



# Village of Lombard

Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
villageoflombard.org

## Minutes

### Plan Commission

*Donald F. Ryan, Chairperson*  
*Commissioners: Ronald Olbrysh, Martin Burke,*  
*Ruth Sweetser, Andrea Cooper, Stephen Flint and*  
*John Mrofcza*  
*Staff Liaison: William Heniff*

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Monday, October 21, 2013

7:30 PM

Village Hall Board Room

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### Call to Order

*Chairperson Ryan called the meeting to order at 7:30 p.m.*

### Pledge of Allegiance

*Chairperson Ryan led the Pledge of Allegiance*

### Roll Call of Members

**Present** 7 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

*Also present: William Heniff, AICP, Director of Community Development; Jennifer Ganser, Assistant Director of Community Development; Matt Panfil, Sr. Planner, and Jason Guisinger, legal counsel to the Plan Commission.*

*Chairperson Ryan called the order of the agenda.*

*Mr. Heniff read the Rules of Procedures as written in the Plan Commission By-Laws*

### Public Hearings

[130538](#)

**PC 13-16: 1103-1177 S. Main Street and 150 E. Roosevelt Road**  
Requests an amendment to Ordinances 5538 and 5624 to allow for modification to the approved Shopping Center Identification sign plan for the Lombard Pines Shopping Center property located within the B4APD Community Shopping District, Planned Development.  
(DISTRICT #6)

*Chairperson Ryan read the Commissions Procedures and asked if anyone other than the Petitioner intends to cross examine, and, hearing none, he proceeded with the petition.*

*Michael Sacker, 945 West George Street, Chicago, IL, spoke as the representative for the Sacker Company. Mr. Sacker stated they are seeking a change to the Planned Development to allow for a full color automatic changeable copy (ACC) sign in lieu of the monochrome sign presently in place at Lombard Pines. No other changes are proposed other than the change in the sign design. The proposed sign will be a full color presentation and the new technology should increase the resolution by approximately 25%. Mr. Sacker noted this should greatly improve the readability and be a better presentation.*

*Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.*

*Ms. Ganser, Assistant Director of Community Development, presented the staff report, which was submitted to the public record in its entirety. The property owner is seeking an amendment to allow for a full color automatic changeable copy sign in lieu of the monochrome sign currently at the location. The four (4) foot by ten (10) foot section of the existing sign is the only portion that would change.*

*The petitioner brought this case before the Plan Commission as case 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. Staff feels they can support this petition due to the technology updates and notes that a full color sign should be more readable.*

*Ms. Ganser referred to the table in the IDRC report outlining the number of requests for relief from the ACC sign requirements. As the table shows, most of these requests were denied by the Village Board. Of the approved requests, 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.*

*Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.*

**A motion was made by Ruth Sweetser, seconded by Stephen Flint, that this Ordinance be recommended to the Corporate Authorities for approval subject to 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.

The motion carried by the following vote:

Aye: 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[130539](#)

**PC 13-17: 155 S. Main Street**

Requests Site Plan Approval for the following signage deviations from the Lombard Sign Ordinance for property located within the B5A Downtown Perimeter District:

1. A deviation from Section 153.208 (H) to allow for a sign to be located within a clear line of sight area;
2. A deviation from Section 153.210 to allow for an Automatic Changeable Copy Sign to be located on a property with less than 500 lineal front footage;
3. A deviation from Section 153.210 (E) to allow for a thirteen (13) square foot display screen of an Automatic Changeable Copy Sign to exceed the maximum permitted area of nine (9) square feet; and
4. A deviation from Section 153.508 (B)(6)(b)(ii) to allow for a 37.5 square foot freestanding sign to exceed the maximum thirty (30) square feet when the principal structure on the zoning lot is set back at least thirty (30) feet from the property line. (DISTRICT #4)

*Chairperson Ryan read the Commissions Procedures and asked if anyone other than the Petitioner intends to cross examine, and, hearing none, he proceeded with the petition.*

*Commissioner Flint recused himself noting he is a member of the church and on the Board of Trustees.*

*Pam Lohman, Director of Sales and Marketing for Chicagoland Signs, located at 1020 West Fullerton Avenue, Addison, IL, represented First United Methodist Church. Ms. Lohman presented the petition requesting a LED automatic changeable copy display in the same location as the existing manual changeable sign. They would like to keep the sign pretty much the same size as the existing sign. Ms. Lohman feels the LED would allow them to get their message out more clearly than the current sign.*

