

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)

X

PRESIDENT AND BOARD OF TRUSTEES

TO:

David A. Hulseberg, Village Manager

FROM:

July 22, 2009

(BOT) Date: August 20, 2009

DATE:

PC 09-22: 555 E. Butterfield Road (Comar Offices Planned Development)

TITLE:

SUBMITTED BY:

Department of Community Development *WA*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests that Village grant approval of the following actions for the subject property located within the O-Office District:

1. A conditional use to establish the subject property as a planned development, pursuant to Section 153.502(F)(3), with the following deviations:

a. A deviation from Section 153.502(B)(5)(b) of the Sign Ordinance to increase the maximum allowable area of a freestanding sign from thirty (30) square feet to ninety-eight (98) square feet.

b. A deviation from Section 153.502(B)(5)(c) of the Sign Ordinance to increase the maximum allowable height of a freestanding sign from six (6) feet to twenty (20) feet.

c. A deviation from Section 153.502(B)(5)(f) of the Sign Ordinance to decrease the minimum allowable distance of a freestanding sign from a property line from ten (10) feet to two (2) feet. (DISTRICT #3)

The Plan Commission recommended approval of this petition with conditions.

Please place this item on the August 20, 2009 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____
Finance Director X _____
Village Manager X _____
David A. Hulseberg

Date _____
Date _____
Date *7/31/09*

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: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP
Director of Community Development *WH*

DATE: August 20, 2009

SUBJECT: PC 09-22: 555 E. Butterfield Road (Comar Offices Planned Development)

Attached please find the following items for Village Board consideration as part of the August 20, 2009 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 09-22;
3. An Ordinance granting approval of the following actions for the subject property located within the O-Office District:

1. A conditional use to establish the subject property as a planned development, pursuant to Section 155.502(F)(3), with the following deviations:

- a. A deviation from Section 153.502(B)(5)(b) of the Sign Ordinance to increase the maximum allowable area of a freestanding sign from thirty (30) square feet to ninety-eight (98) square feet.
- b. A deviation from Section 153.502(B)(5)(c) of the Sign Ordinance to increase the maximum allowable height of a freestanding sign from six (6) feet to twenty (20) feet.

4. Plans and exhibits associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with the petition.

VILLAGE OF LOMBARD
 255 E. Wilson Ave.
 Lombard, Illinois 60148-3931
 (630) 620-5700 Fax (630) 620-8222
 www.villageoflombard.org



August 20, 2009

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

William J. Mueller
 Village President

Brigitte O'Brien
 Village Clerk

Subject: PC 09-22: 555 E. Butterfield Road (Comar Offices Planned Development)
 Dear President and Trustees:

Trustees
 Greg Alan Gron, Dist. 1
 Richard J. Tross, Dist. 2
 Zachary C. Wilson, Dist. 3
 Dana L. Moreau, Dist. 4
 Laura A. Fitzpatrick, Dist. 5
 William "Bill" Ware, Dist. 6

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that Village grant approval of the following actions for the subject property located within the Office District:

David A. Hulseberg
 Village Manager

1. A conditional use to establish the subject property as a planned development, pursuant to Section 155.502(F)(3), with the following deviations:

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

a. A deviation from Section 153.502(B)(5)(b) of the Sign Ordinance to increase the maximum allowable area of a freestanding sign from thirty (30) square feet to ninety-eight (98) square feet.

b. A deviation from Section 153.502(B)(5)(c) of the Sign Ordinance to increase the maximum allowable height of a freestanding sign from six (6) feet to twenty (20) feet.

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

c. A deviation from Section 153.502(B)(5)(f) of the Sign Ordinance to decrease the minimum allowable distance of a freestanding sign from a property line from ten (10) feet to two (2) feet. (This request has been withdrawn by the petitioner.)

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on July 20, 2009.

George Kourtas, 1S660 Midwest Road, Oakbrook Terrace, presented the petition. He stated that he is asking for permission to take down a multi-tenant sign at 555 E. Butterfield Road and replace it. The original sign was built in 1984 and times have changed. He stated that they are looking to have a modern sign,

upgrade it, and give a face lift. He thinks that the sign is too large right now and they want to reduce it to 96 square feet. Granting this variation would be significant to other businesses in the nearby area. He stated that they will be building this sign with a stone base bottom and stone columns to match the building more closely. Times in the office/retail markets are tough and landlords need to make sure things are fresh. The new sign will not interfere with any property values or create obstructions to vehicles driving on Butterfield Road.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. No one spoke in favor or against.

Chairperson Ryan then requested the staff report.

Stuart Moynihan, Associate Planner, presented the staff report. The petitioner, Comar Properties, is proposing to replace a freestanding sign near the northeastern corner of the property located at 555 E. Butterfield Road. The proposed new sign will replace the larger existing sign in the same location. The Zoning Ordinance limits freestanding signs located in the O – Office District to thirty (30) square feet in area and six (6) feet in height. The proposed sign is ninety-eight (98) square feet in area and is twenty (20) feet in height. Therefore, deviations for sign height and area are required.

The petitioner had originally proposed to install the new sign in the same location as the existing sign which is setback two feet (2') from the northern property line. The Zoning Ordinance requires a minimum setback of ten feet (10') from all property lines. Since the submittal, the petitioner has agreed to meet the required setback of ten feet (10'). Therefore, the third deviation is not necessary.

Staff has researched the history of the subject property and has found no records of zoning relief granted to the property. Therefore, any structures, uses, or other situations on the subject property which are not in compliance with the Zoning Ordinance and which were lawfully established at the time can be considered legal non-conforming. The petitioner has decided not to apply for additional zoning relief on the subject property as part of this petition. However, future development activity may require that any such items be brought into compliance or granted the requisite zoning relief.

Section 155.503(F)(3) of the Zoning Ordinance requires that a planned development be established with any variation request on a property which is zoned O – Office District and meets the minimum requirements for lot area and frontage for a planned development. In the O District, the minimum lot area is 45,000 square feet and the minimum frontage is three hundred feet (300'). The subject property is approximately 78,000 square feet and has approximately five hundred thirty-six feet (536') of frontage. Therefore, the petitioner is requesting approval of a planned development on the property.

The Zoning Ordinance encourages and/or requires the establishment of planned developments for large-scale developments. Staff believes establishing a planned development will provide the Village Board with an instrument for managing the multiple uses on the property and encouraging high quality development. Office District Planned Developments have been

established on many nearby properties south of Butterfield Road, including the two properties directly east of the subject property. Staff supports the establishment of a planned development on the subject property.

The petitioner is proposing to install a new freestanding sign on the subject property. At ninety-eight (98) square feet in area, the proposed sign would exceed the maximum of thirty (30) square feet permitted by the Zoning Ordinance.

The petitioner and the sign contractor have cited several reasons for the size of the proposed sign. The size of the sign is necessary to provide sufficient room to advertise each of the tenants which occupy the building on the subject property. In addition, each sign cabinet must be large enough to be visible from Butterfield Road.

At twenty feet (20') in height, the sign would exceed the maximum of six feet (6') permitted by the Zoning Ordinance. Arguments similar to those made for the sign's area can be made for the sign's height. The additional sign height will allow the petitioner to provide advertising space for each tenant. The height is also requested to allow for a stone base and a decorative roof.

Staff notes that if the property were zoned B3, B4, or B4A no deviations for the proposed signage would be needed. As the property fronts on a state right-of-way (Illinois 56), the Sign Ordinance would allow a freestanding sign up to one hundred twenty-five (125) square feet in area and up to twenty-five feet (25') in height. As the building contains multiple tenants, including a bank which draws customers to the site, it is reasonable to consider that the property may have similar signage needs to those in the B3, B4, or B4A zoning districts.

The existing freestanding sign on the property, permitted in 1984, is larger in both height and area than the proposed sign. Staff estimates the area of the existing sign to be two hundred two and one-half (202.5) square feet. The estimated height of the sign is twenty-two and one-half feet (22.5').

Staff supports the requested signage deviations, with the exception of a reduced setback, due to site considerations, multiple uses on the property, aesthetic enhancements, and size reductions from the existing sign which brings it into closer compliance with Village code.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Olbrys stated that the new sign is being reduced in overall size and is much more attractive. He stated that he noticed that the old sign has the address and the new proposal does not. He asked if they will rely on the address being on the building.

Mr. Kouratas stated that they have not ruled out putting the address on the new sign. He stated that right now they are in talks with the designer and architect to remodel the building. So the address would be on the building if not on the pylon.

On a motion by Commissioner Cooper and a second by Commissioner Sweetser, the Plan Commission voted 4 to 0 that the Village Board **approve** the petition based on the finding that the petitioner had met the required Standards as set forth in the Zoning and Sign Ordinances.

Based on the submitted petition and the testimony presented, the proposed conditional use to establish a planned development and deviations do comply with the standards required by the Lombard Zoning and Sign Ordinances and that granting the planned development approval enhances the overall development and is within the public interest; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-department Group Report as the findings of the Lombard Plan Commission, and recommend to the Corporate Authorities **approval** PC 09-22, subject to the following conditions:

1. The proposed sign shall be constructed in accordance with the plans prepared by Grate Signs, Inc., dated May 26, 2004, revised March 25, 2009 and as depicted in Exhibit A, and made a part of this petition, except as they may be changed to conform with Village code and the conditions below.

2. The proposed freestanding sign shall have a setback of no less than ten feet (10') from all property lines.

3. The existing retaining wall surrounding the sign shall be removed from the public right-of-way and shall be sufficiently set back from all property lines so as to not conflict with public utilities. All disturbed areas shall be restored with topsoil and sod in a manner acceptable to the Director of Community Development.

4. The petitioner shall submit a Plat of Resubdivision to establish a Lot of Record on the subject property.

5. As part of the approval, the petitioner shall also address the comments included within the IDRC Report.

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

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

TO: Lombard Plan Commission

FROM: Department of Community Development
PREPARED BY: Stuart Moynihan
Associate Planner

TITLE

PC 09-22; 555 E. Butterfield Road (Comar Offices Planned Development): The petitioner requests that Village grant approval of the following actions for the subject property located within the O-Office District:

1. A conditional use to establish the subject property as a planned development, pursuant to Section 155.502(F)(3), with the following deviations:

a. A deviation from Section 153.502(B)(5)(b) of the Sign Ordinance to increase the maximum allowable area of a freestanding sign from thirty (30) square feet to ninety-eight (98) square feet.

b. A deviation from Section 153.502(B)(5)(c) of the Sign Ordinance to increase the maximum allowable height of a freestanding sign from six (6) feet to twenty (20) feet.

c. A deviation from Section 153.502(B)(5)(f) of the Sign Ordinance to decrease the minimum allowable distance of a freestanding sign from a property line from ten (10) feet to two (2) feet. (This request has been withdrawn by the petitioner.)

GENERAL INFORMATION

Petitioner/Property Owner:

Gus Danos
Comar Properties
1S660 Midwest Road
Oakbrook Terrace, IL 60181

PROPERTY INFORMATION

Existing Zoning:

O – Office District

Existing Land Use:

Financial Institution and Office Building

Size of Property:

Approximately 1.8 acres

Comprehensive Plan: Recommends Office
Surrounding Zoning and Land Use:

- North: B3PD – Community Shopping District Planned Development; developed as Yorktown mall.
- South: O – Office District; developed as office buildings.
- East: OPD – Office District Planned Development; developed as TGI Friday's restaurant and office buildings.
- West: O – Office District; developed as an office building.

ANALYSIS

SUBMITTALS

This report is based on the following documentation, which was filed with the Department of Community Development on June 23, 2009:

1. Petition for Public Hearing.
2. Applicable Response to Standards for:
 - a. Variations
 - b. Conditional Uses
 - c. Planned Developments
 - d. Planned Development with Other Exceptions.
3. ALTA/ACSM Land Title Survey, prepared by Webster, McGrath, and Ahlberg, Ltd., dated May 16, 2007, showing the location of the existing freestanding sign.
4. Photograph of the existing sign.
5. Plans associated with the proposed sign, prepared by Grate Signs, Inc., dated May 26, 2004, revised March 25, 2009.

DESCRIPTION

The petitioner, Comar Properties, is proposing to replace a freestanding sign near the northeastern corner of the property located at 555 E. Butterfield Road. The proposed new sign will replace the larger existing sign in the same location. The Zoning Ordinance limits

treestanding signs located in the O – Office District to thirty (30) square feet in area and six (6) feet in height. The proposed sign is ninety-eight (98) square feet in area and is twenty (20) feet in height. Therefore, deviations for sign height and area are required.

The petitioner had originally proposed to install the new sign in the same location as the existing sign which is setback two feet (2') from the northern property line. The Zoning Ordinance requires a minimum setback of ten feet (10') from all property lines. Since the submittal, the petitioner has agreed to meet the required setback of ten feet (10'). Therefore, the third deviation is not necessary.

Section 155.503(F)(3) of the Zoning Ordinance requires that a planned development be established with any variation request on a property which is zoned O – Office District and meets the minimum requirements for lot area and frontage for a planned development. As 555 E. Butterfield Road meets these requirements, the establishment of a planned development is also necessary.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The Private Engineering Services Division of Community Development has the following comments on the above petition:

- 1) The brick retaining wall in the public right-of-way shall be removed and the area restored with topsoil and sod.
- 2) Private Engineering does not support item #1c, allowing the sign to remain within 2 feet of the property line. The sign is 7' from the watermain in the parkway of the Butterfield frontage road. Thus, to access the watermain, the columns of the sign would be exposed in the dig. Additionally, there is ample green space to the south to relocate the sign and bring it into compliance with the 10' from ROW requirement.

