 FAX: (630) 620-8222
 TDD: (630) 620-5811
 www.villageoflombard.org

April 17, 2008

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

Subject: ZBA 08-02; 200-212 W. North Ave.
 Dear President and Trustees:

Your Zoning Board of Appeals submits for your consideration its recommendation on the above referenced petition. The petitioner requests a variation from Section 153.507 (B) (11) (b) of the Lombard Sign Ordinance to allow more than two wall signs to be permitted in the I Limited Industrial District.

The Zoning Board of Appeals conducted a public hearing on March 26, 2008.

Chairperson Defalco opened the meeting for public comment. The petitioner, Tom Parkinson, was present. Mr. Parkinson stated that he has been a resident of Lombard since 1979. He then stated that he had worked for UPS for over 30 years after which he looked to open his own business. Mr. Parkinson stated that he founded the 5 Star Sign Company at 208 W. North Avenue because that tenant space fit his needs. He added that he was unaware that signage would be a problem for him, but he understands that the zoning dictates the allowable signage. Mr. Parkinson stated that he needs the wall sign to have presence on North Avenue so that he may grow his business. Lastly, Mr. Parkinson stated that he paid all the appropriate fees and did all the required paperwork for his petition and stated that he is asking for nothing out of the ordinary.

Chairperson Defalco asked if anyone was present to speak for or against the petition. There was nobody present to speak for or against the petition.

Chairperson Defalco then requested the staff report. Michael Toth, Planner I, read the staff report. Michael Toth stated that 5 Star Sign Company has recently leased one of seven tenant spaces situated within the commercial building at 200 W. North Avenue located within the I Limited Industrial District. The subject property has access by means of ingress/egress to North Avenue from the south and Ridge Avenue from the east. As the subject property has two (2) street front exposures, the total number of wall signs would be capped at two (2).

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and business to create a distinctive sense of spirit and an outstanding quality of life."

Village Manager
 William T. Lichter

Trustees
 Greg Alan Gron, Dist. 1
 Richard J. Tross, Dist. 2
 John "Jack" T. O'Brien, Dist. 3
 Dana L. Moreau, Dist. 4
 Laura A. Fitzpatrick, Dist. 5
 Rick Soderstrom, Dist. 6

Village Clerk
 Brigitte O'Brien
 Village President
 William J. Mueller

The petitioner wishes to erect one forty (40) square foot wall sign above on the facade of the subject tenant space. Because there are already three existing wall signs located on the subject commercial building, the petitioner is required to obtain a variation to allow for one additional wall sign. As part of this petition, the number of allowable wall signs for the subject property (as a whole) will be examined so that each tenant will have rights to at least one wall sign depending on whether they are an interior or exterior tenant.

Michael Toth stated that the subject property is unique in that it is a multi-tenant semi-commercial building located directly on North Avenue in the I Limited Industrial District. One of the identified reasons signage is more restrictive in the I Limited Industrial District is because of the roadways in that District tend to move at a slower rate. As the subject property has frontage on North Avenue and Ridge Avenue, the property fronts two different speed zones. As a State right of way, North Avenue has a speed limit of 45 miles per hour, while Ridge Avenue has a speed limit of only 25 miles per hour. As there are currently no freestanding signs being utilized for any of the seven tenants or the property collectively, there would be no visual representation for the petitioner's business along North Avenue or Ridge Avenue.

Michael Toth then stated that the zoning issues create a unique circumstance for the subject property. Staff finds that applying portions of Section 153.505(B)(19)(b) of the Sign Ordinance (B4 wall sign standards) to the entire property would be more suitable. No zoning reclassification or text amendments will occur for the subject property. Rather, each tenant space will be afforded similar rights to that of the B4 zoning district, as it pertains to properties with multi tenants. Essentially each tenant would be afforded one wall sign with exterior tenants being allowed to have two wall sign.

Chairperson DeFalso made reference to the other wall signs that were currently located on the subject building and had asked how they were permitted to be placed on the wall. Michael Toth responded that all of the signs on the building had sign permits; however, there was no relief associated with any of the signs.

