

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


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: William T. Lichter, Village Manager

DATE: March 28, 2006 (BOT) Date: April 6, 2006

TITLE: PC 06-11: 300 E. Roosevelt Road

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. This petition requests that the Village grant the following variations from the Lombard Sign Ordinance for an existing legal non-conforming, freestanding sign, located on property within the B4 Corridor Commercial Shopping District:

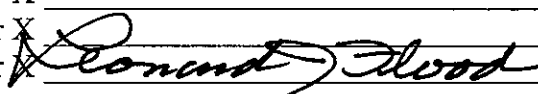
1. A variation from Section 153.505 (B)(6)(b)(2) to allow for an existing one-hundred ninety two (192) square foot freestanding sign, where a maximum of one-hundred twenty-five (125) square feet is permitted.
2. A variation from Section 153.505(B)(6)(c)(2) to allow for a freestanding sign to be located closer than seventy-five feet from the center line of the Roosevelt Road state right-of-way.
3. A variation from Section 153.208(H) to allow for an existing freestanding sign within the clear line of sight area.
(DISTRICT #6)

The Plan Commission recommended approval of this request with conditions.

The petitioner is requesting a waiver of first reading.

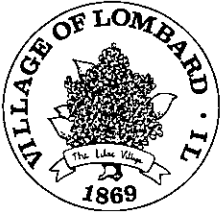
Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney	X	_____	Date	_____
Finance Director	X	_____	Date	_____
Village Manager	X		Date	03/29/06

acting

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 *DH*

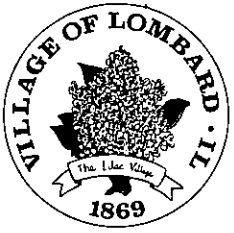
DATE: April 6, 2006

SUBJECT: PC 06-11: 300 E. Roosevelt Road (McDonald's) – Free-Standing Signage

Attached please find the following items for Village Board consideration as part of the April 6, 2006 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 06-11;
3. An Ordinance granting approval of variations to allow for the existing McDonald's sign to remain on the premises, subject to one condition.

As the sign already exists on the premises, the petitioner requests a waiver of first reading of the aforementioned Ordinance.



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

April 6, 2006

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

Subject: PC 06-11: 300 E. Roosevelt Road

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant the following variations from the Lombard Sign Ordinance for an existing legal non-conforming, freestanding sign, located on property within the B4 Corridor Commercial District:

1. A variation from Section 153.505 (B)(6)(b)(2) to allow for an existing one-hundred ninety two (192) square foot freestanding sign, where a maximum of one-hundred twenty-five (125) square feet is permitted.
2. A variation from Section 153.505(B)(6)(c)(2) to allow for a freestanding sign to be located closer than seventy-five feet from the center line of the Roosevelt Road state right-of-way.
3. A variation from Section 153.208(H) to allow for an existing freestanding sign within the clear line of sight area.

"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."

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 20, 2006.

William Heniff, Senior Planner, presented the staff report on behalf of the petitioner, Soos & Associates and the property owner, McDonald's Corporation. He stated that the Plan Commission considered and recommended approval of PC 06-04 at the February 20, 2006 Plan Commission meeting. This approval allows the current property owner, McDonald's Corporation, to redevelop the subject property with a new fast-food restaurant building with a double drive-through facility, subject to conditions.

In staff discussions with the petitioner, McDonald's expressed a concern regarding legal status of the existing free-standing sign on the property. In review of the initial petition, staff noted that the sign did not meet the current provisions of the Lombard Sign Ordinance. Staff originally sought to have the sign come into compliance with the Sign Ordinance with the redevelopment of the site. However, the petitioner was only amenable to this provision if they could incorporate an automatic changeable sign cabinet within the overall freestanding sign, which would require additional relief. As staff did not support this option, the petitioner requested that the existing sign be allowed to remain on the premises and not be subject to future amortization provisions. As the signage relief was not included as part of the initial petition, an additional public hearing must be held to address this request.

He noted that there were no comments from the other IDRC members.

He then described the nonconforming sign elements. The existing free-standing sign was erected in 1972 and was approved as part of building permit 20552. As the Sign Ordinance has been amended to reduce the overall size of such signage, the sign currently has legal non-conforming status. As a non-conforming sign, the sign cannot be expanded or extended without zoning relief. It also cannot be replaced with a new sign unless the new sign meets all code provisions.

The Village has adopted amortization provisions for such signage. Upon receipt of a notice from the Village stating that the signage is legal nonconforming and subject to the amortization provisions, the property/business owner shall have seven years from the date of the ordinance to bring the sign into compliance with code, or seek relief to allow the signage to remain on the premises. Rather than letting the seven year period start for the existing sign, the petitioner is seeking approval at this time to allow for the existing sign to remain on the premises.

The existing sign calculates to one-hundred ninety two (192) square feet in sign area, as determined by the Sign Ordinance. The petitioner notes that the majority of the sign area consists of the "arch" elements and includes a fair amount of open space within the arches, which decreases the overall visual prominence of the sign.

The Sign Ordinance requires freestanding signage to be located at least 75 feet off of the centerline of a state right-of-way (i.e., Roosevelt Road). The petitioner's existing plat of survey shows that the sign is located 53.5 feet from the right-of-way center line. The survey shows that if the sign was located per code, it would be placed within the exit drive aisle. As a practical matter, such placement would not be appropriate as it would have limited visibility and would interfere with the parking and access drive areas.

Lastly, the existing sign is located within the clear line of sight area. Staff notes that the existing sign is a pole sign and the bulk of the sign area is above the perceived line of sight. As such, it may not create as great of a visual impediment as monument signage.

Staff notes that many existing signs are not in compliance with all provisions of Village Code. It is not substantially out of character with other signage erected along Roosevelt Road. Staff can

support the relief to allow for the existing sign to remain, but relief should be tied to the existing sign and should not run with the property in perpetuity.

He noted that the Comprehensive Plan calls for this area to be developed with Community Commercial uses. While the Plan encourages bringing such signage into compliance with Code, particularly along commercial corridors like Roosevelt Road, staff believes that allowing the existing sign to remain on the premises without amortization provisions would not negatively impact the overall development patterns and desired goals of the Plan. However, to ensure that all business uses eventually come into compliance with code, staff recommends that the relief be tied to the existing sign only.

Vice-Chairperson Flint then opened the meeting for public comment. There were no public comments. He then opened the meeting for discussion among the Commissioners.

Commissioner Olbrysh stated that he agrees with staff's recommendation relative to the requested relief and tying the approval to the existing free-standing sign only.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning and Sign Ordinances. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 06-11, subject to the following condition:

1. The relief granted as part of this petition shall only apply to the existing free-standing sign approved by the Village as part of building permit number 20552, dated January 19, 1972. Any repair of the sign greater than fifty percent (50%) of the value of the sign or any future modification, expansion, replacement of the sign shall be subject the full provisions of Section 153 of the Village Code.

Respectfully,

VILLAGE OF LOMBARD


Stephen Flint, Vice-Chairperson
Lombard Plan Commission

att-

c. Petitioner
Lombard Plan Commission

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: March 20, 2006

FROM: Department of
Community Development

PREPARED BY: William Heniff, AICP
Senior Planner

TITLE

PC 06-11; 300 E. Roosevelt Road: The petitioner requests that the Village grant the following variations from the Lombard Sign Ordinance for an existing legal non-conforming, freestanding sign, located on property within the B4 Corridor Commercial District:

1. A variation from Section 153.505 (B)(6)(b)(2) to allow for an existing one-hundred ninety two (192) square foot freestanding sign, where a maximum of one-hundred twenty-five (125) square feet is permitted.
2. A variation from Section 153.505(B)(6)(c)(2) to allow for a freestanding sign to be located closer than seventy-five feet from the center line of the Roosevelt Road state right-of-way.
3. A variation from Section 153.208(H) to allow for an existing freestanding sign within the clear line of sight area.

GENERAL INFORMATION

Petitioner: Soos & Associates
105 Schelster Road
Lincolnshire, IL 60069

Property Owner: McDonald's
4320 Winfield Road
Warrenville, IL 60555

Relationship of Petitioner: Architect & Agent for McDonald's

PROPERTY INFORMATION

Existing Land Use: McDonald's restaurant with drive-through

Size of Property: 1.05 acres

Comprehensive Plan: Recommends Community Commercial

Existing Zoning: B4 Corridor Commercial District

Surrounding Zoning and Land Use:

North: C/R Conservation/Recreation District; developed as Southland Park

South: Unincorporated DuPage County zoned B2 General Commercial; developed as Highland Manor Motel

East: B4 Corridor Commercial District; developed as a mixed use retail commercial/multiple family residential building

West: B4 Corridor Commercial District; developed as a commercial use (Cash Store) and a legal non-conforming residence.

ANALYSIS

SUBMITTALS

This report is based on the following documents filed with the Department of Community Development on December 21, 2005:

1. Petition for Public Hearing.
2. Response to Standards (previously incorporated into PC 06-04).
3. Topographic Survey prepared by Gentile & Associates, Inc. and dated April 4, 2005.
4. Building permit # 20552 for the existing sign, dated January 19, 1972.
5. Photos of the subject sign.

DESCRIPTION

The Plan Commission considered and recommended approval of PC 06-04 at the February 20, 2006 Plan Commission meeting. This approval allows the current property owner, McDonald's Corporation, to redevelop the subject property with a new fast-food restaurant building with a double drive-through facility, subject to conditions.

In staff discussions with the petitioner, McDonald's expressed a concern regarding legal status of the existing free-standing sign on the property. In review of the initial petition, staff noted that the sign did not meet the current provisions of the Lombard Sign Ordinance. Staff originally sought to have the sign come into compliance with the Sign Ordinance with the redevelopment of the site. However, the petitioner was only amenable to this provision if they could incorporate an automatic changeable sign cabinet within the overall freestanding sign, which would require

additional relief. As staff did not support this option, the petitioner requested that the existing sign be allowed to remain on the premises and not be subject to future amortization provisions. As the signage relief was not included as part of the initial petition, an additional public hearing must be held to address this request.

INTER-DEPARTMENTAL REVIEW COMMENTS

Fire and Building

Fire and Building have no comments on the petition.

Public Works Utilities

Public Works have no comments on the petition.

Private Engineering

The Private Engineering Services Division has no comments on this petition.

Planning

Compatibility with the Sign Ordinance

The petitioner's existing sign has the following non-conforming characteristics:

	Permitted	Existing
Freestanding Sign Size	Max. 125 sq. ft., 25 ft. high	192 sq. ft., 25 ft. high
Setback from center line of adjacent right-of-way	75 feet	Approx. 53.5' from the center line to the edge of the existing sign
Clear line of sight provisions	Must be outside of area	Within area

The existing free-standing sign was erected on the property in 1972 and was approved as part of building permit 20552. As the Sign Ordinance has been since amended to reduce to overall size of such signage, the sign currently has legal non-conforming status. As a non-conforming sign, the sign cannot be expanded or extended without zoning relief. It also cannot be replaced with a new sign unless the new sign meets all code provisions.

The Village has also adopted amortization provisions for such signage. Upon receipt of a notice from the Village stating that the signage is legal nonconforming and subject to the Village's amortization provisions, the property/business owner shall have seven years from the date of the ordinance to bring the sign into compliance with code, or seek relief to allow for the signage to remain on the premises. Rather than letting the seven year period start for the existing sign, the petitioner is seeking approval at this time to allow for the existing sign to remain on the premises.

The existing sign calculates to one-hundred ninety two (192) square feet in sign area, as determined by the Sign Ordinance. The petitioner notes that the majority of the sign area consists of the “arch” elements and includes a fair amount of open space within the arches, which decreases the overall visual prominence of the sign.

The Sign Ordinance requires freestanding signage to be located at least 75 feet off of the centerline of a state right-of-way (i.e., Roosevelt Road). The petitioner’s existing plat of survey shows that the sign is located 53.5 feet from the right-of-way center line. The survey shows that if the sign was located per code, it would be placed within the exit drive aisle. As a practical matter, such placement would not be appropriate as it would have limited visibility and would interfere with the parking and access drive areas.

Lastly, the existing sign is located within the clear line of sight area. Staff notes that the existing sign is a pole sign and the bulk of the sign area is above the perceived line of sight. As such, it may not create as great of a visual impediment as monument signage.

Staff notes that many existing signs are not in compliance with all provisions of Village Code. It is not substantially out of character with other signage erected along Roosevelt Road. Staff can support the relief to allow for the existing sign to remain, but relief should be tied to the existing sign and should not run with the property in perpetuity.

Compatibility with the Zoning Ordinance

Restaurants are listed as permitted uses within the B4 Corridor Commercial District and drive-through services are listed as conditional uses. The existing sign is in character with the commercial nature underlying zoning for the property.

Compatibility with the Comprehensive Plan

The Comprehensive Plan calls for this area to be developed with Community Commercial uses. While the Plan encourages bringing such signage into compliance with Code, particularly along commercial corridors like Roosevelt Road, staff believes that allowing the existing sign to remain on the premises without amortization provisions would not negatively impact the overall development patterns and desired goals of the Plan. However, staff recommends that the relief be only tied to the existing sign and shall not pertain to any future free-standing signage for the property.

Compatibility with the Surrounding Land Uses

The subject property is bordered on three sides by commercially-zoned properties. Generically speaking, the existing sign is not out of character with other types of free-standing signage along Roosevelt Road. However, to ensure that all business uses eventually come into compliance with code, staff recommends that the relief be tied to the existing sign only.

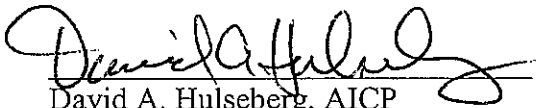
FINDINGS AND RECOMMENDATIONS

Staff concurs with the findings expressed by the petitioner in their standards for variations. Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested relief **complies** with the standards required by the Lombard Zoning and Sign Ordinances; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 06-11, subject to the following condition:

1. The relief granted as part of this petition shall only apply to the existing free-standing sign approved by the Village as part of building permit number 20552, dated January 19, 1972. Any repair of the sign greater than fifty percent (50%) of the value of the sign or any future modification, expansion, replacement of the sign shall be subject the full provisions of Section 153 of the Village Code.

