

November 15, 2021

Title

SPA 21-01ph

Petitioner

SES – Charley Schalliol
6001 Nimtz Parkway
South Bend IN 46628

Property Owner

Von Maur, Inc.
6565 Brady Street
Davenport IA 52806

Property Location

145 Yorktown
06-29-400-002
06-29-301-008
Trustee District #3

Zoning

B3 Commercial Shopping District
Planned Development

Existing Land Use

Parking Field; Von Maur

Comprehensive Plan

Regional Commercial

Approval Sought

Sign Variances

Prepared By

Jennifer Ganser, AICP
Assistant Director of
Community Development



LOCATION MAP

PROJECT DESCRIPTION

Olive Garden proposes to subdivide the property (SUB 21-01), build a new freestanding restaurant, and install signage. Currently the property is owned by Von Maur.

APPROVAL(S) REQUIRED

The petitioner requests site plan approval with the following deviations for the subject property located within the B3 Community Shopping District and Yorktown Center Planned Development:

1. A deviation from Section 153.505(B)(19)(a)(i)(a) of the Lombard Sign Ordinance to allow a total wall sign area of 210 square feet where 100 square feet is allowed;
2. A deviation from Section 153.208(B) to allow for a sign in the clear line of sight area; and
3. A deviation from Section 153.242(E) to allow a wall sign to be displayed in conjunction with a projection sign.

EXISTING CONDITIONS

The subject property is currently an impervious asphalt parking field and the Von Maur Department Store.

Submittals

1. Request for final plat approval;
2. Standards for a variance, prepared by SES;
3. Sign package, prepared by SES, dated October 7, 2021.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments. Additional comments may be forthcoming during permit/occupancy review.

Fire Department:

Fire has no comments. Additional comments may be forthcoming during permit/occupancy review.

Private Engineering Services:

PES has no comments. Additional comments may be forthcoming during permit/occupancy review.

Public Works:

Public Works has no comment. Additional comments may be forthcoming during permit/occupancy review.

Planning Services Division:

1. Surrounding Zoning & Land Use Compatibility

	Zoning Districts	Land Use
North	B3PD	Yorktown Mall
South	O	Restaurant and Office
East	B3PD	Vacant Bank
West	B3PD and unincorporated	Yorktown Mall and a cemetery

The use of a restaurant is permitted by right.

2. Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Regional Commercial land uses for the Yorktown Planned Development. The proposed restaurant use is consistent with this recommendation. Other business establishments in the Planned Development received similar signage relief.

3. Compliance with the Zoning Ordinance and the Yorktown Planned Development

The Planned Development does not address exterior signage. Therefore, the exterior signage at Yorktown is regulated by the current Zoning and Sign Ordinance.

4. Signage Relief

Historically, staff has supported signage deviations for businesses along the ring road because a strict interpretation of code restricts businesses from placing reasonable signage on their buildings. With only one frontage along a public street, the Sign Ordinance allows 100 square feet of wall signage. If the access drives adjacent to the subject property

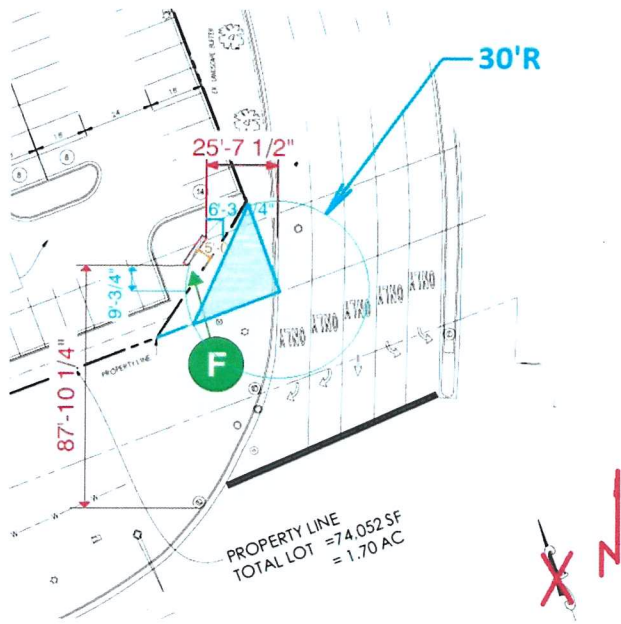
were publicly dedicated streets, additional square footage would be allowed. As customers will be viewing and accessing the site from multiple directions, including the internal drive aisles north and east of the site, the need to have signage on multiple elevations is understandable. As these drives often function as public streets, staff believes the proposed wall signs can be supported. This is consistent with past signage relief at for McDonalds (SPA 10-01ph), Chase Bank (SPA 11-02ph), Claim Jumper (SPA 05-02ph), Capital Grille (SPA 05-03ph), Rock Bottom (SPA 05-04ph), and Fifth Third Bank (SPA 07-07ph). Olive Garden would install four wall signs.

Business	Case	Number	Total Square Feet of All Signs
McDonalds*	SPA 10-01ph	5	151.75
Chase Bank	SPA 11-02ph	4	168.22
Claim Jumper	SPA 05-02ph	4	285
Capital Grille**	SPA 05-03ph	6	223.5
Rock Bottom	SPA 05-04ph	6	209
Fifth Third Bank	SPA 07-07ph	3	144.7

*Relief also included 2 roof signs at 870 square feet each

** Relief also included 18 awning/canopy signage at 55 square feet

The freestanding sign meets Code for height, square footage, and the setback. However, the sign is located in the clear line of sight triangle. As the petitioner noted in the response to standards, the new property line jogs which limits the ability to comply with Code. The subject property has a large right of way and the sign will be out of the actual sight line to motorists turning onto Butterfield Road. It should not impact turning movements onto Butterfield Road as a motorist will be past the sign when turning onto Butterfield Road. The new sign will be placed in a similar location to the Mall Feature Sign that is currently at the intersection.



Code does not allow wall signs and projecting signs to be displayed at the same business. Staff supports this request for a projecting sign, noting it will serve a purpose to guide customers picking up to go orders. Additionally, staff also finds that the projecting sign would not be legible from any significant distance, so the appearance of excessive signage from afar will not be present. The smaller size of the projecting sign confirms

is not intended to be an identifier of the business for people not already on the property and creates a pedestrian scale feel to the establishment. The one projecting sign meets Code for size.

FINDINGS & RECOMMENDATIONS

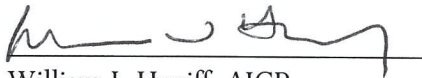
Staff finds that the proposed signage meets the requirements of the Zoning Ordinance.

As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion for recommendation of **approval** of SPA 21-01ph:

Based on the submitted petition and the testimony presented, the proposed signage meets the requirements of the 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 SPA 21-01ph subject to the following conditions:

1. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
2. That the petitioner shall be required to apply for and receive building permits prior to construction; and
3. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner