



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

MEETING DATE: October 6, 2022

SUBJECT: **PC 22-24: 450 E. 22nd Street**

Please find the following items for Village Board consideration as part of the October 6, 2022, Board meeting:

1. Plan Commission referral letter
2. IDRC report for PC 22-24
3. An Ordinance granting approval of an amendment to the St. Regis Planned Development to provide for the placement of a freestanding sign

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the October 6, 2022, Board of Trustees agenda for a first reading.



VILLAGE OF LOMBARD

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October 6, 2022

Village President
Keith T. Giagnorio

Village Clerk
Liz Brezinski

Trustees

Brian LaVaque, Dist. 1
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Bernie Dudek, Dist. 3
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Dan Militello, Dist. 5
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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 22-24: 450 E. 22nd Street

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 located within the B3PD Planned Development (St. Regis Planned Development):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the St. Regis Planned Development, as established by Ordinance No. 2249 and amended by Ordinance Nos. 4409, 4470, 4596, 7472, and 7587, in order to provide for the placement of a new (replacement) freestanding sign at the same location as a previously existing sign on the subject property, with the following deviations:
 - a. A deviation from Village Code Section 153.210(H) to allow an automatic changeable copy panel on a freestanding sign that is not perpendicular to a minor arterial road; and
 - b. A deviation from Village Code Section 153.208(B) to allow for a freestanding sign to be located in the clear line of sight area, where the new freestanding sign will utilize the foundation of a previously existing sign located in the clear line of sight area.
(Included in the public notice, but staff review confirms this relief is not necessary. See discussion below.)

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on September 26, 2022. Sworn in to present the petition was Anna Papke, Senior Planner, and Marcin Wolak of Elevate Sign, representing the petitioner.

Acting Chair Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Mr. Wolak presented the petition. He said the property owner intends to replace an existing freestanding sign with a new freestanding sign of the same sign surface area and height. The current sign is a static sign, but the proposed replacement sign will include an automatic changeable copy (ACC) panel. The Village's Sign Ordinance requires ACC signs to be located perpendicular to 22nd Street. However, the proposed sign is at a 45-degree angle to 22nd Street. The petitioner is requesting approval for a deviation to permit the ACC sign at this angle. Mr. Wolak noted the proposed sign will comply with the sign allotments previously approved for the property in 1999.

Acting Chair Giuliano asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, she asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The petitioner proposes to replace the existing freestanding sign located at 450 E. 22nd Street, at the corner of 22nd Street and Fairfield Avenue. The property is located in the St. Regis Planned Development, which has strict regulations for signage. In 1999, the current freestanding sign was approved by the Village through the public hearing process.

The petitioner proposes to install a new freestanding sign that is the same size and height as the existing sign, utilizing the same foundation as the existing sign. The proposed sign includes an automatic changeable copy (ACC) panel. The Sign Ordinance permits ACC panels on properties with more than 350 feet of frontage on an arterial roadway, provided the ACC panel is perpendicular to the arterial roadway. The subject property has more than 350 feet along 22nd Street, which is a designated minor arterial roadway. However, the existing and proposed sign is located at a 45-degree angle to 22nd Street. Therefore, the petitioner is seeking a signage deviation to permit the ACC panel to be at a 45-degree angle to 22nd Street rather than the required 90-degree angle.

Staff has reviewed the petition and finds it meets the standards for signage deviations. The current sign was installed in 2000, prior to the adoption of code requirements for ACC signs to be perpendicular to arterial roads. Further, the position of the current sign accounts for a number of site constraints, including a retaining wall, grade changes, and underground utility lines. Given these issues, staff finds it reasonable that the petitioner would seek to install the sign in the same location as the existing sign. Staff recommended approval of the petition.

Ms. Papke noted that the petition had been advertised to include a deviation for the sign to be within the clear line of sight triangle at the intersection, based on an initial belief that the existing sign encroached into the clear line of sight. However, upon further review, staff determined the

existing sign is outside the clear line of sight triangle. Since the new sign will use the existing sign foundation, it will also be outside the clear line of sight. Therefore, this relief is not necessary. To this end, the staff report includes a recommended condition of approval that affirms the sign will remain outside the clear line of sight.

Acting Chair Giuliano asked if there were any questions or comments on the staff report.