The Utilities Division of the Department of Public Works has reviewed the above petition and concurs with Private Engineering Services' comments. Public Works' comments are as follows:

- 1) A watermain is located under brick retaining wall. (See below photos.*) The retaining wall would be removed if a repair to the watermain was required. The Village should not be responsible for restoring the retaining wall as it is in the public ROW.



2) Public Works does not support item #1c. The new sign should be relocated a minimum of 10 ft. from the property line. This will result in 15ft. separation between sign and watermain which is acceptable to Public Works.

FIRE AND BUILDING

Upon review of the above referenced request for deviation to the current signage ordinance to increase size and height of signage for the property, the Fire Department/Bureau of Inspectional Services has no comments at this time.

PLANNING

Compliance with the Zoning Ordinance

Staff has researched the history of the subject property and has found no records of zoning relief granted to the property. Therefore, any structures, uses, or other situations on the subject property which are not in compliance with the Zoning Ordinance and which were lawfully established at the time can be considered legal non-conforming. The petitioner has decided not to apply for additional zoning relief on the subject property as part of this petition. However, future development activity may require that any such items be brought into compliance or granted the requisite zoning relief.



Existing office building with bank and drive-through at 555 E. Butterfield Rd.

Section 155.503(F)(3) of the Zoning Ordinance requires that a planned development be established with any variation request on a property which is zoned O – Office District and meets the minimum requirements for lot area and frontage for a planned development. In the O District, the minimum lot area is 45,000 square feet and the minimum frontage is three hundred feet (300'). The subject property is approximately 78,000 square feet and has approximately five hundred thirty-six feet (536') of frontage. Therefore, the petitioner is requesting approval of a planned development on the property.

The Zoning Ordinance encourages and/or requires the establishment of planned developments for large-scale developments. Staff believes establishing a planned development will provide the Village Board with an instrument for managing the multiple uses on the property and encouraging high quality development. Office District Planned Developments have been established on many nearby properties south of Butterfield Road, including the two properties directly east of the subject property. Staff supports the establishment of a planned development on the subject property.

Compliance with the Sign Ordinance

The petitioner is proposing to install a new freestanding sign on the subject property. At ninety-eight (98) square feet in area, the proposed sign would exceed the maximum of thirty (30) square feet permitted by the Zoning Ordinance. The proposed sign will display tenant names and information on a signage face twelve feet (12') in height by eight feet two inches (8'2") in width. The petitioner and the sign contractor have cited several reasons for the size of the proposed sign. The size of the sign is necessary to provide sufficient room to advertise each of the tenants which occupy the building on the subject property. In addition, each sign cabinet must be large enough to be visible from Butterfield Road.

At twenty feet (20') in height, the sign would exceed the maximum of six feet (6') permitted by the Zoning Ordinance. Arguments similar to those made for the sign's area can be made for the sign's height. The additional sign height will allow the petitioner to provide advertising space for each tenant. The height is also requested to allow for a stone base and a decorative roof.

The petitioner had originally requested three deviations related to the proposed freestanding sign. One of the deviations was a request to reduce the required setback of the sign from the northern property line from ten feet (10') to two feet (2'). Two feet (2') is the current setback of the existing sign. Due to the comments of Private Engineering Services and Public Works, the petitioner has agreed to meet a setback of ten feet (10') making this deviation unnecessary. Exhibit A (attached) shows how the ten foot (10') setback requirement could be met.

Even at its current two foot (2') setback from the northern property, the existing sign is far enough from the nearby driveway at TGI Friday's as not to conflict with the clear line of sight

area. The proposed sign would be constructed outside of the clear line of sight area and would allow for greater visibility at a setback of ten feet (10') from the northern property line.

Staff notes that if the property were zoned B3, B4, or B4A no deviations for the proposed signage would be needed. As the property fronts on a state right-of-way (Illinois 56), the Sign Ordinance would allow a freestanding sign up to one hundred twenty-five (125) square feet in area and up to twenty-five feet (25') in height. As the building contains multiple tenants, including a bank which draws customers to the site, it is reasonable to consider that the property may have similar signage needs to those in the B3, B4, or B4A zoning districts.

The existing freestanding sign on the property, permitted in 1984, is larger in both height and area than the proposed sign. Staff estimates the area of the existing sign to be two hundred two and one-half (202.5) square feet. The estimated height of the sign is twenty-two and one-half feet (22.5'). The petitioner has stated that they want to replace the sign because it is "unattractive and too large for this office complex." Therefore, they wish to reduce the overall size of the sign and aesthetically enhance it by adding a decorative roof, a stone base, and brick columns. Staff supports the requested signage deviations, with the exception of a reduced setback, due to site considerations, multiple uses on the property, aesthetic enhancements, and size reductions from the existing sign which brings it into closer compliance with Village code.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends office uses at this location. The Comprehensive Plan suggests several policies that should be used to guide improvement to commercial developments. One of those policies is ensuring the highest quality of design, including signage and graphics. If the comments and conditions noted in this report are incorporated into the petitioner's final plans, this development will meet the recommendations of the Comprehensive Plan.

Compatibility with Surrounding Land Uses

The site is surrounded by other office uses, a restaurant to the east, and commercial uses to the north. The office and bank uses on the property are unlikely to negatively impact surrounding land uses as they are of a similar nature.

Existing freestanding sign at 555 E. Butlerfield Rd.



FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Lombard Zoning Ordinance and the Sign Ordinance, subject to conditions of approval. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition, subject to the attached conditions:

Based on the submitted petition and the testimony presented, the proposed conditional use to establish a planned development and deviations do comply with the standards required by the Lombard Zoning and Sign Ordinances and that granting the planned development approval enhances the overall development and is within the public interest; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-department Group Report as the findings of the Lombard Plan Commission, and recommend to the Corporate Authorities **approval** PC 09-22, subject to the following conditions:

1. The proposed sign shall be constructed in accordance with the plans prepared by Grate Signs, Inc., dated May 26, 2004, revised March 25, 2009 and as depicted in Exhibit A, and made a part of this petition, except as they may be changed to conform with Village code and the conditions below.

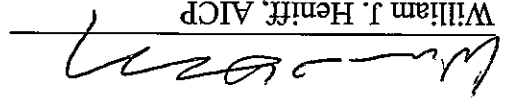
2. The proposed freestanding sign shall have a setback of no less than ten feet (10') from all property lines.

3. The existing retaining wall surrounding the sign shall be removed from the public right-of-way and shall be sufficiently set back from all property lines so as to not conflict with public utilities. All disturbed areas shall be restored with topsoil and sod in a manner acceptable to the Director of Community Development.

4. The petitioner shall submit a Plat of Resubdivision to establish a Lot of Record on the subject property.

5. As part of the approval, the petitioner shall also address the comments included within the IDRRC Report.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP
Director of Community Development

WJH

c: Petitioner

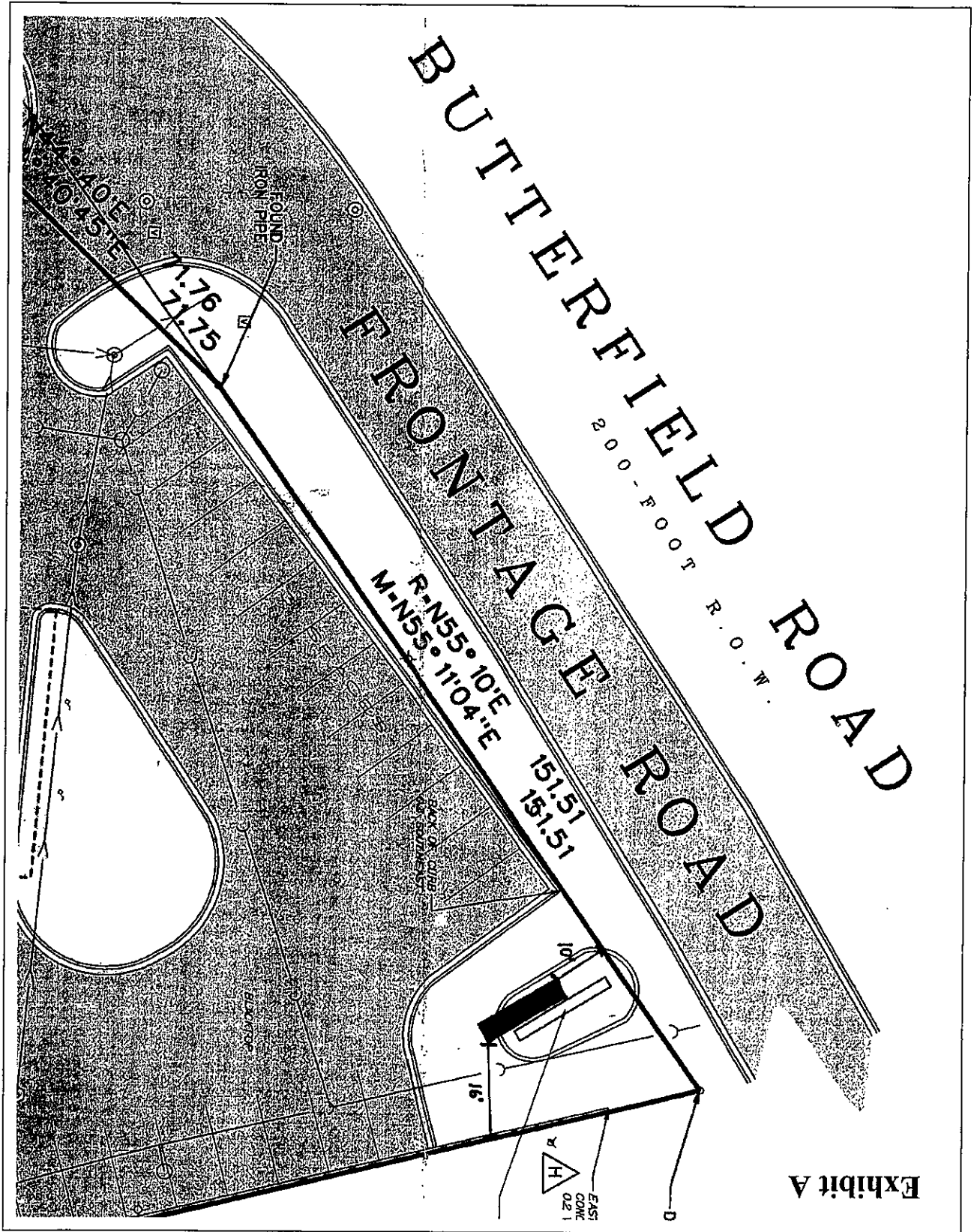
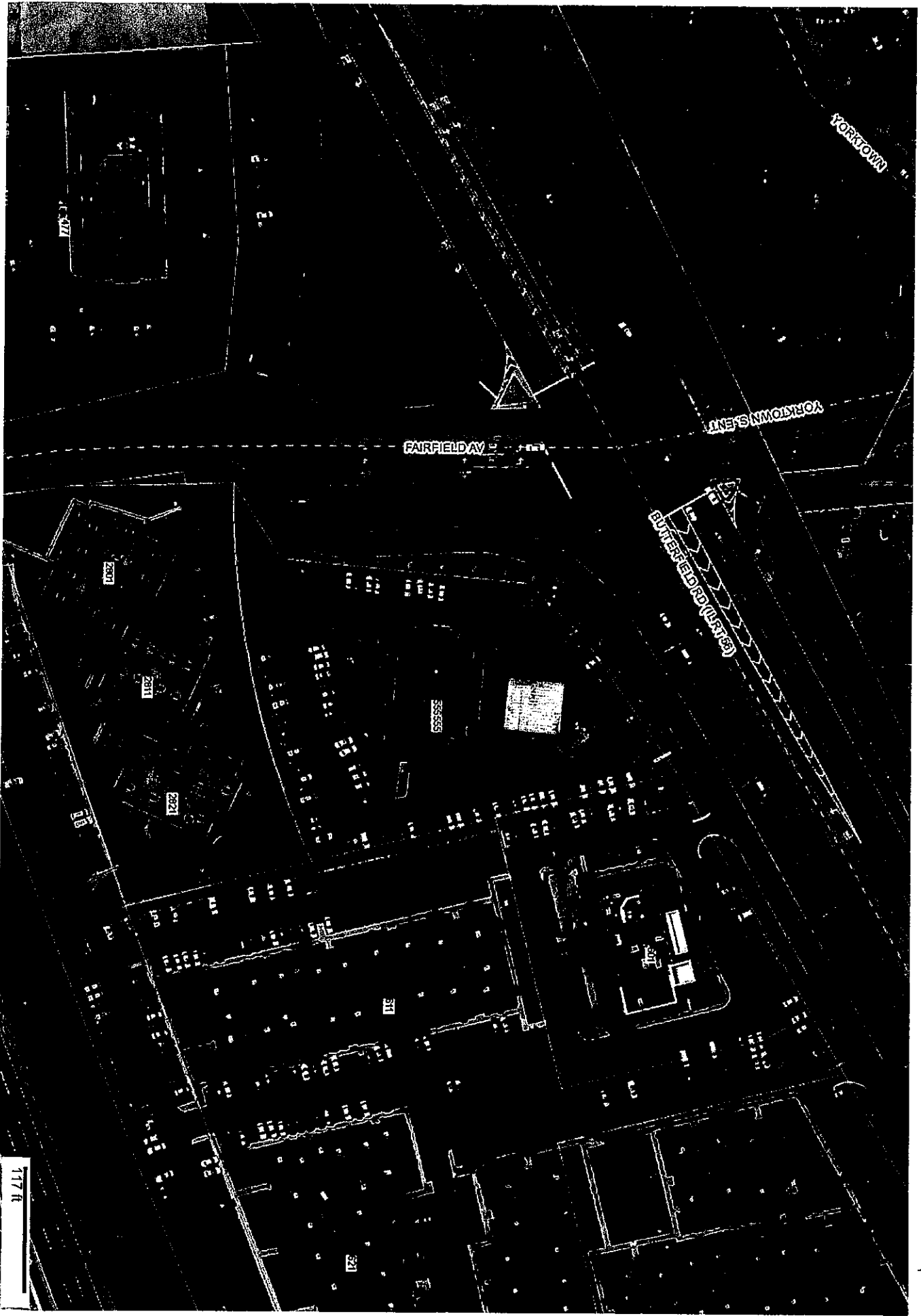


