

VILLAGE OF DOWNERS GROVE
ARCHITECTURAL DESIGN REVIEW BOARD
VILLAGE HALL COMMITTEE ROOM
801 BURLINGTON AVENUE

November 13, 2008, 7:00 P.M.

Chairman Davenport called the November 13, 2008 meeting of the Architectural Design Review Board to order at 7:05 p.m. and asked for a roll call:

PRESENT: Chairman Davenport, Mrs. Dunham, Mrs. Falco, Mr. Matthies, Mr. Russ

ABSENT: Mrs. Acks and Mr. Pappalardo

STAFF

PRESENT: Jeff O'Brien, Senior Planner

VISITORS: Marta Cullen, 5122 Main; Stan Urban, 990 Warren Ave; Dave and Marilyn Weir, 935 Curtiss Street

REMARKS FROM THE CHAIR - None

APPROVAL OF MINUTES

The draft Minutes of the August 28, 2008 meeting were approved on motion by Mr. Russ, seconded by Mr. Matthies. Motion carried by voice vote of 5-0.

OLD BUSINESS

Chairman Davenport stated the petition to mark the Drew House as a Historic Landmark was approved by the Village Council.

NEW BUSINESS

A. DOWNTOWN DESIGN GUIDELINES

Chairman Davenport asked Mr. O'Brien to explain the proposed Design Guidelines.

Mr. O'Brien explained the history and evolution of the proposed Design Guidelines. He stated the Design Guidelines originated out of the original discussions the ADRB had in 2006 as well as the Village Council's Strategic Plan goal for an "Authentic Downtown."

Mr. O'Brien stated staff and Downtown Management developed the Design Guidelines with help from Chairman Davenport and Mr. Russ. Mr. O'Brien explained the proposed Design Guidelines would only apply to the Downtown and would be part of a façade improvement program. He indicated there was \$100,000 budgeted from the TIF Fund for a façade improvement program in the FY2008 and proposed FY2009 budgets. He provided a brief overview of the program.

Mr. O'Brien stated the ADRB would have a role in reviewing projects requesting more than \$10,000 that have applied for the program. The ADRB would be reviewing projects to ensure conformance with the Design Guidelines. Staff would review projects seeking less than \$10,000. The Village Council would ultimately make decisions about awarding money.

Mr. O'Brien explained the process was still under development and will be reviewed by the Village Council. He stated the ADRB is only reviewing the Design Guidelines tonight. Staff is requesting the ADRB forward a recommendation to the Village Council as the Board will have some responsibility in administering the Design Guidelines.

Chairman Davenport asked if staff was looking for comments from the Board.

Mr. O'Brien said staff was looking for comments and recommendations for changes. He briefly explained the format of the Design Guidelines document. He indicated staff is adding a definitions section and a picture explaining the layout of the document. He asked if the Board would prefer to go through the Design Guidelines one section at a time or make general comments.

The Board indicated they would prefer to provide comments for the entire document.

Mr. Matthies asked if the guidelines needed to be so general. He said the general nature of the document might not be user-friendly for developers and architects.

Mr. O'Brien explained staff explored putting more specific information in the guidelines. After reviewing the initial document with Downtown Management, the decision was made to leave the document as general as possible to allow for some creativity.

Mr. Matthies asked how the Design Guidelines would be enforced. He questioned the "teeth" of the document.

Mr. O'Brien explained the Design Guidelines must be followed when a property owner, business owner or developer are requesting money from the Village for improvements. He stated staff would make the Design Guidelines and Pattern Book available to anyone proposing improvements in the Downtown. However, the Design Guidelines will only be mandatory in cases where money is being requested.

Chairman Davenport stated he initially had the same concern about the general nature of the Design Guidelines, but after hearing the comments from Downtown Management, he thinks the document should provide some latitude to architects and developers. He explained the decisions made by the ADRB would eventually set precedence for how the general provisions would be interpreted in the future.

Mr. Russ said the conversations with Downtown Management focused on providing flexibility within the Design Guidelines so that the Village anticipates and accommodates future development.

Mr. Matthies asked about the process for ADRB review of projects.

Chairman Davenport stated the ADRB would only be making recommendations to the Council on whether or not a project conforms to the Design Guidelines. He stated the Council would make the final decision about awarding money. He indicated staff would likely filter out projects that clearly fall outside the Design Guidelines.

Mr. O'Brien explained there would be two separate processes – an administrative process where staff would make recommendations directly to the Council and a process where the ADRB would provide recommendations to the Council. He indicated staff has set the initial “cut-off” at \$10,000 – all projects requesting less than \$10,000 could be reviewed administratively prior to Council consideration. Projects requesting more than \$10,000 would be reviewed by the ADRB prior to Council consideration.

The ADRB discussed how the process would work and how precedences would be set to clarify the general terms of the Design Guidelines. Mr. O'Brien explained most of the goals and direction provided to staff on the Design Guidelines and Pattern Book come from the Strategic Plan goal of having an “Authentic Downtown.”

The ADRB discussed the meaning of “Authentic Downtown.” The Board reached consensus that the current mix of uses and building styles make the Village’s Downtown “authentic.”

Mr. Russ went on to explain the funds for this program would come from the Downtown’s Tax Increment Finance (TIF) Fund, not the General Fund.

Mrs. Falco asked if this program would increase taxes for property owners adjacent to buildings receiving Village funds.

There was a general discussion regarding the TIF district. Specifically, the Board discussed how this tool affects property taxes.

Mr. Matthies questioned the specifics on the building materials. He indicated he thought this was against the general nature of the document. He noted in some applications EIFS could be okay.

Mr. Russ agreed. He went on to explain during the review the word “discouraged” was chosen to provide some flexibility and permit the ADRB or staff to determine if the use of certain discouraged materials is okay. Mr. Russ stated the word “prohibited” was specifically not used to allow some interpretation.

The ADRB discussed the language surrounding encouragement and discouragement of materials. The Board indicated that by using the term “discouraged,” developers and architects might be less inclined to be creative. The Board also discussed the budget savings on using some alternative materials for new projects. The ADRB determined discouraging some of these materials might discourage businesses and owners from completing improvements.

Mr. Russ stated it is important that the Design Guidelines leave staff with the ability to work with the developer or business owner to improve a project.

Mr. Matthies agreed but expressed concern about losing the original intent of the document and interpretations of the Design Guidelines over time.

The ADRB discussed how their recommendations and the Council's decisions would be used to provide precedence and direction for staff to interpret the Design Guidelines. The Board also discussed the Village's ability to refine the Design Guidelines once the Village has some experience with using the document.

Mr. Russ stated it would take a while for the Village to establish precedences.

Mr. Matthies stated the Design Guidelines should only state what materials are encouraged.

Mr. O'Brien offered some alternative language on Page 5 of the Design Guidelines that would specifically state the Village is not seeking to prohibit any building materials. He explained the discouraging of certain materials is more important for reviewing changes to existing buildings. He provided some examples of applications of inappropriate new materials to historic buildings.

Chairman Davenport pointed out "Renaissance" stone is a reference to a brand name. He thought the Village should use the generic name for this product – either cultured or manufactured stone.

Mrs. Falco asked if the guidelines should provide recommendations on color. She pointed out some examples of poor color choices in Downtown.

The ADRB discussed whether color should be mentioned in the Design Guidelines. The Board determined that changing a building's color is relatively easy, and Village funds would likely not be provided for painting.

Chairman Davenport suggested adding definitions for "encouraged" and "discouraged". The Board determined defining these terms would not be helpful.

Chairman Davenport asked for public comments on the Design Guidelines.

PUBLIC COMMENT

Ms. Marilyn Weir, 935 Curtiss St., questioned the overall name of the program. She suggested renaming the program the "business attraction and retention program" because money should be available in cases where permanent upgrades are made to a building where no façade improvements are proposed. Ms. Weir cited an example of upgrading the HVAC system in an old building to remove window air conditioning units could be seen as an improvement in the façade.

Ms. Weir went on express concern about the interpretation of the Design Guidelines. She indicated business owners were told the Sign Ordinance would be interpreted in one manner, and then something else was written in the actual ordinance. She thought the Design Guidelines should be clear enough to eliminate changes in interpretation over time.

Mr. Stan Urban, 990 Warren Ave., said he agreed with Mr. Matthies regarding eliminating the "discouraged" language from the Design Guidelines. He thought the language would send potential investors elsewhere. He explained the document should provide a more positive direction.

As there were no further public comments, Chairman Davenport closed the public comment portion of the meeting.

The ADRB discussed the Design Guidelines and determined the statements of discouragement should be removed. The Board went on to state the photographs of discouraged elements and material should remain, but the language should be refined to state what items to avoid.

Mrs. Dunham said the Design Guidelines should put more emphasis on preserving historic materials.

MR. MATTHIES MADE A MOTION THE BOARD RECOMMEND APPROVAL OF THE DRAFT DESIGN GUIDELINES TO THE VILLAGE COUNCIL WITH THE FOLLOWING CHANGES:

- 1. REMOVING “DISCOURAGED” LANGUAGE.**
- 2. MODIFY THE CAPTIONS UNDER THE PHOTOGRAPHS OF “DISCOURAGED” ELEMENTS.**
- 3. ADD A DEFINITIONS SECTION.**
- 4. ADD A GRAPHIC DISPLAY OF THE BUILDING SECTIONS.**
- 5. REPLACE “RENAISSANCE” STONE WITH “CULTURED” OR “MANUFACTURED”.**

MR. RUSS SECONDED THE MOTION.

ROLL CALL:

AYE: MRS. DUNHAM, MRS. FALCO, MR. MATTHIES, MR. RUSS, CHAIRMAN DAVENPORT

NAY: NONE

MOTION CARRIED. VOTE: 5-0

There was no additional business discussed. Mr. O’Brien noted there would not be a meeting in December.

ADJOURNMENT:

MRS. DUNHAM MOVED TO ADJOURN THE MEETING. MRS. FALCO SECONDED THE MOTION. MOTION CARRIED.

THE MEETING ADJOURNED AT 8:30 P.M.

/s/ Jeff O’Brien
Jeff O’Brien, Senior Planner

Meeting Summary

Technology Commission,
Village of Downers Grove
October 23, 2008

Meeting started at 7:00pm, Ante Room at Village Hall.

PRESENT:

Technology Commission:

Mark Grippando, Chair
Robert Blair-Smith
Will Hutchinson
Don Nichols

Absent:

Peter Craven
Thomas Nybo
James McGinnis

Staff

Stan Balicki, Assistant Director of PWs
Liangfu Wu, Staff Liaison

Residents

Mark Thoman

Meeting started: 7:00pm

Chair started the meeting by asking staff to discuss the item on the agenda: the purchase of a fixed asset management program.

Mr. Balicki introduced to the commission the basic function of the fixed asset management program. Mr. Balicki states that the Village's infrastructure includes a large number of assets such as trees, streets, water system, stormwater system, etc. Each year, staff takes efforts to build new and maintain existing systems. All these assets and staff activities need to properly recorded and put into a database. More importantly, the values of the fixed assets may increase due to improvement or depreciate as time goes on.

Mr. Balicki continued that the purchase of a fixed asset management program will allow staff to manage both the assets and staff activities properly. In addition, if such a program can work closely with our GIS, it will enable staff to link our special data with the program and more effectively manage Village's infrastructure.

Commissioner Nichols stated that it seems to be a major undertaking in terms of data entry as staff moves along collecting this important data.

Mr. Balicki indicates that first, staff will use the system to manage Village tree inventory which is already managed by a limited database. The efforts are to be focused on importing the existing data into the program.

Mr. Balicki briefly explained the program selection process. As Mr. Balicki indicated, staff followed the Village purchasing policy and conducted the RFP process. The final recommendation is to award the purchase to GBA Master Series, Inc in the amount of \$24,800.

Commissioners asked how the different modules would be installed and paid.

Mr. Balicki explained that this purchase has two components: the base module and the tree inventory module. In the following years, the Village will purchase other modules such as Stormwater, Streets, and so on. The total purchase in 4-5 years will lead a total of \$50,000 approximately. Mr. Balicki said staff believes that purchasing one module at a time would allow Village staff proper time to learn the program and to have time to conduct data collection and migration.

After Commissioners asked a few technical questions regarding the sever space and the interface of the program, they unanimously voted to recommend the purchase to the Village Council.

Dr. Liangfu Wu reported to the Commission that in November there will be another system purchase that needs to be reviewed by this commission. In addition, Dr. Wu indicated that in the recommended 2009 budget there is a request of \$340K for a new phone system.

Adjourned at 8:30pm.

**VILLAGE OF DOWNERS GROVE
ZONING BOARD OF APPEALS
MINUTES OF NOVEMBER 12, 2008 MEETING**

Call to Order

Chairman White called the meeting to order at 7:35 PM.

Roll call

Present: Mr. Benes, Ms. Earl, Mr. LaMantia, Ms. Majauskas, Ch. White

Absent: Mr. Domijan, Mr. Stanton

A quorum was established.

Staff: Jeff O'Brien, Damir Latinovic, Stan Popovich

Minutes of August 22, 2008

Mr. Benes moved to approve the minutes of the August 22, 2008 Zoning Board of Appeals meeting as presented. Mr. LaMantia seconded the Motion.

AYES: Mr. Benes, Mr. LaMantia, Ms. Earl, Ms. Majauskas, Ch. White

NAYS: None

The Motion passed unanimously.

Meeting Procedures

Chairman White said that there were two items to be heard on the Agenda. He reviewed the procedures to be followed during the public hearings and called upon anyone intending to speak in any of the petitions before the Board to rise and be sworn in. Chairman White explained there are seven members on the Zoning Board of Appeals, and for a requested variation to be approved, there must be a majority of four votes in favor of approval. He then called upon the Petitioner to make its presentation in the first petition.

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ZBA-13-08 A petition seeking a sign variation for property located at the Northeast corner of Main and 68th Streets, commonly known as 6800 Main Street Downers Grove, IL (PIN 09-20-300-018); Kim Bukovsky/ American Sign, Petitioner; Advocate Health Care, Owner.

Petitioner's Presentation:

Mr. Richard Heim, Vice President of Advocate Good Samaritan Hospital, 3815 Highland Avenue, Downers Grove stated this petition is for the current sign at the Greenbriar facility located at 6800 Main Street. Good Samaritan Hospital, in conjunction with HSA Commercial Real Estate, has constructed a two-story, 40,000 square foot facility directly to the south of the Greenbriar property on an adjoining vacant lot at 6840 Main Street. The proposal is to create a single medical campus composed of both Greenbriar, which contains health and dental services, and the Advocate Good Samaritan Outpatient Center site, rather than dividing the property into two separate locations.

Ms. Majauskas asked for clarification that these are two separate lots, and Mr. Heim said both properties are owned and managed by the same owner. Ms. Majauskas noted they might be allowed to have a separate sign for the Outpatient Center. Mr. Heim responded they are trying to make it less confusing for patients as they enter the facility. One sign would make it easier for patients, rather than having two signs with separate addresses. In further response to Chairman White, Mr. Heim said one issue regarding wall signs is that the Greenbriar facility has a 175 foot setback. The property directly to the north of the Greenbriar property is owned by the Park District, which has built a tall boundary area around its site for garden plots. Coming southbound, the building signage is not visible due to lack of building height. Coming northbound, both buildings are setback a distance of 175 feet. All of the property south of 68th Street is built out to the street, and building signage is not visible until you are right at the property. Building signage will not help, with the exception of numbering of the buildings. They are not maxed out on the rest of the signage.

Staff's Presentation:

Mr. Stan Popovich, Village Planner, reiterated the petitioner is seeking a variation to allow a 135 square foot monument sign where a 36 square foot monument sign is allowed. The properties are located at the northwest corner of 68th and Main Street. The property is zoned B-1, Limited Retail Business. He showed the existing sign on an overhead projection. The petitioner is proposing to remove the existing monument graphics, retain the brick columns and install new signage at about 135 square feet in size. Each building is allowed 300 square feet of signage. A total of 600 square feet, including monument and wall signage, is permitted for the entire development. Staff believes there are no unique circumstances that would warrant the variance. Staff believes the petitioner has the ability to install a combination of signs that would provide sufficient visibility. Mr. Popovich said the campus is similar to other business campuses throughout the Village, and staff believes there are no physical hardships on the property requiring both businesses to be on one, single 135 square foot sign. The standards allow the petitioner to install two, 36 square foot monument signs along Main Street, one on each property. The petitioner is requesting double the amount of signage allowed on Main Street. Corner lots are afforded additional sign opportunities and more square footage based on their location. There is some vegetation at the existing entrance on Main Street that can be trimmed and pruned

for better visibility. He added there are no topographic changes on the property which would serve as additional hardship. Staff believes the variation would be applicable to other properties, such as the property immediately south of 68th Street, which has a similar campus as the subject site. The request is based solely on the petitioner's desire for a 135 square foot monument sign when two 36 square foot monument signs could be installed. The variance would confer special privileges to the petitioner. For these reasons, staff recommends denial of the requested variations. If the Board approves the request, staff requested that the conditions shown on Page 4 of staff's report dated November 12, 2008 be applied.

Ms. Majauskas said she thought the ZBA could only increase the variance by 50%. Mr. Popovich said there is no limit for signage increase.

Ms. Majauskas then noted each lot is entitled to one, 36 square foot monument sign. Now that there are two frontages, they are allowed to have two signs each. Mr. Popovich said they would each be allowed a 36 square foot monument sign on Main Street, as well as a 36 square foot of monument sign on 68th Street. Ms. Majauskas asked if that includes the wall sign, and Mr. Popovich said they would be allowed to have 300 square feet maximum per lot, with 218 square feet of wall sign on the building.

Chairman White asked if the monument signs were put on a diagonal on 68th Street, how would they be spaced, and Mr. Popovich said they must be a minimum of 100 feet apart.

Ms. Majauskas clarified that their request for the variance is to allow one larger monument sign, and Mr. Popovich said that was correct. Mr. Popovich clarified that the size of the sign does not depend upon the number of tenants per building and the site is not considered a shopping center.

Mr. Benes asked, since this is affiliated with Good Samaritan Hospital, whether the Hospital has a large sign on the Hospital's main property. He said he thought they had a wall sign, but not a monument sign. The subject sign at 6800 Man Street was put in 30 years ago before the Sign Ordinance. But with the changes in the Sign Ordinance, the owners must follow the new Ordinance.

Mr. LaMantia asked if the sign plan is required as part of the Planned Development approval. Mr. Popovich said typically it is not. This is part of the Planned Development process, which has no provided sign plan. The signs are applied for through a separate sign permit. Previous submittals showed signage on the building; however, recent discussions about the monument sign precluded further discussion on the wall signage.

Ms. Earl asked if four members of the Board favored the monument sign, could they exclude any wall signage. Mr. Popovich said staff does not recommend limiting building signs, only the monument signs. He explained the positioning of the buildings allows wall signage for the walls facing frontage. In the existing building, they would only be allowed to have a sign on the east and west facades. The north facade does not street frontage. He showed photos of the buildings depicting the location of the wall sign on the southeast corner facing 68th Street.

Ms. Majauskas said there is only one PIN number before the Board, and asked how they can disallow any type of sign on the other PIN number since it is not before the Board. Mr. Popovich said they are treating it as one campus because it is one owner.

Ms. Earl said the lots have not been combined, and therefore, if they choose to divest themselves of one of the two lots, there would be one oversized sign on one of the properties, which could allow a new owner to petition for a sign. Mr. Popovich said they could petition, but if a variation were granted with the conditions limiting the two properties to one monument sign, they would have to come in for another variation.

Chairman White said that the two PIN numbers, for zoning purposes, could be treated as one lot since they have one owner. Ms. Majauskas said she has a problem with that since no one is present for the other lot. Mr. Popovich noted both properties are owned by HSA Commercial and they are present, and it is an oversight that the PIN number was not placed on the Staff report. Chairman White said that the internal paperwork, which includes the petitioner's application, makes it clear that they are discussing the whole property. It is not shown in the staff report. Mr. Popovich said it is a Planned Development under one owner and was structured so that the lots were divided as they now exist. But it is acting as one campus since the one lot, 6840, only has access through the 6800 parcel. It is considered one campus. The owner is seeking relief for both lots.

Ms. Majauskas said if the Board grants the variation and it applies to both lots, if the property at 6840 is sold, the owner can come before the Village and say there is no variance on their property. Chairman White said his understanding is that the petitioner's application, which the Board has not been given, makes it perfectly clear that this is all one lot. Staff only included one PIN number on the cover sheet, but the backup documentation signed by the petitioner clearly documents that they are talking about the entire campus. The summary given to the Board is not a legally binding document. In the past, the Board used to receive the application. In this situation, staff has represented that the application does reference the entire parcel legally. Mr. Popovich said that was correct, and it was an oversight on his part to not include the other PIN number. What has been filed is what is relevant.

Ms. Majauskas then clarified that if they deny the petition, it is denied for both lots, and the Board agrees with this. Mr. Benes said that was not necessarily true because there is no proof that the PIN number covers both lots. Mr. Benes referred back to a petition some months ago for a garage along Belmont. The petitioner in that case had to subdivide the lot in order to put a garage on it. He said the same is true in this case. Mr. Popovich said it is treated as one lot. Mr. Benes said that it does not matter how it is "treated" because legally it is two lots.

Ms. Majauskas said that one lot does not influence the other. She sees it as having to file a separate petition for each PIN lot. Even on the petition, they are requesting a variance for 6800 Main Street, and not 6840. Chairman White responded that they are asking for one sign.

Mr. Popovich said looking at the petitioner's variation request in their narrative letter, they refer to the property at 6840 Main Street, and they specify that it is one owner for the two pieces of property. The sign is for one medical campus, and not two separate medical campuses. The

relief is for both buildings because they are treated as one campus, and they are asking the Board to treat it as one campus. All signage for both buildings would be included on one sign.

Mr. Benes said if this was a resident wanting to build a garage on the second lot, he would have to subdivide the second lot in order to build a garage on that parcel. In this case, there is a big corporation with two lots and they do not have to resubdivide, and he does not think that is right. If they want to make it one parcel, they have to resubdivide it.

Chairman White said that PIN numbers are not subdivisions, but are used for convenience. Ms. Majauskas said that the PIN number still makes it two separate lots. If they want to build one large monument sign, they would be giving one lot double the signage.

