

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: August 25, 2015 (B of T) Date: September 3, 2015

TITLE: PC 15-22; MKT Restaurant – 18 W. St. Charles Road

SUBMITTED BY: Department of Community Development *MA*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. Pursuant to Section 155.502 (F)(3), the petitioner requests that the Village grant a conditional use for a planned development for the subject property with a companion deviation from Section 153.228(E) for a projecting sign to project more than four feet from the supporting wall located in the B5 Zoning District.

The Plan Commission recommended approval of this petition by a vote of 5-0.

The petitioner requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):
Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

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: Scott R. Niehaus, Village Manager

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

DATE: September 3, 2015

SUBJECT: **PC 15-22; MKT Restaurant, 18 W. St. Charles Road**

Please find the following items for Village Board consideration as part of the September 3, 2015 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 15-22; and
3. An Ordinance granting approval of a conditional use for a planned development for the subject property with a companion deviation from Section 153.228(E) for a projecting sign to project more than four feet from the supporting wall located in the B5 Zoning District

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the September 3, 2015 Board of Trustees agenda with a waiver of first reading, as requested by the petitioner.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

September 3, 2015

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bob Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

"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."

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

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 15-22; MKT Restaurant – 18 W. St. Charles Road

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. Pursuant to Section 155.502 (F)(3), the petitioner requests that the Village grant a conditional use for a planned development for the subject property with a companion deviation from Section 153.228(E) for a projecting sign to project more than four feet from the supporting wall located in the B5 Zoning District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on August 17, 2015. Sworn in to present the petition was William J. Heniff, Director of Community Development and the petitioner, John Dagon.

Chairperson Ryan read the Plan Commissions procedures and asked if anyone other than the petitioner intended to cross examine, and, hearing none, he proceeded with the petition.

Mr. Dagon stated the goal of the restaurant is to be consistent with the 1927 time period, when the building was built. The branding and customer facing materials, including this sign, needs to fit the motif. Therefore an art deco neon sign was proposed. A vertical sign was dismissed since it would cast too much light on the second floor apartments. Due to a protruding awning, sight lines were blocked in certain places. Those are the reasons why the variance is needed.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none,

Chairperson Ryan asked for the staff report.

Mr. Heniff presented the staff report, which was submitted to the public record in its entirety. He stated the petitioner is in the process of renovations for a first floor restaurant. Signage is one of the final items and the petitioner would like the sign to be consistent with the restaurant and downtown Lombard. He noted the past sign did cast light on the second floor residents. The proposed sign would project approximately one foot beyond Code. The existing awning gives them an extra level of protection. The proposed sign is consistent with the Downtown Lombard Revitalization Guidebook and Comprehensive Plan. The Economic and Community Development Commission and Village Board approved two grant requests for this property and Lombard Town Centre also supported the sign in the grant requests.

Commissioner Cooper asked if the sign is sitting on the awning so you could not see it from below. Mr. Heniff said correct.

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

Commissioner Sweetser said all considerations and standards have been met.

On a motion by Commissioner Cooper, and a second by Commissioner Burke, the Plan Commission voted 5-0 that the Village Board approve the petition associated with PC 15-22, subject to the following four (4) conditions:

1. Any future signs, including this sign, involving the subject property shall apply for and receive a building permit. Said permit shall be accordance with the sign plan prepared by Grate Signs, with a revision date of June 30, 2015, and made a part of this petition.
2. The white roofing/awning structure must remain on the building while the projecting sign is in place.
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.
4. Insurance will be provided per Code, as well as a hold harmless agreement.