On a motion by Mr. Polley and a second by Mr. Tapp, the Zoning Board of Appeals recommended that the Village Board approve the petition to apply the B4 - Corridor Commercial District wall sign provisions (as they pertain to multi-tenant buildings) to the subject property by a vote of 6 to 0, subject to the following conditions:

1. The petition shall apply for and receive a building permit for the proposed signage.
2. The signage to be installed shall be essentially in accordance with the sign plan package submitted by 5 Star Signs and made a part of this petition.

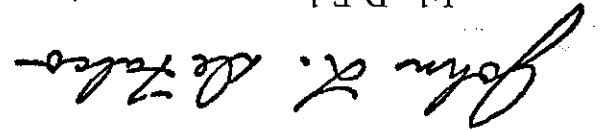
3. The permitted wall signage requirements for tenants located on the subject property are as follows:

a.) Each tenant shall have the rights to only one wall sign. Exterior Tenants shall be permitted to have up to two (2) wall signs, with no more than one (1) sign per wall. Each sign shall face either a parking lot which serves the tenant or a street on which the tenant's parcel has frontage.

b.) The total surface area of a wall sign shall not exceed one times the lineal front footage of the tenant space, excepting that each tenant shall be entitled to a minimum of twenty-five (25) square feet of sign surface area. The total sign surface area of a wall sign shall not exceed one-hundred (100) square feet.

Respectfully,

VILLAGE OF LOMBARD



John DeFalco

Chairperson

Zoning Board of Appeals

**VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Zoning Board of Appeals
FROM: Department of Community Development
PREPARED BY: Michael S. Toth
Planner I

TITLE

ZBA 08-02; 200-212 W. North Ave.: The petitioner requests a variation from Section 153.507 (B) (11) (b) of the Lombard Sign Ordinance to allow more than two wall signs to be permitted in the I Limited Industrial District.

GENERAL INFORMATION

Petitioner: Tom Parkinson
5 Star Sign Company
208 W. North Ave.
Lombard, IL 60148

Relationship of Petitioner: Tenant/Business Owner

Property Owner: FG Enterprises
804 Burr Ridge Club
Burr Ridge, IL 60527

PROPERTY INFORMATION

Existing Zoning: I Limited Industrial District

Existing Land Use: Sign store within a commercial plaza

Size of Property: Approximately 1.6 acres

Surrounding Zoning and Land Use:

North: I Limited Industrial District – developed as offices spaces.

South: R2 Single Family Residence – developed as single family residences.

East: I Limited Industrial District – developed as a storage center known as Storage Mart.

West: I Limited Industrial District – developed as corporate asset recovery service known as Systems Services International

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on February 20, 2008.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, prepared by Glen D. Krirsch Land Surveyor Inc., dated June 5, 1997.
4. Proposed Signage package, prepared by 5 Star Sign Company.

DESCRIPTION

5 Star Sign Company has recently leased one of seven tenant spaces situated within the commercial building at 200 W. North Avenue located within the I Limited Industrial District. The subject property has access by means of ingress/egress to North Avenue from the south and Ridge Avenue from the east. As the subject property has two (2) street front exposures, the total number of wall signs would be capped at two (2). The petitioner wishes to erect one forty (40) square foot wall sign above on the facade of the subject tenant space. Because there are already three existing wall signs located on the subject commercial building, the petitioner is required to obtain a variation to allow for one additional wall sign. As part of this petition, the number of allowable wall signs for the subject property (as a whole) will be examined so that each tenant will have rights to one wall sign.

ENGINEERING

Private Engineering Services

From an engineering or construction perspective, PES has no comments.

Public Works Engineering

Public Works Engineering has no comments.

Public Works Utilities

The Utilities Division of the Dept. of Public Works has no comments on this project. If site improvements are made to this location we would like to review them.

FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has no comments.