Exhibit A

555 E. Butterfield Road





P.O. BOX 2788 • 4044 WEST McDONOUGH • JOLIET, ILLINOIS 60431
PHONE (815) 729-9700 • (312) 242-0881
FAX # (815) 729-3355

June 4, 2009

RESPONSE TO STANDARDS FOR VARIATIONS

- 1) The existing multi-tenant ground sign is unattractive and too large for this office complex. The owner would like to remodel this sign and make it more attractive by adding a stone base, brick columns and a decorative roof. He would also like to reduce the overall size of the sign from 139 sq.ft. to 96 sq.ft. Refer to Design #04.0597-W.
- 2) The existing sign is unique to other properties zoned Office.
- 3) No financial gain will be realized by remodeling this sign other than making it more appealing to prospective tenants.
- 4) The existing sign was permitted by past zoning codes.
- 5) Granting of this variation will not be detrimental to traffic conditions. The remodelled sign will be in the same location sufficiently set back from Butterfield Road and nowhere near any street accesses. Refer to Survey Plat.
- 6) The remodelled sign will improve the character of the surrounding neighborhood.
- 7) The remodelled sign will not do any of the mentioned concerns and, if anything, will improve the property values within the neighborhood.

“Make Every Sign A Grate Sign”

VII. STANDARDS FOR CONDITIONAL USES

1. The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare. Public general welfare will not be affected by improving the appearance of the existing ground sign.
2. The conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood in which it is to be located. Property in the immediate vicinity will benefit from a more attractive ground sign and property values in the neighborhood will improve as well.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. Surrounding property will have an attractive model to emulate for future developments.
4. The adequate public utilities, access roads, drainage and/or necessary facilities will be improved. The remodeled sign will beat the same existing locations on the property and therefore will not affect public utilities, access roads, drainage, etc.
5. Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Existing location of the ground sign is nowhere near access to traffic.
6. The proposed conditional use is not contrary to the objectives of the current comprehensive plan.
7. Remodeling the existing ground sign will make it more attractive and more in conformance with existing sign regulations to city has set forth.

IX. STANDARDS FOR PLANNED DEVELOPMENTS

A. GENERAL STANDARDS

1. Our proposed planned development complies with all the regulations the district or districts in which it is to be located.
2. Community sanitary sewage and potable water facilities connected to a central system are provided. None of these will be affected at all.
3. The dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.
4. The proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.
5. Our proposed planned development is designed to avoid any inconvenience or unsafe access, traffic congestion in the street which adjoins our planned development, and no excessive burden on public parks, recreation areas, schools, or other public facilities which serve or are proposed to serve the planned development.

C. STANDARDS FOR PLANNED DEVELOPMENTS WITH OTHER EXCEPTIONS

1. Our proposed planned development will not have any reduction in the requirements of the Ordinance and is in the public interest.
2. Our proposed planned development exceptions will not adversely impact the value or use of any other property.
3. These exceptions are solely for the purpose of promoting better development which will be beneficial to the occupants of the planned development as well as those of the surrounding properties.
4. The overall area of our proposed planned development shall not exceed by more than 40% of the maximum floor area permitted for the individual uses in each applicable district.
5. .
6. The buildings located within our planned development shall not have any adverse impact on adjoining buildings and shall not invade the privacy of the occupants of such buildings and shall conform to:
 - a. The front, side, or rear yard setbacks on the perimeter of the development shall not be less than that required in the abutting zoning districts or the zoning district underlying the subject site, whichever is greater.
 - b. All transitional yards and transitional landscaping yards of the underlying zoning district are complied.
7. The area of open space provided in the planned development shall be at least 25% more than that required in the underlying zoning district.

**AN ORDINANCE GRANTING A CONDITIONAL USE FOR A PLANNED
DEVELOPMENT PURSUANT TO TITLE 15, CHAPTER 155, SECTION
155.502(F)(3) OF THE LOMBARD ZONING ORDINANCE WITH DEVIATIONS
TO THE LOMBARD SIGN ORDINANCE**

(PC 09-22; 555 E. Butterfield Road [Comar Offices Planned Development])

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, the Subject Property as defined below is zoned O – Office District; and,

WHEREAS, an application has been filed requesting approval of a conditional use for a planned development pursuant to Section 155.502(F)(3) of the Lombard Zoning Ordinance with deviations to the Lombard Sign Ordinance as set forth herein for the property described in Section 2 below; and,

WHEREAS, a public hearing on the foregoing application was conducted by the Village of Lombard Plan Commission on July 20, 2009 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 zoning actions described herein, subject to conditions; 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 zoning actions 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 follows:

SECTION 1: That a conditional use is hereby granted for the property described in Section 2 below and pursuant to Title 15, Chapter 155, Section 155.502(F)(3) of the Village of Lombard Zoning Ordinance so as to allow said property to be used for a

planned development with the following deviations, subject to compliance with the conditions set forth in Section 3 below:

- a. A deviation from Section 153.502(B)(5)(b) of the Sign Ordinance to increase the maximum allowable area of a freestanding sign from thirty (30) square feet to ninety-eight (98) square feet.
- b. A deviation from Section 153.502(B)(5)(c) of the Sign Ordinance to increase the maximum allowable height of a freestanding sign from six (6) feet to twenty (20) feet.

SECTION 2: That this Ordinance is limited and restricted to the properties located at 555 E. Butterfield Road, Lombard, Illinois and legally described as follows:

THAT PART OF LOTS 1 AND 2 (TAKEN AS A TRACT) IN NAEGELE'S RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOTS 2 AND 3 IN NAEGELE'S ASSESSMENT PLAT IN SECTIONS 29 AND 32, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED SEPTEMBER 22, 1959, AS DOCUMENT 940835, DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 14 DEGREES 01 MINUTE WEST, ALONG THE EAST LINE OF SAID LOT 2, 38.50 FEET FOR A POINT OF BEGINNING; THENCE SOUTHWESTERLY, ALONG A CURVE TO THE RIGHT, HAVING A CHORD BEARING SOUTH 77 DEGREES 50 MINUTES 12 SECONDS WEST AND A RADIUS OF 840.00 FEET FOR A DISTANCE OF 359.60 FEET ARC MEASURE, TO A POINT ON A LINE CONVEYED FOR HIGHWAY FROM LOT 1 (SAID LINE CONVEYED FOR HIGHWAY HAVING A BEARING OF SOUTH 57 DEGREES 59 MINUTES WEST AND A DISTANCE OF 100.14 FEET), SAID POINT ON SAID HIGHWAY LINE BEING 17.50 FEET FROM THE WESTERLY END OF SAID HIGHWAY LINE, AS MEASURED ALONG SAID LINE; THENCE NORTH 57 DEGREES 59 MINUTES EAST, ALONG SAID HIGHWAY LINE, 82.64 FEET; THENCE NORTH 5 DEGREES 27 MINUTES EAST, ALONG THE SOUTHEASTERLY LINE OF SAID HIGHWAY, 230.82 FEET TO A POINT IN THE WEST LINE OF SAID LOT 2, 36.31 FEET SOUTH 13 DEGREES 42 MINUTES EAST FROM THE NORTHWEST CORNER OF SAID LOT 2; THENCE NORTH 44 DEGREES 40 MINUTES EAST, ALONG THE SOUTHERLY LINE OF SAID HIGHWAY, 71.76 FEET; THENCE NORTH 55 DEGREES 10 MINUTES EAST, ALONG

THE SOUTHERLY LINE OF PROPERTY CONVEYED FOR HIGHWAY,
151.51 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE
SOUTH 14 DEGREES 01 MINUTE EAST, ALONG THE EAST LINE OF SAID
LOT 2, 347.06 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY,
ILLINOIS.

Parcel Number: 06-29-402-016; (the "Subject Property").

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

1. The proposed sign shall be constructed in accordance with the plans prepared by Grate Signs, Inc., dated May 26, 2004, revised March 25, 2009 and as depicted in Exhibit A, and made a part of this petition, except as they may be changed to conform with Village code and the conditions below.

2. The proposed freestanding sign shall have a setback of no less than ten feet (10') from all property lines.

3. The existing retaining wall surrounding the sign shall be removed from the public right-of-way and shall be sufficiently set back from all property lines so as to not conflict with public utilities. All disturbed areas shall be restored with topsoil and sod in a manner acceptable to the Director of Community Development.

4. The petitioner shall submit a Plat of Resubdivision to establish a Lot of Record on the subject property.

5. As part of the approval, the petitioner shall also address the comments included within the IDRC Report.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

SECTION 5: 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 _____, 2009.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.

Passed on second reading this _____ day of _____, 2009, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2009.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this _____ day of _____, 2009.

Brigitte O'Brien, Village Clerk