*Chairperson Ryan asked for public comment, and, hearing none, he*

*asked for the staff report.*

*Matt Panfil, Senior Planner presented the staff report, which was submitted to the public record in its entirety. The petitioner is proposing to replace an existing, forty-seven year old, approximately thirty-two (32) square foot freestanding sign with a new 37.5 square foot freestanding sign (thirteen (13) square feet of which is an automatic changeable copy display area). The proposed sign is to be located in the same location as the existing sign at the southwest corner of the lot. Mr. Panfil summarized the four (4) variations requested for this proposal.*

*During the review process one item did come up regarding the location of the sign. The Department of Public Works states that the new sign should be placed outside of the clear line of sight triangle in the interest of traffic safety. Only a very slight movement of the sign is needed in order to meet Village Code. The Planning Services Division (PSD) also concurs with the Department of Public Works and Private Engineering Services (PES) regarding the relocation of the new sign outside of the clear line of sight area, especially in consideration of the fact that the new sign has a solid base and appears to be taller in comparison than the existing sign. The attached graphics indicate that the proposed sign would need to be relocated approximately two feet (2') to the east in order to maintain a clear line of sight area.*

*As the B5A Downtown Perimeter Zoning District is intended to be a transition between the downtown and other commercial areas that accommodates all retail, service, specialty shops, and necessary civic services, the religious institution and its use is consistent with the Zoning Map and existing land use of the surrounding properties.*

*Mr. Panfil offered more information on the variances required.*

*1. A variation from Section 153.208 (H) to allow for a sign to be located within a clear line of sight area.*

*While the visual intrusion is minimal, staff does not support the requested clear line of sight variation because staff does not find a physical hardship that prevents the new sign from being relocated approximately two feet (2') to the east in order to be entirely outside of the clear line of sight area. Staff finds that the hardship has been created by the petitioner's desire to maintain a sign in an existing location, and not because of the Zoning Ordinance.*

*2. A variation from Section 153.210 to allow for an automatic changeable copy sign to be located on a property with less than 500 lineal front footage.*

*Staff can support the requested relief due to the consideration that if the parcels under common ownership by the First United Methodist Church of Lombard were consolidated, the site would exceed 500 lineal feet of frontage. Also, an automatic changeable copy sign may reduce the amount of temporary signage required by the petitioner because it would enable them to display multiple messages throughout the day.*

*3. A variation from Section 153.210 (E) to allow for a thirteen (13) square foot automatic changeable copy sign to exceed the maximum permitted nine (9) square feet.*

*Since 2011, automatic changeable copy signs have been limited to no more than nine (9) square feet in area. Prior to 2011, automatic changeable copy displays were limited to eighteen inches (18") in height, but were not restricted in terms of overall area. While there were cases prior to 2011 granting variations for automatic changeable copy displays taller than eighteen inches (18") in height, there has only been one (1) recent request regarding an automatic changeable copy sign exceeding nine (9) square feet at Yorktown Center Mall.*

*Staff can support the requested relief due to the consideration that the requested variation is less than that supported by staff, the Plan Commission, and Village Board in the past instance and also has the previously stated benefit of potentially reducing the amount of temporary signage on-site.*

*4. A variation from Section 153.508 (B)(6)(b)(ii) to allow for a 37.5 square foot freestanding sign to exceed the maximum permitted thirty (30) square feet when the principal structure on the zoning lot is set back at least thirty feet (30') from the property line within the B5A Downtown Perimeter Zoning District.*

*While the sign exceeds the maximum permitted thirty (30) square foot area, staff can support the requested relief because staff finds the proposed sign to be consistent with the existing structure and surrounding context. Also, the surplus 7.5 square feet of signage is primarily the result of an angled design element with a stone cap that enhances the overall appearance of the sign.*

*Staff finds that, with the exception of the proposed location within the clear line of sight area, the proposed sign is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, Zoning Ordinance, and Sign Ordinance.*

*Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.*

*Chairperson Ryan asked if the petitioner is aware of the movement of the sign. Ms. Lohman said she was aware of the move and it was not a problem.*

*Commissioner Burke questioned the Response to Standards for Variations. Item one (1) states the message on the sign will be controlled, the brightness of the sign will be subdued in hours from dusk to dawn. He asked how this will be monitored by the Village. Mr. Heniff explained several opportunities to monitor the situation. Commissioner Burke questioned the sign and will it disrupt motorist's vision. The petitioner explained the sign is not full color and would be less distracting than the current sign. She added the brightness of the sign could be changed from dusk to dawn via computer.*

**A motion was made by Ronald Olbrysh, seconded by Martin Burke, that this Ordinance be recommended to the Corporate Authorities for approval subject to conditions.**

- 1. The relief is for the variations heretofore listed as items two, three, and four only. The relief is not for the location of a freestanding sign within a clear line of sight area.**
- 2. The petitioner shall construct the sign in substantial conformance with the plans and elevations, prepared by Chicagoland Signs, Corp. and Gentile & Associates, Inc., dated September 20, 2013 and September 26, 2013 respectively and the relief shall be limited as follows:**
  - a. A variation from Section 153.210 to allow for an automatic changeable copy sign to be located on a property with less than 500 lineal front footage;**
  - b. A variation from Section 153-210 (E) to allow for a thirteen (13) square foot automatic changeable copy sign to exceed the maximum permitted nine (9) square feet; and**
  - c. A variation from Section 153.508 (B)(6)(b)(ii) to allow for a 37.5 square foot freestanding sign to exceed the maximum permitted thirty (30) square feet when the principal structure on the zoning lot is set back at least thirty feet (30') from the property line within the B5A Downtown Perimeter Zoning District.**
- 3. Any future signs, including this sign, involving the subject property shall apply for and receive a building permit. The permit will be reviewed in connection with the aforementioned conditions.**
- 4. The petitioner shall satisfactorily address all comments noted within the IDRC Report.**
- 5. 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.

The motion carried by the following vote:

**Aye:** 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, and John Mrofcza

**Abstain:** 1 - Stephen Flint

[130540](#)

**PC 13-18: 540-550 W. North Avenue**

Requests that the Village grant a conditional use pursuant to Section 155.305 of the Lombard Zoning Ordinance to allow for the re-establishment of an existing building (gas station) on the subject property located in the B4 Corridor Commercial District. (DISTRICT #1)

*Chairperson Ryan read the Commissions Procedures and asked if anyone other than the Petitioner intends to cross examine, and, hearing none, he proceeded with the petition.*

*Dan Soltis, 381 East St. Charles Road, Carol Stream, IL, is the representative for CIMA Developers and presented the petition on behalf of the petitioner, Parent Petroleum, Inc. They are requesting a conditional use to reopen the BP gas station located at 550 West North Avenue. Mr. Soltis explained a dealer was put in this location back in December of 2011 however the dealer abandoned the location in April of 2012. This resulted in some legal issues in order for CIMA to get control of the property. CIMA just received possession of this property last month and would like to reopen the location.*

*Chairperson Ryan asked for public comment, and, hearing none, he asked for the staff report.*

*Matt Panfil, Senior Planner presented the staff report, which was submitted to the public record in its entirety. The gas station was last operational in early 2012. The petitioner is not proposing any substantial alterations or site improvements as part of this request. The gas station has not operated for a period of over twelve (12) months. Therefore, per Section 155.103 (F) (12) of the Lombard Zoning Ordinance the previously existing conditional use is expired. However, Section 155.305 allows the owner of any use which is subject to elimination to apply to the Plan Commission for the re-establishment of said conditional use.*

*As the petitioner has indicated their intention to operate the business in a similar manner as it was prior to its closing and that the site was specifically designed for such use, staff finds that allowing for the gas station to re-open is consistent with the surrounding context, the Village of Lombard Comprehensive Plan and Zoning Ordinance, and*

*is in the best interest of the Village.*

*Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.*

**A motion was made by Martin Burke, seconded by Stephen Flint, that this Ordinance be recommended to the Corporate Authorities for approval subject to conditions.**

- 1. That the petitioner shall apply for and receive a Certificate of Occupancy/Zoning Certificate and any other requisite licenses before gas sales resume;**
- 2. That this relief is limited to the operation of a gas station only and any physical site improvements or alterations require approval through the Village and any appropriate governmental agency;**
- 3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and**
- 4. This relief shall be valid for a period of one year from the date of approval of the ordinance. If the gas station is not operating by said date, this relief shall be deemed null and void**

**The motion carried by the following vote:**

**Aye:** 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

[130536](#)

**PC 13-13: Text Amendments to the Zoning Ordinance (Medical Cannabis)**

The Village of Lombard is proposing the following text amendments to the Lombard Zoning Ordinance:

1. An amendment to Section 155.802, Rules and Definitions, (and any other relevant sections for clarity) of the Lombard Zoning Ordinance regarding the definition of “smoking establishment” and add provisions for “medical cannabis dispensing organization” and
2. An amendment to Section 155.412, Office District Requirements, (C) the conditional use status to add provisions for “medical cannabis dispensing organization.” (DISTRICTS - ALL)

*Ms. Ganser, Assistant Director of Community Development, presented the staff report, which was submitted to the public record in its entirety. This summer Governor Quinn signed the Compassionate Use of Medical Cannabis Pilot Program Act. The law creates a four-year pilot medical marijuana program that will go into effect on January 1, 2014. This subject was discussed as a workshop at the last Plan Commission meeting.*

*The Act allows local units of government to establish regulations that provide for reasonable zoning regulations for the cultivation and*



*dispensing of medical marijuana. It states that no unit of local government may regulate registered medical cannabis organizations other than provided for in this Act and may not unreasonably prohibit the cultivation, dispensing, and use of medical cannabis authorized by the Act. The Act provides extensive discussions as to the use, regulation and description of medical cannabis.*

*There are two potential new land uses from the Act: a registered cultivation center and a registered dispensary.*

*A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool, elementary school, secondary school, day school, day care center, day care home, group care home, part day child care facility, or area zoned for residential use. Based on the 2,500 foot buffer of the above-mentioned area, a cultivation center would not be permitted in Lombard per the Act's regulations.*

*According to the Act, registered dispensaries may not be located within 1,000 feet of the property line of a pre-existing public or private preschool, elementary school, secondary school, day care center, day care home, group day care home, or part day child care facility. Additionally, dispensaries may not be located in a house, apartment, condominium, or area zoned for residential use. The 60 dispensaries are to be located throughout Illinois to allow for patients reasonable access to dispensaries. Ms. Ganser referred to the map in the IDRC report showing where a dispensary could locate in Lombard per the Act's regulations based on the 1,000 feet buffers of the above-mentioned area.*

*Staff is proposing the following text amendments to the Zoning Ordinance to meet the Act provisions.*

*The first text amendment is in Section 155.802 - Rules and Definitions. Since this is an emerging land use, the current Zoning Ordinance does not have a definition for a medical cannabis dispensing organization.*

*Second, staff would like to amend the definition of a smoking establishment. Although the State does not allow for medical cannabis to be smoked at smoking establishments, staff feels additional clarity could be needed.*

*Staff also proposes to amend Section 155.412 (C) - Conditional Uses within the O Office Zoning District to allow for Medical Cannabis Dispensing Organizations with a Conditional Use in the Office District.*

*Ms. Ganser concluded by noting staff has prepared the necessary*

*responses to standards for text amendments and would recommend approval of the text amendments.*

*Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.*

*Commissioner Olbrysh questioned how far the permitted establishments would extend on Highland Avenue, north of 22nd Street. He questioned if it would extend to DuPage Medical. Mr. Heniff replied it would extend that far.*

**A motion was made by Ronald Olbrysh, seconded by Ruth Sweetser, that this Ordinance be recommended to the Corporate Authorities for approval. The motion carried by the following vote:**

**Aye:** 6 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

## **Business Meeting**

*The business meeting convened at 8:09 p.m.*

## **Approval of Minutes**

*On a motion by Commissioner Sweetser and seconded by Commissioner Mrofcza the minutes of the September 21, 2013 meeting were unanimously approved by the members present.*

## **Public Participation**

*There was no public participation.*

## **DuPage County Hearings**

*There were no DuPage County hearings.*

## **Chairperson's Report**

*The Chairperson deferred to the Director of Community Development.*

## **Planner's Report**

*The Director of Community Development had no report.*

## **Unfinished Business**

*There was no unfinished business.*

## New Business

*There was no new business.*

## Subdivision Reports

[130542](#)

### **SUB 13-02: LFI 1301 N. Lombard Road**

Requests approval of a three-lot major plat of subdivision for the property located at 1301 N. Lombard Road.  
(DISTRICT #1)

*Commissioner Burke recused himself from this petition.*

*Ms. Ganser, Assistant Director of Community Development, presented the staff report, which was submitted to the public record in its entirety.*

*The petitioner, Location Finders International (LFI), is requesting approval of a three-lot major plat of subdivision for a tract of land located at 1301 N Lombard Road. Earlier this year, SPA 13-01 was approved by the Plan Commission for a warehouse/office building for Native Floral Group on the now proposed Lot 1. The plat proposes to make the one property into three lots of record. This division is considered a major plat of subdivision as it is greater than one acre in size. Therefore the project must be reviewed and approved by the Plan Commission and Village Board of Trustees. The property has a lot area of 13.021 acres. The owner of the lot wishes to subdivide to create three lots in total: Lot 1: 3.931 acres; Lot 2: 8.029 acres; and Lot 3: 1.061 acres. The subject property is currently vacant land and Lot 3 is a wetland.*

*The subject property is bounded by industrial uses in the Village of Lombard to the south and industrial uses to the north and west in the Village of Addison and DuPage County Forest Preserve to the east.*

*The Inter-Departmental Review had minimal comments. Private Engineering Services is generally supportive, pending comments from DuPage County for a special management area on the property.*

*Staff finds that the proposed Plat of Subdivision meets the requirements of the Subdivision and Development Ordinance and the Zoning Ordinance.*

*Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.*

**A motion was made by Stephen Flint, seconded by Ruth Sweetser, that this**

**SUB be recommended to the Corporate Authorities for approval. The motion carried by the following vote:**

**Aye:** 5 - Ronald Olbrysh, Ruth Sweetser, Andrea Cooper, John Mrofcza, and Stephen Flint

**Abstain:** 1 - Martin Burke

## Site Plan Approvals

*There were no site plan approvals.*

## Workshops

### Attention Getting Devices

*Ms. Ganser, Assistant Director of Community Development, presented the workshop. Staff is seeking input from the Plan Commission regarding the definition and regulations of specific attention getting devices. Recently “flag” or “feather” signs have become very popular in Lombard and the surround communities. Section 153.209(A) on the Village of Lombard Sign Code regulates attention getting devices. Staff brought forth a text amendment for Attention Getting Devices at the Plan Commission meeting on April 15, 2013.*

*Staff contacted seventeen neighboring communities regarding regulations of “feather signs.” The results were split leaning toward prohibited in nearby communities.*

*Questions have arisen as staff has been approving permits for “feather signs.” Staff asked for input from the Plan Commission on the following issues:*

*1. Should the Village allow for “feather signs”?*

*Many of the Commissioners felt they were appropriate with regulations on size, duration and number. Ms. Cooper said she likes the regulations in Oakbrook Terrace where attention getting devices are allowed but only at new businesses grand openings.*

*2. Is the size limit of less than 36 square feet adequate? Temporary banners have a maximum area of 32 square feet. Should the height be regulated? These signs could become a windblown hazard if too large.*

*The Plan Commission directed staff to do additional research on the size and height.*

3. *How many signs should be allowed per lot? Currently the Sign Code does not give a maximum number. Surrounding communities vary on the number. For example: Addison allows one; Carol Stream allows one per street frontage; Westmont allows one except along four land thoroughfares where there is no limit.*

*The Plan Commission discussed various ways the number of feather signs could be regulated per lot or per business. It was decided that one feather sign should be allowed per property at one time.*

4. *Should there be regulations on the location of the “feather sign”? Currently the Village allows for them on private property only, prohibiting them in the clear line of sight triangle. For example: DuPage County restricts them to 15 off the front property line, and Westmont restricts them to five off the front property line.*

*The Plan Commission agreed that feather signs should be on private property, prohibited in the clear line of sight triangle.*

5. *Recently at 620 E Roosevelt Road a “feather sign” was permitted. It meets code, but is made of wood. Should the Village place regulations on what the sign is made of? Most “feather signs” are made of fabric.*

*The Plan Commission agreed that feather signs should be made of fabric.*

6. *Should the “feather sign” be attached to permanent structure (like a temporary sign) or allowed to be stand alone?*

*The Plan Commission agreed that feather signs should be allowed to stand alone and do not need to be attached to a permanent structure.*

7. *Should the duration be changed?*

*The Plan Commission discussed multiple ways the duration could be changed as well as revisiting question 3. If each property is only*

*allowed one feather sign it was decided it would be up to the landlord to manage the timing of when different businesses could use feather signs. A time limit of 14 days per year was discussed.*

*This item warranted further discussion and will be continued to a workshop at the November 18, 2014 Plan Commission.*

## **Adjournment**

*The meeting adjourned at 8:48 p.m.*

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*Donald F. Ryan, Chairperson  
Lombard Plan Commission*

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*William J. Heniff, Secretary  
Lombard Plan Commission*