Commissioner Johnston asked about the purpose of the code requirement that ACC signs be located perpendicular to the right-of-way. Ms. Papke said that this code requirement was adopted in 2014, when the Village approved significant amendments to the code provisions for ACC signage. Prior to 2014, ACC signs were permitted based on zoning district. Since 2014, ACC signage has been permitted for all properties with 350 feet or more of frontage along an arterial roadway, regardless of zoning district. Ms. Papke said the requirement for the ACC sign to be located perpendicular to the arterial roadway was to ensure that ACC signs were not unreasonably impacting minor roadways in cases where corner properties had frontage on an arterial and a non-arterial roadway.

On a motion by Commissioner Invergo, and a second by Commissioner Sweetser, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 22-24 subject to the three (3) conditions in the staff report:

1. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report, including but not limited to compliance with the comments from the Fire Department and the Building Division;
2. That the petitioner shall apply for and receive all required building permits prior to commencing any work on the site; and
3. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

Respectfully,

VILLAGE OF LOMBARD

Leigh Giuliano, Acting Chairperson
Lombard Plan Commission

September 26, 2022

Title

PC 22-24

Petitioner

Elevate Sign Group
1120 N. Ridge Avenue
Lombard, IL 6-148

Property Owner

Todd Gunderson
450 E. 22nd Street
Lombard, IL 60148

Zoning

B3PD — St. Regis Planned
Development

Existing Land Use

Office building

Comprehensive Plan

Office

Approval Sought

Approval of a major change to the St. Regis Planned Development to provide for the placement of a freestanding sign with automatic changeable copy panel.

Prepared By

Anna Papke, AICP
Senior Planner



LOCATION MAP

DESCRIPTION

The subject property is located in the St. Regis Planned Development, which was established in 1978 by Ordinance 2249. Per Ordinance 2249, signage in the planned development must comply with the O Office District signage requirements, though the underlying zoning in the planned development is B3. Further, freestanding signs in the St. Regis Planned Development are limited to the signs specifically identified. Ordinance 2249 has been amended several times to identify additional freestanding signs as properties within the planned development have developed or redeveloped.

There is currently a freestanding sign located at 450 E. 22nd Street, which was approved in 1999 by Ordinance 4596 (PC 99-02). Ordinance 4596 permits this sign to be a maximum of 40 square feet in sign surface area, and six feet tall. Ordinance 4596 also requires the sign to be located parallel to an existing retaining wall, and outside the 30-foot clear line of sight triangle at the intersection of 22nd Street and Fairfield Avenue.

The petitioner proposes to replace the existing sign cabinet with a sign cabinet of the same surface area and height as the existing sign. The new sign will be located in the same location as the current sign; the petitioner has confirmed they will mount the new sign cabinet on the existing sign foundation. The current sign sits at a 45-degree angle relative to 22nd Street and Fairfield Avenue, in front of a retaining wall and landscaped berm.

Project Details

Parcel size:	3.49 acres
Building size:	33,630 SF
Sign area:	38 SF
Sign height:	Six feet
ACC area:	16 SF

Submittals

1. Petition for public hearing, dated August 25, 2022;
2. Response to standards for variations, prepared by petitioner;
3. ALTA/NSPS land title survey, prepared by Jens K. Doe Professional Land Surveyors, P.C., dated August 13, 2021; and
4. Signage plans, prepared by Elevate Sign Group.

The proposed sign includes an automatic changeable copy (ACC) panel. Signs in the Office District and the St. Regis Planned Development are permitted to have ACC panels subject to the provisions of Section 153.210 of the Village Sign Ordinance. 153.210 permits ACC signs on properties that have frontage along a major or minor arterial roadway. 153.210 also requires that signs with ACC components be located perpendicular to the major or minor arterial roadway in question. 22nd Street is classified as a minor arterial road. However, the location of the sign at a 45-degree angle to 22nd Street does not meet the requirements of 153.210. Therefore, the petitioner is seeking additional zoning relief to allow for the ACC panel at a 45-degree angle to 22nd Street.

EXISTING CONDITIONS

The subject property is developed with an office building and surface parking lot.

APPROVAL(S) REQUIRED

The petitioner requests that the Village take the following action on the subject property located within the B3PD Planned Development (St. Regis Planned Development):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the St. Regis Planned Development, as established by Ordinance No. 2249 and amended by Ordinance Nos. 4409, 4470, 4596, 7472, and 7587, in order to provide for the placement of a new (replacement) freestanding sign at the same location as a previously existing sign on the subject property, with the following deviations:
 - a. A deviation from Village Code Section 153.210(H) to allow an automatic changeable copy panel on a freestanding sign that is not perpendicular to a minor arterial road; and
 - b. A deviation from Village Code Section 153.208(B) to allow for a freestanding sign to be located in the clear line of sight area, where the new freestanding sign will utilize the foundation of a previously existing sign located in the clear line of sight area.
(Included in the public notice, but staff review confirms this relief is not necessary. See discussion below.)

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments on this petition. Should the petition be approved, additional comments may be forthcoming during permit review.

Fire Department:

The Fire Department has no comments on this petition. Should the petition be approved, additional comments may be forthcoming during permit review.

Private Engineering Services (PES):

PES has no comments on this petition. PES does recommend the petitioner be mindful of a private 8’ water main located near the existing sign foundation. Additional comments may be forthcoming during permit review.

Public Works:

Public Works has the following comments. Additional comments may be forthcoming during permit review.

1. The footprint of a new sign should be placed no closer than five (5) feet to an existing private 8” water main, which is located immediately north of the sign.

[Planning staff note: Petitioner has stated they will use existing sign foundation to mount new sign cabinet. The location of the sign foundation will not change from its current location.]

Planning Services Division:

The Planning Services Division notes the following:

1. Surrounding Zoning & Land Use Compatibility

	Zoning	Land Use
North	R4PD	St. Regis Condos and Yorkbrook Condos
South	B3PD	TownePlace Suites
East	O	Office complex
West	B3PD	Office building

The property is an existing office building in an established office/commercial corridor. The proposed sign is consistent with the character of surrounding development.

2. Comprehensive Plan Compatibility

The Comprehensive Plan designates this property as suitable for office development. The proposed signage is consistent with the type of signs typically found in office districts.

3. *Planned Development and Sign Ordinance Compatibility*

Though the underlying zoning on the subject property is B3, the St. Regis Planned Development ordinances state that signage in the planned development shall comply with the O Office District requirements in the Lombard Sign Ordinance. Staff has reviewed the proposed freestanding sign against the Office District sign standards as well as the previous approval for a sign on the subject property, and notes the following:

- Ordinance 4596 granted approval for the existing sign on the subject property to be a maximum of 40 square feet in surface area and six feet in height. The proposed sign is consistent with the size and height allotments granted in Ordinance 4596.
- Signs in the O District must be set back at least 10 feet from all property lines. Per the plat of survey and measurements provided by the petitioner, the existing and proposed sign meets this requirement.
- Signs located along minor arterial roadways are permitted to have automatic changeable copy panels of up to 16 square feet. The ACC panel in the proposed sign is 16 square feet.

4. *Request for additional signage deviations*

- A. *Deviation to allow an automatic changeable copy panel on a freestanding sign that is not perpendicular to a minor arterial road*

Sign Ordinance Section 153.210 requires sign faces with ACC panels to be located on a major or minor arterial road, with the sign face perpendicular to the major or minor arterial road. These requirements were adopted by the Village Board in 2014 as part of a comprehensive overhaul of the ACC signage requirements, which amended the Sign Ordinance to regulate ACC signs based on street corridors rather than zoning districts.

The proposed sign will make use of an existing sign foundation that was installed in 2000, prior to the adoption of the current standard requiring the ACC sign to be perpendicular to 22nd Street. The current sign foundation is located at approximately 45 degrees to the 22nd Street right-of-way, and sits at the top of a berm that rises from the 22nd Street/Fairfield Avenue intersection northwest toward the office building (Figure 1). Staff has reviewed the Plan Commission staff report and meeting minutes from PC 99-02, as well as subsequent permitting documents. All of these records indicate there was considerable discussion about the location of the current sign given unique site conditions, including grade changes, retaining walls, and underground utility placement. In light of these existing conditions, staff understands the petitioner's intention to install the new sign in the same location, using the same foundation, as the previously existing sign. Staff supports the requested deviation for the placement of the ACC sign at the 45-degree angle to 22nd Street.



Figure 1. View of sign from 22nd Street

- B. *Deviation to allow a freestanding sign to be located in the clear line of sight area, where the new freestanding sign will utilize the foundation of a previously existing sign located in the clear line of sight area*

Upon initial review, staff believed the existing sign was encroaching into the clear line of sight area located at the intersection of 22nd Street and Fairfield Avenue. However, further investigation indicates the sign is just outside the 30-foot clear line of sight area. Figure 2 shows the clear line of sight triangle, scaled to the plat of survey, with existing sign location shown. The new sign cabinet will utilize the existing sign foundation. Therefore, relief to allow the sign to encroach into the clear line of sight area is not necessary. Should the Plan Commission vote to approve the petition, staff recommends the approval include a condition affirming that the sign will remain outside the clear line of sight.

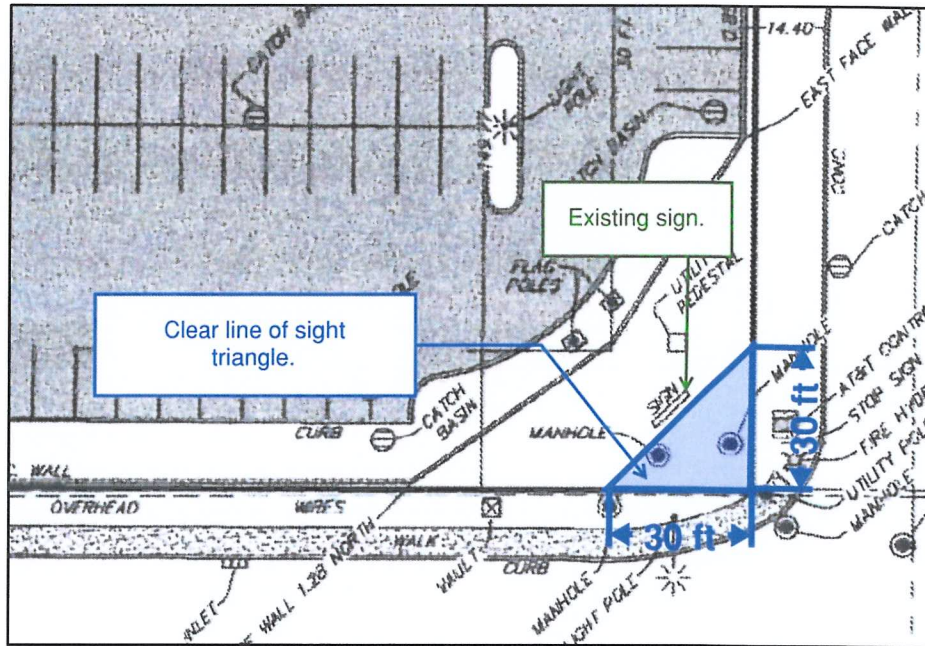


Figure 2. Clear line of sight triangle.

SITE HISTORY (SINCE CREATION OF ST. REGIS PLANNED DEVELOPMENT)

PC 78-29: St. Regis Planned Development with sign provisions established (Ordinance 2249).

Site Plan Approval, 1983: Site plan approval for an office building on the subject property.

PC 97-32: Amending Ordinance 2249 to allow two additional freestanding signs in the St. Regis Planned Development (Ordinance 4409).

PC 99-02: Amending Ordinance 2249 to allow a new freestanding sign at the corner of 22nd Street and Fairfield Avenue (Ordinance 4596).

PC 18-03: Amending Ordinance 2249 to allow a new freestanding sign at 2100 St. Regis Drive (Ordinance 7587).

FINDINGS & RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards for a major change to a planned development, as established by the Lombard Zoning Ordinance. As such, 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 testimony presented, the proposed major change to a planned development **complies** 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 Committee Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 22-24, subject to the following conditions:

1. That the petitioner shall develop the sign in substantial accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code;
2. That the sign shall remain outside of the 30-foot clear line of sight area at the intersection of 22nd Street and Fairfield Avenue;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
4. That the petitioner shall apply for and receive all required building permits prior to commencing any work on the site; and
5. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

William J. Heniff, AICP
Director of Community Development
c. Petitioner

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ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NUMBER 2249,
ADOPTED JANUARY 4, 1979, AND AMENDED BY
ORDINANCES 4409, 4470, 4596, 7472, AND 7587, GRANTING A
CONDITIONAL USE FOR A PLANNED DEVELOPMENT IN
ORDER TO PROVIDE FOR THE PLACEMENT OF A
FREESTANDING SIGN**

(PC 22-24: 450 E. 22nd Street)

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 Subject Property, as described in Section 2 below, is subject to the standards for the St. Regis Planned Development, as adopted by the President and Board of Trustees of the Village of Lombard by Ordinance 2249 and amended by Ordinances 4409, 4470, 4596, 7472, and 7587; and,

WHEREAS, Title 15, Chapter 155, Section 155.504 allows for amendment of an ordinance granting a conditional use for a Planned Development after a public hearing before the Village's Plan Commission; and

WHEREAS, an application has heretofore been filed requiring approval of an amendment to the St. Regis Planned Development, pursuant to the Lombard Zoning Ordinance (Title 15, Chapter 155 of the Village Code):

1. Pursuant to Section 155.504 (A) (major changes in a planned development) of the Lombard Zoning Ordinance, amend the St. Regis Planned Development, as established by Ordinance No. 2249 and amended by Ordinance Nos. 4409, 4470, 4596, 7472, and 7587, in order to provide for the placement of a new (replacement) freestanding sign at the same location as a previously existing sign on the subject property, with a deviation from Village Code Section 153.210(H) to allow an automatic changeable copy panel on a freestanding sign that is not perpendicular to a minor arterial road

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on September 26, 2022, 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 amendment; 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 Ordinance 2249, Section 3, Paragraph L, shall be amended to read entirely as follows:

- L. That for the proposed Planned Unit Development the following sign requirements shall prevail:
1. That two new freestanding signs shall be permitted to front on 22nd Street. These signs shall substantially comply with the sign plans prepared by Vincent Signs, date-stamped December 17, 1997, and by Grate Signs, dated December 9, 1997. Changes to the sign panels shall be permitted through the sign permit process. Replacement or reconstruction of either sign shall require amendment of the Planned Development.
 2. That a new freestanding sign shall be permitted at the **northwest** corner of 22nd Street and Fairfield Avenue. This sign shall be outside of the 30-foot sight triangle; ~~fronting 22nd Street, in line with the existing retaining wall~~ **located in the same location as the previously existing freestanding sign**; and a maximum of six feet (6') in height with a forty (40) square foot sign face, **with said sign face including an automatic changeable copy component of 16 square feet in surface area.**
 3. That a second wall sign shall be permitted at 450 E. 22nd Street. This sign shall substantially comply with the sign plans as prepared by Olympic Signs, dated October 31, 1998.
 4. That an additional freestanding sign be permitted on the property located at 2100 St. Regis Drive. This sign shall substantially comply with the sign plans submitted with PC 18-03, and shall be located in one of the two locations discussed in the Interdepartmental Review Committee Report for PC 18-03.
 5. That no other freestanding signs shall be permitted.

6. That all other signage shall comply with the O Office District requirements of the Lombard Sign Ordinance Number 2644.

SECTION 2: That this ordinance is limited and restricted to the property legally described as follows:

Lot 1 in Jay C. Bennett, Sr. – County Clerk St. Regis Assessment Plat No. 2 of part of the south ½ of Section 20, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded May 3, 1983 as Document R83-25469 in DuPage County, Illinois

PIN: 06-20-307-018

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. That the petitioner shall develop the sign in substantial accordance with the plans submitted as part of this petition and referenced in the Inter-Departmental Review Committee Report, except as they may be changed to conform to Village Code;
2. That the sign shall remain outside of the 30-foot clear line of sight area at the intersection of 22nd Street and Fairfield Avenue;
3. That the petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report; and
4. That the petitioner shall apply for and receive all required building permits prior to commencing any work on the site; and
5. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).

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 _____, 2022.

First reading waived by action of the Board of Trustees this _____ day of _____, 2022.

Ordinance No. _____

Re: PC 22-24

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Passed on second reading this _____ day of _____, 2022, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2022.

Keith T. Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published in pamphlet from this _____ day of _____, 2022.

Elizabeth Brezinski, Village Clerk