

North:	OPD - Office Planned Development; improved as the National University of Health Sciences
South:	B3 - Community Shopping District; developed as a strip shopping center; also unincorporated property zoned and developed as single-family residences
East:	B4A - Roosevelt Road Corridor District; improved as a Walgreen's pharmacy
West:	B4A - Roosevelt Road Corridor District; improved as a strip commercial center (Merl Plaza)

ANALYSIS

SUBMITTALS

This report is based on the following documents:

1. Public Hearing Application, dated July 1, 2010.
2. Response to the standards for variations prepared by the petitioner.
3. Elevation plans for the proposed sign prepared by Doyle Signs, dated March 29, 2010.

DESCRIPTION

Doyle Signs is proposing to replace an existing wall sign and install a larger wall sign for the tenant space being occupied by CD One Price Cleaners located at 215 E. Roosevelt Road. The proposed sign on the building's front façade is approximately eighty-eight and four-tenths (88.4) square feet where a maximum of thirty-two and one half (32.5) square feet is permitted by the Sign Ordinance. Therefore, a site plan approval with a deviation for sign size is required.

INTER-DEPARTMENTAL REVIEW COMMENTS

BUILDING DIVISION

The Building Division has no comments on the subject petition.

FIRE DEPARTMENT

The Fire Department has no comments on the subject petition.

PUBLIC WORKS

Public Works has no comments on the subject petition.

PRIVATE ENGINEERING

The Private Engineering Division of Community Development has no comments on the subject petition.

PLANNING

The existing CD One Price Cleaners is seeking to replace their existing wall sign with a larger sign of similar design. The existing sign is approximately 32.5 square feet in area which is the maximum allowed by code. The petitioner is seeking to increase the size of the sign to 88.4 square feet in area.

Compatibility with the Sign Ordinance

In the B4A Roosevelt Road Corridor District, when a tenant's wall sign is less than one-hundred twenty feet (120') from the nearest property line, the maximum size of a wall sign for a multi-tenant unit is one times the lineal front footage of the tenant space. As the proposed wall sign will be approximately seventy feet (70') from the front property line along Roosevelt Road and the tenant space is approximately thirty-two and one half (32.5) lineal feet, the tenant would be entitled to thirty-two and one half (32.5) feet of signage area.

The petitioner's proposed wall sign on the building's front façade is approximately eighty-eight and four-tenths (88.4) square feet. In the Standards to Variations, the petitioner states that the request for additional square footage is to allow the wall sign to be more legible as thirty-two and one half (32.5) feet of signage area is not effective or easily readable from Roosevelt Road.

In 2006, staff initiated PC 06-26, which proposed text amendments to the Sign Ordinance to clarify that the area of a wall sign should be calculated as the smallest rectangular shape that could completely enclose the sign. Staff had historically performed the calculations of signage area in the same manner. These amendments were proposed and adopted to prevent applicants from using another geometric shape, such as a polygon, as the basis for additional signage area.

The proposed sign contains the business' name "CD One Price Cleaners" as well as the corporate logo. The logo itself is three-and one-half feet in height, while the text is twenty (20) inches in height. The relative size of the logo is the direct cause of the excessive square footage. Wall signage relief had been granted to the Buffalo Wild Wings located to the west at 207 E Roosevelt

(SPA 08-02ph). In that case, the wall signage was supported because the actual size of the illuminated sign was less than what was allowed by the Sign Ordinance. The relief was granted to address the trade dress, consisting of the yellow and black/white checkerboard painted on the building itself. In that case both staff and the Plan Commission felt that relief did not have the same visual effect as standard signage. Another notable case in the Village includes the recently closed Hollywood Video within the High Point Shopping Center, which consisted of several unique color schemes unique to their building prototype. When viewed in that context, the proposed sign package was deemed not to be intrusive and was approved.

Staff finds that the existing sign is already legible from Roosevelt Road and the proposed signage is a matter of preference. Also, the indicated hardships do not constitute a physical hardship associated with the property as all businesses along Roosevelt Road are required to meet the same wall sign size provisions. The Plan Commission recently denied a request by Cricket Wireless for a wall sign deviation in the High Point Shopping Center. As in this case, the Cricket sign exceeded code because of the corporate “K” logo.

Compatibility with the Comprehensive Plan

The Comprehensive Plan identifies the site for Community Commercial uses. The existing use is therefore consistent with the Comprehensive Plan.

Compatibility with the Surrounding Land Uses

The subject property is bordered on the east and west by other existing retail commercial uses. Roosevelt Road has traditionally included a substantial number of stand-alone and integrated shopping center developments. While selected establishments within the corridor have received signage variations, the petitioner’s request would not be consistent with the planned development in which it exists.

Response to Standards

In order to be granted a deviation the petitioner must show that they have affirmed each of the “Standards for Variations.” The following standards have not been affirmed:

- 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.*

Staff finds that there are no conditions related to the property that prevent compliance with the signage size regulations. The subject tenant space does not have physical surroundings, shape, or topographical features that differ substantially from other corner tenant spaces within the planned development or those otherwise in close proximity. Furthermore, each tenant spaces in the planned development are located within close

proximity to Roosevelt Road. Other tenants located in this building have successfully operated with wall signs of twenty-five (25) square feet or less.

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.*

Staff finds that there are no conditions unique to the subject property. There are many tenant spaces within the planned development and nearby on Roosevelt Road that have the similar configurations and are subject to the same signage regulations.

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.*

Staff finds that the sign could be constructed per the ordinance requirements either by reducing the overall size of the sign or reducing the height of the logo. The hardship has been created by the tenant as a result of the preference for a particular letter in this sign's design.

Staff has concerns about the precedent that would be established if the proposed request was to be granted. Multiple other tenants within the planned development, including those adjacent to the subject tenant space and others located further away from Roosevelt Road, have been able to meet the established signage size regulations. Should this request be granted, it would strengthen the case of similar requests for other such tenant spaces.

Staff also notes that if this request were granted, future occupants of the subject tenant space would maintain the rights to a larger wall sign. Future signs could potentially have greater bulk than the one proposed as future tenants could make use of surface area that the CD One Price Cleaners sign would leave vacant.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented **has not affirmed** the Standards for Variations. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **denial** of the aforementioned deviation:

Based on the submitted petition and the testimony presented, the requested deviation **does not comply** with the Standards required by the Lombard Zoning and Sign Ordinances; and, therefore, I move that the Plan Commission find that the findings included as part of

Plan Commission
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the Inter-departmental Review Report be the findings of the Plan Commission and recommend to the Corporate Authorities **denial** of SPA 10-02ph.

Inter-Departmental Review Group Report Approved By:

William J. Heniff, AICP
Director of Community Development

WJH
c: Petitioner

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