

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: October 11, 2005 (B of T) Date: October 20, 2005

TITLE: ZBA 05-15: 1000-1046 N. Rohlwing Road

SUBMITTED BY: Department of Community Development *DJH*

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 to Section 153.507 (B) (11) (b) of the Lombard Sign Ordinance to allow a second wall sign where only one wall sign is permitted in the B3 Community Shopping District. (DISTRICT #1)

The Zoning Board of Appeals recommended approval of this petition with amended conditions.

Fiscal Impact/Funding Source:

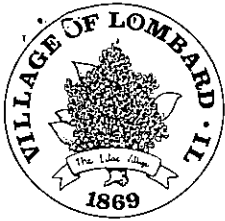
Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____


Village Manager X *W. T. Lichter* _____ Date *10/11/05*

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, Director of Community Development 

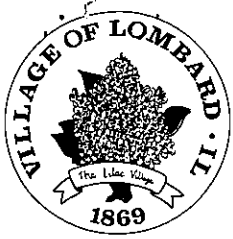
DATE: October 20, 2005

SUBJECT: **ZBA 05-15: 100-46 Rohlwing Rd.**

Attached please find the following items for Village Board consideration as part of the October 20, 2005, Village Board meeting:

1. Zoning Board of Appeals referral letter;
2. IDRC report for ZBA 05-15;
3. An Ordinance granting approval of the requested variation;
4. Drawings of the proposed sign; and
5. Plat of Survey associated with the petition.

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



VILLAGE OF LOMBARD

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Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Trustees
Greg Alan Gron, Dist. 1
Richard J. Tross, Dist. 2
John "Jack" T. O'Brien, Dist. 3
Steven D. Sebby, Dist. 4
Kenneth M. Florey, Dist. 5
Rick Soderstrom, Dist. 6

Village Manager
William T. Lichter

"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."

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

October 6, 2005

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

Subject: ZBA 05-15; 1000-46 Rohlwing Road

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 to Section 153.507 (B) (11) (b) of the Lombard Sign Ordinance to allow a second wall sign where only one wall sign is permitted in the B3 Community Shopping District.

The Zoning Board of Appeals conducted a public hearing on September 28, 2005. Chuck Zen with Olympic Signs presented the petition. Mr. Zen handed out drawings to show the revised location for the proposed sign. He noted that the new location is thirty feet (30') to the north, closer to the actual entrance to the clearance center. He stated that Harlem Furniture has recently remodeled their store with a new marketing concept. He explained that the second floor would have their existing retail line and the first floor would have their clearance center. He noted both signs would still be under the total square footage allowed by code for one wall sign.

Bob Clark with CRB Commercial Interiors, who worked on the remodeling project, gave a brief overview of the new layout for Harlem Furniture. He referenced the floor plans, pointing out the main entrance to the standard retail store, which leads to escalators to the second floor. He noted there is a set of stairs that allow the clearance center to be accessed from the second floor. He also pointed out the separate main entrance to the clearance store.

Chairperson DeFalco opened the meeting for public comment. No one spoke for or against the petition.

Michelle Kulikowski, Associate Planner presented the staff report. She stated that the Harlem Furniture store has recently undergone interior renovations. She noted that Harlem Furniture currently has a one hundred thirty-five (135) square foot wall sign for the standard retail portion of the store. She stated that the petitioner is requesting a variation to allow a second wall sign, approximately sixty-four (64) square feet in size, for the clearance center portion of the store. She noted that as the Sign Ordinance allows for one wall sign per street frontage, a variation is required.

Ms. Kulikowski mentioned that Harlem Furniture is set back over one thousand feet (1000') from the Rohlwing Road right-of-way and that the Lombard Zoning Code would allow a single wall sign up to four hundred (400) square feet in size because the setback is more than three hundred sixty feet (360'). She noted that the total square footage of the two proposed wall signs is only two hundred (200) square feet. She stated that staff finds that the signs are appropriate sized and are reasonably located on the building. Ms. Kulikowski mentioned that the total surface area of the wall signage will meet the Sign Ordinance square footage requirements. She stated that staff can support the variation on the basis that Harlem Furniture is using two different marketing concepts with the clearance center and the standard retail store, and that the second wall sign will help identify the two marketing concepts and help direct customers to the appropriate entrances.

William Heniff, Senior Planner, stated that staff had a concern about the trash on site. He mentioned that when a petition is received for zoning action on a property, staff typically looks at the property as a whole relative to other outstanding code issues. He noted that the trash is largely the result of fly dumping. He stated that he just wanted to bring that up to the Board's attention, and they could choose how they want the issue to be addressed.

Chairperson DeFalco opened the meeting for discussion among the members.

Mr. Bedard asked whether that is something that the Village Code Enforcement Officers could issue a violation notice for. He stated he felt that the trash issue should not be tied to the variation as a condition of approval.

Rob Lescovar, Manager of the Harlem Furniture, stated that they realize it is a problem and they are continuing to monitor the problem. Mr. Clark stated that Harlem Furniture did put up blockades at the cul-de-sac, which has helped to some degree.

Chairperson DeFalco stated that the record should reflect staff's concerns about the fly-dumping issue. The members stated and agreed that this concern should not be tied to the petition as a petition of approval.

Re: ZBA 05-15
October 6, 2005
Page 3

Mr. Polley asked if the sign was already up on the façade of the building. Mr. Zen stated that they currently have a banner up. Mr. Polley asked whether the sign would be bigger. Mr. Zen stated that the banner is approximately thirty-two (32) square feet, so that the proposed sign will be twice the size of the banner.

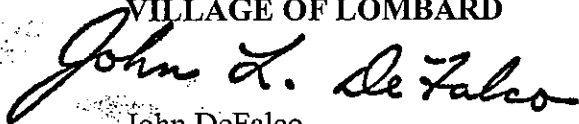
Chairperson DeFalco noted that the recommendation of approval should reflect the revised sign plans.

After due consideration of the submitted petition and the testimony presented, the Zoning Board of Appeals, by a roll call vote of 6-0, submits this petition to the Corporate Authorities with a recommendation of approval for the requested variation, subject to the following conditions, as amended:

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 prepared by Olympic Signs, dated September 28, 2005 and made a part of this petition.

Respectfully,

VILLAGE OF LOMBARD

A handwritten signature in black ink that reads "John DeFalco". The signature is written in a cursive style with a large initial "J".

John DeFalco
Chairperson
Zoning Board of Appeals

East: R1 Single-Family Residence District - developed as a mix of single-family residences, contractor's yards and an automotive repair use

West: B3 Community Shopping District - Interstate 355

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on August 17, 2005.

1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey, prepared by Glen D. Krisch Land Surveyor Inc., dated September 7, 1995
4. Proposed Signage package, prepared by Olympic Signs, dated August 4, 2005.

DESCRIPTION

The Harlem Furniture store has recently undergone interior renovations. The store now consists of a standard retail store on the second floor, accessed by a main entrance leading to an elevator, and a retail clearance center on the first floor, which can be accessed by a side entrance leading directly into the clearance center. Harlem Furniture currently has a one hundred thirty-five (135) square foot wall sign for the standard retail portion of the store. The petitioner is requesting a variation to allow a second wall sign, approximately sixty-four (64) square feet in size, for the clearance center portion of the store. As the Sign Ordinance allows for one wall sign per street frontage, a variation is required.

ENGINEERING

Private Engineering Services

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

Public Works Engineering

Public Works Engineering has no comments or changes.

FIRE AND BUILDING

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

PLANNING

The Sign Ordinance permits one (1) sign per street frontage for businesses in the B3 Community Shopping District. In addition, the Sign Ordinance specifies the size requirements for wall signage based on the building setback from the nearest property line and the lineal front footage of the property. Harlem Furniture is setback over one thousand feet (1000') from the Rohlwing Road right-of-way. Lombard Zoning Code would allow a single wall sign up to four hundred (400) square feet in size because the setback is more than three hundred sixty feet (360'). The total square footage of the two proposed wall signs is only two hundred (200) square feet.

Staff finds that the signs are appropriate sized and are reasonably located on the building. The total surface area of the wall signage will meet the Sign Ordinance square footage requirements. Furthermore, staff can support the variation on the basis that Harlem Furniture is using two different marketing concepts with the clearance center and the standard retail store. The second wall sign will help identify the two marketing concepts and help direct customers to the appropriate entrances.

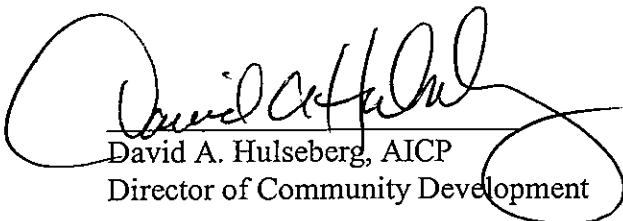
FINDINGS AND RECOMMENDATIONS

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 05-15, 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 prepared by Olympic Signs, dated August 4, 2005 and made a part of this petition.

