

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X

Resolution or Ordinance (Blue) X *Waiver of First Requested*
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: March 28, 2011 (BOT) Date: April 7, 2011

TITLE: PC 11-08: 435 E. Butterfield Road

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

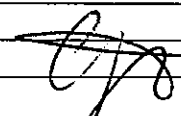
Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The petition requests approval of the following variations from Sections 153.303 (B) (9) and 153.237 (E) to provide for than more than one temporary sign per street frontage and to exceed thirty-two (32) square feet in area, for property located within the O Office District.

The Plan Commission recommended approval of this petition with conditions.

Please place this item on the April 7, 2011 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X		Date	<u>3/29/11</u>

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP
Director of Community Development *WH*

DATE: April 7, 2011

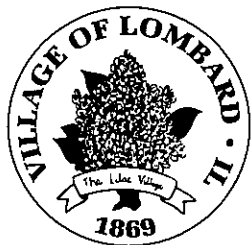
SUBJECT: PC 11-08: 435 East Butterfield Road (Carlisle Banquets)

Attached please find the following items for Village Board consideration as part of the April 7, 2011 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 11-08;
3. An Ordinance granting approval of a variation from Sections 153.303 (B) (9) and 153.237 (E) to provide for than more than one temporary sign per street frontage and to exceed thirty-two (32) square feet in area;
4. Plans associated with the petition.

The Plan Commission recommended approval of the conditional use for a catering business.

The petitioner has requested a waiver of first reading.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3931
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

April 7, 2011

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Trustees

Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Subject: PC 11-08; 435 E Butterfield Road

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests approval of variations from Sections 153.303 (B) (9) and 153.237 (E) to provide for than more than one temporary sign per street frontage and to exceed thirty-two (32) square feet in area, for property located within the O Office District.

Village Manager
David A. Hulseberg

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 21, 2011.

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

Bill Apostolou, 700 N Laramie, Chicago, IL, presented the petition. He stated that he is the general manager at the Carlisle. They are requesting the additional signage because they host 3 large functions in a calendar year and the existing signage provisions are too small to accommodate their needs. He indicated that since they are on a frontage road, the existing signage has not been effective. They are asking for additional signage affixed to their building.

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

No one spoke in favor or against the petition.

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Director of Community Development, presented the report. He stated that the use consists of a large meeting and gathering facility for private single event activities such as weddings, formal balls, business luncheons and dinners and the like. On rare occasion (such as Easter Sunday, Mother's Day and New Year's Eve), the facility is opened for large scale dining activities generally open to the public, similar to a traditional restaurant. The petitioner is seeking two variations from the Sign Ordinance to provide for additional temporary signage and an increase in permissible sign area.

The Carlisle Banquet facility has existed on the subject property since 1976. In 1993, an 18 foot high free-standing sign variation height request was approved for the site to provide for the existing sign on the premises (Ordinance 3720). In the 1980s, Butterfield Road was grade separated at Highland Avenue. Access to the site is provided via a single frontage road access point at Fairfield Avenue to the east. The attached aerial map shows the subject property and the adjacent street network. The petitioner is currently seeking approval of two variations pertaining to temporary banner signage associated with their special dining events at their facility:

Variation for number of temporary signs

They are specifically requesting approval for two banner signs to be placed on the property at one time, as only one is permitted by right. As noted in the attached standards for variations, the subject property has a number of unique geographical limitations that present unique advertising challenges for the property. These challenges include access exclusively from an abutting dead-end frontage road and the physical configuration and design of Butterfield Road abutting and near the subject property.

More importantly, the subject property is not platted and the existing banquet hall orientation is not aligned perpendicular to the adjacent roadway, creating challenges for placing signage on the property that is readable to the public. The Sign Ordinance does not allow for free-standing banner signs; the only legally permissible location to place the temporary signs are on the building or adjacent freestanding sign. Therefore, the petitioner is proposing to affix the banner signs on the existing convex fence north of the drive-up ramp in front of the building, instead of attaching the signs to poles or other temporary devices. Affixing the sign to the building also minimizes its prominence along the frontage road.

Variation for size of temporary signs

The petitioner is also looking for additional relief for the overall permissible square footage of a given temporary sign. As noted, the primary advertising message is for traffic on Butterfield Road, which the driving lanes are between seventy feet (70') and one hundred seventy feet (170') from the front elevation. Visibility for eastbound traffic is also further obscured by the entrance ramp from Highland Avenue to Butterfield Road, while westbound motorists must look past up to seven distinct lanes of traffic. Moreover, given the prevailing speed of the adjacent Butterfield Road traffic is between 45 and 55 miles per hour, temporary message signs would not be as readable and would therefore be ineffective in conveying the message. The request for up to sixty (60) square feet in sign area would allow for readability at higher prevailing speeds.

Staff finds the standards have been met and that the use is compatible with the Comprehensive Plan and surrounding land uses and therefore staff recommends approval of the conditional use subject to the conditions noted in the staff report.

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

Commissioner Sweetser asked how long a temporary sign can be up. Mr. Stilling stated that a temporary sign can be up for a 120 days in a calendar year.

Commissioner Burke asked if their request to have a sign 3-4 times per year is adequately addressed in the petition. Mr. Stilling stated that code allows up to 8 permits per calendar year. Since they may have it up 4 times per year, each sign could be allowed to be up 30 days each.

On a motion by Commissioner Sweetser and a second by Commissioner Flint, the Plan Commission voted 4 to 0 that the Village Board approve the petition based on the finding that the petition had met the required Standards as set forth in the Zoning Ordinance.

Based on the submitted petition and the testimony presented, the proposal **complies** with the standards required by the Lombard Zoning and Sign Ordinance; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of PC 11-08, subject to the following conditions:

1. The variation for the proposed temporary signage request is based upon the use of the subject property as a banquet facility. Should the use be changed, the relief contained herein shall be null and void.
2. Any temporary signage approved as part of the petition shall be securely affixed to the principal building or the existing freestanding sign only.
3. Any future temporary signage placed on the subject property shall be subject to a building permit application submittal and approval by the Village.

Respectfully,

VILLAGE OF LOMBARD


Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO:	Lombard Plan Commission	HEARING DATE:	March 21, 2011
FROM:	Department of Community Development	PREPARED BY:	William Heniff, AICP Community Development Director

TITLE

PC 11-08; 435 East Butterfield Road: The petitioner requests approval of the following variations from Sections 153.303 (B) (9) and 153.237 (E) to provide for than more than one temporary sign per street frontage and to exceed thirty-two (32) square feet in area, for property located within the O Office District.

GENERAL INFORMATION

Petitioner:	Carlisle Banquets 435 E. Butterfield Road Lombard, IL 60148
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PROPERTY INFORMATION

Existing Zoning:	O Office District
Existing Land Use:	Banquet hall
Size of Property:	Approximately 2.15 acres
Comprehensive Plan:	Recommends Office

Surrounding Zoning and Land Use:

North:	B3PD Community Shopping District; developed as Yorktown Mall
South:	Interstate 88 - Reagan Tollway and property zoned O Office and developed as a NiCor transmission line and Carlisle Banquet Hall parking lot
East:	O Office District; developed as an office building and parking structure
West:	O Office District; developed as Miller's Ale House

ANALYSIS

SUBMITTALS

This report is based on the following documents that were submitted to the Department of Community Development on March 2, 2011:

1. Petition for Public Hearing with response to standards, prepared by staff and the petitioner.
2. Plat of Survey for subject property, prepared by Webster, McGrath & Carlson, dated June 22, 1988 (previously provided to file).
3. Plot Plan, dated June 2, 1993 (as part of Ordinance 3720 approval).
4. Photographs of subject property with temporary signage, taken March 24, 2010 and December 14, 2010.

DESCRIPTION

The subject property at 435 East Butterfield Road is currently developed with the Carlisle Banquet Hall facility. The use consists of a large meeting and gathering facility for private single event activities such as weddings, formal balls, business luncheons and dinners and the like. On rare occasion (such as Easter Sunday, Mother's Day and New Year's Eve), the facility is opened for large scale dining activities generally open to the public, similar to a traditional restaurant. The petitioner is seeking two variations from the Sign Ordinance to provide for additional temporary signage and an increase in permissible sign area associated with the aforementioned special dining activities. No permanent improvements are associated with the petition.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

The Engineering and Utilities Divisions of the Public Works Department have no comments on the petition.

