

**VILLAGE OF LOMBARD
INTER-DEVELOPMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission

HEARING DATE: May 21, 2007

FROM: Department of Community
Development

PREPARED BY: William Heniff, AICP
Senior Planner

TITLE

PC 07-18: 85 Yorktown Shopping Center The petitioner requests the following variations from the Lombard Sign Ordinance for an Off-Premise Sign for property located within the B3PD Community Shopping District, Planned Development:

1. A variation from Section 153.226(B) to allow for an Off-Premise Sign to be located on a property with an existing structure, building and use;
2. A variation from Section 153.226(F) to allow for an Off-Premise Sign within the requisite front yard; and
3. A variation from Section 153.226(H) to allow for an Off-Premise Sign to be closer than one-hundred feet (100') from any other freestanding sign. (*This relief is not needed and is removed from the petition*)

GENERAL INFORMATION

Petitioner

Lombard Public Facilities Corporation
255 E. Wilson Avenue
Lombard, IL 60148

Property Owner:

Long/Pherson Associates, LLC
Yorktown Holdings LLC/Yorktown Joint Venture LLC
203 Yorktown
Lombard, IL 60148

Relationship of Petitioner
to Property:

Managing Agent

PROPERTY INFORMATION

Existing Zoning:

B3PD Community Shopping District - Planned
Development

Existing Land Use: Commercial Retail
Size of Property: Approximately 0.919 acres
Comprehensive Plan: Regional Commercial

SURROUNDING ZONING AND LAND USE

North: B3PD Community Shopping District Planned Development; developed as Yorktown Mall as well customer parking lot for the AMC Movie Theatre
South: OPD Office District Planned Development; developed as office buildings.
East: B3PD Community Shopping District Planned Development; developed as the AMC Movie Theatre.
West: B3PD Community Shopping District Planned Development; developed as Capital Grille and Yorktown Mall parking lots.

ANALYSIS

SUBMITTALS

This report is based on the following documents filed with the Department of Community Development.

1. Plan Commission Application.
2. Sign Packet showing design of proposed freestanding sign, prepared by Landmark Sign Group, dated February 19, 2007.
3. Site location map of all Yorktown existing and proposed signage (with location of off-premise sign), prepared by McGinty Signs, dated January 12, 2007.
4. Sign Location Exhibit, prepared by Siebert Engineering, dated September 2, 2005.

DESCRIPTION

The property at 85 Yorktown Shopping Center is currently improved with a Firestone automotive service center. In 2005 and associated with the development of the Lombard Westin Hotel/Conference Center, the associated parties entered into a license agreement that would

provide for the installation of a free-standing sign denoting the hotel and restaurant names on the Firestone site. As this property is not owned by the business advertised on the sign, it would constitute an off-premises sign. This petition is intended to grant the required relief from the Sign Ordinance necessary to allow the sign to be erected on the Firestone site.

Special note: while it was included within the public hearing notice, the proposed sign will be placed more than one-hundred feet from the existing Firestone sign on the premises. Therefore, no relief is required from Section 153.226(H) of the Sign Ordinance.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The Private Engineering Services has reviewed the petition and does not have any comments to the proposal. However, as part of the building permit submittal, the petitioner shall provide any supporting documentation showing that the proposed sign will not conflict with any easements or public utilities.

FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has no comments at this time. Final comments will be offered as part of the building permit submittal.

PLANNING

Off-premises signage is defined in the Sign Ordinance as follows:

SIGN, OFF-PREMISE A sign structure advertising an establishment, merchandise, service or entertainment, which is not sold, produced manufactured or furnished at the property on which said sign is located; e.g., "billboards" or "outdoor advertising".

The full provisions of Section 153.226 are noted in Appendix A.

As reference in the definition, historically off-premises signs have been associated with billboards and other types of outdoor advertising. However, in this instance, while defined as an off-premises sign, it would function as a way-finding sign.

Compliance with the Zoning/Sign Ordinances and the Yorktown Planned Development

The 1966 Yorktown Center planned development approval granted rights for shopping center signs at each entrance. However, the agreement did not address off-premises sign provisions. As such, the requested sign would fall under the underlying B3 sign provisions. While most types of

signage relief within established planned developments can be considered for approval as part of a site plan approval application, the Zoning Ordinance (Section 155.504 (C)) specifically excludes off-premises signage from the site plan approval process.

Each aforementioned variation is restated below, along with a discussion as to why the proposal will require relief:

1. A variation from Section 153.226(B) to allow for an Off-Premise Sign to be located on a property with an existing structure, building and use;

The proposed sign is proposed to be located on a property that is developed with an automotive service building constructed in the late 1960s. The proposed sign would replace an existing shopping center sign already located on the premises. As the hotel property does not abut any public rights of way, the ability to provide entry signage is more limited. In order to provide proper direction to the hotel site, an identifier was desired along Butterfield Road. Its location on the Firestone site was preferred so that motorists would not attempt to access the site through the AMC Theatre parking lot or from the northern Baptist Theological Seminary (NBTS) site.

2. A variation from Section 153.226(F) to allow for an Off-Premise Sign within the requisite front yard;

The proposed sign is intended for way-finding purposes rather than for general advertising purposes. As noted earlier, the sign will be located where an existing shopping center sign exists (the existing sign will be removed). As such, if the sign could be reviewed in the context of general freestanding signage, it could be placed at the location as a matter of right.

Compatibility with the Comprehensive Plan

The Comprehensive Plan recommends Regional Commercial land uses for the Yorktown Center Planned Development. The signage is intended to serve as an identifier for those businesses within the hotel itself and is generally associated with the general signage needs for the Yorktown Center.

Compatibility with the Surrounding Land Uses

The proposed sign would be compatible with surrounding land uses. Its location where an existing sign exists will not create the appearance of excessive signage. Moreover, the sign serves a general need to provide the permitted use some level of free-standing signage along a public right of way. As the sign is only proposed to be about thirty six square feet in sign surface area (less than what is already located on the premises) its impacts on adjacent properties would be minimal.

FINDINGS AND RECOMMENDATIONS

The Inter-Departmental Review Committee has reviewed the standards for variations for the requested signage and finds that the standards for variations have been met, subject to conditions. As such, the Committee recommends that the Plan Commission make the following motion recommending approval of PC 07-18:

Based on the submitted petition, accompanying signage plans and the testimony presented, the proposed signage **complies** with the standards established by the Yorktown Shopping Center Planned Development and the provisions set forth in the Zoning and Sign Ordinances and that granting the relief is in the public interest, 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 therefore recommend to the Corporate Authorities **approval** of PC 07-18, subject to the following conditions:

1. The proposed signage shall be consistent with the submitted sign package prepared by Landmark Sign Group, dated February 9, 2007 and made a part of this petition.
2. The proposed off-premise signage shall be exclusively for advertising the Lombard Westin Hotel Conference Center located at 70 Yorktown Shopping Center.
3. The petitioner shall apply for and receive a building permit from the Village prior to erecting the proposed off-premises sign.

Inter-Departmental Review Group Report approved by:

David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

c: Petitioner

Appendix A: Off-Premises Sign Provisions

153.226 OFF-PREMISE SIGNS

It is unlawful to construct, erect, locate, or maintain any off premise advertising sign without complying with the following provisions:

- A. Location: Off-Premise signs may be allowed only adjacent to state or federal rights-of-way located within a B-3, B-4, or I-1 Zoning District.
- B. Principal Use: Off-Premise signs shall be allowed only as the principal use of a zoning lot. Off-premise signs shall not be erected on any zoning lot which contains an existing principal structure, building or use.
- C. Number: No more than one (1) off-premise sign shall be located on a zoning lot.
- D. Area: No off-premise sign shall exceed one-hundred- twenty-five (125) square feet in sign surface area per sign face.
- E. Height: No off-premise sign shall exceed twenty-five (25) feet in height. In all cases, height shall be measured from grade at the edge of the right-of-way to the top of the sign.
- F. Yard Requirements: Off-premise signs shall meet the minimum yard and lot requirements of the Zoning District in which they are located.
- G. Residential Property Setback: Off-premise signs shall not be located closer than one-hundred (100) feet from residentially zoned property.
- H. Distance Between Signs: Off-premise signs shall be located a minimum of one-hundred (100) feet from any other off- premise or freestanding sign.
- I. View Obstruction: No off-premise sign shall be erected in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal, or device or to obstruct the view of approaching, merging or intersecting vehicular traffic within one-thousand (1,000) feet of such sign, signal, or point of intersecting or merging traffic.
- J. Protective Curbing: Any off-premise sign within three (3) feet of a driveway, parking area, or maneuvering area shall be completely surrounded by a curbing that is not less than three (3) feet from the outermost perimeter of the sign, unless the sign is mounted on a pole with a sign clearance of at least twelve (12) feet above grade.
- K. Design: Every off-premise sign, including the frames, braces and supports thereof, shall be securely built and be designed by a structural engineer, registered architect, or sign manufacturer, as may be required by the Director.
- L. Construction Materials Required: All off-premise signs shall have a surface or facing and support poles of approved non- combustible material; provided, however, that combustible structural trim may be used thereon.
- M. Letters To Be Secured: All letters, figures, characters, or representations in cutout or irregular form maintained in conjunction with, attached to, or superimposed upon any off-premise sign, shall be safely and securely built or attached to the sign structure.

- N. Anchorage and Supports: All off-premise signs shall be securely built, constructed, erected, and certified safe by a registered architect or engineer upon posts and standards sunk below the natural surface sufficient to prevent overturning, to the satisfaction of the Director.
- O. Premises: All off-premise signs, and the premises surrounding the same, shall be maintained by the owner thereof in a clean, sanitary and good appearing condition, and free and clear of all obnoxious substances, rubbish and weeds.

Response to Standards for Variations

SECTION 155.103.C.7 OF THE LOMBARD ZONING ORDINANCE:

The regulations of this ordinance shall not be varied unless findings based on the evidence presented are made in each specific case that affirms each of the following standards:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be applied.

Response: The sign request is unique as the hotel convention center property located at 70 Yorktown Shopping Center does not front on a public right of way. Freestanding signage along Butterfield Road, a regional arterial roadway, would not be possible without the relief. Moreover, the intent of the sign is to provide identification to the restaurants within the hotel. Without the off-premise signage, individuals unfamiliar with the Yorktown area would have greater difficulty finding the facility.

2. The conditions upon which an application for a variation is based are unique to the property for which the variation is sought, and are not generally applicable to other property within the same zoning classification.

Response: The requested relief is unique to this property. It is intended to advertise a regional destination draw, and it is important to provide requisite signage to guide motorists to the facility.

3. The purpose of the variation is not based primarily upon a desire to increase financial gain.

Response: The requested relief is not meant to increase financial gain. Rather it is intended to provide additional way-finding signage to the facility.

4. The alleged difficulty or hardship is caused by this ordinance and has not been created by any person presently having an interest in the property.

Response: The Sign Ordinance does not provide for the unique signage as proposed as part of this petition – either the signage is on-premises or off-premises signage. The intent of the request is to address the unique signage needs created as part of the hotel development.

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

Response: The requested signage will not be injurious as it will be smaller in size than the existing signage and it will not block the view of other business entities in the area. It will be internally illuminated so it will not create excessive light glare.

6. The granting of the variation will not alter the essential character of the neighborhood; and,

Response: The relief will not affect the character of the area – it will remain retail commercial in nature and the proposed signage emphasizes the regional destination draw of the hotel, its restaurants and the Yorktown area.

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

Response: The proposed sign will meet the provision above. It will be less obtrusive than the existing sign and its size will be in compliance with Code provisions.