

**REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE
DOWNERS GROVE PUBLIC LIBRARY
August 11, 2010**

MINUTES

ROLL CALL

President Daniels called the meeting to order in the Library Meeting Room at 7:32 p.m. Trustees present: DiCola, Eblen, Humphreys, Daniels. Trustees absent: Greene, Read. Also present: Library Director Bowen, Assistant Director Carlson. Visitors: none.

APPROVAL OF MINUTES

Trustees reviewed the minutes of the regular meeting of July 28, 2010. It was moved by Eblen and seconded by DiCola **THAT THE MINUTES OF THE REGULAR MEETING OF JULY 28, 2010 BE APPROVED.** Ayes: DiCola, Eblen, Daniels. Abstentions: Humphreys. Nays: none. Motion carried.

PAYMENT OF INVOICES

Trustees reviewed the list of invoices submitted for payment. It was moved by Humphreys and seconded by DiCola **TO APPROVE PAYMENT OF OPERATING INVOICES FOR AUGUST 11, 2010 TOTALING \$40,373.22 AND ACKNOWLEDGE PAYROLLS FOR JULY 2010 TOTALING \$170,049.39.** Ayes: DiCola, Eblen, Humphreys, Daniels. Abstentions: none. Nays: none. Motion carried.

Trustee Greene arrived at 7:36 PM

OPPORTUNITY FOR PUBLIC COMMENT ON THE 2010 PROPERTY TAX LEVY, 2011 BUDGET, AND LONG RANGE FINANCIAL PLAN

The 2011 budget and long range financial plan have been available for public comment in the library and on the library's web site. The board has traditionally provided a specific opportunity for public comment on the proposed tax levy and budget at library board meeting before the budget is approved.

None.

OPPORTUNITY FOR PUBLIC COMMENT ON OTHER LIBRARY BUSINESS

None.

OLD BUSINESS

- Final review and approval of the 2010 Property Tax Levy, 2011 Budget, and Long Range Financial Plan

There were no changes to the budget requested at the last meeting, other than the several editorial changes that were requested on the narrative page. Because there were no visitors Bowen did not repeat the presentation that he gave at the last meeting, but just asked if Trustees had any more questions about the request.

Trustee Humphreys commented that although he was not at the previous meeting, the minutes of the discussion were informative, and he thought Trustee Read's question regarding what the library is foregoing with the budget cuts and Bowen's response were good, albeit sad since the library is not able to move ahead as quickly or as well with some of the improvements that would help to meet the changing service needs of patrons.

It was moved by DiCola and seconded by Humphreys **TO APPROVE THE 2011 BUDGET FOR OPERATING EXPENSES OF \$4,202,341 AND THE 2011-2015 FIVE YEAR FINANCIAL PLAN AS PRESENTED.** Ayes: DiCola, Eblen, Greene, Humphreys, Daniels. Abstentions: none. Nays: none. Motion carried.

It was moved by Eblen and seconded by Greene **TO ADOPT A 2010 PROPERTY TAX LEVY OF \$4,024,744 TO FUND THE FY2011 BUDGET.** Ayes: DiCola, Eblen, Greene, Humphreys, Daniels. Abstentions: none. Nays: none. Motion carried.

NEW BUSINESS

- Discussion of *Serving Our Public 2.0: State Standards for Public Libraries*

As Bowen stated in his memo in the board packet, while the library has not yet seen any sign of the check for the Per Capita Grant funds that were awarded in 2010, public libraries did recently receive letters from the State Library encouraging public libraries to apply for the 2011 Per Capita Grant. The only acknowledgement of the State's financial situation has been the modification of the grant time line posted on the grant web site. Receipt of 2010 grant money has been changed from spring 2010 to fall 2010 and receipt of 2011 grant money is now projected for the fall 2011.

The 2011 application form has been made available. The good news is that the State has finally created an online form. However, the requirements have been modified somewhat from the preliminary requirements for 2011 that were released last year. Originally libraries had been told that they should review standards for Personnel, Governance and Administration, and Facilities. The actual application form requires a report on Personnel (which the board reviewed in March 2010) and Governance and Administration. The application does not mention Facilities. Instead it states that "Using the table of contents of *Serving Our Public 2.0 Standards for Illinois Public Libraries* libraries should prioritize chapters with regard to the needs of the library... and review the chapters most pertinent."

Since the board had reviewed most of the other chapters over the previous two years, and since the board focused on activities related to Governance and Administration and Facilities this year, Bowen requested that the Board identify these two chapters as having the highest priority for 2010.

The board agreed to complete the review these two standards at the August 25 meeting. A copy of the table of contents of *Serving Our Public 2.0* was included in the board packet. As background, 2.0 is the current edition of the standards. For the past two Per Capita Grant applications libraries have had the option of using either the last edition or 2.0. Downers Grove used the 2.0 edition in 2009 and 2010.

- Discussion of the 2010 Election of Board President and Secretary

According to the bylaws, the election of board officers is held in even-numbered years at the first meeting following the appointment of trustees for that year. However, according to the Board Bylaws, "A special election will be held to fill any vacancy created by officers who leave the board before completing their term of office. The length of the term will be limited to the remaining months of service in the term vacated by the officer."

The Village has not yet made this year's appointments to the library board so the board cannot yet hold the regular election of officers; however with Steve Daniels' resignation, the board will need to elect a new president. Daniels' resignation will be effective August 31, so unless Trustee Read is reappointed in August, the board must hold a special election to fill Daniels' unexpired term. After the 2010 appointments are made, the board will have another election for the full two-year term.

In the absence of the president, the secretary is the presiding officer. However, the board must have both a president and secretary in place to sign the Per Capita Grant application which must be approved at the October 13 meeting. Since the Village will be appointing an entirely new trustee (in addition to, Bowen hopes, reappointing Tom Read to a second term), Bowen suggested that the board should consider electing an interim president, so the Village has a library board president to consult with during the appointment process, if needed.

In Bowen's board packet memo, he suggested that the board should hold an election at the August 25 meeting, with the intention of having the new interim president assume the position on September 1.

Bowen noted that unless there is urgent business to consider Bowen will propose canceling the September 8 meeting because it is Rosh Hashanah and he will not be able to attend.

REPORT FROM THE ADMINISTRATION

The board packet contained financial reports for July. Bowen was pleased to report that the library is pretty much on target. The library has collected 50.9% of the revenue projected for the year. By July of 2009 the library had collected 50%, and by July 2007 and 2008 (back in the boom years) the library had collected between 51 – 52%. The library has expended 51.2% of its

budget. In 2009 the library had expended 52.4% of its budget by the end of July, and the library was significantly under-spent for the year in 2009.

Bowen shared a funny story that happened that morning. There was a query to the MLS library directors' email list from a library that was trying to find a floppy disk drive that could read old 5¼ inch floppy disks that a patron was trying to access. Bowen happened to have a couple floppy disks in his office, so out of curiosity he took one over to the library's technology support staff and asked if they happened to have any old floppy disk drives that could read them. Bowen discovered that the library's new technology assistant, a college student in computer science, had never seen a 5¼ floppy disk. The library's network manager had – when he was in eighth grade. Bowen said “Boy, did that make me feel really old!”

TRUSTEE ANNOUNCEMENTS AND REQUESTS FOR INFORMATION

Trustees commented that they appreciated the photos of the teen band night on the library's website.

ADJOURNMENT

The meeting was adjourned at 7:57 p.m.

APROVED July 14, 2010

TRANSPORTATION AND PARKING COMMISSION

Minutes

June 9, 2010, 7:00 p.m.

Council Chambers - Village Hall
801 Burlington Avenue, Downers Grove

Chairman Wendt called the June 9, 2010 meeting of the Transportation and Parking Commission to order at 7:00 p.m.

