

Village of Lombard

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



Meeting Minutes

Monday, January 25, 2010

7:30 PM

Village Hall

Plan Commission

*Donald F. Ryan, Chairperson
Commissioners: Martin Burke,
Stephen Flint, Ronald Olbrysh,
Ruth Sweetser, Andrea Cooper and Richard Nelson
Staff Liaison: Christopher Stilling*

Call to Order

Chairperson Ryan called the meeting to order at 7:30 p.m.

Roll Call of Members

Present: Chairperson Donald F. Ryan, Commissioner Stephen Flint, Commissioner Ronald Olbrysh, Commissioner Ruth Sweetser, Commissioner Martin Burke and Commissioner Andrea Cooper

Absent: Commissioner Richard Nelson

Also present: Christopher Stilling, AICP, Assistant Director of Community Development; Stuart Moynihan, Associate Planner; and George Wagner, legal counsel to the Plan Commission.

Chairperson Ryan called the order of the agenda.

Christopher Stilling read the Rules of Procedures as written in the Plan Commission By-Laws.

Public Hearings

PC 10-01: 555 E. Butterfield Road

Requests the following actions on the property located within the 555 E. Butterfield Road O (Office) Planned Development:

1. Approval of a conditional use for a university (non-boarding); and
 2. Site Plan Approval for minor changes to an approved planned development with the following deviations:
 - a. Pursuant to Section 155.502(C), a deviation from Section 153.503(B)(12)(a) of the Sign Ordinance to increase the maximum allowable area of a wall sign from one hundred (100) square feet to two hundred four (204) square feet;
 - b. Pursuant to Section 155.502(C), a deviation from Section 153.503(B)(12)(b) of the Sign Ordinance to increase the maximum number of allowable wall signs from two (2) to three (3).
- (DISTRICT #3)

R. Michael Shehorn, 18 S. Stough Street, Hinsdale, IL, presented the petition. Mr. Shehorn stated that Olivet Nazarene University (ONU) is both an undergraduate and graduate and continuing education school. They look forward to being a new entrant into the Lombard marketplace.

He stated he would like to give some background on ONU. ONU was founded 1907 in Danville, IL. In 1939 the university premises burned and relocated to Bourbonnais where they are today. Currently, ONU's enrollment is approximately 4,500 students. They offer 100 undergraduate programs and 12 graduate programs. Their graduate

school primarily offers concentrations in nursing, business and education. The graduate school has had a regional center in Rolling Meadows since 2004. They have 150 other sites throughout central and northern Illinois. The regional site has 3 classrooms with about the same square footage being proposed at 555 E. Butterfield Road. That site accommodates 99 students; this site is expected to accommodate roughly 86 students.

Mr. Shehorn stated that ONU has prospered nicely from student enrollment growth with this trend continuing. ONU would like to have a regional facility in place along the I-88 corridor. They researched other locations but Lombard offered the best location. There are the two issues due to the request. First is the conditional use for a university. Second is a Site Plan Approval with deviations for wall sign size and the number of wall signs.

Mr. Shehorn stated that the conditional use is a request to establish a university and commented that there is not much that can be said about this, we are what we are. Hopefully, there will be room for us in that respect. Regarding the size of the sign, our name is what it is, a large name. In order to reduce the size some, we did remove our logo from the sign. The lettering is 3' high, and the sign is 204' square feet. The current lettering which is on the existing COMAR sign is 3'4" in height. So, our lettering is smaller but wider. It is worth noting the reference in the staff report to an analysis in Street Graphics and the Law. It sounds like the analysis is predicated on that publication which indicates that our proposed signage is appropriately sized.

Mr. Shehorn stated that ONU is aware that there were conditions proposed by the staff. He has conveyed to staff the university's policy to fully comply with rules and regulations that might be imposed upon us. They would comply with any conditional approvals from the Plan Commission or the Board of Trustees. He stated that they hope to add value to the community and give back as well. In closing, he stated that he wished to recognize the hard work of staff on behalf of the university. He stated they were very thorough and very protective of the Village interests. They were also very protective of ONU. He stated he would be happy to answer any questions.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. No one spoke in favor or against.

Chairperson Ryan then requested the staff report.

Stuart Moynihan, Associate Planner, presented the staff report. The petitioner, Olivet Nazarene University (ONU), is proposing to occupy approximately six thousand (6,000) square feet on the third floor of the building located at 555 E. Butterfield Road. The building is currently occupied by offices and a financial institution, TCF Bank. ONU will construct classrooms and offices as well as other student and faculty areas within the space. The subject property is zoned OPD - Office District Planned Development which lists colleges or universities (non-boarding) as conditional uses.

As part of this request, the petitioner also proposes to install a two hundred and four (204) square foot wall sign on the south elevation which will be visible from I-88. Walls signs in the O-Office District are limited to a maximum of one hundred (100) square feet. As two TCF Bank wall signs are currently installed on the building, the proposed sign would make a total of three (3) wall signs. The Sign Ordinance limits a parcel to one wall sign per street frontage. As 555 E. Butterfield Road fronts on two streets, two wall signs are permitted.

In order to address the zoning issues with their proposal, ONU has requested a conditional use for a university (non-boarding) along with companion deviations to increase the maximum allowable size of a wall sign and the number of permitted wall

signs.

The zoning history on the subject property includes a 2009 Plan Commission case, PC 09-22. The property owner proposed to replace a freestanding sign with a new sign in the same location. As the sign did not meet the Sign Ordinance requirements for the size and height of a freestanding sign, associated deviations were required. A planned development was established as part of this request. Staff determined that with the exemption of the deviations for the freestanding sign all other non-conforming situations on the subject property would remain non-conforming, without additional zoning relief.

The petitioner has submitted a narrative describing their proposed use. The facility will house Olivet Nazarene University's School of Graduate and Continuing Studies. This program focuses on the continuing education of adult students.

ONU proposes to conduct classes Monday through Thursday beginning at 6 p.m. with the possibility of occasional Saturday classes. The property owner has indicated that the office uses in the building are normally closed before 6 p.m. TCF Bank's website shows business hours of 8 a.m. to 7 p.m. Monday through Friday and 8 a.m. to 4 p.m. on Saturday.

The petitioner has stated that at maximum capacity the university will accommodate eighty-eight (88) students and three (3) faculty members for evening classes. They have also represented that up to eight (8) staff members could be present before 6 p.m. ONU does have another facility in Rolling Meadows, Illinois which serves a similar function to the proposed use. The petitioner states that this facility experiences a maximum of fifty-six percent (56%) occupancy at any one time. If circumstances are similar at 555 E. Butterfield Road, a maximum of fifty-one (51) individuals would be present at any one time.

The subject property is currently non-conforming with regard to parking. The site has one hundred and three (103) parking spaces where one hundred and eighteen (118) are required. The required number of parking spaces will be unchanged by this proposal. Therefore, a parking variation is not required because the proposed new use will not be increasing the degree of nonconformity.

While the petitioner's approximations indicate that they expect no more than fifty-one (51) individuals at the university at any one time, it is possible that as many as ninety-one (91) individuals could be present at maximum occupancy. While staff recognizes that this is an unlikely scenario, staff does expect that each student will drive their own vehicles to the subject property.

The petitioner has indicated that nearly all of the parking demand caused by the university will occur after 6 p.m. on weekdays. They state that the office uses within the building are closed by this time and that the bank closes by 7 p.m. Staff has visited the site on two occasions between 6 p.m. and 6:30 p.m. Both times fewer than ten (10) cars were parked on the property. It is staff's opinion that there is unlikely to be a conflict due to the university's parking demand as long as these circumstances continue and the students arrive after 6 p.m. As such, staff recommends that a condition be added that restricts classes before 6 p.m. Monday through Friday.

The petitioner is proposing to install a two hundred and four (204) square foot wall sign on the south elevation of the building. This sign is intended to advertise to I-88. In order to accommodate this sign, an existing COMAR sign will be removed from the south elevation of the building. The existing COMAR sign is approximately sixty-two (62) square feet in area. The Sign Ordinance limits wall signs in the O-Office District to a maximum of one hundred (100) square feet. Therefore, the petitioner is requesting a

deviation to increase the maximum allowable size of a wall sign.

In addition to the COMAR wall sign, two TCF Bank wall signs are currently installed on the building. One of these is on the east elevation, the other on the west. The proposed sign would make a total of three (3) wall signs. The Sign Ordinance limits parcels in the O-Office District to one wall sign per street frontage. As 555 E. Butterfield Road fronts on two streets, two wall signs are permitted. Therefore, the petitioner is requesting a deviation to increase the maximum allowable number of wall signs.

As a planned development was established on the subject property, Section 155.504(C) of the Zoning Ordinance (Minor Changes with Deviations to the Sign Ordinance) allows that the requested signage relief can be approved through Site Plan Approval.

It is staff's opinion that the request to display a third wall sign on the south elevation of the building will not be damaging to the quality of the planned development or harmful to any adjacent properties. As the sign will be directed at I-88, it is unlikely to affect the Butterfield Road corridor in any way.

The proposed size of the ONU wall sign is more than double the maximum size permitted by the Sign Ordinance. The petitioner has expressed that the request is due to the large size of the university's name, "Olivet Nazarene University." The petitioner also states that the two hundred and four (204) square foot size is necessary for the size to be visible from I-88. Staff has consulted Street Graphics and the Law, Revised Edition 1988. This book provides analysis on the appropriate signage size for advertising to vehicles at certain speeds and distances. The book explains that in order to respond to a graphic while traveling at 55 mph the driver will need to be able to see it from one thousand fifty-six feet (1056') away. This corresponds to a sign which is two hundred (200) square feet in area. Therefore, the analysis provided in Street Graphics and the Law would indicate that the proposed wall sign is an appropriate size.