PLANNING

Staff can support this variation on the basis that Sign Ordinance has caused a demonstrated hardship. The following excerpt is taken directly from the Sign Ordinance:

The intent of the I - Industrial District sign restrictions is to provide for the need of industrial uses for location identification while protecting the vehicular traffic from the adverse effects of visual distraction, and enhancing the aesthetics of the district by preventing visual clutter. *Because the traffic on Limited Industrial District roadways tends to move at a slower rate and the limitations on retail uses reducing the need for commercial advertising, the size and scale of signage within the district is more restrictive than that permitted in other districts.*

As the italicized portion of the Sign Ordinance demonstrates, signage within the I Limited Industrial District has greater restrictions because those businesses within that district tend to be located in industrial corridors where there is a reduced speed limit making larger signage unnecessary. Also, those businesses are more likely to be destination-type establishments where street exposure isn't as important of a factor as it would be for a retail business.

The subject property is unique in that it is a multi-tenant semi-commercial building located directly on North Avenue in the I Limited Industrial District. As previously mentioned, one of the identified reasons signage is more restrictive in the I Limited Industrial District is because the roadways in that District tend to move at a slower rate. As the subject property has frontage on North Avenue and Ridge Avenue, the property fronts two different speed zones. As a State right of way, North Avenue has a speed limit of 45 miles per hour, while Ridge Avenue has a speed limit of only 25 miles per hour. As there are currently no freestanding signs being utilized for any of the seven tenants or the property collectively, there would be no visual representation for the petitioner's business along North Avenue or Ridge Avenue.

The zoning issues create a unique circumstance for the subject property. Staff finds that applying portions of Section 153.505(B)(19)(b) of the Sign Ordinance (B4 wall sign standards) to the entire property would be more suitable. No zoning reclassification or text amendments will occur for the subject property; rather, each tenant space will be afforded similar rights to that of the B4 zoning district, as it pertains to properties with multi tenants. The following shall apply only to the subject property:

- 1) Each tenant will have the rights to only one wall sign, regardless if the tenant is an interior or exterior tenant space.
- 2) Square footage of the wall sign not to exceed one times the lineal front footage of the tenant space, with a minimum of twenty-five (25) square feet.

Staff finds that the wall sign is appropriately sized and is reasonably located on the building. The subject property has approximately (310) lineal feet of frontage parallel to North Avenue and (227) lineal feet of frontage running parallel to Ridge Avenue. If there were no other signs on the building, under the I – Limited Industrial District requirements the petitioner would have been afforded 120 total square feet of wall signage. The proposed sign would only be forty (40) square feet.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented **has affirmed** the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending approval of the variation:

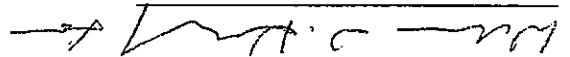
Based on the submitted petition and the testimony presented, the requested variation **does comply** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals accept the findings on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 08-02, subject to the following conditions:

1. The petition shall apply for and receive a building permit for the proposed signage.
2. The signage to be installed shall be essentially in accordance with the sign plan package submitted by 5 Star Signs and made a part of this petition.
3. The permitted wall signage requirements for tenants located on the subject property are as follows:

a.) Each tenant shall have the rights to only one wall sign. Exterior Tenants shall be permitted to have up to two (2) wall signs, with no more than one (1) sign per wall. Each sign shall face either a parking lot which serves the tenant or a street on which the tenant's parcel has frontage.

b.) The total surface area of a wall sign shall not exceed one times the lineal front footage of the tenant space, excepting that each tenant shall be entitled to a minimum of twenty-five (25) square feet of sign surface area. The total sign surface area of a wall sign shall not exceed one-hundred (100) square feet.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP

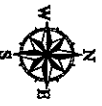
Assistant Village Manager/Director of Community Development

DAH:MT

att-

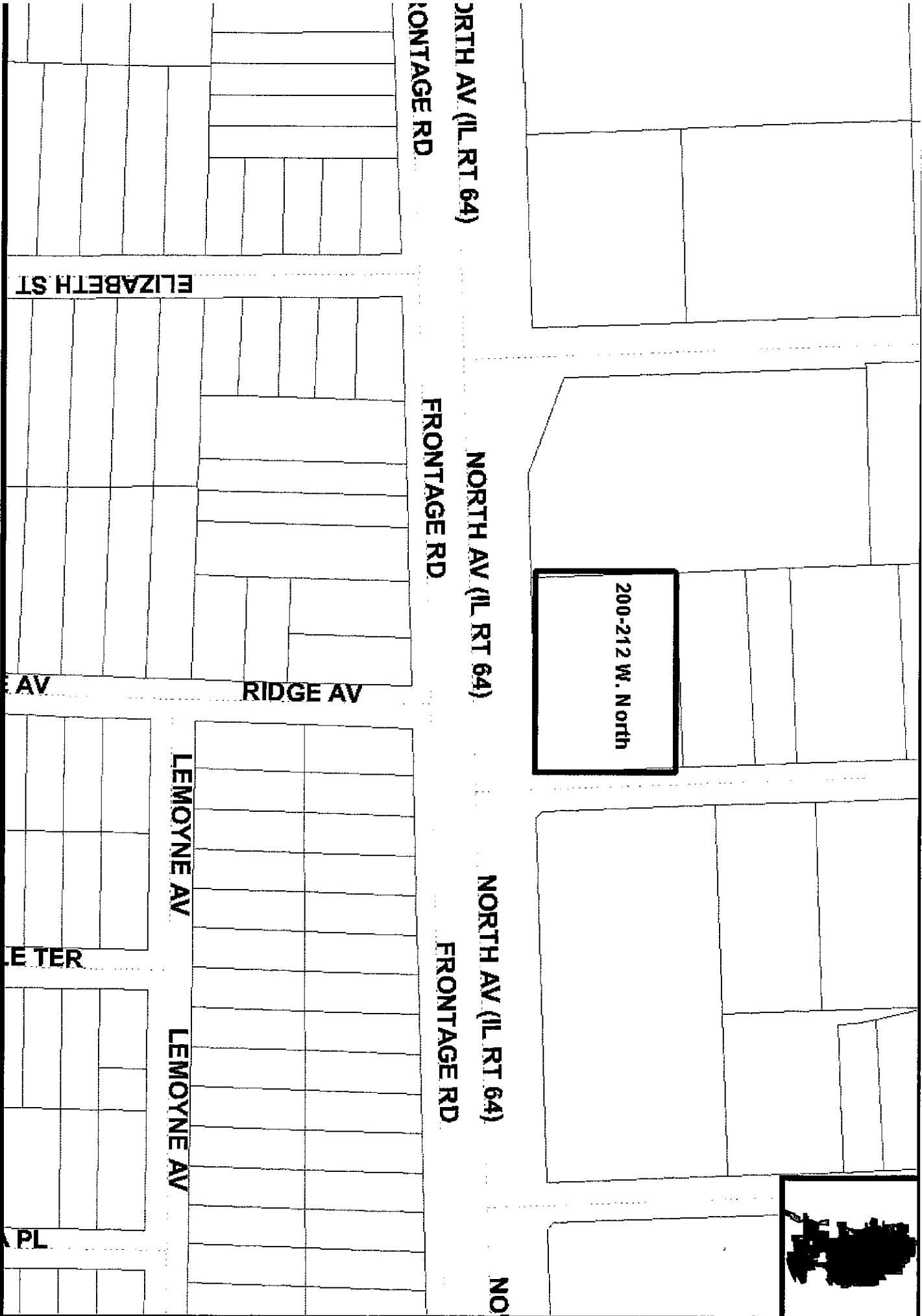
c: Petitioner

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ZBA 08-02: 200-212 W. North Ave

1 in. = 197.2 feet



200-212 W. North

NORTH AV (IL RT 64)

FRONTAGE RD

NORTH AV (IL RT 64)

FRONTAGE RD

NORTH AV (IL RT 64)

FRONTAGE RD

NO

ELIZABETH ST

RIDGE AV

LEMOYNE AV

LEMOYNE AV

ETER

PL



208 W North Ave.
Lombard, IL 60148
Phone: 630 495-2500
Fax: 630 495-2501

Feb. 22, 2008

Dear Mike

Mike Toth
Village of Lombard
255 E Wilson Ave.
Lombard, IL 60148-3931

This is our written response of our answers to the 7 standards for a variation

1. We are a new sign making business in Lombard and it would create a very big hardship for us if we were not able to put a sign up above our storefront. It would be unusual for a sign making company to not have a sign

2. We are located in a commercial zone in a commercial building however; the building has 7 distinct and separate units that all face North Ave. Other commercial businesses that are in their own separate building only need one sign on their building because they are the only occupant. We need a separate sign for our specific unit so that we can be distinguished from other tenants.