The commissioners and the public were informed that the meeting was being recorded on Village-owned equipment to aid in the preparation of the meeting minutes.

The Chairman led the commissioners and the public in the recital of the Pledge of Allegiance. Roll call followed and a quorum was established.

ROLL CALL:

Present: Co-Chairmen Gress and Wendt, Members Mr. Schiller, Mr. Stuebner, Mr. Cronin, Ms. Van Anne

Absent: Members Saricks and Jeffries

Staff Present: Traffic Manager Dorin Fera; Police Ofr. Tim Sembach

Visitors: Ms. Linda Kunze with Downtown Management, Inc.; Ms. Jan Holland, 4433 Middaugh Ave.; Ms. Victoria Holland, 4433 Middaugh Ave.; Paul and Jan Wegloski, 4429 Middaugh Ave.; Colleen and John Krizek, 1244 Grant St.; Ms. Rosemary Casey, 1244 Grant St.; Ms. Beth Indelicato, 1240 Grant St.; Ms. Kevan Sandack, 4833 Linscott

An explanation of the meeting's protocol followed.

APPROVAL OF THE MAY 12, 2010 TRANSPORTATION AND PARKING COMMISSION MINUTES.

MINUTES OF THE MAY 12, 2010 MEETING WERE APPROVED ON MOTION BY MR. SCHILLER, SECONDED BY MR. STUEBNER. MOTION PASSED BY VOICE VOTE OF 6-0.

PUBLIC COMMENTS - NONE

1. File #14-10 Middaugh Avenue at Grant Street - Parking Modification. Traffic Manager **Mr. Fera** reported that this issue arose after a couple of residents called it in. Parents and guardians are picking up their children and their vehicles are being parked on Grant Street causing site/vision difficulties and safety issues. Much activity was occurring due to Pierce Downer School and the high school being in the nearby vicinity. Staff was recommending the installation of "No Parking at Anytime" designation, but was open to input.

Asked why staff was not promoting a time restriction to 4:00 p.m. for the No Parking and installing the No Parking Anytime signs for the necessary sight line, **Mr. Fera** stated the option was considered but he thought the No Parking Anytime could address traffic issues on a continuous basis. However, he stated staff was flexible to discuss the matter further. Per **Chairman Wendt's** question, **Ofr. Sembach** confirmed the required clearance needed for a stop sign was within 30 feet of a stop sign or crosswalk. Asked how many homeowners on the north side of Grant Street (from Middaugh to Linscott) would be affected by the new signage,

Mr. Fera estimated that about three homeowners would be directly affected. Concern was then raised about visitors coming to those homes.

Mr. Fera added that staging the parking internally at Herrick Middle School did not appear to be an option currently. There is a prohibition of vehicles picking up children within the school's circular driveway, and most of the internal spaces are used for extended parking.

Chairman Wendt opened up the meeting to public comment.

Ms. Kevan Sandack, 4833 Linscott Ave., stated the area under consideration is where she regularly parks. She said the largest concern was the stop sign and she believed a four-way stop sign would alleviate the problem.

Ms. Colleen Krizek, 1244 Grant Street, lives on the corner and stated the No Parking Anytime sign would severely impact her. She has a large family that visits. She stated that everyone was cautious around the school, but she also agreed the stop sign was necessary. She stated a restriction of up to 4:00 p.m. would be an inconvenience but said it was also understandable.

Ms. Beth Indelicato, 1240 Grant Street, objected to staff's proposal for No Parking Anytime since she has various tutors come to her home; however, she supported a stop sign at the intersection.

Ms. Jan Wegloski, 4429 Middaugh Ave., supported the 7AM to 4PM No Parking restriction and recommended having the vehicles travel out to Ogden Avenue since vehicles were turning around on the street. She stated the vehicles were parking on the residents' driveways and easements. She also supported a four-way stop.

Ms. Jan Holland, 4433 Middaugh Ave., supported a four-way stop also. She stated parents' vehicles park on her parkway along with other parents.

No further comments were received.