Mr. Popovich said they are allowed one 36 square foot sign for 6800 Main Street, and one 36 square foot sign for 6840 Main Street because they are two separate lots of record. There is nothing in the Zoning Ordinance providing a campus sign for parcels this size. A campus sign would be applicable to an institution like Midwestern University.

Chairman White said this is similar to a case they had a while back for a gazebo on two lots. Mr. Benes said they were in the same hearing as the garage petition, and were turned down because they wanted to put an accessory structure on the property where there was not a primary building. Chairman White said he thought the eventual outcome was an amendment of the Ordinance by the Village Council. Mr. Benes said that happened after one of the owners chose to subdivide his property. Chairman White said in this case they are being asked to consider making one monument sign instead of the two allowed. That is a change in the text of the Ordinance. He is doubtful that a variation would be the proper procedure to allow this variation.

Ms. Majauskas said she still thinks if they allow it at 6800, there is nothing to stop 6840 from coming in later and requesting another sign.

Mr. LaMantia asked if this was on file as a Planned Development, and Mr. Popovich said it is. Mr. LaMantia said if this is allowed now, since it is a Planned Development, they could not come in later for the other address. Ms. Majauskas said that you cannot bind the neighboring property simply because the owner is the same. Mr. LaMantia said a shopping center may be made up of 25 separate lots with 25 separate tax bills, but that has nothing to do with the circumstances because they are a one owner Planned Development, and are allowed a certain amount of signage for the whole development.

Chairman White said his understanding is that the application submits the entire parcel, and it can be done through a variance. Ms. Majauskas asked if the application was available to review, and Mr. Popovich said he did not have it at that time. Chairman White said in the past the application was always attached to the Board packet. Mr. Popovich said it has been represented to the staff that the petitioner is seeking the variance for the entire campus and not for just one PIN or the other. This is Advocate Good Samaritan's campus and that is how it has been represented on the application.

Ms. Majauskas asked if they are treating this as one PUD, why are they allowed to have four signs. Mr. O'Brien reviewed that the property was developed as a two lot PUD. Under the Sign Ordinance, they are permitted one sign per street frontage per lot. Both lots have street frontage on both 68th Street and on Main Street. When the PUD was amended last year, there were no special provisions for signage, and the petitioner would have to follow the sign code. As it now stands, they can have four signs. The petitioner is asking to reface the existing sign on 6800 Main Street, and they may not install new sign panels without a variation, unless the sign is 36 square feet or less. The existing sign is 135 square feet, and they want to reface it but maintain the sign. They are not asking for future sign considerations, but are essentially proposing to have this one sign for the entire campus. The Sign Ordinance dictates that if you want a monument sign, you can have four monument signs because of the street frontages. Ms. Majauskas said it comes back to the original question as to whether they get four signs because it is two lots, yet they are coming in and asking that it be taken as one lot.

Mr. O'Brien said they are not asking for the Village to see this as one lot, but are asking for a bigger sign for the entire campus. Staff suggested that if the Zoning Board of Appeals approves the petition, it restricts future monument signs on the lot. Ms. Majauskas questioned how the Board can restrict signage for 6840, if the petition specifies 6800.

Mr. LaMantia said the petitioner is only asking to reface the sign they already have. Staff has suggested that they cannot go back and add the other signs if this request is granted. Ms. Majauskas asked if the Board has the legal right to do that since there is no petition for 6840. Telling her that it is a PUD does not answer her question because it is still two lots.

Mr. Benes said this is a nonconforming sign now. He asked if the sign were changed whether it would still be nonconforming. Mr. Popovich said they would be granting a variance to the face of the sign. Mr. Benes said that by May of 2012 the sign would have to come down. Mr. Benes said the Sign Ordinance, in Section G-1512, specifies that any nonconforming sign would have to come down in May of 2012. Mr. Benes said that as a nonconforming sign the petitioner can keep it until 2012. Mr. O'Brien clarified that unless a specific condition was added to the variation, the sign would not have to be replaced by May 2012.

Mr. O'Brien said that he was just informed that the petitioner is planning to take the entire sign structure down while keeping the brick columns. He noted the Village allowed Bill Kay to change the face on their sign, but that was conditioned with it being replaced in 2012.

Ms. Majauskas then asked if they kept the posts and used the signage between the posts, and not above the posts, what the square footage would be. Mr. LaMantia said it still exceeds a single monument sign. Ms. Majauskas said if the interest is in keeping the posts, she would be willing to grant the variance. Mr. LaMantia said the interest is in simplifying the signage on the site so as not to confuse their clients.

There were no further questions for staff from the Board. Chairman White asked the petitioner if he had any further comment.

Mr. Heim said this is a PUD, which means it should be treated as one medical campus. He said his understanding is that the entire parcel is subject to the decision of the Board. Mr. Heim said they would agree that there would be no additional monument signs for the facility. Their interest is to streamline and simplify the site. If they have four allowed signs it would be 144 square footage of signage, and they are asking to replace those four signs with the current 135 square foot sign and change the branding for recognition of the site as a Good Samaritan campus. They are not interested in the 68th Street signage, but only to convert what is already there, brand it to the Hospital, and create less confusion. He clarified there is a fairly sizable monument sign at the Hospital campus on Highland Avenue. Responding to the comment that there would be an issue with the signage, they would have done this a long time ago. This was a fairly last minute decision. He asked that the Board give this positive consideration. Four monument signs at 36 square feet equal 144 square feet versus the 135 square feet there today.

Ms. Majauskas asked if he has a copy of the application, and Mr. Heim said he did not have one with him. He reiterated their intent was that 6800 and 6840 be treated as one campus. He specified the ownership is separate from the tenant, which is Advocate Good Samaritan Hospital.

Chairman White closed the opportunity for further public comment.

Board Deliberation:

Chairman White said any decision made would be conditioned upon the verification that the application does properly include the entire campus; otherwise, the decision would be void. The petitioner has stated they clearly intended that the entire parcel be included as one campus. He said they must be careful what part of the Ordinance they are applying. He pointed out the application requests keeping the 135 square footage, rather than the 144 square feet of monument signs to which they are entitled.

Ms. Earl said the ordinance only allows half of that on this frontage. Chairman White said that was correct, but his understanding was that the 36 square feet requirement was an aesthetic consideration to reduce the clutter from monument signs. If he has misinterpreted what the Council intended, they can direct them in that regard. The 36 square foot limitation is based on reducing the clutter of multiple signs.

Ms. Majauskas said this is oversimplifying the situation. The four monument signs would be in four different locations with smaller signs, rather than one large sign in one location. What strikes her the most is that the buildings look so different; she would not think people would see it as one unit.

Chairman White said, setting that aside, the 36 square foot signage was based on an aesthetic judgment. Ms. Majauskas said one sign will further confuse people because they will not see this as one building.

Mr. Benes asked if the meeting was closed to further public participation. Chairman White said that the public participation portion of the meeting has been closed; however, if there is someone who wished to speak that he did not recognize they may do so.

Mr. Benes said that this is a nonconforming sign, and will always be so because of its size. If they pass an Ordinance allowing this to go through it must stipulate that the sign come down in May of 2012 because it is nonconforming. Between now and that time, the Village could change how this sign is viewed. There were a few signs that the Council chose to keep for historic value, such as the Tivoli and Herbert's. If the variation is passed to change the sign face, it is still nonconforming and must come down in 2012.

Ms. Earl made a motion that the Zoning Board of Appeals deny the requested sign variation associated with case #ZBA-13-08. Ms. Majauskas seconded the Motion.

AYES: Ms. Earl, Ms. Majauskas, Mr. LaMantia, Chairman White
NAYS: Mr. Benes

The Motion to deny the petition passed 4:1.

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ZBA-14-08 A petition seeking sign variations for the property located at the Southeast corner of Ogden and Lee Avenues, commonly known as 1711 Ogden Avenue, Downers Grove, IL (PIN 09-06-305-001); American Sign & Lighting, Petitioner, Merlin Corporation, Owner.

Petitioner's Presentation:

Mr. Tim Williams, Merlin's Franchise Director, provided background as to their request. He said twenty-five years ago muffler shops had a negative connotation. Merlin chose to change their image in the 1980s and created a building trademark to identify it as a Merlin shop. Signage played a key part in that image with their smiling-face wizard logo. The building as well as the sign is their trademark. Mr. Williams noted they have two variations before the Board. One variance concerns their monument sign. He pointed out that staff agrees that the petitioner has met the nine standards required for this variation. He noted the unique circumstances are that their property line is 20 feet further off Ogden Avenue than their neighbors. Moving the sign further back would impair their customers' ability to see the sign or read it properly. In addition, without the variation, the sign could cause a safety issue by having to place the sign in the parking lot, restricting ingress/egress around the building. Setback is the primary issue for the monument sign.

Mr. Williams then referred to their building signage. They are requesting a total of 505.25 square feet where only 183.37 square feet is permitted. He said they understand that the manner the Village uses in measuring signage is specific. According to the nine standards, Mr. Williams believes they meet more than the three standards that staff says they meet. He reviewed the standards in question. He questions whether the property can yield a reasonable return if they follow the sign regulations. If they take their signage down and remove most of it, it will make the building look as though it is in disrepair, make the trademark building look incomplete, and may impact not only their return but their survival as a business. The condition of the building and its signage impacts how potential customers view the business.

The second standard of unique circumstances is met, according to Mr. Williams, because of the design of their building. They would have to significantly alter the elevation of their building and turn it into a “vanilla package.”

Mr. Williams said they meet Standard 3 in that they will not alter the character of the locality, but will bring them closer to what the Sign Ordinance is attempting to accomplish. As to Standard 4 and the physical surroundings, Mr. Williams said in their case, being a corner lot can be a challenge because of the signage. They have a trademark building, it requires certain signage expanses and without that signage it makes the building look incomplete.

As to Standard 5 regarding applicability of conditions to other property, Mr. Williams said their signature building makes their request inapplicable to other properties, and their signature building is unique. As to the reason for the request, it has not resulted from their own actions, but rather it is the result of a change in the Ordinance. They were in compliance prior to the present Ordinance; however, the method used for measuring signage puts them significantly over the requirement, and that is because vacant space is included in the measuring process.

Standard 7 relates to the adequate supply of lighting and air, and Mr. Williams said their request would not impair lighting or airflow to adjacent property. Nor would their request alter the land use characteristics of the district. Finally, with regard to Standard 9, Mr. Williams said granting the variance would not confer special privileges to others because their signature building and signage is unique to Merlin. Others would not qualify under Standard 9.

Mr. Williams said Merlin applauds the efforts to present an upscale business environment, as they have that as their intent as well. Their request is about survival in this economy, and not granting the variance will put them at a serious disadvantage with regard to their long-term viability in the Village. They do not think they are asking for special treatment, but are asking only that the Board recognize that one shoe does not fit all, and that the Board grant the variance.

Chairman White asked how prevalent the box style of measurement is for Merlin in other communities. Mr. Williams responded they have experienced it in one circumstance, and when they reviewed it with that municipality’s staff, that staff was able to recognize it did not apply to Merlin’s.

Ms. Majauskas asked how much space the sign takes up without the box. Mr. Williams said it was 135 square feet.