Respectfully,


VILLAGE OF LOMBARD
Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

MKT Restaurant – 18 W. St. Charles Road

August 17, 2015

Title

PC 15-22

Petitioner

John Dagnon
619 W. Wenonah Avenue
Oak Park IL 60304

Property Owner

Don Tuchscherer
PO Box 61
Lombard IL 60148

Property Location

18 W. St. Charles Road
(06-07-206-040)
Trustee District #1

Zoning

B5

Existing Land Use

2-story mixed use building

Comprehensive Plan

Community Commercial

Approval Sought

Pursuant to Section 155.502 (F)(3), the petitioner requests that the Village grant a conditional use for a planned development for the subject property with a companion deviation from Section 153.228(E) for a projecting sign to project more than four feet from the supporting wall located in the B5 Zoning District

Prepared By

Jennifer Ganser, Assistant
Director



LOCATION MAP

DESCRIPTION

The petitioner, John Dagnon, is opening a new restaurant at 18 W. St. Charles Road. The proposed sign would project 5'8" from the building, while Code allows for a 4' projection. The sign will not project further than the white roofing/awning material which is currently on the building. The property is also being considered for a conditional use for a planned development, pursuant to the Zoning Ordinance.

APPROVAL(S) REQUIRED

Pursuant to Section 155.502 (F)(3), the petitioner requests that the Village grant a conditional use for a planned development for the subject property with a companion deviation from Section 153.228(E) for a projecting sign to project more than four feet from the supporting wall located in the B5 Zoning District

EXISTING CONDITIONS

The subject property is currently improved as a two-story, multi-tenant building with second story residential.

PROJECT STATS

Lot & Bulk

Parcel Size: 0.14 acres

Submittals

1. Petition for a public hearing, submitted;
2. Response to Standards for a Planned Development;
3. Plat of Survey, prepared by Glen D. Krisch Land Surveyor, Inc., dated October 28, 1986,; and
4. Signage plat, prepared by Grate Signs, dated June 30, 2015.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments regarding the project.

Fire Department:

The Fire Department has no comments regarding the project.

Private Engineering Services (PES):

PES has no comments regarding the project.

Public Works:

The Department of Public Works has the following comment on the subject petition:

- The owner has agreed to provide an indemnification agreement to release the Village from any responsibility other than direct damage by Village personnel and equipment. It is our understanding that the Community Development Department will receive that agreement and forward a copy to Public Works prior to approving a permit for the sign.

Planning Services Division (PSD):

The Planning Services Division notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	B5	Parking
South	B5	Retail
East	B5	Mixed use building with 1 st floor commercial
West	B5	Mixed use building with 1 st floor commercial

Staff finds the project is consistent with the zoning and land use of the surrounding properties.

2. Comprehensive Plan Compatibility

The Comprehensive Plan recommends community commercial for the site and staff notes the restaurant will be in compliance. The Comprehensive Plan itself does not give guidance on signage, but the Downtown Revitalization Guidebook, adopted as part of the Comprehensive Plan, supports façade improvements and signage in the downtown. The proposed sign could be visible to both cars and pedestrians.

3. Zoning & Sign Ordinance Compatibility

The petitioner is proposing to install a projecting sign which will project further from the building than Code allows. Currently there is a white roofing/awning on the building and the proposed sign will not project further from that. The petitioner did look into a more vertical projecting sign (much like the former Dutch Kitchen sign), but a vertical sign would have a greater impact on the second floor residential units. The proposed sign was designed to have minimal impact on the second floor residential units.



Planning staff engaged the Building Division and the Department of Public Works early in the application process to consider their feedback. If the proposed sign was damaged, mostly likely the pieces would fall onto the white roofing/awning rather than the public sidewalk. Per Section 153.103 (E), the projecting sign will need insurance before the permit is issued. Also, staff is preparing a hold harmless agreement to be signed by the petitioner.

Section 155.502 of the Zoning Ordinance encourages the use of planned developments that provide for a more efficient use of the site. Staff is supportive of the planned development request as it establishes a framework for review and consideration of subsequent activities or structures that could be developed in the future. The creation of the planned development will also allow for additional community input through the public hearing process for future improvements to the site.

SITE HISTORY

The subject property was built in 1927 per the York Township Assessor. The property has not been before the Plan Commission or Zoning Board of Appeals. The petitioner did appear before the Economic and Community Development Committee (ECDC) for two grant requests on the property. Both requests were supported by Village staff, Lombard Town Centre, the ECDC, and approved by the Village Board of

Trustees. At the time, the petitioner did not have final plans for the projecting sign. As the ECDC does not review zoning matters, this item is being brought to the Plan Commission.

FINDINGS & RECOMMENDATIONS

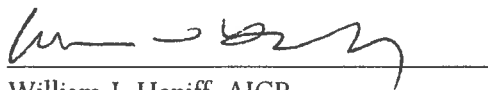
Staff finds that the proposed sign deviation and planned development is consistent with its surrounding context, the Village of Lombard Comprehensive Plan, Zoning Ordinance, and Sign Ordinance.

The Inter-Departmental Review Committee has reviewed the Standards for the conditional use and for a planned development and requested signage and finds that the petition **complies** with the standards established by the Village of Lombard Zoning and Sign Ordinances, and that granting the planned development and the signage relief is in the public interest. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for **approval** of PC 15-22:

Based on the submitted petition and the testimony presented, the proposed planned development with a signage deviation do comply with the standards required by the Village of Lombard Zoning Ordinance and, therefore, I move that the Plan Commission accept the findings of the Inter-Departmental Review Report as the findings of the Plan Commission, and recommend to the Village Board **approval** of PC 15-22, subject to the following conditions:

1. Any future signs, including this sign, involving the subject property shall apply for and receive a building permit. Said permit shall be accordance with the sign plan prepared by Grate Signs, with a revision date of June 30, 2015, and made a part of this petition.
2. The white roofing/awning structure must remain on the building while the projecting sign is in place.
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.
4. Insurance will be provided per Code, as well as a hold harmless agreement.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

H:\CID\WORDUSER\PC\CASES\2015\PC 15-22\PC 15-22_IDRC Report.docx

SIDE VIEW

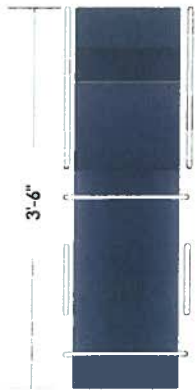


photo not to scale

**One (1) Double-Face Externally-Illuminated
Blade-Mounted Neon Sign**

Client: Marquette Kitchen & Tap

Drwng # 15-0232-B

Approved:

Sales: Kelly

Date: 5-14-15

Scale: 3/4"=1'

Drawn by: JTG

Last Revised by: JTG

Rev Date: 6-30-15

All sign designs and concepts shown here are confidential and are the property of Grate Signs, Inc. They are not to be distributed, exhibited, copied, or otherwise used without our written permission.

COMPUTER GENERATED COLORS ARE NOT A TRUE MATCH TO ANY PMS, VINYL, OR PAINT.



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Nowakowski, Tamara

From: Ganser, Jennifer
Sent: Tuesday, August 18, 2015 11:58 AM
To: Nowakowski, Tamara
Subject: FW: PC 15-22

From: John [<mailto:dags1234@yahoo.com>]

Sent: Tuesday, August 18, 2015 11:56 AM

To: Ganser, Jennifer

Subject: Re: PC 15-22

Hi Jennifer, please waive the first reading for our variance request. We need the extra two weeks since we are staffed and ready to open on 9/4.

John

Sent from my iPad

On Aug 18, 2015, at 10:41 AM, Ganser, Jennifer <GanserJ@villageoflombard.org> wrote:

John,

Glad the Plan Commission went well. The next step is signing the hold harmless agreement and the Board Meeting on September 3rd. Please have the document signed before September 3rd, I am happy to notarize it for you and Don. It is recommended that you attend the September 3rd Board meeting, and because your request was recommended approval it will be on the consent agenda and you should not need to present. Please send me an email if you would like to request waiver of first reading, otherwise your petition will need to be read twice (September 3rd and September 17th).