Inter-Departmental Review Group Report Approved By:

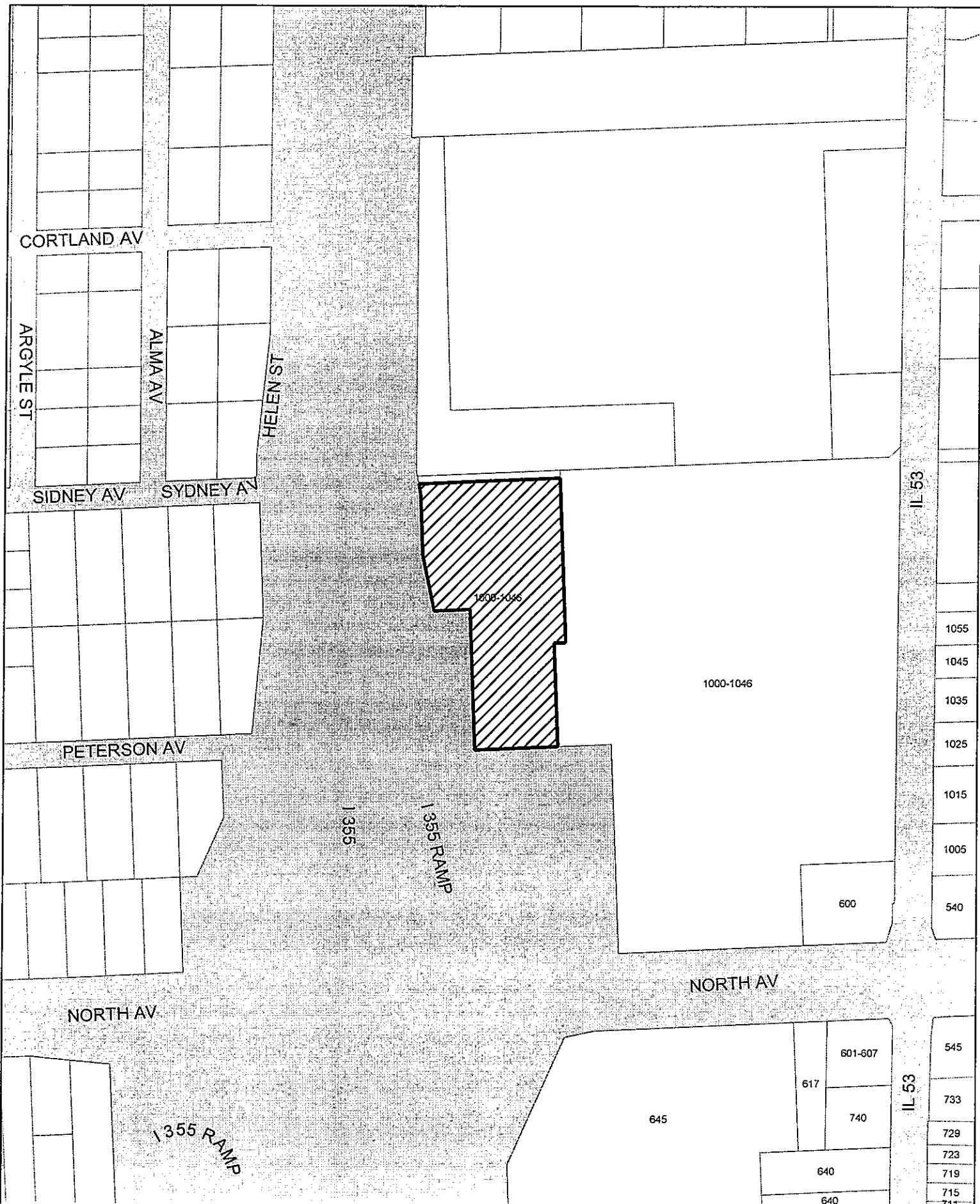


David A. Hulseberg, AICP
Director of Community Development

Location Map

ZBA 05-15

Harlem Furniture



ORDINANCE NO. _____

**AN ORDINANCE APPROVING A VARIATION
OF THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(ZBA 05-15: 1000-46 Rohwling Rd.)

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

WHEREAS, the subject property is zoned B3 Community Shopping District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting a variation to Section 153.507 (B) (11) (b) of the Lombard Sign Ordinance to allow a second wall sign where only one wall sign is permitted in the B3 Community Shopping District; and,

WHEREAS, a public hearing has been conducted by the Zoning Board of Appeals on September 28, 2005 pursuant to appropriate and legal notice; and,

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

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

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 155.507 (B) (11) (b) of the Lombard Sign Ordinance for the property described in Section 2 below, so as to allow a second wall sign where only one wall sign is permitted.

SECTION 2: This ordinance is limited and restricted to the property generally located at 1000-46 Rohlwing Road, Lombard, Illinois, and legally described as follows:

LOT 2 IN NORTHGATE PLAZA RESUBDIVISION OF LOT 1 IN NORTHGATE PLAZA CONSOLIDATION PLAT OF PART OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID NORTHGATE PLAZA

RESUBDIVISION RECORDED NOVEMBER 19, 1993 AS DOCUMENT R93-269848, IN DUPAGE COUNTY, ILLINOIS.

Parcel No: 02-36-412-030

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 prepared by Olympic Signs, dated September 28, 2005 and made a part of this petition.

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 _____, 2005.

First reading waived by action of the Board of Trustees this _____ day of _____, 2005.

Passed on second reading this _____ day of _____, 2005.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____ day of _____, 2005.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk