

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)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *deh*

DATE: April 27, 2009 (BOT) Date: May 7, 2009

TITLE: PC 09-06: 433 East St. Charles Road (Paradise Bay Water Park)

SUBMITTED BY: Department of Community Development *MD*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests a variation to Section 153.501(B)(10)(a) of the Lombard Sign Ordinance to increase the maximum allowable area of a single wall sign from fifty (50) square feet to eighty and one half (80.5) square feet in the CR Conservation/Recreation Zoning District. (DISTRICT #5)

The Plan Commission recommended approval of this petition with conditions.

The petitioner is requesting a waiver of first reading.

Please place this item on the May 7, 2009 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney

Finance Director

Village Manager

Date

Date

Date

4/30/09

[Handwritten Signature]



MEMORANDUM

TO: David A. Hulseberg, Village Manager

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

DATE: May 7, 2009

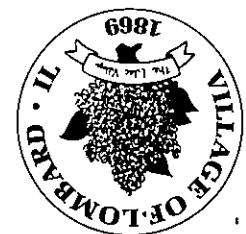
SUBJECT: PC 09-06: 433 East St. Charles Road (Paradise Bay Water Park)

Attached please find the following items for Village Board consideration as part of the May 7, 2009 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 09-06;
3. An ordinance granting a variation to Section 153.501(B)(10)(a) of the Lombard Sign Ordinance for the subject property in the CR Conservation/Recreation Zoning District and;
4. Plans associated with the petition.

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

The petitioner has requested a waiver of the first reading of the ordinance.



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

May 7, 2009

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

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

Subject: PC 09-06: 433 East St. Charles Road (Paradise Bay Water Park)

Trustees
Greg Alan Gron, Dist. 1
Richard J. Tross, Dist. 2
John "Jack" T. O'Brien, Dist. 3
Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
Rick Soderstrom, Dist. 6

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village take the following action on the subject property:

Village Manager
David A. Hulseberg

1. The petitioner, the Lombard Park District, requests a variation to Section 153.501(B)(10)(a) of the Lombard Sign Ordinance to increase the maximum allowable area of a single wall sign from fifty (50) square feet to eighty and one half (80.5) square feet in the CR Conservation/Recreation Zoning District.

"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."

Paul Friedrichs, Executive Director of the Lombard Park District, 227 W. Parkside, presented their petition. He also introduced John Dzarnowski, of FGM Architecture, who stated that Mr. Dzarnowski was the lead architect that designed the park and sign.

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

John Dzarnowski, FGM Architecture, 1121 W. 22nd Street, Oak Brook, IL, summarized their request highlighting the proposed new sign at the Paradise Bay Water Park. He described the sign, gave its dimensions, and noted the distance the sign would be located from St. Charles Road. He said that the proposed sign would be approximately 80½ square feet in size.

Chairperson Ryan opened the meeting for public comment.

There were no comments or questions from the public.

Chairperson Ryan then requested the staff report.

Stuart Moyniham, Associate Planner, presented the staff report. Staff drafted the IDR/C report to submit to the public record in its entirety. On September 18, 2006, the Plan Commission approved PC 06-24, granting a conditional use for an upgrade and modernization of the existing Paradise Bay Water Park facility located within Lombard Common. That approval was associated with the general features of the proposed park; however, specific plans detailing signage were not considered as part of the petition.

The history of zoning relief on the property includes:

- PC 89-03: The property was granted a variation to increase the allowable surface area of a freestanding sign from thirty (30) to forty (40) square feet to increase visibility on Grace Street and St. Charles Road. This sign was located at the corner of Grace and St. Charles and has since been removed.
- PC 06-24: The property was granted a conditional use for a recreational facility (water park) to allow the upgrade/reconstruction of the existing aquatic facilities.
- PC 08-22: The property was granted a variation to increase the maximum allowable height of a structure from thirty feet (30') to forty-eight feet (48') to allow the construction of a waterslide tower.

In February 2009, the Lombard Park District submitted a permit application for a wall sign to be attached to the front security gate on the new aquatic facility building. The submitted plans, which have been included as part of this petition, indicate that the proposed wall sign will have an area of approximately eighty and one half (80.5) square feet.

The proposed sign will face northward toward St. Charles Road. Attached to the security gate at the water park entrance, the wall sign would be approximately one hundred and ninety-three feet (193') from the northern property line. At this distance, a wall sign that is fifty (50) square feet would likely be illegible from St. Charles Road. However, unlike the commercial districts, in the CR District the Sign Ordinance does not permit increased wall sign area due to greater distance from property lines.