Chairman White asked what is special about this site to have them disregard the box measurement as opposed to other sites. Mr. Williams said simply it is the design of their building. To be in compliance they would have to take the wizard out, and he used an overhead projection of the building to show what parts of the building would be changed. When storms come through and blow signs out, they have to have it repaired immediately because it looks as though the business is closed. Chairman White asked why other users could not redesign their buildings, if that were the case.

Ms. Majauskas said that McDonald's would be a good example of similar situation. Mr. Williams said he thought it would be difficult for McDonald's to go into any community without their trademark arches.

Ms. Majauskas asked why they couldn't change the "Merlin" or mileage to make it smaller and fit within the box. Mr. Williams said they attempted to find a way to comply with the ordinance, and it did not look right. He showed the ways they attempted that were not acceptable. There was one solution that would bring them to 300 square feet, by bringing the signage over the three bays, and it would look ok, but their preference is for it to be symmetrical. Ms. Majauskas said they must run into signage problems in other communities, and asked how they comply with those problems. Mr. Williams responded that where they have had challenges it concerned the two elevations, with standard signage on the side. In those situations they have used only "Merlin" and reduced the wizard to 5 feet. If they are not facing two streets, there would only be signage on the front of the building, not on the side.

Mr. Benes asked if the wizard is so important on the building, why they do not include it on the monument signage, which is the first thing a customer would see. Mr. Williams said their sign used to be 72 square feet with the wizard, but most municipalities require 50 square feet. As a result by shrinking the sign, they were unable to put other graphics in and make the sign balanced. They believe the wizard is a primary draw, much more so than "Merlin, 200,000." The wizard is quickly recognizable.

Staff's Presentation:

Mr. Damir Latinovic, Village Planner, described the subject property and the two variations requested by the petitioner. He explained the property has 122.25 feet of frontage along Ogden and Lee Avenues, and is allowed 183.37 square feet of total signage. The petitioner proposes a northerly facing wall sign of 318.75 square feet, a west facing wall sign of 162.5 square feet and a monument sign which is 24 square feet, resulting in a total of 505.25 square feet. He said the property is less than 100 feet wide and is allowed only a 24 square foot monument sign.

Mr. Latinovic explained how the size of the wall sign is determined, using a "box" measuring system. The box method was not used prior to the Sign Ordinance being modified in 2005.

Mr. Jeff O'Brien, Senior Planner, said the sign calculation method was changed, and the definition now is that "the area shall be determined by drawing an imaginary square or rectangle to enclose the copy of each sign, excluding architectural features." He noted many communities are moving away from older measuring methods and moving toward the box method of measurement.

Mr. Latinovic said the petitioner chose not to pursue a text amendment in the Zoning Ordinance, but rather chose to seek a variance. The new monument sign will also have to comply with a 10 foot setback from the north property line. He said the property has an existing pylon sign, which will be removed because it was installed incorrectly. The proposed signage change is the result of a business name change.

Mr. Latinovic said staff recommends two separate motions, saying that staff disagrees there is a unique circumstance warranting increasing the total sign surface area allowed. There is no physical hardship associated with the property, and all of the standards for granting this variation have not been met. Staff therefore recommends denial of the requested variation to increase the total sign surface area allowed.

With regard to the request for a front yard setback variation, Mr. Latinovic said that staff believes the property is unique in that it has a larger setback from Ogden Avenue creating a hardship for the property owner to install a code-compliant monument sign with adequate visibility. Staff recommends approval of the requested front yard setback.

Mr. Latinovic asked if the Board approves the sign surface variation request that approval should be subject to the conditions noted on Page 6 of Staff's report dated November 12, 2008. Staff also requests that should the Board approve the second variation request for a front yard setback, said approval should be subject to the condition as noted on Page 6 of staff's report dated November 12, 2008.

Ms. Majauskas said she was looking at the Future Zoning Land Use Plan, which showed what appear to be single-family homes immediately south of the property. She asked if those homes are torn down will they become commercial. Mr. Latinovic said the properties on the Future Land Use Plan are designated as commercial. The Village would like to have properties along Ogden Avenue have deeper lots. Ms. Majauskas asked how deep those lots would be. Mr. Latinovic said he did not have that information. He said one property immediately south is currently zoned commercial while the lots further south are zoned residential now.

Mr. Benes asked when the Future Land Use Plan was changed. Mr. Latinovic said it was last updated in 1995. Mr. Benes said the change was apparently for Ogden Avenue frontage, and Mr. Latinovic said that was correct to allow for larger, deeper lots along Ogden Avenue.

Mr. Benes asked about the monument sign changeable letters and whether they were electronic. Mr. Latinovic said they are manually changed, and not electronic.

Mr. Benes then asked about the suggestion to change the measurement of wall signs during the drafting of the new Sign Ordinance in 2005, and whether the Planning Department or the Sign Committee did it. Mr. Latinovic said he was not present at that time and did not know where and when exactly that change originated.

Mr. Jeff O'Brien said the new Sign Ordinance has not been changed since it was enacted. Mr. Benes said the Sign Ordinance change regarding measurement did not refer to box measurement. He wanted to know when the "box" measurement requirement change took place.

Mr. O'Brien indicated the Village has not changed the method of measurement since the original adoption of the ordinance in 2005. He did not know if the method of measurement was conveyed properly to the Sign Committee. Mr. Benes said 318 square feet is not bad, and the measuring method makes a difference.

Ms. Majauskas said if it is not boxed in it becomes three signs. If the Board grants this variance, someone else can come in and request a large variation as well.

There being no further questions from the Board, Chairman White called upon anyone in the audience who wished to speak either in favor of or in opposition to the petition.

Mr. Fred Moss, 1711 Ogden Ave, identified himself as speaking on behalf of the general public. He said he was impressed with the discussion by the Board at the meeting. He said that signs should be pleasing to the environment and should be safe. There is a limitation on this particular street. It has a speed limit of 35 mph, and most traffic travels about 40 mph, which gives a driver about 2.5 seconds to read a sign. He believes the sign has to be effective enough so it is recognizable by the driver, and that drivers are kept safe. There has been a history of accidents at that intersection, and he believes part of it is the nature of the street. In winter it is dark, and there is heavy traffic. If people see the sign too late, they may slam on their brakes and cause an accident. That intersection is subject to accidents. His thinking is that since it is a side street with residential homes on it, he would want a sign clear enough and large enough so people can see it sufficiently enough to make their stop properly. That type of signage would be much safer for the drivers and the community. Ogden Avenue is a fast street, heavily trafficked and prone to accidents. He thinks they should make it easier for people to see the signs.

Mr. Benes asked if he thinks the monument sign proposed would be safer than the post pylon sign that is there now. Mr. Moss responded the pylon sign is taller and would create better vision. Part of the problem was that the sign was shielded by the signs on the east and the west. He has no opinion as to which is better. He just wants them to make the signs more readily visible to the traffic. The wizard sign is very recognizable, which is positive. He agrees with making things aesthetically pleasing, but he also thinks they have to consider the safety of drivers in making decisions. He drives the street a lot, and at 35 mph there is not enough time to really read a sign. There is a turn lane, but he has seen head-on collisions in those turn lanes. Lee is the first street where a driver can turn and go on to Prairie. Many people make the left turn onto Lee in the evening, resulting in many complaints from the residents about the excess traffic on Lee and the potential dangers. He believes drivers should be ticketed more in those areas. It is bad for businesses as well as the residents.

Ms. Earl asked what his relationship is to Merlin Muffler. Mr. Moss said he is the franchisee of the site. He often gets calls from people asking where the business is located. He is trying to point out all of the problems in that area, not just his as a businessman. He is familiar with the problems on that street and has been there for 13 years.

Mr. Williams said the 135 square feet would be both the Lee Avenue and Ogden Avenue signs, with Ogden Avenue being 85 square feet. He also referred to the idea expressed by a Board member of opening Pandora's Box if this variance is allowed. He agrees that could happen if it is just allowed on the basis of "we want more signage." He thinks, however, that in this case the petitioner has met all nine standards.

Mr. Benes said an Ogden Avenue study was done some time ago that discussed addresses. He asked if staff encourages businesses like this to put up a monument sign address. He was unable

to see the address on the photo of the monument sign. Mr. Latinovic said the Village does not regulate where the address is on a monument sign, however it is required to be included on all new monument signs.

There being no further questions or comments, Chairman White closed the opportunity for further public comment.

Board Deliberation:

Chairman White suggested they discuss the monument sign setback variation.

Ms. Majauskas said she had no problem with that variation request. She said they should be prevented from pushing the sign further out. If the lot line is back further already, she does not mind giving them the variance.

Ms. Earl said she is also in favor of this request given the difference in the setback. It would be a hindrance if the sign was further back.

There being no contrary opinions, Chairman White called for a Motion.

Ms. Majauskas made a motion that the Zoning Board of Appeals approve the front yard setback variation, to reduce the setback from 10 feet to 3 feet from the north property line, for the monument sign associated with case #ZBA-14-08 with the following condition:

- 1. The proposed monument sign shall substantially conform to the drawings prepared by American Sign Factory, LLC., dated June 5, 2007, last revised September 18, 2008 and site plan attached to this report except as such plans may be changed to conform to village cods, ordinances, and policies.**

Ms. Earl seconded the Motion.

AYES: Ms. Majauskas, Ms. Earl, Mr. Benes, Mr. LaMantia, Chairman White

NAYS: None

The Motion carried with a vote of 5-0.

Mr. LaMantia said that he does not totally agree with the box method of measurement, but it is the ordinance requirement and there is no hardship in this case. For that reason, he would not agree with granting the variance.

Ms. Earl said she does not favor the variance. The logo on the Merlin letterhead included in the packet and advertising is boxed and clearly shows they are able to work within the box concept and design. She thinks they can adapt that to the sign on the front of the building.

Mr. Benes said he is not in favor of the request because the Ordinance reflects what will happen along Ogden Avenue. The request is to make this easier for the petitioner.

Ms. Majauskas said the Village has decided that is the way it is going to be measured, and the petitioner has to be creative as to how to meet the requirement. She does not think the petitioner considered different options.

Chairman White said this is not the appropriate board to address the ordinance's box method of measuring, whether he agrees with it or not.

Ms. Majauskas said she is not attempting to change the box method. She does not think it is within the Zoning Board's purview to change the variance request as made by the petitioner.

Mr. Benes made a motion that the Zoning Board of Appeals deny the request to increase the total sign surface area associated with case #ZBA-14-08. Ms. Earl seconded the Motion.

AYES: Mr. Benes, Ms. Earl, Mr. LaMantia, Ms. Majauskas, Chairman White

NAYS: None

The Motion to deny passed unanimously.

Chairman White conveyed his thoughts to the petitioner that the Board does have sympathy that the box method may not be the best policy; however, those decisions were made by the Village Council, and the variation process is not the appropriate mechanism to circumvent the Village Council's intent. The Village works with various development groups that the petitioners may want to meet with to determine if there is another viable direction to follow.

Mr. Jeff O'Brien said that the Board has been given a schedule for 2009 meetings. There will be no meeting in December.

There being no further business, Chairman White adjourned the meeting at 9:33 PM.

Respectfully submitted,

Tonie Harrington
Recording Secretary