

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


_____ Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
 X Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: February 25, 2013 (BOT) Date: March 7, 2013

TITLE: PC 13-02: 837 S. Westmore-Meyers Rd.

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 an amendment to Conditional Use approval provided by Ordinance 4636 within a B3PD Community Shopping District. The amendment requests that the design provisions as set forth within Section 3-H of Ordinance 4636 be removed, which would result in the underlying wall signage regulations as set forth within the Lombard Sign Ordinance to apply for the Eastgate Shopping Center.

The Plan Commission recommended approval of this petition subject to two conditions.

Please place this under Items For Separate Action on the March 7, 2013 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X _____	Date _____

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: David A. Hulseberg, AICP, ICMA-CM, Village Manager

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

DATE: March 7, 2013

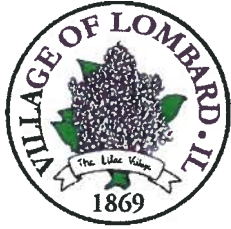
SUBJECT: **PC 13-02: 837 South Westmore-Meyers Road**

Attached are the following items for consideration as part of the March 7, 2013 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 13-02; and
3. An Ordinance granting an amendment to Ordinance 4636 to remove Section 3-H in its entirety.

The Plan Commission unanimously recommended approval of the petition, subject to the conditions noted within the Inter-Departmental Review Committee report.

Please let me know if you have any questions on the aforementioned materials.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

March 7, 2013

Acting Village President
William "Bill" Ware

Village Clerk
Brigitte O'Brien

Mr. William Ware
Acting Village President and
Board of Trustees
Village of Lombard

Subject: PC 13-02; 837 South Westmore-Meyers Road

Trustees

Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Peter Breen, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
David A. Hulseberg

Dear Acting President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests an amendment to Conditional Use approval provided by Ordinance 4636 within a B3PD Community Shopping District. The amendment requests that the design provisions as set forth within Section 3-H of Ordinance 4636 be removed, which would result in the underlying wall signage regulations as set forth within the Lombard Sign Ordinance to apply for the Eastgate Shopping Center.

"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."

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on February 18, 2013.

Mary Ann Hoehn 837 S. Westmore, Lombard, presented the petition on behalf of the petitioner, Inland Commercial Property Management, Inc. Ms. Hoehn stated that the petitioner requests a planned development amendment to strike section 3-H from Ordinance 4636 to allow Eastgate Center to follow the same sign regulations as every other B-3 zoned properties throughout the Village. Ms. Hoehn stated that their own sign criteria requirements calling for channel letter signs only has become a financial hardship for tenants who may be interested in a space on a temporary basis.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

John Hannon, 853 S. School St., Lombard, asked if the size of the existing signs will change, in particular Ace Schroeder's existing sign compared to a new sign. Ms. Hoehn stated that there are no plans to replace any signs and signs would still have to follow the Village of Lombard' Sign Ordinance.

Tami Urish, Temporary Planner, entered the staff report into the public record in its entirety. In 1999 (PC 99-11), the petitioner established very specific sign criteria for tenant signs of the shopping center as an overall improvement package. The relief that is being requested is from this sign criteria which is more restrictive and narrowly interpreted than the Village Code. The removal of the sign criteria will allow flexibility when negotiating with potential tenants and will not inhibit the creativity of any chosen sign as long as it meets the guidelines established by the Village of Lombard's Sign Ordinance. Staff confirms the petitioner has addressed the standards for conditional use. The request should not have any negative impact on the area. Staff recommends approval of the petition with the two suggested conditions.

Chairperson Ryan asked if there were any questions regarding the staff report. Hearing none, he opened the meeting for comments among the Commissioners. The Commissioners had no questions or comments.

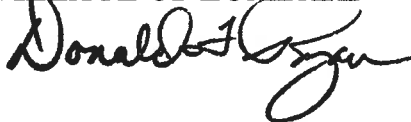
After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning Ordinance. It was moved by Commissioner Sweetser, seconded by Commissioner Olbrysh, that the petition be forwarded to the Village Board with a recommendation of approval of PC 13-02, subject to the following conditions noted in the staff report:

1. That Section 3-H shall be removed from Ordinance 4636 in its entirety.
2. That all other provisions of Ordinance 4636 and the Lombard Zoning and Sign Ordinance shall remain in full force and effect for the Eastgate Planned Development.

The petition was recommended for approval by a 5-0 vote.

Respectfully,

VILLAGE OF LOMBARD



Donald Ryan, Chairperson
Lombard Plan Commission

ANALYSIS

SUBMITTALS

This report is based on the following documents filed on January 24, 2013, with the Department of Community Development:

1. Petition for Public Hearing.
2. Response to Standards for Planned Developments.
3. Plat of Survey, prepared by Webster, McGrath, and Ahlberg, Ltd., dated May 5, 1998.
4. Site plan, titled "Eastgate Center; Store Listings" prepared by Inland Real Estate Corporation.

DESCRIPTION

The Eastgate Shopping Center, at 837 South Westmore-Meyers Road contains 3 brick one-story commercial buildings oriented in a "U" shape across the property. The three buildings are 21,170, 41,163 and 66,318 square feet as seen from the north to the south across the property. In addition to these buildings a 2,500 square foot building is located in the far northwest corner of the property. The property has a parking lot with 705 total parking spaces. The two main entrance/exits and access road follows the "U" shape frontage of the three main buildings. Two additional entrance/exit access points service the 2,500 square foot outbuilding.

The property was purchased in 1999 by the current owners in which they subsequently invested in improvements. The development of their own sign criteria was included in these improvements (Section 3-H of Ordinance 4636). The sign criteria were designed by the property owner to control the specific procedures, specifications and installation of signs by tenants of the shopping mall. This petition seeks to eliminate the specially designed sign criteria and adhere to the regulations set forth by the Village of Lombard Sign Ordinance for B-3 zoned properties (153.505).

ENGINEERING

Public Works

The Department of Public Works has no comments.

Private Engineering

Private Engineering has no comments on the petition.

FIRE DEPARTMENT

The Fire Department has no comments on the petition.

BUILDING DIVISION

The Building Division has no comments on the petition.

PLANNING

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Community Commercial uses for this location. The shopping center is an appropriate use within this designation and the signage request is consistent with the commercial land use.

Compatibility with the Surrounding Land Uses

The subject property is located on Westmore-Meyers Road, a minor arterial with a mix of single-family residential, medium-density residential, commercial, and office uses. Surrounding uses include a bank to the north, offices to the east, and townhomes to the east and south. Single-family residences exist to the west and north, though the homes to the west face away from Eastgate and have fencing between their rear yards and Eastgate. The proposed removal of the property owner's designed sign criteria will not impact the compatibility of the center with the surrounding area, as the signage will not be visible or located far from the adjacent properties.

Compatibility with the Zoning Ordinance



The shopping center is in compliance with the Zoning Ordinance. The proposed change to the conditional use approval and other aspects of the site are as follows:

Signage

In 1999 (PC 99-11), the petitioner submitted proposed sign criteria for tenant signs within Eastgate Shopping Center (attached) as part of an overall improvement package. The conditional use amendment was granted (Ordinance 4639) on May 20, 1999. The existing sign criteria specify that all new tenant signage consist of:

- individually illuminated channel letters
- Plexiglas faces and neon tubing illumination
- maximum of two (2) lines of text
- maximum span of 75% of the store frontage
- size range for letters of 12" to 24"
- All signage must be approved by the landlord.
- If a conflict exists between the sign criteria and the Village of Lombard's Sign Ordinance, then the *sign criteria* is to prevail. This ensures that consistent signage is provided for the center regardless of whether or not the Sign Ordinance changes over time, and will provide more predictable (and user-friendly) standards for the landlord and tenants.

The table below lists the wall signage provisions for the subject property:

Wall Sign Regulations	
Village of Lombard Sign Ordinance	Existing Eastgate Shopping Center Sign Criteria
<p>Type: Signs can be of any design (cabinet, channel letter, projecting, etc.) provided it meets all other provisions of code.</p>	<p>Type: Channel letters only:</p> 
<p>Size: Calculated by formulas specified in 153.505; B3, B4 & B4A COMMUNITY SHOPPING DISTRICT REQUIREMENTS:</p> <ul style="list-style-type: none"> • If a tenant's wall sign is less than 120 feet from the nearest property line, then the total surface area of that sign shall not exceed one times the lineal front footage of the tenant space, (minimum of 25 sq. ft. of sign surface area and not to exceed 100 sq. ft.) • If a tenant's wall sign is equal to or more than 120 feet but less than 240 feet from the nearest property line, then the total surface area of that sign shall not exceed two times the lineal front footage of the tenant space, (minimum of 25 sq. ft. of sign surface area and not to exceed 200 sq. ft.) • If a tenant's wall sign is equal to or more than 240 feet but less than 360 feet from the nearest property line, then the total surface area of that sign shall not exceed two times the lineal front footage of the tenant space. (minimum of 25 sq. ft. not to exceed 300 sq. ft.) • If a tenant's wall sign is equal to or more than 360 feet from the nearest property line, then the total surface area of that sign shall not exceed two times the lineal front footage of the tenant space, (minimum of 25 sq. ft. of sign surface area and not to exceed 400 sq. ft.) 	<p>Size: 24" Maximum, 12" minimum for Letters Maximum span 75% of store frontage</p> 
<p>Size: No restriction on lines of text</p>	<p>Size: Two lines of text</p>
<p>Installation: 153.242 WALL SIGNS: All signs must meet Building Code and Sign Ordinance provisions.</p>	<p>Installation: Flush mount to fascia sign band</p>

The petitioner is seeking a modification to the criteria in order to be more accommodating to market concerns. The petitioner is requesting to abide by the Village of Lombard Sign and Zoning Ordinance provisions in the same manner as all other properties zoned as B3 and is not requesting additional signage relief from the Village Codes. The relief that is being requested is from the sign criteria created by the property owner, which is more restrictive and narrowly interpreted than the Village Code. The removal of the sign criteria will allow flexibility when negotiating with potential tenants and will not inhibit the creativity of any tenant's chosen sign within the Village of Lombard's established guidelines. Specifically, they seek to amend their own regulations to provide for a greater mix of sign styles to accommodate the tenant needs and to provide for signage opportunities for short-term tenants who may not have the desire or ability to provide for an illuminated channel letter sign for their business.

All of the storefronts in the Eastgate Shopping Center are more than 120 feet from the nearest property line and therefore the total surface area of each sign shall not exceed two times the lineal front footage of the tenant's space. Approximately three of these storefronts are not to exceed 200 square feet and an additional eight are not to exceed 300 square feet according to the existing division of frontage. The remaining majority of the storefronts are not to exceed 400 square feet.

While the Village has received concerns in regard to the intensity of illumination of any new signs, staff notes the petitioner/property owner would be required to meet the illumination provisions of the Sign Ordinance as no relief is being requested from the underlying illumination requirements outlined. The intensity of illumination of signs is not addressed in the sign criteria.

To address residents' concerns, it is sited that externally illuminated signs shall not be permitted to directly cast light into or shine upon any residential district and in no case shall lighting from any illuminated sign impacting on a residential district exceed that permitted from the illumination of off-street parking, as established in Section 155.602(A)(10)(d) of the Zoning Ordinance. Approximately 50% of the tenants' storefronts with illuminated signs face each other in the "U" shaped formation of the three buildings and do not directly face residential properties. The remaining 50% of the tenants' storefronts (for example Schroeder's Ace Hardware) face residential property along the western side of Westmore-Meyers Road at an approximate distance of 500 feet. The size of these signs will not exceed 400 square feet. The residential properties are orientated with the rear lots facing the shopping center and there is a six foot solid fence along the rear property lines. Given this distance and orientation of the shopping center, the elimination of the sign criteria will not adversely impact any residential property.

FINDINGS AND RECOMMENDATIONS

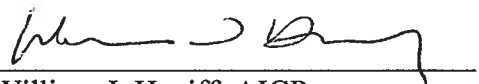
Staff has reviewed the response to standards included as part of the petition and concurs that the petition meets the standards set forth in the Zoning and Sign Ordinances. Staff believes that the proposed use is appropriate at the subject location and is compatible with surrounding uses, and the planned development.

Based on the above findings, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition subject to the conditions as outlined:

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance, and, therefore, I move that the Plan Commission accept the findings and responses to the standards for conditional uses included within the Inter-departmental Review Report as the findings of the Lombard Plan Commission and that the requested relief enhances the overall planned development and is in the public interest and therefore, recommends to the Corporate Authorities **approval** of PC 13-02, subject to the following conditions:

1. That Section 3-H shall be removed from Ordinance 4636 in its entirety.
2. That all other provisions of Ordinance 4636 and the Lombard Zoning and Sign Ordinance shall remain in full force and effect for the Eastgate Planned Development.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP
Director of Community Development



Inland Commercial Property Management, Inc.
2901 Butterfield Road
Oak Brook, Illinois 60523
630-954-5656
Toll Free: 877-206-5656

SIGN CRITERIA

EASTGATE SHOPPING CENTER LOMBARD, ILLINOIS

PURPOSE

The following sign criteria has been established to assist tenants in complying with their lease. These basic standards have been made to govern the design, fabrication, and installation of tenant signs and is intended to afford all tenants with good visual identification.

The sign standards have been selected to harmonize with and compliment the building materials and assist in creating the proper atmosphere for the center.

To establish uniformity, the following criteria shall be strictly adhered to in the design of tenant signage.

PROCEDURE

Tenant shall submit for landlord approval, three (3) sets of plans and specifications indicating the location, colors, layout, and design of proposed sign including all lettering and/or graphics. (*DRAWING MUST INCLUDE CROSS SECTIONS AND ELEVATIONS*).

Approval shall be required by landlord prior to submission for permits from Village governing agencies. It is the responsibility of the tenant to follow the required Village agency procedure and to comply with the Village sign codes. Tenants shall obtain approval, secure permits and pay for all fees and expenses relating to the cost of the sign and permits. In the event of a conflict between these specifications and requirements of the Village sign code, the Village sign code shall prevail.

SPECIFICATIONS

TYPE – Individually illuminated channel letters:

- (A) Plexiglas faces (color to be approved)
- (B) Aluminum returns & backs 4 1/2" deep
- (C) Neon tubing illumination
- (D) Trimcap retainer
- (E) 120 volt transformers

SIZE

- (A) 24" maximum, 12" minimum
- (B) Maximum span 75% of store frontage
- (C) Two lines of text





Inland Commercial Property Management, Inc.
2901 Butterfield Road
Oak Brook, Illinois 60523
630-954-5656
Toll Free: 877-206-5656

****CONTINUED FROM FIRST PAGE**

STYLE

- (A) Designed by tenant
- (B) Landlord shall have final approval on all sign plans

INSTALLATION

- (A) Centered horizontally and vertically on tenants store front fascia
- (B) Flush mount to fascia sign band

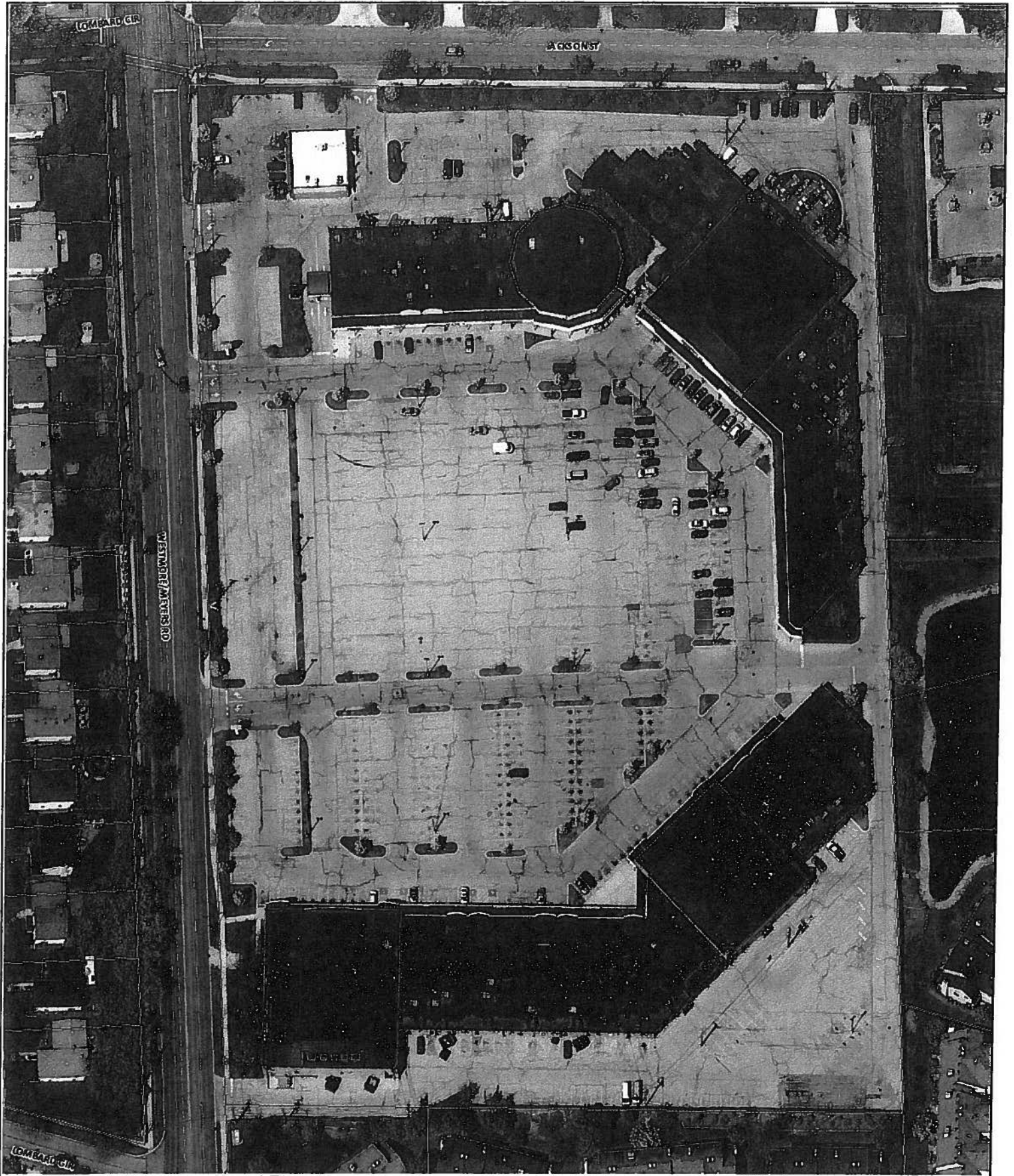
Upon vacating the premise, tenant shall be responsible for the removal of his sign and restoring the fascia to its original condition. If tenant fails to do so promptly (within ten (10) days of vacating), then landlord may perform this work and charge the tenant.



PC 13-02: Westmore Meyer Road, Aerial View of Property



110 ft



Response to Standards for Planned Developments
Subject Property: 837 Westmore Avenue, Lombard, IL 60148

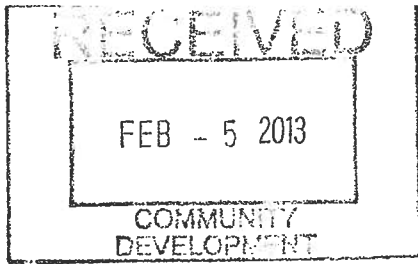
A. General Standards

1. Except as modified by and approved in the final development plan, the proposed development complies with the regulations of the district or districts in which it is to be located.
- R. The Proposed retail and office use building conforms in all respects to the applicable regulations of the B3 Zoned District.**
2. Community sanitary sewage and potable water facilities connected to a central system are provided.
- R. Community sanitary sewage and potable water facilities connected to a central system are available on Westmore Avenue.**
3. The dominant use in the proposed planned development is consistent with the recommendations of the Comprehensive Plan of the Village for the area containing the subject site.
- R. The dominant use in the existing planned development is retail and office and is consistent with the recommendations of the Comprehensive Plan of the Village for the area.**
4. That the proposed planned development is in the public interest and is consistent with the purposes of this Zoning Ordinance.
- R. The existing planned development is consistent with the Zoning Ordinance of the Village of Lombard. The site is Zoned B3.**

Response to Standards for Planned Developments
Petition PC 05-43
Subject Property: 300-312 S. Main Street, Lombard, IL

5. That the streets have been designed to avoid:
 - a. Inconvenient or unsafe access to the planned development;
 - b. Traffic congestion in the streets which adjoin the planned development;
 - c. An excessive burden on public parks, recreation areas, schools, and other public facilities which serve or are proposed to serve the planned development.

- R. The existing site has two bidirectional driveways off Westmore Avenue. The development will not create an excessive burden on public parks, recreation areas, school and other public facilities.**



Bernard P. Izzo
1108 E. Wilson Ave.
Lombard, IL 60148

Feb 3 '13

Dear Mr. Kuch

I am writing you concerning your letter of January 30 about the amendment to ordinance 4636.

We are about 90 years old and don't go out at night and therefore cannot attend the meeting on Feb 18 '13.

We want to send you this comment about the proposed request for sign regulations for tenants of the Eastgate Shopping Center. We have no objection to the signs - as long as no lights are used.

Therefore, our statement is that we have no objections to having signs on the wall if they promise to never install lights.

Thank you & good luck

Bernard Izzo

COPY

ORDINANCE 4636

AN ORDINANCE GRANTING CONDITIONAL USE APPROVAL FOR A PLANNED DEVELOPMENT WITH EXCEPTIONS FROM THE LOMBARD ZONING ORDINANCE AND LOMBARD SIGN ORDINANCE, CONDITIONAL USE APPROVAL TO ALLOW MULTIPLE PRINCIPAL STRUCTURES ON ONE LOT-OF-RECORD, CONDITIONAL USE APPROVAL FOR A DRIVE-THROUGH FACILITY, AND CONDITIONAL USE APPROVAL FOR OUTDOOR DISPLAY AND SALES PURSUANT TO THE LOMBARD ZONING ORDINANCE, TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS

(PC 99-11: 837 South Westmore-Meyers (Eastgate Shopping Center))

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 Lombard Village Code; and,

WHEREAS, the subject property is zoned B3 Community Shopping District; and,

WHEREAS, an application has been filed requesting conditional use approval for a Planned Development with exceptions from the Lombard Zoning Ordinance (Title 155 of the Village Code) and Sign Ordinance (Title 153 of the Village Code), conditional use approval to allow multiple principal structures on one lot-of-record, conditional use approval for a three-lane drive-through facility, and conditional use approval for outdoor display and sales on the property described in Section 2 below; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on April 19, 1999, 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 Planned Development, exceptions, and conditional uses described herein; and

WHEREAS, the President and Board of Trustees of the Village of Lombard have reviewed the request and find it would be in the best interest of the Village to grant said approval subject to the terms and conditions established by this ordinance, and in accordance with the findings and recommendations of the Plan Commission which are incorporated herein by reference.

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 conditional use approval is hereby granted for a Planned Development, six (6) principal structures on one lot-of-record, a three (3) lane drive-through facility, and outdoor display and sales for the property described in Section 2 below and pursuant to Sections 103.F and 501-510 of the Lombard Zoning Ordinance (Title 15, Chapter 155 Sections 155.103F and 155.501-155.510 of the Lombard Village Code).

Section 2: That this ordinance is limited and restricted to the property generally located at 837 South Westmore-Meyers, Lombard, Illinois, and legally described as follows:

LOT 1 IN RAYMOND W. MACDONALD COUNTY CLERK'S EASTGATE SHOPPING CENTER ASSESSMENT PLAT IN PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 7, 1976 AS DOCUMENT R76-72686, IN DUPAGE COUNTY, ILLINOIS.

PIN Number: 06-16-117-007

Section 3: The following exceptions from the Lombard Village Code are hereby granted in conjunction with the Conditional Use for a Planned Development, subject to the conditions set forth in Section 4 below:

- A. That an exception is granted to Section 155.414.F.4 of the Lombard Village Code to reduce the required rear setback from thirty feet (30') to twenty-three feet (23').
- B. That an exception is granted to Section 155.414.J of the Lombard Village Code to reduce the required transitional building setback from forty feet (40') to twenty-three feet (23').
- C. That an exception is granted to Sections 155.414.K and 155.707 of the Lombard Village Code to reduce the required transitional landscape yard from thirty feet (30') to zero (0) and to waive the required transitional landscape yard improvements.

- D. That an exception is granted to Section 155.414.H of the Lombard Village Code to reduce the required open space from ten percent (10%) to six percent (6%).
- E. That an exception is granted to Section 155.603 of the Lombard Village Code to waive the screening and size requirements for off-street loading berths.
- F. That an exception is granted to Section 155.709 to waive the required perimeter lot landscaping requirements.
- G. That an exception is granted to Section 153.505.B.5 of the Lombard Village Code to allow a freestanding sign seventeen feet six inches (17'6") in height and seven feet one half inch (7' 0½") in width and two (2) twenty-foot (20') tall, one-hundred (100) square foot freestanding signs.
- H. That an exception is granted to Section 153.505.B.15 of the Lombard Village Code to establish criteria for wall signs which shall supersede the provisions of said Section 153.505.B.15 and which are attached hereto as Exhibit A.

Section 4: That the aforementioned approval is subject to the following terms and conditions:

- A. The site shall be developed in substantial compliance with the site plans, titled "Redevelopment Plat," "Landscape Plan," and "Future Possible Improvements," prepared by Land Development Services, dated October 18, 1998, last revised March 15, 1999, except as modified below.
- B. An appropriate loading area for the White Hen shall be identified. This loading area shall not obstruct any drive aisles (two-way drive aisles must be a minimum of twenty-four feet (24') wide) or interfere with traffic circulation or pedestrian safety. Plans for this loading area shall be submitted for approval to the Community Development Director, and the loading area shall be appropriately marked with signs and pavement markings. Every effort shall be made to require delivery vehicles to load from this loading area only.
- C. Those drive aisles which are to the south of and within one-hundred forty feet (140') of the White Hen which are not designated as loading areas shall

be appropriately marked with signs, curb paint, and pavement markings as “no parking.”

- D. If a drive-by mailbox and/or FedEx box is to be provided on-site, that (those) box(es) shall be placed in a location which will not interfere with traffic movement and which will accommodate any future outbuildings.
- E. The drive-through windows for the bank shall be located as far to the south as practicable.
- F. A stop sign and a “Watch for pedestrians” sign shall be installed at the bank drive-throughs.
- G. A barrier to pedestrians shall be installed at the west edge of the existing sidewalk on the south side of the north wing of the shopping center (adjacent to the bank). A new five-foot (5') wide sidewalk shall be installed to move pedestrians further south, and then across the drive aisles to the sidewalk along Westmore-Meyers. This sidewalk shall be installed from the west end of this shopping center sidewalk to the south end of the adjacent landscape island, with a depressed curb provided at the end of this sidewalk, facing west. Pavement markings shall then take this walk west to the sidewalk along Westmore-Meyers, with sidewalk provided whenever the walk crosses a landscape island.
- H. The possibility of closing the drive aisle between the White Hen and bank shall be considered. If it is closed, it shall be closed with a curbed landscape island with a minimum width of ten feet (10').
- I. At such time that the State of Illinois Drivers Services Facility moves out of the shopping center, the southeast corner of the property shall be improved in substantial compliance with the “Future Possible Improvements” plans.
- J. One (1) of every three (3) evergreen trees which are proposed along the north property line shall be removed from the plans. An evergreen species shall be selected which will not ultimately interfere with the overhead power lines.
- K. The evergreen trees shall be eliminated from the site control area for the easternmost Jackson drive, and the shrubs in this area replaced with low-lying species.

- L. The spruce trees which are proposed around the Ace Hardware storage area shall be replaced with a species, such as an upright arborvitae, which will not grow to be too large for the area.
- M. A shrub species which will not cause sight problems shall be selected for the landscape islands. The species and cultivar of the shrubs shall be specified on the landscaping plans.
- N. Trees used in the landscape islands shall be single-stem and upright.
- O. The birch and plums which are proposed in the parking lot islands shall be replaced with species which are salt-tolerant.
- P. The White Hen dumpster enclosure shall either be painted to match the building or replaced with an enclosure constructed of materials which match the building.
- Q. Eight foot (8') solid wood fencing shall be used for screening the Ace Hardware outdoor storage area.
- R. Materials shall not be stored outside of the outdoor storage area or be visible above the fence. Violation may result in revocation of the conditional use approval for outdoor storage by the Village Board of Trustees.
- S. No outdoor display shall be permitted in front of any store without a temporary event permit from the Village of Lombard.
- T. A minimum five foot (5') clear area for pedestrians shall be maintained around the outdoor seating area.
- U. Additional outbuildings may be constructed on the site if the existing on-site public water mains are replaced with new public water mains. These water mains must be installed per Village standards and will be accepted and maintained by the Village of Lombard.
- V. Additional outbuildings are subject to Site Plan Approval by the Plan Commission and must follow the following criteria:
 - 1. No more than two (2) additional outbuildings shall be permitted.
 - 2. Outbuildings shall be single-story.

3. The total floor area of all new outbuildings shall not exceed 13,500 square feet.
 4. A minimum of four (4) parking spaces per 1000 square feet shall be provided for the shopping center at all times.
 5. Applicable landscaping requirements shall be met.
 6. The exterior of buildings shall complement existing architecture.
 7. The outbuildings shall not interfere with fire truck access to the shopping center, and plans shall be subject to review by the Lombard Fire Chief.
 8. On-site traffic conflicts shall be minimized.
- W. The sign criteria shall be changed to specify that a maximum of two lines of text can be provided, to specify a maximum separation between lines of text, to take into consideration special sign needs for the outbuildings and the bank, and to specify that the sign criteria shall prevail in conflicts between the Sign Ordinance and the sign criteria.
- X. The existing freestanding sign (formerly used by LaSalle Bank) which is to the west of the north wing of the shopping center shall be allowed to remain only if no tenant identification sign is provided on the proposed bank canopy. If a tenant identification sign is provided on the canopy of the bank, then the freestanding sign for the bank shall be removed and only two (2) freestanding signs shall be allowed on the site. The installation of up to three (3) informational signs, each up to four (4) square feet in area, on the north side of the canopy, however, shall not constitute cause for the removal of the freestanding sign.
- Y. A five-foot (5') sidewalk shall be installed along Jackson Street, between the two entrance drives.

Section 5: That 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 6th day of May, 1999.

First reading waived by action of the Board of Trustees this _____ day of _____ 1999.

Ordinance No. 4636

Re: PC 99-11

Page 7


Passed on second reading this 20th day of May, 1999.

Ayes: Trustees Borgatell, Tross, Schaffer, Sebby, Florey and Kufrin

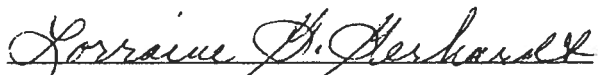
Nays: None

Absent: None

Approved this 20th day of May, 1999.


William J. Mueller, Village President

ATTEST:


Lorraine G. Gerhardt, Village Clerk

ORDINANCE NO. _____

AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE 4636 FOR REMOVAL OF SECTION 3-H THAT AN EXCEPTION IS GRANTED TO TITLE 15, CHAPTER 153, SECTION 153.505.B.15 (AS OF THIS DATE REFERRED TO AS 153.505.B.19) OF THE LOMBARD VILLAGE CODE TO ESTABLISH CRITERIA FOR WALL SIGNS WHICH SHALL SUPERSEDE THE PROVISIONS OF SAID SECTION 153.505.B.15 (AS OF THIS DATE REFERRED TO AS 153.505.B.19).

(PC 13-02: 837 South Westmore-Meyers Road, Lombard, Illinois)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Sign Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and,

WHEREAS, the subject property as defined below is zoned B3PD Community Shopping District, Planned Development; and,

WHEREAS, the Village of Lombard granted a conditional use for a planned development (PC Case 99-11; Ordinance 4636) on May 20, 1999 on the subject property; and,

WHEREAS, as a condition of the approval of Ordinance 4636, the petitioner was required to meet the wall sign provisions as set forth within Section 3-H of the Ordinance of approval; and,

WHEREAS, an application has been filed requesting approval of a Planned Development amendment to Ordinance 4636 to remove the design requirements set forth within Section 3-H; and,

WHEREAS, a public hearing on such application has been conducted by the Village of Lombard Plan Commission on February 18, 2013, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval to remove Section 3-H described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein.

Ordinance No. _____
Re: PC 13-02
Page 2

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That a planned development amendment to Ordinance 4636 is hereby granted for the property described in Section 2 below to remove Section 3-H in its entirety.

SECTION 2: That this ordinance is limited and restricted to the property generally located at 837 South Westmore-Meyers Road, Lombard, Illinois, and is legally described as follows:

LOT 1 IN RAYMOND W. MACDONALD COUNTY CLERK'S EASTGATE SHOPPING CENTER ASSESSMENT PLAT IN PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 7, 1976 AS DOCUMENT R76-72686, IN DUPAGE COUNTY, ILLINOIS.

PIN: 06-16-117-007

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

1. That Section 3-H shall be removed from Ordinance 4636 in its entirety.
2. That all other provisions of Ordinance 4636 and the Lombard Zoning and Sign Ordinances shall remain in full force and effect for the Eastgate Planned Development.

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 _____, 2013.

First reading waived by action of the Board of Trustees this _____ day of _____, 2013.

Ordinance No. _____

Re: PC 13-02

Page 3

Passed on second reading this ____ day of _____, 2013, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this ____ day of _____, 2013.

William Ware, Acting Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet from this ____ day of _____, 2013.

Brigitte O'Brien, Village Clerk