

**MEMORANDUM**

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

DATE: February 4, 2016

SUBJECT: PC 16-02; 610 S. Main Street

Subsequent to the close of the public hearing, Trustee Ware inquired about options to help address impacts on the neighboring residents. Through additional discussions with the petitioner and staff, the exterior canopy was further reviewed for to see if there were additional options available to minimize the impact of the expanded canopy. With the consent of Mobil, the petitioner is willing to modify the canopy by eliminating the illumination of the blue banding. Also, the Mobil canopy signage on the south elevation will be moved to the east elevation which will then be facing adjacent commercial properties only.

As such, an alternative revised Ordinance memorializing the changes to help address neighbor concerns is attached for consideration. The amended ordinance adds conditions seven (7) and eight (8).

This item is already on the February 4, 2016 Board of Trustees agenda, with a waiver of first reading.

ORDINANCE NO. _____

AN ORDINANCE GRANTING APPROVAL OF AN AMENDMENT TO ORDINANCES 4021, 4022, AND 5594 ALONG WITH A VARIANCE FROM SECTION 155.414(E)(1) TO ALLOW FOR A FRONT YARD SETBACK OF EIGHTEEN (18) FEET WHERE THIRTY (30) FEET IS REQUIRED TO PROVIDE FOR THE EXPANSION OF THE EXISTING CANOPY; AN AMENDMENT TO THE CONDITIONS OF APPROVAL ASSOCIATED WITH ORDINANCES 4021 AND 4022 TO ALLOW FOR WALL (CANOPY) SIGNAGE ON THE CANOPY; A VARIANCE FROM SECTION 153.208 (H) TO ALLOW FOR AN EXISTING FREESTANDING SIGN TO REMAIN IN THE CLEAR LINE OF SIGHT AREA; AND A VARIANCE FROM SECTION 153.223 (E) TO ALLOW FOR A READER BOARD OF TWELVE (12) SQUARE FEET IN AREA, WHERE NINE (9) SQUARE FEET IN AREA IS ALLOWED

(PC 16-02; 610 S. Main Street)

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 155 of the Code of Lombard, Illinois; and,

WHEREAS, 610 S. Main Street, the Subject Property, is zoned B2 General Neighborhood Shopping District; and,

WHEREAS, an application has been filed requesting approval of an amendment to Ordinances 4021, 4022, and 5594 along with a variance from Section 155.414(E)(1) to allow for a front yard setback of eighteen (18) feet where thirty (30) feet is required to provide for the expansion of the existing canopy; an amendment to the conditions of approval associated with Ordinances 4021 and 4022 to allow for wall (canopy) signage on the canopy; a variance from Section 153.208 (H) to allow for an existing freestanding sign to remain in the clear line of sight area; and a variance from Section 153.223 (E) to allow for a reader board of twelve (12) square feet in area, where nine (9) square feet in area is allowed; and

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on January 25, 2016 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the petition as described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein.

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

SECTION 1: That the following relief is hereby granted for the Subject Property, as described in Section 2 below:

1. An Ordinance granting approval of an amendment to Ordinances 4021, 4022, and 5594 along with a variance from Section 155.414(E)(1) to allow for a front yard setback of eighteen (18) feet where thirty (30) feet is required to provide for the expansion of the existing canopy;
2. An amendment to the conditions of approval associated with Ordinances 4021 and 4022 to allow for wall (canopy) signage on the canopy; a variance from Section 153.208 (H) to allow for an existing freestanding sign to remain in the clear line of sight area; and
3. A variance from Section 153.223 (E) to allow for a reader board of twelve (12) square feet in area, where nine (9) square feet in area is allowed.

SECTION 2: That this Ordinance is limited and restricted to the property located at 610 S. Main Street, Lombard, Illinois and legally described as follows:

LOT 1 IN BLOCK 1 OF GREEN VALLEY SUBDIVISION BEING A PART OF SECTIONS 7 AND 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED JULY 25, 1944 IN BOOK 25 OF PLATS AS DOCUMENT NUMBER 469238 IN THE DUPAGE COUNTY RECORDER'S OFFICE, ILLINOIS AND THAT PART OF MADISON STREET AS VACATED BY DOCUMENT R70-6437, IN VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS.

Parcel Identification Number(s): 06-18-203-032; (the "Subject Property")

SECTION 3: The relief, as provided for in Section 1 of this Ordinance shall be granted subject to compliance with the following conditions:

1. The petitioner shall develop the site in accordance with the plans submitted as part of this request from MacKenzie Sales Inc dated 12/9/15 and ImageFX dated 12/21/15 and 1/19/16;
2. The petitioner shall satisfactorily address all comments noted with the Inter-Departmental Review Committee Report;
3. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the building expansion and site modification are not constructed and operating by said date, this relief shall be deemed null and void;
4. The freestanding sign on must be completely enclosed within the airspace of the petitioner's property and shall not project into the public right-of-way;
5. All lighting must conform to the Village's photometric standards;
6. All other conditions of approval as set forth in Ordinances 4021, 4022, and 5594 not amended by this petition shall remain in full force and effect;
7. The colored banding around the exterior of the canopy shall not be illuminated; and
8. There shall be no canopy signage placed on the south elevation of the canopy.

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 _____, 2016.

First reading waived by action of the Board of Trustees this _____ day of _____, 2016.

Passed on second reading this _____ day of _____, 2016, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2016.

Ordinance No. _____
Re: PC 16-02
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Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2016.

Sharon Kuderna, Village Clerk