

# **Village of Lombard**

*Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
villageoflombard.org*



## **Meeting Minutes**

**Monday, September 21, 2009**

**7:30 PM**

**Village Hall**

## **Plan Commission**

*Donald F. Ryan, Chairperson  
Commissioners: Martin Burke,  
Stephen Flint, Ronald Olbrysh,  
Ruth Sweetser, Andrea Cooper and Richard Nelson  
Staff Liaison: Christopher Stilling*

## Call to Order

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*Chairperson Ryan called the meeting to order at 7:30 p.m.*

## Roll Call of Members

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**Present:** Chairperson Donald F. Ryan, Commissioner Ruth Sweetser, Commissioner Martin Burke and Commissioner Richard Nelson

**Absent:** Commissioner Stephen Flint, Commissioner Ronald Olbrysh and Commissioner Andrea Cooper

*Also present: Christopher Stilling, Assistant Director of Community Development; Jennifer Henaghan, Senior Planner; Michael Toth, Planner I; and George Wagner, legal counsel to the Plan Commission.*

Chairperson Ryan called the order of the agenda.

Christopher Stilling read the Rules of Procedures as written in the Plan Commission By-Laws.

## Public Hearings

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### **PC 09-25: 1060 E. Roosevelt Road (Discount Tire)**

Requests a conditional use pursuant to Section 155.417 (G)(2)(a)(4) of the Zoning Ordinance, to allow for outdoor display and sales of products for the subject property located within the B4A Roosevelt Road Corridor District. (DISTRICT #6)

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*Charles Snyder, 1060 E. Roosevelt, presented the petition. Mr. Snyder stated that he is the manager of Discount Tire and the property is owned by Halle Properties. He stated that Discount Tire is requesting approval for a tent sale permit. He mentioned that the displayed tent would be approximately 10 x 10, which is similar to what would be in a backyard for a party. He added that there are two exhibits on the plan. One would be located by the bay doors, and the other would be located by the marquee sign outside. He added that both exhibits are marked "A" & "B". He then stated that they are requesting use of the tents for approximately 10-15 times per calendar year for customer draw. He mentioned that he has additional copies of the exhibits available. He also described the safety requirements.*

*The petitioner showed a diagram of spot A, which is in front of the first bay area where they conduct the air checks. He stated that spot B is by the marquee sign. He added that the tent size is 10 x 10 and is the type that can be bought at a local store. He then stated that nothing will be located in the grass area and everything would be secured.*

*Chairperson Ryan asked the petitioner to explain the handout. The petitioner stated that the handout explains what they do with the tent sale. The second handout is the safety guidelines and he explained how those guidelines apply to 755 stores nationwide. He added that the documents are essentially an in-house disposition of Discount Tire Company's safety aspect and in-house sales program.*

Referring to the handout, Commissioner Sweester indicated that it noted there would be a banner hanging from the tent and questioned if that was going to be used. The petitioner responded by stating that there is a small 4' x 18" banner that they would usually secure to this tent; however, the tent already displays "Discount Tire" on it as this is a nationwide tent sale. In this case, that banner would only be 4' x 18" and secures under the tent. Commissioner Sweester asked about the total amount of signage they are looking at. The petitioner stated that everything is located in that 10 x 10 area, nothing outside.

Commissioner Burke confirmed with the petitioner that he was not applying to put up any signage because the signage was already on the tent. The petitioner stated, yes that's correct. Commissioner Sweester verified that the 4' x 18" banner would not be used. The petitioner stated that is correct.

Commissioner Nelson asked the petitioner if Discount Tire is having a concrete access drive worked on. The petitioner stated that the work being done on the east side of the property is that of the homeowner in back of their property. He added that the neighbor to the north is having sewage lines installed, which is being done by the neighbor, not them.

Chairperson Ryan opened the meeting for public comment. There was no one present to speak in favor or against the petition.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, presented the staff report. Staff drafted the IDRC report to submit to the public record in its entirety. The subject property is an existing automobile service establishment located within the Roosevelt Road Corridor. The petitioner, Discount Tire, wishes to set up a temporary tent, during a specific time period, to display products associated with the business. The outdoor display and sales of products is listed as a conditional use within the B4A - Roosevelt Road Corridor District; therefore, a public hearing is required.

The petitioner is seeking to erect up to two (2) temporary tents in front of the building along the Roosevelt Road frontage. As the petitioner mentioned, the proposed tents would be 100 square feet each (10 x 10) and would showcase stacks of tires and wheels that are for sale. The petitioner has also represented tonight that they will also have concessions where they will serve refreshments.