3. Financial gain is the underlying factor for our need for a sign but also the ability to stay in business and maintain steady employment for our employees is also a very major concern as to why we need our sign.

4. We are the tenants of this property and the hardship is because of the ordinance that is restricting our need for a sign.

5. We are in a commercial park but we are in a building that faces North Ave which almost makes us like a retail location. There are already many retail locations up and down North Ave. Granting the variation should not be detrimental to anyone due to the fact there is no residential in the immediate area and we should just blend in with the other retail and commercial businesses along North Ave

6. The granting of the variance will not alter anything in the neighborhood that already has businesses with signs above their locations.
7. The variation is for a sign to go above our storefront and will not effect adjacent property owners in any of the stated ways. If anything property values will be enhanced by adding an attractive and professional looking sign to our storefront

Sincerely,

Tom Parkinson
President/Owner

**AN ORDINANCE APPROVING A VARIATION
OF THE LOMBARD SIGN ORDINANCE
TITLE 15, CHAPTER 153 OF THE CODE OF LOMBARD, ILLINOIS**

(ZBA 08-02: 200-212 W. North Ave.)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property is zoned I Limited Industrial District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation from Title 15, Chapter 153, Section 153.507 (B) (11) (b) of said Sign Ordinance, to allow more than two wall signs to be permitted on the subject building; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on March 26, 2008 pursuant to appropriate and legal notice; and,

WHEREAS, the Zoning Board of Appeals has forwarded its findings and recommendations to the Board of Trustees with a recommendation of approval of the variation described herein; and,

WHEREAS, President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested variation.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That a variation is hereby granted from the provisions of Title 15, Chapter 153, Section 153.507 (B) (11) (b) of the Lombard Sign Ordinance, for the property described in Section 2 below, so as to increase the number of wall signs permitted on a building from a total of two (2) to each individual interior tenant being allowed one (1) wall sign and each individual exterior tenant being allowed two (2) wall signs.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 200-212 W. North Ave, Lombard, Illinois, and legally described as follows:

LOT 5 IN LOMBARD BUSINESS CENTER THIRD RESUBDIVISION OF LOTS 1 AND 2 IN LOMBARD BUSINESS CENTER UNIT THREE, BEING A

SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 31,
TOWNSHIP 40 NORTH RANGE 11, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION
RECORDED JUNE 1, 1978 AS DOCUMENT R78-47483, IN DUPAGE
COUNTY, ILLINOIS.

Parcel No: 03-31-401-064

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The petition shall apply for and receive a building permit for the proposed signage.

2. The signage to be installed shall be essentially in accordance with the sign plan package submitted by 5 Star Signs and made a part of this petition.

3. The permitted wall signage requirements for tenants located on the subject property are as follows:

a.) Each tenant shall have the rights to only one wall sign. Exterior tenants shall be permitted to have up to two (2) wall signs, with no more than one (1) sign per wall. Each sign shall face either a parking lot which serves the tenant or a street on which the tenant's parcel has frontage.

b.) The total surface area of a wall sign shall not exceed one times the lineal front footage of the tenant space, excepting that each tenant shall be entitled to a minimum of twenty-five (25) square feet of sign surface area. The total sign surface area of a wall sign shall not exceed one-hundred (100) square feet.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2008.

First reading waived by action of the Board of Trustees this _____ day of _____, 2008.

Passed on second reading this _____ day of _____, 2008.

_____ Ayes:

Nays: _____

Absent: _____

Approved this _____ day of _____, 2008.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me this _____ day of _____, 2008.

Brigitte O'Brien, Village Clerk