Jennifer

Jennifer Ganser

Assistant Director of
Community Development
Village of Lombard
255 E Wilson Ave. Lombard, IL 60148

<image001.png>

Phone: (630) 620-5717
Fax: (630) 620-2374
Email: ganseri@villageoflombard.org
Web: www.villageoflombard.org

Follow us:   

ORDINANCE NO. _____

AN ORDINANCE GRANTING APPROVAL OF A CONDITIONAL USE TO ESTABLISH THE SUBJECT PROPERTY AS A PLANNED DEVELOPMENT WITH A COMPANION DEVIATION FOR A PROJECTING SIGN TO PROJECT MORE THAN FOUR FEET FROM THE SUPPORTING WALL LOCATED IN THE B5 ZONING DISTRICT

(PC 15-22: MKT Restaurant, 18 W. St. Charles Rd)

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, the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned B5 Central Business District; and,

WHEREAS, an application requests approval for a conditional use for a planned development for the subject properties located within the B5 Central Business District, and a deviation from Section 153.228(E) to allow for a projecting sign to project more than four feet from the supporting wall located in the B5 Central Business District; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on August 17, 2015 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 deviation 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 follows:

Ordinance No. _____

Re: PC 15-22

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SECTION 1: That a conditional use is hereby granted for the Subject Property, as described in Section 4 below, pursuant to Title 15, Chapter 155, Section 155.502(F)(3) of the Zoning Ordinance to establish the subject property as a Planned Development; and

SECTION 2: That a deviation is hereby granted from Section 153.228(E) for a projecting sign to project more than four feet from the supporting wall; and

SECTION 3: This ordinance is limited and restricted to the property generally located at 18 W. St. Charles Road, Lombard, Illinois, and legally described as follows:

PARCEL 1:

THE WESTERLY 48.12 FEET (AS MEASURED ALONG ST. CHARLES ROAD) OF LOT 5 IN BLOCK 11 IN THE TOWN OF "LOMBARD", BEING A SUBDIVISION IN SECTION 5, 6, 7, 8 AND 18, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE FULLY DESCRIBED BY COMMENCING AT THE NORTHWESTERLY CORNER OF SAID LOT 5; THENCE SOUTHERLY ON THE WESTERLY LINE OF LOT 5, 165.01 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 5, WHICH IS THE NORTHERLY LINE OF ST. CHARLES ROAD, 48.12 TO A POINT IN THE NORTHERLY AND PARALLEL WITH THE WESTERLY LINE OF SAID LOT 5, 160.40 FEET TO A POINT IN THE NORTHERLY LINE OF LOT 5; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 5, 47.88 FEET TO THE PLACE OF THE BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1868, AS DOCUMENT 9483 IN DUPAGE COUNTY, ILLINOIS.

PIN 06-07-206-040

PARCEL 2:

A STRIP OF LAND 33.0 FEET IN WIDTH LYING NORTHERLY OF AND ADJOINING BETWEEN THE EASTERLY AND WESTERLY LINES EXTENDED NORTHERLY OF THAT PART OF LOT 5 IN BLOCK 11, AFORESAID, IN DUPAGE COUNTY, ILLINOIS.

PIN 06-07-206-039

Ordinance No. _____

Re: PC 15-22

Page 3

SECTION 4: The deviations set forth in SECTION 2 above shall be granted subject to compliance with the following conditions:

1. Any future signs, including this sign, involving the subject property shall apply for and receive a building permit. Said permit shall be accordance with the sign plan prepared by Grate Signs, with a revision date of June 30, 2015, and made a part of this petition.
2. The white roofing/awning structure must remain on the building while the projecting sign is in place.
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report.
4. Insurance will be provided per Code, as well as a hold harmless agreement.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this _____ day of _____, 2015.

First reading waived by action of the Board of Trustees this _____ day of _____, 2015.

Passed on second reading this _____ day of _____, 2015.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2015.

Ordinance No. _____
Re: PC 15-22
Page 4

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2015.

Sharon Kuderna, Village Clerk