

Village of Lombard

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



Minutes

Monday, November 15, 2021

7:00 PM

Village Hall

Plan Commission

Commissioners:

***Ruth Sweetser, Leigh Giuliano, Bill Johnston,
Kevin Walker, Tony Invergo,
Alissa Verson and Robert Spreenberg
Staff Liaison: Jennifer Ganser***

Call to Order

Commissioner Sweetser called the meeting to order at 7:00 p.m

Pledge of Allegiance

Commissioner Sweetser led the Pledge of Allegiance

Roll Call of Members

Present 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

Also present: Jennifer Ganser, AICP Assistant Director of Community Development

Vice Chairperson Sweetser called the order of the agenda.

Ms. Ganser read the Rules and Procedures as written by the Plan Commission.

Swearing in of new members Alissa Verson and Robert Spreenberg

Ms. Ganser conducted the swearing in of the new Plan Commissioners Alissa Verson and Robert Spreenberg.

Appoint an Acting Chair

A motion was made by Commissioner Johnston, seconded by Commissioner Walker to appoint Commissioner Ruth Sweetser Chair. The motion passed by an unanimous vote.

Public Hearings

[210207](#)

PC 21-17: 359 E Roosevelt Road - Panda Express - Request to Withdraw
(DISTRICT #6)

A motion was made by Bill Johnston, seconded by Tony Invergo, PC 21-17 359 E. Roosevelt Road be withdrawn. The motion carried by the following vote:

Aye: 5 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, and Tony Invergo

Abstain: 2 - Robert Spreenberg, and Alissa Verson

[210307](#)**PC 21-25: 448 W. North Avenue - Supreme Lobster and Seafood**

The petitioner, Supreme Lobster and Seafood Company, Inc., requests that the Village take the following actions on the subject property located within R1 Single-Family Residence District:

1. Approve a map amendment (rezoning) to I Limited Industrial District;
2. Approve a conditional use for a Planned Development, pursuant to Section 155.420(C)(27);
3. Approve a conditional use for building height of 45", where the maximum of 40 feet is required as the property is within 100 feet of a residentially-zone property, pursuant to Section 155.420(G);
4. Approve a deviation for a transitional building setback to the north of 16 feet, where 45 feet is required, pursuant to Section 155.420(J); and
5. Approve a deviation for a transitional landscape yard to the north of 15 feet, where 30 feet is required, pursuant to Section 155.420(K).
(DISTRICT #1)

Sworn in to present the petition was Jennifer Ganser, Assistant Director and Jeremy Bentley and Ryan Gusewelle on behalf of the petitioner.

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

Mr. Bentley said they are looking to build a new freezer facility on vacant land. He said about 70% of the building is a frozen warehouse and the fish would come in and leave frozen. There are 8 dock doors and a small office. Despite the size, there are not many employees. He showed the building elevations. He said the Comprehensive Plan suggests the building is compatible.

Commissioner Johnston asked if the white walls could have color added to them. Mr. Bentley said unfortunately no, due to the nature of the building being a freezer. Those walls would not be visible to North Avenue.

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

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner requests zoning relief for a Supreme Lobster warehouse building. The property is currently developed with a vacant commercial building. The petitioner is requesting a rezoning to the Industrial District, from residential. The property has been zoned residential since it was involuntarily annexed

to the Village. Staff supports the rezoning noting zoning compatibility and the Comprehensive Plan designation. The Zoning Ordinance provides for warehouses as permitted use in the Industrial District. The property to the north is zoned residential, also due to the annexation, therefore a 40' height limit is permitted. Staff anticipates this property will redevelop and be rezoned for non-residential use at that time. Therefore, staff supports the height relief. Also, a transitional building setback and landscape yard must be met due to the residential zoned land to the north. The petitioner's stormwater detention is mainly to the south, thereby the building is located on the northern end of the property. Staff supports the variance for the transitional building setback and landscape yard. Two driveways are proposed for the site as well as on-site parking for cars and trucks. This location would be closed to the public. The petitioner will need to engage with the Illinois Department of Transportation as they control the North Avenue right-of-way. Each drive is shown as right-in, right-out. The petitioner has stated that the gates will be open during business hours. Trucks will enter the site using the western drive and exit via the east drive. Cars will enter and exit using the west drive.

Acting Chairperson Sweetser asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting for comments among the Commissioners.

Commissioner Giuliano asked if the loading docks are facing North Avenue and what kind of trees would be used as screening. Mr. Bentley said the loading docks do face North Avenue and there will be trees in the front of the property. He said they would most likely be between a 2- and 4-inch caliper and may be small to medium in size. Commissioner Johnston said he agrees with Commissioner Giuliano and believes evergreens would be a better choice.

Commissioner Spreenberg asked if the parking will be sufficient for the employees and any routine maintenance to the building. Mr. Bentley said if the building or freezers need maintenance it would only be a couple of people. The building will have two shifts with 4 to 5 people per shift. Commissioner Spreenberg asked about stormwater management and if the land banked parking spaces were considered. Mr. Bentley said yes, to be more conservative with the engineering.

On a motion by Commissioner Giuliano, and a second by Commissioner Johnston, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 21-25 subject to the six (6) conditions in the staff report, plus an additional condition:

1. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;
 2. That the petitioner shall be required to apply for and receive building permits prior to construction;
 3. The petitioner shall submit a plat of consolidation, to make the property into a lot of record, before building permits shall be issued;
 4. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11);
 5. The petitioner shall create a dedicated easement for stormwater detention areas, per the provisions of Section 154.406(D) of Village Code; and
 6. A private utilities easement of at least thirty feet (30') in width shall be dedicated to the Village for the proposed watermain and hydrant on the property, per the provisions of Section 154.512(A)(1) of Village Code.
 7. The trees and shrubs in between the loading dock area and North Avenue shall be evergreens to eliminate some of the visual line of sight from North Avenue towards the warehouse building.
- The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

[210355](#)

SPA 21-01ph: 145 Yorktown, Olive Garden Sign variances

The petitioner requests site plan approval with the following deviations for the subject property located within the B3 Community Shopping District and Yorktown Center Planned Development:

1. A deviation from Section 153.505(B)(19)(a)(i)(a) of the Lombard Sign Ordinance to allow a total wall sign area of 210 square feet where 100 square feet is allowed;
2. A deviation from Section 153.208(B) to allow for a sign in the clear line of sight area; and
3. A deviation from Section 153.242(E) to allow a wall sign to be displayed in conjunction with a projection sign. (DISTRICT #3)

Mr. Smith said they are asking for a sign variance. Olive Garden will occupy a new building in a current parking field. They need additional signage, that is consistent with other businesses in the area. The signs will assist with wayfinding. They discussed the projecting sign which will help customers getting to go orders. He showed the sign elevations. Signage is on all sides to be visible to motorists. The freestanding sign is consistent with the existing nearby Dunkin Donuts sign. The location is out of the actual clear line of sight and they are working within the site conditions. The existing feature sign will be removed.

Mr. Henry Boeger said he is the cemetery owner. He asked if there will be a pickup lane on the south side of the building. Mr. Stein said there is not. The projecting sign is for a separate entrance to walk inside for to go orders. Mr. Stein said there is no pavement between the building and Butterfield Road.

Commissioner Spreenberg asked if this will be a relocation from their

current location. Mr. Keith Moore said this is a new prototype they are developing that is not currently in the Chicagoland area. It's to be determined what will happen to the existing location.

Ms. Ganser presented the staff report for SPA 21-01ph which was submitted into the public record in its entirety. She said Olive Garden proposes to subdivide the property and build a new restaurant. The land is currently owned by Von Maur. The 1965 Planned Development Ordinance does not regulate signage, therefore the current sign code is used. Historically staff has supported wall signage deviations for businesses along the ring road because a strict interpretation of Code could restrict businesses from placing reasonable signage on their building. Staff also supports the clear line of sight variance as the sign will be out of the actual clear line of sight and would not impede traffic turning onto Butterfield Road. It will be placed in a similar location as the mall feature sign, which will be removed. Staff also supports the request for the projecting sign noting it will serve a purpose to guide customers picking up to go orders.

Commissioner Johnston asked if the public commenter was satisfied with the answer and Mr. Boeger said yes.

A motion was made by Bill Johnston , seconded by Tony Invergo, that the SPA 21-01ph petition be approved subject to the three (3) conditions in the staff report:

- 1. The petitioner shall satisfactorily address all comments noted within the Inter-Departmental Review Committee Report;**
- 2. That the petitioner shall be required to apply for and receive building permits prior to construction; and**
- 3. This approval shall be subject to the commencement time provisions as set forth within Section 155.103(F)(11).**

The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenber, and Alissa Verson

[210306](#)

PC 21-24: Text Amendment to the Zoning Ordinance

The petitioner, the Village of Lombard, is requesting text amendments regarding catering:

1. Amend Section 155.415(C), Section 155.418(C), and Section 155.419(C) to remove catering as a conditional use;
2. Amend Section 155.413(B), Section 155.414(B), Section 155.415(B), Section 155.416(B), Section 155.417(G)(1)(b), Section 155.418(B), and Section 155.419(B) to make catering a permitted use;
3. Amend Section 155.412(C) to make catering a conditional use; and

4. Amend Section 155.802 to add a definition for catering.
(DISTRICT ALL)

Sworn in to present the petition was Jennifer Ganser, Assistant Director.

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

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

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. Staff is proposing to make catering consistent with restaurant zoning. Currently catering is a conditional use in the following zoning districts: B3, B5, B5A, and I. Staff notes that catering is very similar to a take-out restaurant, therefore proposing text amendments to make the zoning consistent. With the Covid-19 pandemic many restaurants shifted to take-out and an emerging trend is a ghost kitchen or a virtual kitchen. These text amendments should make it easier for a new catering concept to open in Lombard.

Acting Chairperson Sweetser asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting for comments among the Commissioners.

On a motion by Commissioner Walker, and a second by Commissioner Invergo, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 21-24.

The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

[210357](#)

PC 21-02: Text Amendment to the Sign Ordinance

The petitioner, the Village of Lombard, is requesting comprehensive text amendments to Chapter 153 of the Village Code (the Sign Ordinance), and any other relevant sections for clarity. (DISTRICT ALL)

Sworn in to present the petition was Jennifer Ganser, Assistant Director.

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

Acting Chairperson Sweetser asked if any person would like to speak in

favor or against this petition, or for public comment. Hearing none, she asked for the staff report.

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. As the Plan Commission may remember, text amendments were brought before this group on the Subdivision and Development Ordinance. Today, we are reviewing amendments to the Sign Code.

This was a 2021 goal of staff, and a goal of the Village Board Strategic Plan was to review and update Code where needed. Past Sign Code updates were done incrementally. We wanted to make sure the Code was easy to use and addresses any conflicts. More substantial changes include: removing political campaign sign as a sign type, adding noncommercial sign as a sign type, updates in regard to Reed v. Gilbert, increasing the size of window signs, and clarifying that wall signs are per frontage. We also updated the definitions section as needed. The amendments do not require businesses to remove signs or reduce the size or location of signs. Should the Plan Commission recommend approval, this will go to the Village Board for final consideration.

Acting Chairperson Sweetser asked if there were any questions or comments on the staff report. Hearing none, she opened the meeting for comments among the Commissioners.

Commissioner Johnston asked about the 50% coverage for windows and if that was permanent. Ms. Ganser said the percentage is increasing from 20% to 50% regardless of the time period the window sign is displayed. She noted that businesses do not come in for window sign permits, by increasing the percentage Code will be more in line to what is actually occurring. Commissioner Johnston asked about window coverage with lights and if the Police Department was concerned. Ms. Ganser said that lights are not signs. She said that 50% should still be adequate and that they have not received feedback from the Police Department.

Commissioner Spreenberg asked if the window sign code is being enforced. Ms. Ganser said staff has not received service requests for window signs.

On a motion by Commissioner Johnston, and a second by Commissioner Invergo, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 21-02. The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

Business Meeting

Approval of Minutes

A motion was made by Leigh Giuliano, seconded by Bill Johnston , that this be approved. The motion carried by the following vote:

Aye: 5 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, and Tony Invergo

Abstain: 2 - Robert Spreenberg, and Alissa Verson

Public Participation

None

DuPage County Hearings

None

Chairperson's Report

None

Planner's Report

Ms. Ganser advised the Commission the January 17, 2021 Plan Commission Meeting will be cancelled, the Next regular scheduled meeting will be on January 24, 2021.

Unfinished Business

None

New Business

Subdivision Reports

[210356](#)

SUB 21-01: 145 Yorktown, Final Plat of Von Maur Yorktown Subdivision

The Plan Commission submits its recommendation to approve the petitioner's request for approval of a plat of subdivision for a tract of land located at 145 Yorktown. Von Maur proposes to subdivide the property

and build a new freestanding Olive Garden restaurant. (DISTRICT #3)

Acting Chairperson Sweester requested that the petitioner proceed with the petition.

Mr. Andy Stein said his firm is the contract purchaser of the 1.7 acres of land. It is currently parking and owned by Von Maur. Von Maur would continue to own the rest of the parking and he would build a new Olive Garden restaurant. Mr. Stein said the subdivision is consistent with the planned development the B3 district.

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

Ms. Ganser presented the staff report, which was submitted to the public record in its entirety. The petitioner is requesting approval of a plat of subdivision for a tract of land located at 145 Yorktown. The new plat depicts the proposed subdivision. Currently the property is owned by Von Maur. Olive Garden proposes to subdivide the property and build a new freestanding restaurant. This division is considered a major plat of subdivision as it is greater than one acre in size. Therefore, the project must be reviewed and approved by the Plan Commission and Village Board of Trustees. The two lots meets Code for the B3 district.

Acting Chairperson Sweetser opened the meeting for questions or comments among the Commissioners.

Commissioner Invergo motioned to approve SUB 21-01. The motion was seconded by Commissioner Walker. After due consideration of the petition and the testimony presented, the Plan Commission found that the Plat of Subdivision complies with the Zoning Ordinance and therefore, the Plan Commission, by a roll call vote of 7 to 0, recommended to the Corporate Authorities, approval of SUB 21-01.

The motion carried by the following vote:

Aye: 7 - Ruth Sweetser, Leigh Giuliano, Bill Johnston, Kevin Walker, Tony Invergo, Robert Spreenberg, and Alissa Verson

Site Plan Approvals

None

Workshops

None

Adjournment

A motion was made by Commissioner Johnston, seconded by Commissioner Giuliano, to adjourn the meeting at 8:04 p.m. The motion passed by an unanimous vote.