



# Village of Lombard

Village Hall  
255 East Wilson Ave.  
Lombard, IL 60148  
villageoflombard.org

## Minutes

### Plan Commission

*Donald F. Ryan, Chairperson*

*Commissioners:*

*Ronald Olbrysh, Martin Burke,*

*Ruth Sweetser, Stephen Flint,*

*John Mrofcza and Leigh Giuliano*

*Staff Liaison: Jennifer Ganser*

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Monday, July 15, 2019

7:00 PM

Village Hall - Board Room

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### Call to Order

*Chairperson Ryan called the meeting to order at 7:00 p.m.*

### Pledge of Allegiance

*Chairperson Ryan led the Pledge of Allegiance*

### Roll Call of Members

*Also present: Anna Papke, AICP, Senior Planner of Community Development, Tami Urish Planner of Community Development..*

*Chairperson Ryan called the order of the agenda.*

*Ms. Papke read the Rules and Procedures as written in the Plan Commission By-Laws*

### Public Hearings

[190295](#)

#### **PC 19-16: 591 S. Main Street**

Requests that the Village grant a zoning conditional use pursuant to Section 155.414(C)(16) of the Lombard Village Code to allow for motor vehicle sales in the B2 General Neighborhood Shopping District on the subject property. (DISTRICT #5)

*Sworn in to present the petition was the petitioner, Jon Esposito, owner of J1 Auto Repair and Tami Urish, Planner I.*

*Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and,*

*hearing none, he proceeded with the petition.*

*Mr. Esposito stated that he is requesting a conditional use for the rental of trucks. He started renting the trucks in March unaware that any special permission was required until he was contacted by Village staff. The reason he chose Penske over U-Haul or other type companies is that they would limit the number of vehicles to three and his lot has plenty of room. Twenty-foot trucks that are booked for rental are required to be removed from the lot within six hours. Twelve-foot trucks would not have a time limit.*

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.*

*Ms. Urish presented the staff report, which was submitted to the public record in its entirety. The subject property is currently operating as motor vehicle repair and recently started renting Penske trucks which requires a conditional use. Staff has concerns regarding the request for the following reasons. The Fire Department expressed concerns with the trucks being parked too close to the building; the property lacks a transitional landscape yard so that trucks would be parked close to the house at less than ten feet and the request does not meet most of the standards of a conditional use nor the intent of the Comprehensive Plan and therefore staff recommends denial.*

*Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.*

*Commissioner Burke stated the use seems inappropriate for the area adjacent to the R2 district to the north and east of the property.*

*Commissioner Sweeter stated concern with the zoning and fire protection aspects. She asked if everyone from the companies' side were aware of the fire department concerns.*

*Ms. Urish responded that the petitioner was sent a copy of the staff report and was not aware if Mr. Esposito shared the report with Penske personnel. Mr. Esposito responded that he had and was trying to keep the trucks out of the way and close to the building. If that is a fire issue, the trucks could be moved away from the building.*

*Commissioner Burke clarified that automobiles are allowed by right per*

*zoning to be on the parking lot for the purpose of repair. The existing use is different from an aesthetic stand point compared to renting trucks in the neighborhood which is inappropriate*

**On a motion by Commissioner Olbrysh, and a second by Commissioner Burke, the Plan Commission voted 6-0 to recommend that the Village Board deny the petition associated with PC 19-16.**

**The motion carried by the following vote:**

**Aye:** 6 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, Stephen Flint, and Leigh Giuliano

**Absent:** 1 - John Mrofcza

[190296](#)

**PC 19-17: 1047-1109 E. St. Charles Road - Sign Variance**

The petitioner requests that the Village take the following actions on the subject property located within the B4 Corridor Commercial District:

1. Approve a variation from Section 153.208(B) of Village Code to allow a shopping center identification sign to be located within the clear line of sight area; and
2. Approve a variation from Section 153.235(F) of Village Code to allow a shopping center identification sign that is set back less than five feet from an interior property line within a shopping center. (DISTRICT #4)

*Sworn in to present the petition were: Anna Papke, Senior Planner, and Omar Fatani and Bilal Fatani, petitioners and property owners.*

*Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.*

*Omar Fatani began the petitioners' presentation. He stated that the previous sign on the property had been taken down after it sustained damage during a storm. The sign needs to be replaced in order to identify the tenants in the shopping center.*

*Bilal Fatani discussed the petition relative to the standards for variations. He stated the variation request is not motivated by financial gain. The site was developed some time ago, and the petitioners are working with existing conditions to find a location for a new sign. The previous sign was in the clear line of sight and not separated from the driving area. The proposed sign will have a curb separating it from the driving area. The proposed sign will not present a public safety concern, and will not alter the character of the neighborhood. He said*

*the tenants in the shopping center are concerned about visibility of their businesses, hence the need to install a new sign.*

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment.*

*Tom Sawczuk, of 22 Kenilworth Court, addressed the petitioner. He said he is the president of the homeowners' association for the Kenilworth Court townhomes. He was at the meeting representing the residents at 12, 14, 16, 18 and 20 Kenilworth Court. He had the following questions for the petitioner:*

- 1.) Will the proposed sign be similar to the sign that was blown down?*
- 2.) Will the proposed sign be lighted?*
- 3.) How tall will the sign be?*
- 4.) How tall are the shopping center buildings on the site?*

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked the petitioner to respond to Mr. Sawczuk's questions.*

*Bilal Fatani said the new sign would be similar to the old sign [both are pole signs]. He said the new sign will be internally illuminated, but will not have any exterior lighting. He referred to the submitted plans regarding the height of the proposed sign, which staff confirmed would be between 17 and 18 feet tall. He was unsure of the overall height of the shopping center buildings, but estimated the tallest point to be between 15 and 18 feet.*

*Commissioner Burke said he thought Mr. Sawczuk wanted to know the size of the previously existing sign.*

*Mr. Sawczuk said he and others on Kenilworth Court are concerned about the impact of lighting from the sign and other signs on St. Charles Road on nearby properties. He said the light from some other signs on St. Charles Road has a negative impact on the Kenilworth Court area.*

*Chairperson Ryan asked that staff address the lighting concerns in the staff comments.*

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked*

*for the staff report.*

*Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The subject property is developed with a strip shopping center comprising two buildings and a parking lot. The site previously had a shopping center sign located within the clear line of sight area around the driveway into the property from St. Charles Road. That sign was damaged and subsequently removed by the property owner. The property owner plans to install a new shopping center sign, but has limited options for placement given the existing site improvements. The proposed location for the new sign is near the location of the former sign, and within the clear line of sight. A variance is required.*

*Staff has reviewed the petition and agrees with the petitioner that the existing conditions on the subject property present limited possibilities for sign placement. Staff notes that the proposed sign will meet the five-foot setback requirement from the front property line, and will include a barrier curb and landscaping as required by code. This will be a significant improvement over the previous sign, which encroached into the St. Charles Road right-of-way. The sign will be a pole sign, with over seven feet of clearance between grade and the bottom of the sign cabinet. From the perspective of drivers and pedestrians, the sign will be similar to a light pole or utility pole, which are routinely found in the clear line of sight. Staff does not believe the sign pole will create a significant visual obstruction.*

*Regarding the concerns raised about lighting, Ms. Papke said the Sign Ordinance permits signs to be illuminated. The Zoning Ordinance does set maximum levels for light at the perimeter of commercial properties in order to avoid negative impacts to adjacent property owners. The proposed sign and the subject property in general are required to meet these standards. If there are concerns that a particular property is causing spillover lighting, Village staff will work with the property owner to determine if the light levels exceed those allowed by the Zoning Ordinance.*

*Staff recommended approval of the petition subject to the conditions in the staff report. Ms. Papke noted that the proposed motion in the staff report had been updated by staff to be a recommendation to the Village Board to approve the petition, as opposed to a motion for the Plan Commission to approve the petition. The updated language has been provided to the Commissioners in a memo distributed at the start of the*

*meeting.*

*Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.*

*Commissioner Burke asked if the previously existing sign was lighted. Mr. Fatani said it was.*

*Commissioner Sweetser noted that the petitioner had mentioned the sign needing to be visible with respect to the clear line of sight. She asked staff if the petitioner understood that the purpose of the clear line of sight was to eliminate visual obstructions around driveways. Ms. Papke said the petitioner understood the purpose of the regulation.*

**On a motion by Commissioner Burke, and a second by Commissioner Giuliano, the Plan Commission voted 6-0 to recommend that the Village Board approve the petition associated with PC 19-17, subject to the following five (5) conditions:**

- 1. The petitioner shall develop the site in accordance with the site plan prepared by the petitioner, and the sign plans prepared by Only Signs Inc., submitted as part of this request;**
- 2. The petitioner shall apply for and receive a building permit for the proposed shopping center identification sign;**
- 3. The petitioner shall landscape the area around the sign within the barrier curb as required by the Sign Ordinance;**
- 4. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 5. The relief for one shopping center identification sign shall be valid for a period of one year from the date of approval of the ordinance. If the signage is not constructed by said date, this relief shall be deemed null and void.**

**Aye:** 6 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, Stephen Flint, and Leigh Giuliano

**Absent:** 1 - John Mrofcza

## **Business Meeting**

### **Approval of Minutes**

**A motion was made by Commissioner Flint, seconded by Commissioner Burke, the minutes of the June 17, 2019 meeting were approved. The motion carried by the following vote:**

**The motion carried by the following vote**

**Aye:** 5 - Ronald Olbrysh, Martin Burke, Ruth Sweetser, Stephen Flint, and Leigh Giuliano

**Abstain:** 1 - Donald F. Ryan

**Absent:** 1 - John Mrofcza

## Public Participation

*There was no public participation*

## DuPage County Hearings

*There are no DuPage County hearings*

## Chairperson's Report

*The Chairperson deferred to the Assistant Director of Community Development*

## Planner's Report

*Ms. Papke announced that the Village Manager's office has been in the process of updating the Advisory Board, Committee, & Commission Manual, as well as the Social Media Policy. These updated documents had been included in the Plan Commissioners' packets for reference. Nick Partipilo, an intern with the Village Manager's office, was in attendance to review these documents with the Plan Commission. Mr. Partipilo presented a slide show highlighting the Handbook as it relates to the duties and activities of the Plan Commissioners. He also discussed the Village's Social Media Policy.*

*Commissioner Flint asked if it is acceptable for Plan Commissioners to share Facebook posts that the Village has made on its official Facebook page. Mr. Partipilo said this was fine.*

*Commissioner Sweetser asked if Commissioners could use social media to encourage people to attend public meetings. Mr. Partipilo said sharing information about meetings is fine, but Commissioners should avoid any social media posts that appear to be trying to sway public opinion on a particular issue*

## Unfinished Business

*There was no unfinished business*

## New Business

*There was no new business*

## Subdivision Reports

[190297](#)

### **SUB 19-01: 98 Yorktown**

Requests approval of a plat of resubdivision for a tract of land located at Yorktown Center Lombard to be entitled Yorktown Mall Resubdivision of Lot 2 in Yorktown Center. The new plat depicts the proposed resubdivision two lots of record, it will stay as 2 lots of record, a property line is being moved. (DISTRCT #3)

*Mr. Joseph Giannini presented the request for Insite Real Estate to resubdivide Lot 2 of the Yorktown Mall Resubdivision. He represented the contract purchaser for one of the lots in the proposed subdivision. He noted the subdivision will be a division of 2.2 acres of land into two lots of record.*

*Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, Chairperson Ryan asked for the staff report.*

*Anna Papke presented the staff report, which was submitted to the public record in its entirety. This is a request for approval of a major plat of resubdivision for a tract of land located at Yorktown Center, adjacent to Highland Avenue. The subject property is currently vacant, and will be subdivided into two lots in anticipation of future development. Since the subject property is over one acre in area, this is considered a major subdivision, subject to review by the Plan Commission and Village Board. The proposed lots meet minimum lot width and area requirements for the underlying zoning district. Staff recommends approval of the resubdivision.*

*Chairperson Ryan opened the meeting for questions or comments among the Commissioners.*

*Commissioner Burke noted that the Plan Commission packet had included a site plan and landscape plan. He asked if the Plan Commission was being asked to consider a proposed development on one of the parcels. Ms. Papke said those plans were for a proposed day care that was planned for one of the parcels and had been included for reference purposes only. The only item before the Plan Commission this evening was consideration of the subdivision.*



*Commissioner Burke asked if the proposed day care center would come before the Plan Commission in the future for zoning entitlements. Ms. Papke said the Yorktown Planned Development allows day care centers as a permitted use, and at this point staff anticipates the development will meet code, not requiring any variances or other zoning entitlements. If this continues to be the case, the day care center would not come before the Plan Commission.*

**Commissioner Flint motioned to approve SUB 16-01. The motion was seconded by Commissioner Olbrysh. After due consideration of the petition and the testimony presented, the Plan Commission found that the Plat of Resubdivision complies with the Zoning Ordinance and therefore, the Plan Commission, by a roll call vote of 6 to 0, recommended to the Corporate Authorities, approval of SUB 19-01.**

**The motion carried by the following vote:**

**Aye:** 6 - Donald F. Ryan, Ronald Olbrysh, Martin Burke, Ruth Sweetser, Stephen Flint, and Leigh Giuliano

**Absent:** 1 - John Mrofcza

## **Site Plan Approvals**

*There were no site plan approvals*

## **Workshops**

*There were no workshops*

## **Adjournment**

**A motion was made by Commissioner Flint, seconded by Commissioner Giuliano, to adjourn the meeting at 7:45 p.m. The motion passed by a unanimous vote.**