PRIVATE ENGINEERING

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

FIRE DEPARTMENT

The Fire Department has no comment on the petition at this time.

BUILDING DIVISION

The Building Division has no comment on the petition at this time.

PLANNING

Zoning History

The Carlisle Banquet facility has existed on the subject property since 1976. In 1993, an 18 foot high free-standing sign variation height request was approved for the site to provide for the existing sign on the premises (Ordinance 3720).

In the 1980s, Butterfield Road was grade separated at Highland Avenue. Access to the site is provided via a single frontage road access point at Fairfield Avenue to the east. The attached aerial map shows the subject property and the adjacent street network.

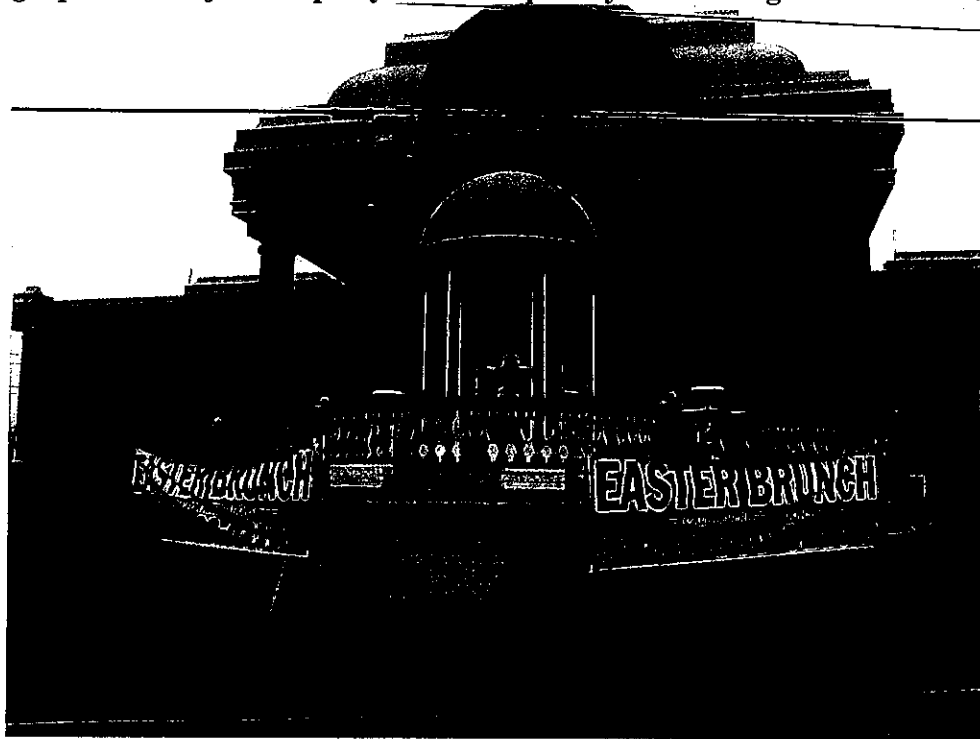
The petitioner is currently seeking approval of two variations pertaining to temporary banner signage associated with their special dining events at their facility:

Variation for number of temporary signs

They are specifically requesting approval for two banner signs to be placed on the property at one time, as only one is permitted by right. As noted in the attached standards for variations, the subject property has a number of unique geographical limitations that present unique advertising challenges for the property. These challenges include access exclusively from an abutting dead-end frontage road and the physical configuration and design of Butterfield Road abutting and near the subject property.

More importantly, the subject property is not platted and the existing banquet hall orientation is not aligned perpendicular to the adjacent roadway, creating challenges for placing signage on the property that is readable to the public. The Sign Ordinance does not allow for free-standing banner signs; the only legally permissible location to place the temporary signs are on the building or adjacent freestanding sign. Therefore, the petitioner is proposing to affix the banner signs on the existing convex fence north of the drive-up ramp in front of the building, instead of attaching the signs to poles or other temporary devices as depicted in the following photographs. Affixing the sign to the building also minimizes its prominence along the frontage road.

Photographs of Subject Property with Temporary Banner Signs Affixed to Ground



Variation for size of temporary signs

The petitioner is also looking for additional relief for the overall permissible square footage of a given temporary sign. As noted, the primary advertising message is for traffic on Butterfield Road, which the driving lanes are between seventy feet (70') and one hundred seventy feet (170') from the front elevation. Visibility for eastbound traffic is also further obscured by the entrance ramp from Highland Avenue to Butterfield Road, while westbound motorists must look past up to seven distinct lanes of traffic. Moreover, given the prevailing speed of the adjacent Butterfield Road traffic is between 45 and 55 miles per hour, temporary message signs would not be as readable and would therefore be ineffective in conveying the message. The request for up to sixty (60) square feet in sign area would allow for readability at higher prevailing speeds.

Compatibility with the Zoning Ordinance

The use of the site as a banquet hall (a type of restaurant facility) is a legal non-conforming use, as the Zoning Ordinance classifies restaurants as a conditional use. As the requested relief is for temporary signage, the request would not increase the degree of nonconformity on the subject property.

Compatibility with Surrounding Land Uses

The properties to the east and west of the subject property are also zoned in the Office District. The requested sign relief is temporary in nature, would not be affixed beyond the 120-day time period as set forth within the Sign Ordinance, would not create a visual obstruction and would therefore be considered by staff to be compatible with the adjacent land uses.

Compliance with the Comprehensive Plan

The Long-Range Plan Map of the Comprehensive Plan recommends that the property be designated for office uses. The proposed use, while not specifically office in nature, complements and is compatible with the surrounding office and restaurant uses, as the functions associated with the facility are commonly linked with business and hotel functions commonly found within the corridor and underlying zoning district.

FINDINGS AND RECOMMENDATIONS

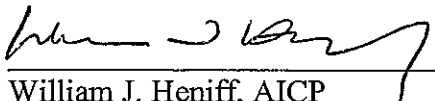
Attached for consideration are the responses to standards for the requested relief prepared by the petitioner and the Village staff. The Department of Community Development finds that the information presented **meets** the Standards for Variations as set forth in the Zoning and Sign Ordinances. Based on the above considerations, the Inter-Departmental Review Committee

recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the proposal **complies** with the standards required by the Lombard Zoning and Sign Ordinance; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-departmental Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of PC 11-08, subject to the following conditions:

1. The variation for the proposed temporary signage request is based upon the use of the subject property as a banquet facility. Should the use be changed, the relief contained herein shall be null and void.
2. Any temporary signage approved as part of the petition shall be securely affixed to the principal building or the existing freestanding sign only.
3. Any future temporary signage placed on the subject property shall be subject to a building permit application submittal and approval by the Village.

Inter-Departmental Review Report Approved By:



William J. Heniff, AICP
Director of Community Development

STANDARDS FOR VARIATIONS
of the Lombard Zoning Ordinance and Lombard Sign Ordinance

The following is an excerpt from the Lombard Zoning Ordinance. A **detailed response** to all of these standards should be provided for all variations of the Lombard Zoning Ordinance and Lombard Sign Ordinance.

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 physical dimensions and design of the subject property as well as the placement of the existing banquet hall facility pose unique signage challenges that are unique to the property. Unlike most properties within the Village along arterial commercial streets, the layout of the property is perpendicular to the property and therefore provides for perpendicular signs to be placed on the property, thereby enhancing its readability. In this case however, the property is not perpendicular, and as such, the traditional placement of signs would not provide for a single two-faced sign. Therefore, rights for two distinct temporary signs are requested.

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 subject property is unique in the following respects:

- a. The size and location of the requested signs is intended to advertise a message to potential customers travelling on Butterfield Road.
- b. Access to the property is taken off of a dead-end frontage road, with access to Butterfield Road located a block further east than the property itself.
- c. Few retail commercial properties are served exclusively by frontage roads in the Village.
- d. The underlying O Office District provisions do not provide for the unique signage needs of such properties.