Conversation followed that the stop sign was necessary and **Mr. Fera** confirmed he had the supporting data for that installation. **Commissioner Stuebner** raised dialog about limiting the parking restriction to 4:00 p.m. since he believed it was only necessary during the school months and not on Saturdays or Sundays. He believed the restrictions should be placed where the current restrictions were currently and install the No Parking Anytime restriction from the current stop signs to 30 feet out. **Chairman Wendt** also pointed out that many of the streets in the vicinity were already signed 7AM to 1PM and he preferred that there be consistency and limit the restriction to the stop sign itself. Per a question about the stop signs, **Mr. Fera** clarified that stop signs existed north and south and this proposal would add stop signs for the east and west with no parking within 30 feet of those four stop signs being allowed.

Ms. Kevan Sandack, 4833 Linscott, believed having the intersection as a four-way stop would alleviate the sight issues and the No Parking to the signs would become an enforcement issue.

While **Mr. Fera** agreed the parking would be restricted, he stated there was still the issue of visibility for a driver stopping southbound and needing sufficient sight distance to the east, and that distance could be more than 30 feet.

Ms. Colleen Krizek, 1244 Grant Street, believed 30 feet from the stop sign by her home was fine. Any more feet and it took away the parking in front of her home.

Mr. John Krizek, 1244 Grant Street, stated that if the stop sign is put in place with the parking restriction, only one space would exist because his driveway was on Grant Street. He felt the real issue was drivers traveling to the school up Linscott, where no stop sign exists and then traveling up Grant Street to Middaugh, where no stop sign exists. Parking on the north side of Grant did not appear to be an issue during school deliveries or when students were exiting the school. He stated the issue was more on the other side of Grant or on Middaugh where no parking restrictions existed. He said the parents were waiting for their children and were not parking.

Chairman Wendt discussed how a similar situation occurred at Lester School and it took a few meetings to iron out the issues. Tonight's matter, he noted, was a first step and it would be up to the residents to determine whether things were working or not.

Per a question **Ofr. Sembach** explained that No Parking zones allow for the temporary loading/unloading of passengers. but if a vehicle's engine was running and the student was not in the vicinity, he said it would constitute a violation. As to whether the Village had No Parking/No Standing signs, **Ofr. Sembach** stated his department has been trying to implement those signs for areas in which the police do not want any stopping at all. Areas do exist that have that language.

Ms. Jan Wegloski, 4429 Middaugh, suggested that the parents pick up their children in the school's parking lot (similar to Pierce Downer School) in a loop formation, or either add police enforcement.

Conversation was then raised that access to the school's parking was not available because the buses parked there and had to negotiate the parked cars. **Mr. Fera** also added that he travelled through the parking lot on days when he did not expect it to be open and it was. He questioned whether the school has some form of a parking lot schedule existed.

Ms. Jan Holland, 4433 Middaugh Ave., stated the parking lot gate was open from 7AM to 5PM to allow for school functions. It was also open during the winter months to allow the snow plows. She suggested closing off the street, like North High, and having the parents park somewhere else.

Chairman Wendt, believing this case was similar to the Lester School case, asked if the Village could install curbs on this section of Middaugh and have the commission recommended it to the Village Council, to which **Mr. Fera** stated it could and Public Works could look into it.

Mr. Paul Wegloski, 4429 Middaugh, discussed the erosion that took place in front of his house over the years and estimated he lost two to three feet of useable parkway.

Because this was an afternoon issue, **Ms. Van Anne** wondered if the 7AM to 1PM restriction was inadequate and suggested installing the No Parking, Standing or Stopping signs with afternoon hours only, monitor them, and also look to what was done at Lester School. The stop signs were a separate issue. Discussing the matter further and how the signage would read, **Mr. Fera** stated the No Parking, Standing or Stopping Anytime would be needed for the north leg and east of Middaugh with the stop sign in place. He, too, questioned the effectiveness of the 7AM to 1PM parking restriction.