As the petitioner has indicated, the proposed tent sale would occur on occasional weekends (Friday and Saturday only), during summer months, which is more frequent than the Special Event Permit allows (no more than 4 times/year). As such, the petitioner is applying for conditional use approval to allow the outdoor display and sales of products to occur for a designated period of time. As a condition of approval, staff recommends the time period for the tent sale be restricted to the times outlined by the petitioner - Fridays and Saturdays during the months of June through August. Staff finds that the conditional use for outdoor sales can generally be supported. However, to ensure that the outdoor sales and display of merchandise is appropriately sized and located, staff offers the following considerations:

1. At least four feet of walkway between the building and tent should be maintained at all times.
2. Sales and display areas must not impact vehicular traffic. This includes automobiles and Fire Department apparatus.
3. Clear line of sight areas must be maintained.
4. Outdoor sales and display of merchandise must remain ancillary to the principal

*land use of the establishment.*

*As the subject use is a combination of retail and service, the use complies with the recommendations of the Comprehensive Plan.*

*The subject property is located along the Roosevelt Road Corridor and is surrounded on two sides by other commercial properties. To the west is Trinity Lutheran Church, which occupies the entire block. The area to the north is zoned for single-family uses and is currently made up of single family residences. This property is within the Roosevelt Road Corridor, which includes a large number of automobile service uses. Although this property abuts residential land, this occurrence is typical along Roosevelt Road and, as such, it can be considered compatible with surrounding land uses. Moreover, the proposed merchandise displays will be located in front of the subject business and not visible to the adjacent residential properties to the north. It is important to note that there is an existing fence along the north property line that is in disrepair. Staff recommends that a condition be added to ensure that the fence be maintained in good state of repair at all times.*

*Staff finds that the petition meets the standards for conditional uses; therefore, recommends approval of PC 09-25 subject to the eight conditions noted in the staff report.*

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

*Commissioner Burke noted he had not seen the petitioner's handout which was submitted to the Commissioners tonight. He indicated he had concerns about approving anything in those documents that they are seeing for the first time.*

*Village Attorney George Wagner stated that according to the handout, it does indicate that there is a banner of some sort on the tent. If that is within the sign code, then it's not an issue. He added that if it's an issue with the sign code, additional approval would then be required.*

*Christopher Stilling, Assistant Community Development Director, stated that code would relate to a banner if it is located elsewhere on the property, which would be subject to the provisions of the Sign Ordinance. He added that there will be ancillary marketing, which can be looked at as part of the conditional use process. If it is a separate sign attached to the building or tent, we would want to review that banner in accordance with the Sign Ordinance.*

*Commissioner Burke stated that the banner is only one part of that document in question and doesn't know how germane other items might be to the petition. Being that the 4' x 18" banner would not be used because they already have a manmade tent with their logo on it, he questioned the relevance of the other items contained within the handout. Commissioner Sweester stated that they need to know what the logo is on.*

*Commissioner Burke suggested that the handout be displayed for all to see. The petitioner then displayed the document on the overhead projector. Chairperson Ryan stated that it appeared to be an internal document used in each store.*

*Mr. Stilling stated that the second page contains instructions to the trainer. He added that it's more of an internal document for those working the event.*

*Village Attorney Wagner indicated that the Commissioners could add a condition of approval that the logo is permitted on the tent, no other banner would be approved, and all other signage would require approval by permit.*

Commissioner Sweester then questioned Condition #2, which states that spot B shall be revised so as not to impact vehicular traffic. She wanted to ensure that the petitioner acknowledged and understood that the tent cannot be located in that spot. The petitioner stated that spot B, is actually located where there are four parking spaces and is approximately 65 feet away from Roosevelt Road so there are no issues with traffic going in or out.

Commissioner Sweester stated that she is not sure what the staff report is implying. She wants the petitioner to understand that if it is placed there and Condition #2 says it can't be placed there, it would have to be located elsewhere. The petitioner stated that spot B will only be used for the NASCAR display so it wouldn't be close to any type of traffic or continuous movement of traffic flow. Commissioner Sweester asked the petitioner to work with staff because where spot B is currently located implies that it would interfere with traffic somehow.

Mr. Stilling stated that if you look at the exhibit, it provides general locations for the tents. He added that it appeared it might impede on the drive aisles; however, after review, it appears it would be in a parking space so that would be fine. Mr. Toth stated that the parking lot to the west is not shown on the survey and that spot B might impede on the drive aisle leading to that parking lot.

Commissioner Burke stated that he wanted to add a Condition #9, which would state that the tent is allowed to have an integrated sign panel that says Discount Tire, but no additional banner is allowed.

**It was moved by Commissioner Burke, seconded by Commissioner Sweetser, that this matter be Recommended for approval to the Corporate Authorities subject to the amended condition(s). The motion carried by the following vote:**

**Aye:** 4 - Ryan, Sweetser, Burke and Nelson

**Absent:** 3 - Flint, Olbrysh and Cooper

1. That the petitioner shall satisfactorily address the comments included within the IDRC report.
2. Outdoor sales and display of merchandise may only occur at two (2) locations, as depicted on the Land Title Survey, prepared by North Shore Survey, Ltd. dated January 29, 1995 and attached as Exhibit "A". The location identified as "Spot B" shall be revised so as not to impact vehicular traffic. This includes automobiles and Fire Department apparatus.
3. The tent sales shall only occur on Fridays and Saturdays during the months of June, July and August.
4. The petitioner shall apply for and receive an updated Certificate of Occupancy/Zoning Certificate prior to the operation of the tent sales. All conditions shall be satisfactorily addressed prior to issuance of the Certificate of Occupancy/Zoning Certificate.
5. The parking lot on the northern portion of the subject property shall be repaired to Village standards.
6. All dumpsters located on the subject property shall be screened pursuant to Section 155.710 of the Zoning Ordinance.
7. The north property line shall be maintained with a six (6) foot solid fence. The fence shall be repaired in a manner acceptable to the Director of Community Development.
8. All merchandise shall be located within the confines of the approved tent(s) at all times.
9. Signage shall be limited to the integrated sign panel located on the tents. No additional banners shall be allowed on the tents.

**PC 09-27: 850 N. DuPage Avenue**

Requests that the Village grant a conditional use, pursuant to Section 155.418 (C) of the Zoning Ordinance, to allow for an athletic training facility within the I Limited Industrial District. (DISTRICT #1)

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*Peter Becker, 1117 N. Main Street, presented the petition. He stated that his business, The Olympian Centre, is seeking a conditional use to relocate its facility from 1117 N. Main Street to 850 N. DuPage Avenue. The site is approximately the same size but will be more affordable.*

*Chairperson Ryan asked if there would be any changes associated with the relocation. The petitioner stated there would be none.*

*Chairperson Ryan then opened the meeting for public comment. No one spoke for or against the petition.*

*Chairperson Ryan requested the staff report. Jennifer Henaghan, Senior Planner, stated that the petitioner is proposing to operate an indoor athletic training facility within the I Limited Industrial District. The facility is currently located at 1117 N. Main Street (as approved by PC 07-21).*

*Public Works noted that the certifications for this property's backflow prevention devices are out of date and the property owner has not responded to the Village's multiple requests to bring the building into compliance with Cross Connection Control Ordinance 51.08. This deficiency should be remedied prior to occupancy.*

*The Building Division and Fire Department had a number of comments relating to the need for building permits and the classification of the facility as an assembly use. The petitioner is aware of these comments and will address them directly with the applicable divisions and departments through the building permit process. The petitioner has indicated that the building already has fire sprinklers.*

*Ms. Henaghan stated that in 2007, the Village Board approved a text amendment to the Zoning Ordinance adding athletic training facilities as a conditional use within the I Limited Industrial District. Subsequently, conditional use approval was granted to The Olympian Centre for the property located at 1117 N. Main Street. The new space is approximately 7,800 square feet in area and the petitioner has indicated that the new location will better suit their needs.*

*The Comprehensive Plan calls for this area to be developed with light industrial land uses. The property as developed complies with the recommendations of the Comprehensive Plan. The proposed use is also in compliance with the recommendations of the Comprehensive Plan in that the Plan suggests that industrial properties attract diverse tenants. The property is surrounded by light industrial uses on all sides. Other uses within the building include a warehousing/distribution facility and a steel cutting die manufacturer. Many of the trips generated by the proposed training facility will occur after 5:00 p.m., which is after the typical operating hours of the surrounding businesses. All activities associated with the use will occur indoors. Staff finds that an athletic training facility is compatible with the surrounding land uses.*

*Staff finds that the proposed use meets the Standards for Conditional Uses. No exterior improvements are proposed. The indoor nature and primary operating hours of the business will not conflict with the surrounding uses and there is a surplus of parking on the site. The training facility will conform to the I District requirements in all other*

respects.

Chairperson Ryan opened the meeting for comments from the Plan Commission.

Commissioner Sweetser asked about the hours of operation and the ages of the students. The petitioner stated that the youngest students are eight years old and they are primarily there for private coaching. The student age range goes up from there into the 60s. The majority of the students come in during the evenings and are finished by 9:00 or 9:30 p.m., but there are also a number of small daytime classes.