In the case that this water park was a commercial operation and located within a commercial zoning district, the wall sign area could be increased beyond the requested 80.5 square feet. In the B-1 and B-2 zoning districts, the petitioner would have rights to one hundred (100) square feet based on the property's lineal frontage on St. Charles Road. In the B-3 and B-4 zoning districts, the petitioner would have rights to two hundred (200) square feet based on the property's lineal frontage and the sign's distance from the property line.

The Paradise Bay Water Park facility is expected to be functionally similar to a commercial water park. Therefore, it is reasonable to expect that this facility would have similar signage needs to a commercial operation of the same nature. The petitioner is requesting a relatively minor increase in signage size when compared to what would be permitted on the nearby commercially zoned properties along St. Charles Road. Staff finds that the petitioner has met the Standards for Variations and, therefore, recommends approval of this petition.

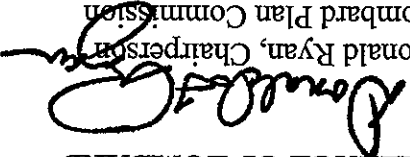
There were no questions or comments from the Commissioners.

Commissioner Flint motioned to approve PC 09-06 subject to the conditions noted in the staff report. The motion was seconded by Commissioner Olbrish.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposal **complies** with the standards required by the Lombard Zoning Ordinance; and, therefore, moved that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, by a roll call vote of 6 to 0, recommends to the Corporate Authorities **approval** of the zoning actions associated with PC 09-06.

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

HEARING DATE: April 20, 2009

TITLE

PC 09-06; 433 East St. Charles Road (Paradise Bay Water Park): The petitioner, the Lombard Park District, requests a variation to Section 153.501(B)(10)(a) of the Lombard Sign Ordinance to increase the maximum allowable area of a single wall sign from fifty (50) square feet to eighty and one half (80.5) square feet in the CR Conservation/Recreation Zoning District.

GENERAL INFORMATION

Petitioner/Property Owner:
Lombard Park District
227 West Parkside Avenue
Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: C/R Conservation Recreation District
Existing Land Use: Local Park with an existing pool/water park
Size of Property: Approximately 49.3 Acres
Comprehensive Plan: Recommends open space and recreational use

Surrounding Zoning and Land Use:

North: R4PD Limited General Residence District, Planned Development, developed as Oakview Estates Condominiums; also property zoned B4 Corridor Commercial District, developed as a surveyor's office, Lombard Hobbies and Poolside Dogs fast-food restaurant

South: R2 Single-Family Residence District; developed as Single-Family Residences

East: R2 Single-Family Residence District; developed as Single-Family Residences

West: R2 Single-Family Residence District; developed as Single-Family Residences

ANALYSIS

SUBMITTALS

This report is based on the following documents:

1. Public Hearing Application, dated March 20, 2009.
2. A narrative and response to the standards for variations prepared by the petitioner.
3. Building elevations and plans for the proposed wall sign prepared by FGM Architects and dated February 24, 2009.

DESCRIPTION

The Park District is proposing to add a wall sign to the previously approved plans for the new Paradise Bay Water Park facility located within Lombard Common. The water park was previously approved as a conditional use on September 18, 2006 as PC 06-24. The maximum size for a wall sign in the CR Conservation/Recreation Zoning District is fifty (50) square feet. The proposed sign is approximately eighty and one half (80.5) square feet. Therefore, approval of a variation is required.

INTER-DEPARTMENTAL REVIEW COMMENTS

BUILDING AND FIRE

The Fire Department has no comments on the subject petition.

PUBLIC WORKS

Public Works has no comments on the subject petition.

PRIVATE ENGINEERING

The Private Engineering Division of Community Development has no comments on the subject petition.