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

Response: While the signage is intended to inform potential customers of the dining option availability, the primary purpose of the requested relief is to adequately convey a temporary signage message and the unique locational factors of the property limit strict adherence to code.

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 hardship is based upon the existing geometrics, sight lines and access issues associated with the property, rather than the use or ownership itself.

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 relief will not be detrimental to the public welfare. The temporary signage will be placed in the exterior railings or the building itself and in a manner the preserve sight lines and will be of a sufficient size and location so as to limit its impacts in the area.

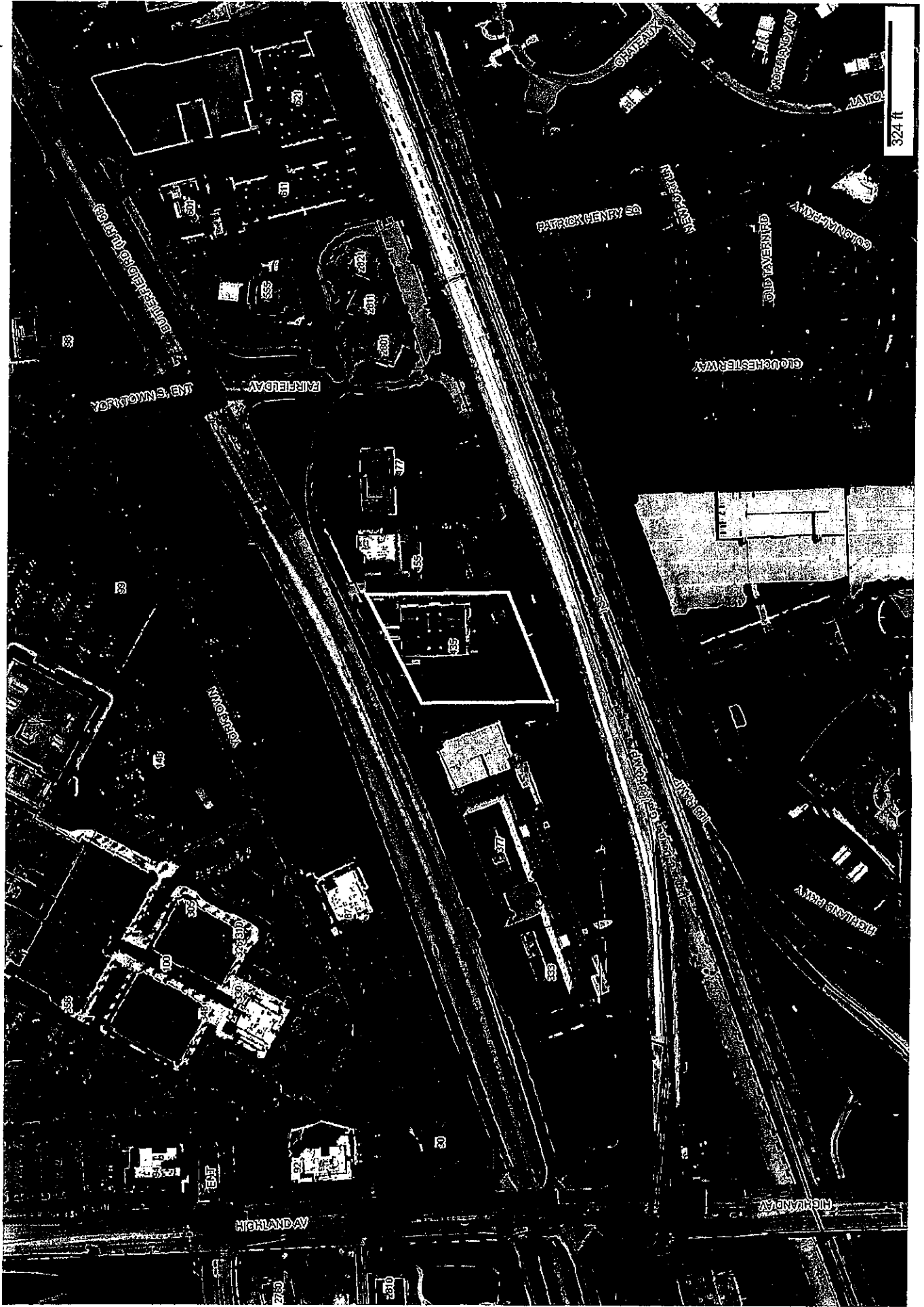
6. The granting of the variation will not alter the essential character of the neighborhood; and,

Response: The proposed temporary signage will only be up during selected event periods and the 120 day limit provisions set forth in the Sign Ordinance will be adhered to. The use and activity will be maintained as it currently exists.