**It was moved by Commissioner Burke, seconded by Commissioner Nelson, that this matter be recommended to the Corporate Authorities for approval subject to conditions. The motion carried by the following vote:**

**Aye:** 4 - Ryan, Sweetser, Burke and Nelson

**Absent:** 3 - Flint, Olbrysh and Cooper

1. All comments noted in the IDRC report shall be satisfactorily addressed prior to the issuance of a Certificate of Occupancy/Zoning Certificate.
2. The petitioner shall submit detailed plans to the Fire Department for further review of sprinklering and exiting requirements.
3. The building and property shall be brought into compliance with Cross Connection Control Ordinance 51.08.
4. All business activity associated with the athletic training facility shall be conducted within the existing building.

#### **PC 09-26: Text Amendments to the Lombard Sign Ordinance**

The Village of Lombard is proposing text amendments to the Lombard Sign Ordinance with regard to temporary signage.

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Christopher Stilling, Assistant Director of Community Development, presented the petition. He stated that he will be providing a PowerPoint presentation to discuss the proposed text amendments. He said the goals of the proposed amendments to the Sign Ordinance is to create consistency, while still keeping with the intent and format of the existing Ordinance with regards to size, location and permitted number of signs.

Mr. Stilling explained some of the current inconsistencies with the Sign Ordinance related to real estate, political campaign, development, and "other temporary signs (banner, window, inflatable, etc)".

Mr. Stilling indicated that the proposed changes would create more consistency and that real estate, political campaign, development, and "other temporary signs (banner, window, inflatable, etc)" would still remain as separate categories. However, regulations will be based on land use. Mr. Stilling then explained the changes made for each section of the Code.

Mr. Stilling explained that certain definitions were amended or created where necessary to ensure consistency and clarity. Lastly, Mr. Stilling discussed how the proposed text amendments addressed the comments and concerns raised at the Plan Commission workshop held on August 17, 2009 particularly as they relate to signage on residential properties as it relates to different land uses (churches, schools, etc), creating definitions for the temporary signage and illumination of signage.

Mr. Stilling stated that staff has addressed the required standards for the text amendments and that staff recommends that the Plan Commission approve the

*changes as proposed.*

*Chairperson Ryan then opened the meeting for public comment. No one spoke for or against the petition.*

*Chairperson Ryan opened the meeting for comments from the Plan Commission.*

*Commissioner Sweetser stated that the new changes would prohibit inflatable signs in the attached, detached and two-family dwelling units. She then asked staff to clarify the definitions for balloons signs and inflatable signs for easier reading.*

**It was moved by Commissioner Sweetser, seconded by Commissioner Burke, that this matter be recommended to the Corporate Authorities for approval. The motion carried by the following vote:**

**Aye:** 4 - Ryan, Sweetser, Burke and Nelson

**Absent:** 3 - Flint, Olbrysh and Cooper

## **Business Meeting**

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*The business meeting convened at 8:20 p.m.*

## **Approval of Minutes**

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*On a motion by Sweetser and seconded by Burke the minutes of the August 17, 2009 meeting were unanimously approved with the following corrections:*

- 1. Page 3, 2nd paragraph, 5th line, change the word "aseptically" to "aesthetically"*
- 2. Page 4, 3rd paragraph, 2nd line, change the word "sated" to stated*
- 3. Page 4, 3rd paragraph, 13th line, strike the word "will"*
- 4. Page 6, 2nd line from top of page, change the word "sign" to "signs"*
- 5. Page 6, 2nd paragraph, 3rd line, change the word "he" to "the"*
- 6. Page 11, 5th paragraph, 3rd line, strike the words "instead of what we desire for the downtown"*
- 7. Page 14, last paragraph, last line, strike the "it"*

## **Public Participation**

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*There was no public participation.*

## **DuPage County Hearings**

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*There were no DuPage County hearings.*

## **Chairperson's Report**

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*The Chairperson deferred to the Assistant Director of Community Development.*



## Planner's Report

### [Play Video](#)

*Assistant Director Stilling indicated that the Village Board had approved the petition for the property located at 701-747 E. 22nd Street.*

*The upcoming October agenda will include a couple of items - one of which is Village Annexation Strategies. This item was finished in 2009 and has been presented to the Village Board. The Village Board referred this item to both the Plan Commission and the Economic & Community Development Committee for review and comment. There might also be other text amendments to clean up the code as a result of the Building Department becoming part of the Community Development Department.*

## Unfinished Business

### [Play Video](#)

*There was no unfinished business.*

## New Business

### [Play Video](#)

*There was no new business.*

## Subdivision Reports

### [Play Video](#)

*There were no subdivision reports.*

## Site Plan Approvals

### [Play Video](#)

*There were no site plan approvals.*

## Workshops

### [Play Video](#)

*There were no workshops.*

## Adjournment

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*The meeting adjourned at 8:26 p.m.*

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*Donald F. Ryan, Chairperson  
Lombard Plan Commission*

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*Christopher Stilling, Secretary  
Lombard Plan Commission*