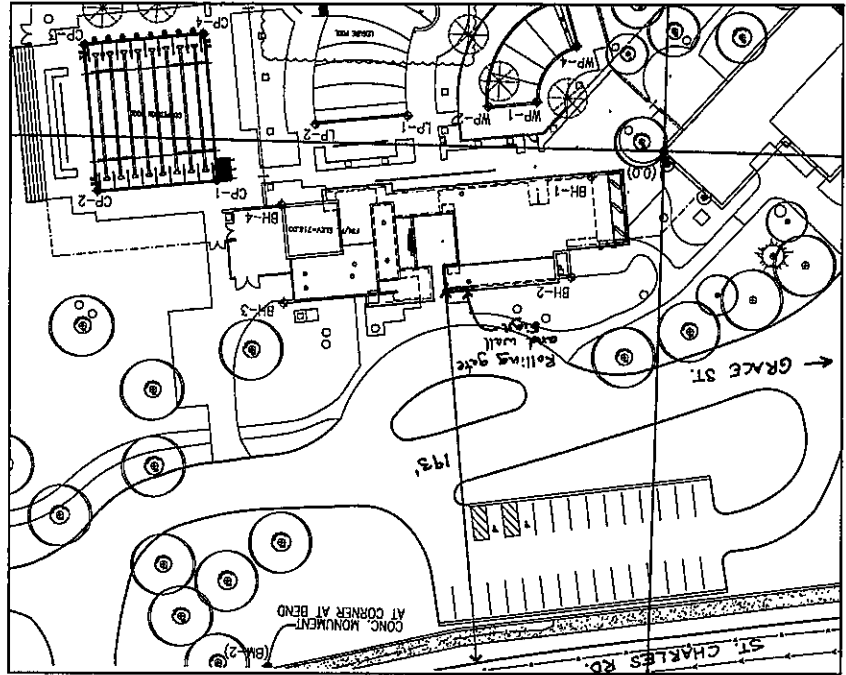
PLANNING

On September 18, 2006, the Plan Commission approved PC 06-24, granting a conditional use for an upgrade and modernization of the existing Paradise Bay Water Park facility located within Lombard Common. That approval was associated with the general features of the proposed park; however, specific plans detailing signage were not considered as part of the petition.

The history of zoning relief on the property includes:

- PC 89-03: The property was granted a variation to increase the allowable surface area of a freestanding sign from thirty (30) to forty (40) square feet to increase visibility on Grace Street and St. Charles Road. This sign was located at the corner of Grace and St. Charles and has since been removed.
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- PC 08-22: The property was granted a variation to increase the maximum allowable height of a structure from thirty feet (30') to forty-eight feet (48') to allow the construction of a waterslide tower.

In February 2009, the Lombard Park District submitted a permit application for a wall sign to be attached to the front security gate on the new aquatic facility building. The submitted plans, which have been included as part of this petition, indicate that the proposed wall sign will have an area of approximately eighty and one half (80.5) square feet.



The proposed sign will face northward toward St. Charles Road. Attached to the security gate at the water park entrance, the wall sign would be approximately one hundred and ninety-three feet (193') from the northern property line (see inserted site plan). At this distance, a wall sign that is fifty (50) square feet would likely be illegible from St. Charles Road. However, unlike the commercial districts, in the CR District the Sign Ordinance does not permit increased wall sign area due to greater distance

from property lines.

In the case that this water park was a commercial operation and located within a commercial zoning district, the wall sign area could be increased beyond the requested 80.5 square feet. In the B-1 and B-2 zoning districts, the petitioner would have rights to one hundred (100) square feet based on the property's lineal frontage on St. Charles Road. In the B-3 and B-4 zoning districts, the petitioner would have rights to two hundred (200) square feet based on the property's lineal frontage and the sign's distance from the property line.

The Paradise Bay Water Park facility is expected to be functionally similar to a commercial water park. Therefore, it is reasonable to expect that this facility would have similar signage needs to a commercial operation of the same nature. The petitioner is requesting a relatively minor increase in signage size when compared to what would be permitted on the nearby commercially zoned properties along St. Charles Road. Staff finds that the petitioner has met the Standards for Variations and, therefore, recommends approval of this petition.

FININGS AND RECOMMENDATIONS

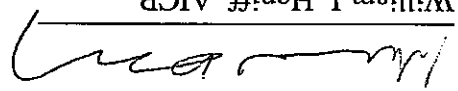
The Department of Community Development has determined that the information presented has **affirmed** the Standards for Variations for the requested variation. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of the aforementioned 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 Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and recommend to the Corporate Authorities **approval** of PC 09-06, subject to the following conditions:

1. The wall sign shall be installed in compliance with elevations and plans for the proposed sign prepared by FGM Architects and dated February 24, 2009.
2. The petitioner shall apply for a building permit for the proposed wall sign.