Chairman Wendt recommended leaving the current time restriction alone until the students begin in the fall. **Mr. Stuebner** favored same but recommended adding "During School Days Only" and to exclude "Saturdays, Sundays and Holidays."

MR. STUEBNER MADE A MOTION THAT THE COMMISSION RECOMMEND THAT THE EXISTING “NO PARKING OF 7AM TO 1PM” REMAIN BUT TO ADD “DURING SCHOOL DAYS” AND TO “EXCLUDE SATURDAYS, SUNDAYS AND HOLIDAYS” AND THAT STAFF’S RECOMMENDATION OF STOP SIGNS BE INSTALLED ON THE EAST AND WEST SIDES OF MIDDAUGH AVENUE. SECONDED BY MR. SCHILLER.

MOTION CARRIED BY VOICE VOTE OF 6-0.

Chairman Wendt reminded the residents that tonight’s discussion focused on Grant Street but he also recommended reviewing Middaugh parking status in the fall. **Mr. Fera** stated Middaugh would be a maintenance issue. Regarding the stop signs, advance warning signs would be installed remind the motorists of the new stop signs.

2. File #15-10 Mochel Drive at Curtis Street - One New Handicapped Parking Space.

Mr. Fera explained that staff is in the process of relocating the old handicapped space and placing it around the corner on Curtis Street. As far as he understood, the Village is in compliance with the American with Disabilities Act regarding the number of handicapped spaces available.

Chairman Wendt opened up the matter to public comment.

Ms. Linda Kunze, with Downtown Management Corporation, stated this matter was brought before her board to discuss and several people suggested the relocation to be on Curtis Street since it would not inconvenience anyone.

MS. VAN ANNE MADE A MOTION THAT THE COMMISSION ACCEPT STAFF’S RECOMMENDATION TO REPLACE A HANDICAPPED PARKING SPACE AT THE NORTHWEST CORNER OF THE MOCHEL/CURTISS INTERSECTION, FROM THE CURTISS STREET SIDE TO THE MOCHEL DRIVE SIDE. SECONDED BY MR. SCHILLER.

MOTION CARRIED BY VOICE VOTE OF 6-0.

OLD BUSINESS

Mr. Fera asked that the commissioners review their copy of the Commuter Parking Report, noting that Lots H and I have a combination of meters, permit spaces and some daily fee spaces. The Village has been asked to convert the spaces to numbered spaces with the goal to have as many of the spaces converted to daily fee by early next year. Costs are associated with the conversion. Three lots under review next month include: Fairview, Lot S, and the Belmont lots. Per **Mr. Fera**, the Village is looking to reduce costs, increase revenue, and to streamline the process.

COMMUNICATIONS - (See staff’s packet)

ADJOURN

MR. STUEBNER MADE A MOTION TO ADJOURN THE MEETING. MR. SCHILLER SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY. THE MEETING WAS ADJOURNED AT 8:00 P.M.

Respectfully submitted,
Celeste Weilandt,
Recording Secretary, (as transcribed by digital recording)

APPROVED 8/25/10

VILLAGE OF DOWNERS GROVE
ZONING BOARD OF APPEALS MEETING
MAY 26, 2010

Call to Order

Chairman White called the meeting to order at 7:33 PM.

Roll Call

Present: Mr. Benes, Mr. Domijan, Ms. Earl, Mr. Isacson, Ms. Majauskas,
Ch. White

Absent: Mr. LaMantia

A quorum was established.

Staff: Damir Latinovic, Jeff O'Brien

Minutes of April 28, 2010

Ms. Earl made a motion to approve the minutes of the April 28, 2010 Zoning Board of Appeals meeting as submitted. Mr. Domijan seconded the Motion.

AYES: Ms. Earl, Mr. Domijan, Mr. Isacson, Ms. Majauskas, Ch. White

NAYS: None

ABSTAIN: Mr. Benes

The Motion carried.