The petitioner has expressed some concern about the future redevelopment of the property to south, 2801-2821 S. Fairfield Avenue, being developed with a large building that would block views of the proposed sign. The petitioner would like to have the option of moving the sign to the north elevation facing Butterfield Road should this occur. Staff recommends that any changes to the location of the proposed sign proceed through the Site Plan Approval process.

The Comprehensive Plan recommends office uses at this location. The primary use of this building will remain offices and a financial institution. It is staff's opinion that the proposed use is a compatible use. If the comments and conditions noted in this report are incorporated into the petitioner's final plans, this development will meet the recommendations of the Comprehensive Plan. The site is surrounded by other office uses, a restaurant to the east, and commercial uses to the north. The university is unlikely to negatively impact surrounding land uses.

Staff is recommending approval of this petition subject to conditions. Staff notes that the approval of the petition will require two motions, one for the conditional use and one for Site Plan Approval.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweetser said that it was nice to have this petition to consider. She asked staff if there had been enough conversation with Mr. Danos, the property owner, to ensure that the existing code violations on the property will be rectified by the mid 2010 opening date. Chris Stilling answered yes. The property is scheduled for reinspection at the beginning of next week.

Commissioner Olbrysh stated that the university would be a welcome addition. They did select an excellent location. He stated that he had a question for staff. He asked if, with exception of the third floor, the rest of the building is fully occupied.

Mr. Moynihan stated that he believes the rest of the building is not fully occupied.

Commissioner Olbrysh stated that he had visited the site during business hours and counted 47 empty parking spaces. If classes begin after 6 p.m., there should not be an issue.

Mr. Stilling stated that a permit has been submitted for a new tenant build-out. There is vacancy in the building but the property owner is working hard to fill it.

Village Attorney Wagner stated that there should be 2 separate motions and votes - one for the conditional use and one for the site plan approval.

It was moved by Commissioner Olbrysh, seconded by Commissioner Sweetser, that this matter be recommended to the Corporate Authorities for approval with conditions as to the conditional use for a university (non-boarding). The motion carried by the following vote:

Aye: 5 - Flint, Olbrysh, Sweetser, Burke and Cooper

Absent: 1 - Nelson

1. Olivet Nazarene University shall not begin classes prior to 6 p.m. on Monday through Friday.

2. Olivet Nazarene University shall be limited to a maximum enrollment of eight-eight (88) students. Should they wish to increase enrollment, the university shall seek a conditional use amendment and a parking deviation along with any other necessary zoning relief. Consideration of any other requested relief shall be subject to review by the Village as part of a public hearing petition.

3. The property owner shall submit a Plat of Resubdivision to establish a Lot of Record on the subject property.

4. Prior to the issuance of a Certificate of Occupancy/Zoning Certificate for Olivet Nazarene University, all fire code violations and deficiencies shall be addressed.

5. As part of the approval, the petitioner shall also address the comments included within the IDRC Report

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(DISTRICT #3)

It was moved by Commissioner Sweetser, seconded by Commissioner Flint, that this matter be approved with conditions as it relates to site plan approval for signage deviations. The motion carried by the following vote:

Aye: 5 - Flint, Olbrysh, Sweetser, Burke and Cooper

Absent: 1 - Nelson

- 1. The proposed sign shall be installed on the south elevation in accordance with the plans prepared by Vital Signs, dated November 16, 2009, revised December 16, 2009, and made a part of this petition.*
- 2. Any future proposal to move the proposed wall sign by the petitioner or property owner shall be subject to future Site Plan Approval petition to the Village.*
- 3. The existing COMAR sign on the south elevation of the building shall be removed.*
- 4. The approval of the minor changes in PC 10-01 shall be effective only upon the prior approval of the conditional use for a university by the Board of Trustees*

Business Meeting

The business meeting convened at 8:01 p.m.

Approval of Minutes

On a motion by Flint and seconded by Sweetser the minutes of the December 21, 2009 meeting were unanimously approved the members present.

Public Participation

There was no public participation.

DuPage County Hearings

There were no DuPage County hearings.

Chairperson's Report

The Chairperson deferred to the Assistant Director of Community Development.

Planner's Report

Christopher Stilling updated the Commissioners on previously heard cases. The text amendments for informational signage were approved by the Board with minor changes. Video gaming was voted down by a 4-3 vote.

For the February 15 meeting we have one case, possibly two. With Commissioners Sweetser, Nelson and Flint not being able to attend the meeting, he requested the remaining Commissioners check their calendars and advise him of their availability to ensure a quorum.

Unfinished Business

There was no unfinished business.

New Business

There was no new business.

Subdivision Reports

There were no subdivision reports.

Site Plan Approvals

There were no site plan approvals.

Workshops

There were no workshops.

Adjournment

The meeting adjourned at 8:03 p.m.

*Donald F. Ryan, Chairperson
Lombard Plan Commission*

*Christopher Stilling, Secretary
Lombard Plan Commission*