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 petition will meet this provision in all respects by providing for proper signage placed in a matter that will not adversely impact adjacent properties.

PC 11-08: 435 E. Butterfield (The Carlisle)



Stilling, Christopher

From: Heniff, William
Sent: Friday, March 25, 2011 1:39 PM
To: Stilling, Christopher
Subject: FW: Carlisle Waiver of First Reading - PC 11-08

Sent from my Motorola phone.

-----Original Message Attached-----

From: Bill Apostolou <bapostolou8@yahoo.com>
Sent: Fri Mar 25 13:30:06 CDT 2011
To : "Heniff, William" <HeniffW@villageoflombard.org>
Subject: Carlisle Waiver of First Reading - PC 11-08

Dear President Mueller and Village of Board of Trustees:

The petition for the variation to the temporary sign regulations for the Carlisle banquet facility are scheduled for the April 7, 2011 Village Board of trustees meeting. In consideration of this request and in order to adequately advertise for the proposed Easter Brunch we are having this year, I respectfully request that the Village of Lombard grant a waiver of first reading on the ordinance of approval associated with this petition.

If you have questions, please feel free to contact me.

Bill Apostolou
Carlisle Banquets.
630.660.2792

3/25/2011

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A VARIATION TO TITLE 15, CHAPTER 153,
SECTION 153.303 (B) (9) and 153.237 (E) OF THE LOMBARD SIGN ORDINANCE**

(PC 11-08: 435 E Butterfield Road)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 153 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned O Office; and,

WHEREAS, an application has been filed requesting approval of variations from Sections 153.303 (B) (9) and 153.237 (E) to provide for than more than one temporary sign per street frontage and to exceed thirty-two (32) square feet in area, as set forth herein for the property described in Section 2 below; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on March 21, 2011 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the zoning actions described herein, subject to conditions; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That variations to Title 15, Chapter 153, Sections 153.303 (B) (9) and 153.237 (E) to provide for than more than one temporary sign per street frontage and to exceed thirty-two (32) square feet in area are hereby granted for the property described in Section 2 below and subject to compliance with the conditions set forth in Section 3 below:

SECTION 2: That this Ordinance is limited and restricted to the property located at 435 E Butterfield Road, Lombard, Illinois and legally described as follows:

That part of Lots "A", "B" and "C" (taken as a single tract) lying northerly of the Northern Illinois Gas Company right-of-way, southerly of the property condemned for widening of F.A. Route 131 (Butterfield Road) by Case C68-852, and West of a line drawn parallel with the East line of said Lot "C" through a point on the North line of said Gas Company right-of-way which is 214.00 feet (as measured along said line) West of the East line of said Lot "C", all in York Township Supervisor's Assessment Plat No. 3 (also known as Yorkshire Private Farms), in Sections 29 and 32, Township 39 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded as Document 452577, in DuPage County, Illinois.

Parcel Number: 06-29-401-010; (the "Subject Property").

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The variation for the proposed temporary signage request is based upon the use of the subject property as a banquet facility. Should the use be changed, the relief contained herein shall be null and void.
2. Any temporary signage approved as part of the petition shall be securely affixed to the principal building or the existing freestanding sign only.
3. Any future temporary signage placed on the subject property shall be subject to a building permit application submittal and approval by the Village.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Ordinance No. _____
Re: PC 11-08
Page 3

Passed on first reading this _____ day of _____, 2011.

First reading waived by action of the Board of Trustees this _____ day of _____, 2011.

Passed on second reading this _____ day of _____, 2011, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2011.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this _____ day of _____, 2011.

Brigitte O'Brien, Village Clerk