Meeting Procedures

Chairman White reviewed the procedures to be followed during the public hearing, and called upon anyone intending to speak before the Board on the agenda item to rise and be sworn in. Chairman White then explained that 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 added that the Zoning Board of Appeals has authority to grant petitions, without further recommendation to the Village Council.

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ZBA-07-10 A petition seeking a sign variation for the property located at the Northeast corner of Finley Road and Ogden Avenue, commonly known as 2150 Ogden Avenue, Downers Grove, IL (08-01-401-008) Brad Webb, Petitioner, 2150 West Ogden LLC, Owner.

Petitioner's Presentation:

Mr. Jeff Lietz of Charles Vincent George Group, 604 N. Washington, Naperville, IL, architect for Packey Webb Ford explained that the petitioner is requesting a variation to erect a monument sign in the north end of their property, along the Tollway corridor. Specifically, they are seeking a variance allowing a height increase from 20 feet to 34'-6". He then reviewed the exhibits

included in the packet distributed to the Board members including aerial photography of the area surrounding the subject site. Mr. Lietz explained that a topographical survey conducted by a local civil engineering firm, Intech Consultants, showed that the site is approximately 14.5 feet lower than the lot immediately east. Exhibits presented to the Board included photographs depicting the signage on the subject property as seen from varying locations along the Tollway, and also along Finley Road. Because of the height difference between the petitioner's site and surrounding businesses, plus the existence of trees in a nearby easement area that diminish the visibility of their signage, the petitioner does not enjoy equal advertising opportunities for their establishment.

Mr. Benes referred to a photograph of a sign at a 34.5 foot height shown by Mr. Lietz. He asked if there was a photograph of a sign at 20 feet tall and Mr. Lietz said he did not have that available.

Chairman White pointed out one of the exhibits depicts a 20-foot tall sign.

Ms. Majauskas asked if surrounding signs are conforming. Mr. Latinovic said that the signs do meet the maximum height of 20 feet. Some of them do appear to exceed the maximum size but will have to be compliant and might have to be eliminated by 2012.

Mr. Domijan asked if the petitioner looked at other ways to work with the required 20' height. Mr. Lietz responded that they contacted Nicor to see if they could remove or trim the tall trees in front of the petitioner's signs. Nicor said they would not allow removal or trimming of any trees unless there were issues with the trees. The petitioner also went to the Tollway Authority to seek permission for tree trimming or removal, and were advised that the Tollway Authority would not allow trimming or removal to accommodate greater signage visibility. Mr. Lietz further responded to Mr. Domijan that they considered filling in the area, but it would require bringing in 13 feet of soil, which could result in drainage issues.

Mr. Isacson noted that the Board considered a similar situation with Toys R Us a few months ago.

Mr. Benes commented that the sign they are proposing would not be visible to traffic heading east. It would only be visible to traffic from the north, or from the I-88 Tollway for traffic heading westbound. Mr. Lietz said that was correct.

Mr. Lietz said there is no other place to put the sign. He noted further that they are removing existing free-standing signage on Ogden, which will not be replaced.

Mr. Isacson said one of the main purposes of the Sign Ordinance is to reduce signage in all areas, especially on Ogden Avenue, and the petitioner is reducing signage by removing the Ogden Avenue sign. They would be conforming to the new regulations. It is not conforming now.

Mr. Benes asked if the petitioner was aware of how long this property has been a Ford dealership, and Mr. Lietz said he believed it was 1955. Mr. Benes commented that since 1955 they have not attempted to put signage on the rear of the property. Mr. Lietz responded that the present owner obtained the property in 2008. The proposed sign is part of a renovation to the facility to dress up the space, and that is why they are eliminating the two signs on Ogden Avenue and seeking better visibility to the highway traffic.

There being no further questions, Chairman White called upon staff to make its presentation.

Staff's Presentation:

Mr. Damir Latinovic, Village Planner, said that the subject property is approximately 4.4 acres in size and houses a Ford automobile dealership. The petitioner is in the process of upgrading both the facility and all signage on the property. The petitioner is seeking to install a new 34.5-foot tall Tollway monument sign where a 20-foot tall sign is allowed by code.

Mr. Latinovic noted that according to the Village's Zoning Ordinance, properties directly adjacent to I-88 are allowed one additional Tollway monument sign with maximums 20 feet in height and 225 square feet in area. He pointed out that the Tollway monument sign does not count toward the overall allowable sign surface area for the property. The proposed sign would be 34.5 feet tall and 126 square feet in area. They will reuse the existing sign located at the southwest corner of the property (corner of Ogden and Finley) for the Tollway sign.

Mr. Latinovic reiterated that the two free-standing signs along Ogden Avenue will be removed, and remaining signage will be placed on the building. The north side of the property is unique in that it is approximately 14 feet lower than the adjacent property. The petitioner's proposal would place the Tollway monument height at the same height as the adjacent Bill Kay sign. The Finley Road bridge is immediately west of the site and blocks visibility for the eastbound traffic. Mr. Latinovic said he also spoke to the Tollway Authority regarding the trees and shrubs and confirmed that their policy is not to trim or remove trees or shrubs to allow for better visibility of signage.

Mr. Latinovic then reviewed the staff's consideration of this specific site, including the unique circumstances such as topography of the site, visibility obstruction caused by landscaping and the bridge. He reviewed each of the Standards for Granting Variations as required by Section 28.1803 of the Zoning Ordinance.

Upon reviewing standard #7, Mr. Benes interjected that the topographical conditions existed long before the owner owned the property, and he asked how staff could say the standard has been met.

Mr. Latinovic replied that the physical and topographical conditions of the property present a practical hardship on the owner to install a code-compliant sign, and that is why this standard for granting the variation is met. He specified two physical conditions: the topography of the site which is significantly lower than the surrounding properties and the Finley Road Bridge which obstructs the view of a code complaint sign.

Mr. Benes said that neither the Village nor the agency built the bridge or planted those trees. That's not a hazard.

Chairman White commented that would come under physical surroundings. Mr. Benes said that all of those things were present at the time the building was built. Chairman White responded that the issue is whether the owner created the condition. If the owner excavated and then wanted the variation, they would be thought of as having caused the situation themselves and

then the standard would not have been met. Mr. Benes said he did not agree with the interpretation.

Mr. Latinovic continued his presentation, saying that staff believes there are unique circumstances associated with this property that present a physical hardship for the petitioner to install a code-compliant Tollway monument sign with adequate visibility. Based on the analysis in the report dated May 26, 2010, staff believes all findings for granting the variation have been met and recommends approval of the requested Tollway monument sign height variation subject to conditions stated on Page 5 of the staff report.

Ms. Majauskas said she did not think the trees created a hardship or unique condition, since trees by their nature grow or die. Mr. Latinovic said it is considered a partial obstruction. They are located on adjacent property over which the petitioner has no control. The owner has indicated that no changes will be made to the trees and shrubbery.

Mr. Domijan asked if this is a lighted sign. Mr. Latinovic said it is an internally illuminated sign.

Mr. Benes asked if the illumination of the sign falls into the category of signs allowed adjacent on the Tollway. He said that none of the Tollway signs are illuminated with the exception of the time and date on one sign. Mr. O'Brien responded that Tollway signs are allowed to be illuminated if the petitioner so desires. Mr. Benes asked if that is covered by the code. Mr. O'Brien responded that the code allows signs to be illuminated. He noted the petitioner is also required to obtain a permit from IDOT and they might have lighting standards that are more strict than the Village's. Mr. Benes said that the code says nothing about illumination of Tollway signs. Mr. O'Brien referred to the illumination section under Sec. 1508.01, on page 111 of the Zoning Ordinance. He then read the portion referenced regarding illumination.

Mr. Benes then asked if the sign to the east is illuminated. Mr. Latinovic said that the Bill Kay Suzuki sign is partially illuminated. They recently came in for a variance to change the panel to read Bill Kay Suzuki. Mr. Benes said he did not remember that sign being illuminated.