Plan Commission
Re: PC 09-06
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Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP

Director of Community Development

WJH

c: Petitioner

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Lombard Common



Addresses

Centerline

JURIS

- - - DPC TRAIL

--- RIVER

--- R&R

--- TOLLWAY

Parcels (TURN ON W/ PHOTO)

□ limits-poly

• Active Cases

- - - Boundary Agreement

400 ft



Signage Proposal Description:

The Lombard Park District requests approval to apply "Lombard Park District Paradise Bay Water Park" signage and logo to the surface of a sliding cantilever gate attached to the building and serving as a security barrier to the aquatic facility. Overall dimensions of the sliding cantilever gate are 24 feet long by 8 feet tall. The surface of the gate will be constructed of two 1/4 inch thick sheets of lexan acrylic laminated together into 3 feet 7 inches wide by 8 feet tall panels applied to the gate frame. The portion of the gate considered signage is 12 feet 4 inches wide by 6 feet 6 inches tall, approximately 80 Square Feet (SF) in area. The gate is located 192 feet from the property line abutting St. Charles Road.

Response to Standards for Variations; Section 155.103.C.7 of the Lombard Zoning Ordinance:

1. The strict letter of the regulations would limit the size of this sign to 50 SF in area, which would result in portions of the sign being illegible from St. Charles Road (192 feet away).
2. The conditions for this variation request are unique based on this being the only public swimming pool in Lombard.
3. The Lombard Park District is not basing this request upon a desire for increased financial gain.
4. This hardship was not created by any person having an interest in the property.
5. The granting of this variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
6. The granting of this variation will not alter the essential character of the neighborhood.
7. Granting this variation will not impair light or air to adjacent property, or substantially increase congestion of the public streets, or increase the danger of fire, or impair natural drainage, or create drainage problems on adjacent property, or endanger public safety, or diminish or impair property values within the neighborhood.



PRINTED ON RECYCLED PAPER

PROVIDING LEISURE OPPORTUNITIES FOR PEOPLE TO ENJOY LIFE



Sincerely,
Paul W. Friedrichs
Paul W. Friedrichs
Executive Director
Lombard Park District

Thank you for your consideration of this request.

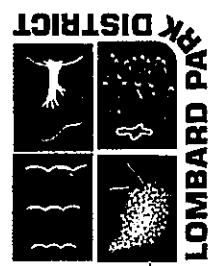
In an effort to expedite the approval process for the sign variation for the new sign/gate at the Paradise Bay Water Park, the Lombard Park District at this time is requesting a Waiver of First Reading for this agenda item. Should you have any questions concerning this request, please feel free to call me at the District offices anytime.

Dear Trustees,

RE: PC09-06 Lombard Park District Sign/Gate Variance

Board of Trustees
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148

April 21, 2009



**AN ORDINANCE GRANTING APPROVAL OF A VARIATION FOR A WALL SIGN
IN THE CR CONSERVATION/RECREATION ZONING DISTRICT**

(PC 09-06; 433 E. St. Charles Road)

ORDINANCE NO. _____

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 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, said application requests approval of a variation to Section 153.501(B)(10)(a) of the Lombard Sign Ordinance to increase the maximum allowable area of a single wall sign from fifty (50) square feet to eighty and one half (80.5) square feet in the CR Conservation/Recreation Zoning District.

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on April 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 variation 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:

SECTION 1: That a variation is hereby granted from Section 153.501(B)(10)(a) of the Lombard Sign Ordinance to increase the maximum allowable area of a single wall sign

from fifty (50) square feet to eighty and one half (80.5) square feet in the CR Conservation/Recreation Zoning District for the subject property legally described in Section 2, subject to the conditions set forth in Section 3.

SECTION 2: This ordinance is limited and restricted to the property generally located at 433 E St Charles Road, Lombard, Illinois, and legally described as follows:

LOTS 1 IN LOMBARD COMMONS PLAT OF CONSOLIDATION, BEING A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 4, 1999 AS DOCUMENT R1999-232901, IN DUPAGE COUNTY ILLINOIS.

Parcel Number: 06-08-201-004

SECTION 3: The variation set forth in Section 1 above shall be granted subject to compliance with the following conditions:

1. The wall sign shall be installed in compliance with elevations and plans for the proposed sign prepared by FGM Architects and dated February 24, 2009.
2. The petitioner shall apply for a building permit for the proposed wall sign.

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 _____, 2009.

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

Passed on second reading this _____ day of _____, 2009.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2009.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me this _____ day of _____, 2009.

Brigitte O'Brien, Village Clerk