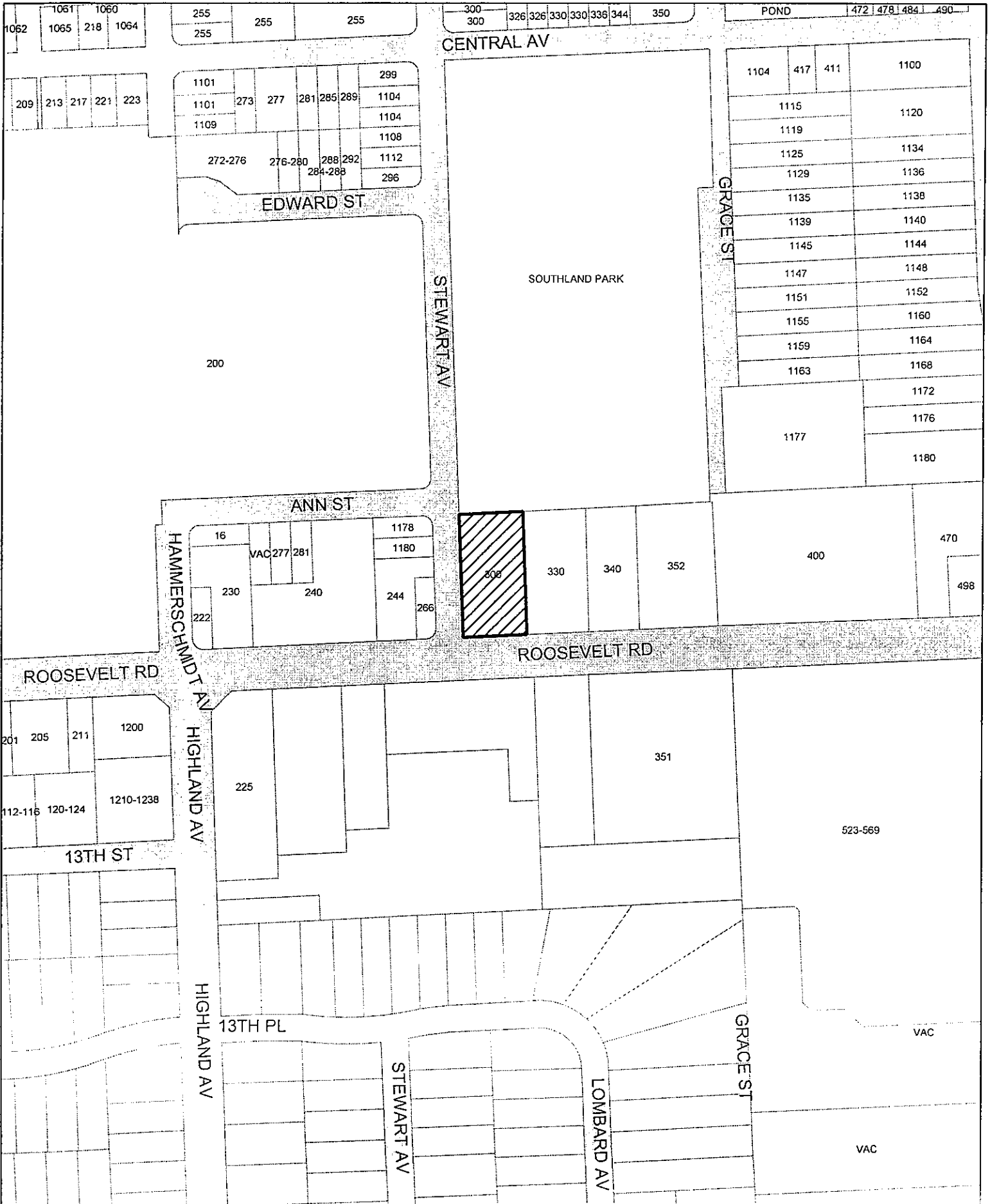
Inter-Departmental Review Group Report Approved By:


David A. Hulseberg, AICP
Director of Community Development

DAH:WJH

Location Map

PC 06-11
300 E. Roosevelt Road



February 20, 2006

William Heniff, Senior Planner
Village of Lombard - Plan Commission
255 E. Wilson Avenue
Lombard, Illinois

RE: McDonald's, 300 E. Roosevelt Road – Conditional Use Approval and Zoning Variation's

Dear William,

Let this letter serve as formal request for a variation to the signage code section 155.103.C.7, village storm water storage requirements and conditional use approval for McDonald's located at 300 E. Roosevelt Road. We are hereby requesting approval so that McDonald's may operate a double drive thru with relief granted from the current sign ordinances for supporting building signage. McDonald's is currently operating on this site however they desire to remove the existing building and build a new restaurant that reflects their updated Chicago image. McDonald's signage situation is unique in that the building design is intended to serve as a back drop and frame for signage. The entrances have been framed with masonry projections that are softly elevated in height and depth to assist in identifying egress areas without being overstated with high pitched roof's or other elements that grossly draw the eye. These areas also serve as perfect locations for the Logo signs, which also visually balanced the "McDonald's" wall signs. As well the awning logo's provide a level of detail that is soft and complimentary to the building appearing in a similar fashion to "embroidery" or finer such accent work.

The current site operates with one drive thru however on a daily basis the drive thru becomes heavily frequented during peak business hours. The double drive thru offers relief with improved service times to the customer and will assist in delivering orders in an expedited manner. With the double drive thru becoming an operational standard of the future for quick serve restaurants, and the necessity to service the customer more efficiently one can see the necessity for the double drive thru. This said the establishment of the conditional use will not impede the normal and orderly development and improvement for the surrounding property for uses permitted in the B4 district.

Likewise a signage variation will not negatively affect the surrounding area or prove to be out of character as all surrounding property is commercial and retail use and has signage of the same character. With the location of the front of the building setback from the neighboring buildings McDonald's is hidden from the traffic heading west bound. The signage proposed on the West elevation will allow the East bound traffic to identify McDonalds with enough distance to safely navigate into our site. With our proposed signage the granting of a variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

Soos & Associates, Inc.
Architecture

105 Scheller Road
Lincolnshire, Illinois 60069
Phone 847 821 7667
Fax 847 821 8570

ASOOSOCIATES

With the site currently operating as McDonald's the character of the neighborhood will not be altered, nor does it impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets or increase the danger of fire or impair natural drainage or create drainage problems on adjacent properties or endanger the public safety or substantially diminish or impair property values within the neighborhood. Please refer to the attached correspondence from Marchris Engineering for specific information on our request for a variation with regards to site detention.

The following is in response to Jennifer's request for additional information on 2/20/06:

Response to 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. This is proved by the fact that McDonalds has been operational at this location for years on the current site. The request for a second drive thru adds additional comfort and general welfare to the public offering relief with improved service times to the customer and will assist in delivering orders in an expedited manner.
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 diminished and impair property values with in the neighborhood in which it is located as is proven by the fact that the site currently operates as a McDonald's restaurant. Therefore McDonald's will not alter the character of the neighborhood in any other manner but improve the immediate aesthetics.
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. Again this is evidenced by the fact that McDonalds currently operates on the site.
4. The adequate public utilities, access roads, drainage and/or necessary facilities have been or will be provided. Please refer to the attached correspondence from Marchris Engineering for specific information on our request for a variation with regards to site detention. Please refer to the traffic studies presented since our last hearing for information regarding access roads and given the fact that this is an existing restaurant McDonalds is currently served with adequate public utilities.
5. McDonalds has taken adequate measures to provide ingress and egress as to minimize traffic congestion relative to Stewart Avenue as we are proposing the removal of the current south access point on the West side of the property common with Stewart Avenue. Please also refer to the traffic study conducted and provided since our last hearing which concludes that no additional restrictions should be placed onto McDonalds with regards to the proposed plans for new construction.

Soos & Associates, Inc
Architects

105 Scheller Road
Lincolnshire, Illinois 60069
Phone 847 821 7667
Fax 847 821 8570

6. The the proposed conditional use is not contrary to the objectives of the current Comprehensive plan for the village of Lombard as the comprehensive plan calls for Community Commercial which encompass all uses in the B-4 zoning.

7. The conditional use shall, in all other respects, conform to the applicable regulation of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the plan commission. Aside from the relief granted this project is intended to be constructed in compliance with code.

Standards for Variations of the Lombard Zoning Ordinance and Lombard Sign Ordinance.

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to McDonalds would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied as McDonalds currently exists on this site. If a variation would not be granted this would in fact be considered a hardship. With the location of the front of the building setback from the neighboring buildings McDonald's is hidden from the traffic heading west bound. The signage proposed on the West elevation will allow the East bound traffic to identify McDonalds with enough distance to safely navigate into our site.

2. The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification as McDonald's currently resides and operates on the property.

3. The purpose of the variation is not based upon a desire to increase financial gain as McDonalds currently exists on the property and does not have to propose such modifications and investments into the property to continue or sustain their business.

4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property. The hardship has been placed upon McDonalds thru modifications in the code over time as best we are able to determine.

5. The granting of the variation will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.

6. The granting of the variation will not alter the essential character of the neighborhood as McDonalds currently exists on the property. However they will enhance the immediate visual perception of the property through the proposed new construction.

7. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties or endanger the public safety, or substantially diminish or impair property values with in the neighborhood.

Soos & Associates, Inc.
Architecture

105 Schelter Road
Lincolnshire, Illinois 60069
Phone 847 821 7667
Fax 847 821 8570

ASOOSOCIATES

In conclusion the granting of appropriate variations and necessary approval will assist McDonald's in their desires to improve this site. We trust you recognize this as an opportunity to improve the existing restaurant and understand our request for relief from the above noted ordinances and requirements.

Sincerely,

Melanie Soos, FALA, NCARB
Architect, Soos & Associates

Cc: R. Neubauer, McDonald's

Soos & Associates, Inc.
Architecture

105 Scheller Road
Lincolnshire, Illinois 60069
Phone 847 821 7667
Fax 847 821 8570

ORDINANCE NO. _____

AN ORDINANCE APPROVING VARIATIONS
OF THE LOMBARD SIGN ORDINANCE
TITLE 15, CHAPTER 153 OF THE CODE OF LOMBARD, ILLINOIS

(PC 06-11: 300 E. Roosevelt Road (McDonald's))

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 B4 Corridor Commercial District; and,

WHEREAS, an application has been filed with the Village of Lombard requesting variations for an existing free-standing sign, located on property within the B4 Corridor Commercial District, as follows:

1. A variation from Section 153.505 (B)(6)(b)(2) to allow for an existing one-hundred ninety two (192) square foot freestanding sign, where a maximum of one-hundred twenty-five (125) square feet is permitted.
2. A variation from Section 153.505(B)(6)(c)(2) to allow for a freestanding sign to be located closer than seventy-five feet from the center line of the Roosevelt Road state right-of-way.
3. A variation from Section 153.208(H) to allow for an existing freestanding sign within the clear line of sight area.

WHEREAS, a public hearing has been conducted by the Plan Commission on March 20, 2006 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has forwarded its findings and recommendations to the Board of Trustees with a recommendation of approval of the requested variations, subject to one condition; and,

WHEREAS, the President and Board of Trustees concurs with the findings of the Plan Commission; 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 variations subject to one condition.

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 the following variations are hereby granted for the property described in Section 3 below and subject to the condition noted in Section 2 below:

1. A variation from Section 153.505 (B)(6)(b)(2) to allow for an existing one-hundred ninety two (192) square foot freestanding sign, where a maximum of one-hundred twenty-five (125) square feet is permitted.
2. A variation from Section 153.505(B)(6)(c)(2) to allow for a freestanding sign to be located closer than seventy-five feet from the center line of the Roosevelt Road state right-of-way.
3. A variation from Section 153.208(H) to allow for an existing freestanding sign within the clear line of sight area.

SECTION 2: That the variations noted in Section 1 above shall be subject to the following condition:

1. The relief granted as part of this petition shall only apply to the existing free-standing sign approved by the Village as part of building permit number 20552, dated January 19, 1972. Any repair of the sign greater than fifty percent (50%) of the value of the sign or any future modification, expansion, replacement of the sign shall be subject the full provisions of Section 153 of the Village Code.

SECTION 3: This ordinance is limited and restricted to the property generally located at 300 E. Roosevelt Road, Lombard, Illinois, and legally described as follows:

THE WEST 183 FEET OF THE EAST 645.3 FEET OF THE SOUTH 350 FEET (EXCEPT THOSE AREAS WITHIN THE STEWART AVENUE AND ROOSEVELT ROAD PUBLIC RIGHTS-OF-WAY) OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-17-316-003; (the "Subject Property").

Ordinance No. _____

Re: PC 06-11

Page 3

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 _____, 2006.

First reading waived by action of the Board of Trustees this _____ day of _____, 2006.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2006.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet form this _____ day of _____, 2006.

Brigitte O'Brien, Village Clerk