Ms. Majauskas asked if the petitioner offered to the Tollway Authority to replant trees, which they would remove or trim. Mr. Lietz said the conversation did not get that far because the policy is that no one is given permission to cut down the trees.

Chairman White asked for public input. There being no further questions, and no one in attendance to express support or opposition, Chairman White closed the opportunity for further public input.

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Board's Deliberation

Chairman White asked for comments from the Board.

Ms. Majauskas said she has two issues. The trees will grow or will die, so granting a variance based on the trees sounds ridiculous to her. The other thing she is considering is Finley Road Bridge, which is a huge block, whether the sign is 20 feet or 34 feet tall. She does not think the added 14 feet of height will increase visibility going eastbound. All it does is make a huge

glaring sign for people traveling on Finley Road and she does not think that meets the intent of the sign ordinance. The larger sign will negatively affect travelers on Finley Road. She said it is not the size of the sign, as much as the height of the sign.

Chairman White said that the Exhibit A is compelling, as it shows the difference between the subject site and Bill Kay's signage next door.

Ms. Majauskas said the added height gives the Ford sign an additional advantage.

Chairman White countered that he does not see this as giving them an advantage, but rather they are being allowed to redress a disadvantage and will be equalized. He said if measured from grade, they are of equal height. Ms. Majauskas said that the arguments they are using do not meet the standards in her opinion.

Mr. Isacson said that Exhibit C shows that the sign is significantly to the east of Finley Road. Ms. Earl said the sign is still considerably less square footage than what the petitioner could have placed at that site. Chairman White said that they could have chosen to go higher and increase the size of the sign and be within the code.

Mr. Benes said that the sign now becomes an obstruction for people traveling west. He then returned to the question of illumination of the signs asking for further clarification of the Bill Kay sign illumination. Mr. Latinovic said that the lower portion of the sign is an internally illuminated box with manually changeable letters on top of it. Additionally, the existing sign has exposed neon tubing letters which staff recommended be capped. Ultimately, the Board allowed them to keep the sign as is until 2012 and update the lettering to reflect the name change of the business from Bill Kay Chrysler to Bill Kay Suzuki.

Ms. Earl said she agreed with staff on everything except Standard 1 regarding a reasonable return. The business has been there for 40 years and she thinks it yields a reasonable return. She agreed with everything else reviewed by staff.

Chairman White then asked if all Board members have had a sufficient opportunity to note their opinion or ask questions. There being no further comments, he called for a motion.

Mr. Isacson made a motion in case ZBA 07-10, that the Board approve the sign variation request as presented with the two following conditions as stated in the May 26, 2010 Staff Report:

- 1. The proposed Tollway monument sign shall substantially conform to the Signage Plan and supporting documents prepared by Charles Vincent George Design Group, Inc. dated October 6, 2009 attached to the staff report dated May 26, 2010 except as such plans may be changed to conform to village codes, ordinances, and policies.**
- 2. The petitioner must obtain a sign permit from the Illinois Department of Transportation prior to issuance of the Sign permit by the Village of Downers Grove.**

Ms. Earl seconded the motion.

AYES: Mr. Isacson, Ms. Earl, Mr. Domijan, Ch. White
NAYS: Mr. Benes, Ms. Majauskas

The Motion passed 4:2.

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Mr. O'Brien said that staff did not know if there would be a meeting next month, and the cut off for petitions was at the end of the week. Ms. Majauskas informed the Board that she would be out of town for that meeting.

Mr. O'Brien also mentioned that the Council is in the process of shuffling board and commission liaisons, so there has not been a recommendation to appoint the seventh member of the Board.

In response to Mr. Benes' question, Mr. O'Brien said he believes the Lemon Tree grocery store is scheduled to open in July.

There being no further business, Chairman White adjourned the meeting at 8:18 PM.

Respectfully submitted,

Tonie Harrington
Recording Secretary