

**REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE
DOWNERS GROVE PUBLIC LIBRARY**

June 13, 2012

MINUTES

1. ROLL CALL

President DiCola called the meeting to order in the Library Meeting Room at 7:30 p.m. Trustees present: Eblen, Greene, Humphreys, Loftus, and DiCola. Trustee Read arrived at 7:35 p.m. absent: none.

Also present: Library Director Ashton, Literature and Audiovisual Services Manager Sue O'Brien, Circulation Manager Melanie Mertz, Children's Services Manager Sara Pemberton, Public Relations Manager Melissa Doornbos, Downers Grove Public Library Foundation Board Member John Mochel.

2. WELCOME TO VISITORS

President DiCola welcomed the visitors and expressed her appreciation for their interest in the work of the Board.

3. APPROVAL OF MINUTES

Trustees reviewed the minutes of the regular meeting of May 23, 2012. It was moved by Humphreys and seconded by Eblen **THAT THE MINUTES OF THE REGULAR MEETING OF MAY 23, 2012 BE APPROVED.** Ayes: Eblen, Greene, Humphreys, Loftus, DiCola. Abstentions: none. Nays: none. Motion carried.

4. PAYMENT OF INVOICES

The Board reviewed the list of invoices submitted for payment. It was moved by Greene and seconded by Eblen **TO APPROVE PAYMENT OF OPERATING INVOICES FOR JUNE 13, 2012 TOTALING \$90,287.58, CREDIT MEMOS TOTALING \$531.67, JOURNAL ENTRY OF \$4,000, AND RECOGNIZE MAY PAYROLLS TOTALING \$171,705.55.** Ayes: Eblen, Greene, Humphreys, Loftus, Read, DiCola. Abstentions: none. Nays: none. Motion carried.

5. OPPORTUNITY FOR PUBLIC COMMENT ON AGENDA ITEMS

None.

6. OPPORTUNITY FOR PUBLIC COMMENT ON OTHER LIBRARY BUSINESS

None.

7. UNFINISHED BUSINESS

a. Discussion of Strategic Plan, Working Draft

Ashton presented the draft for Board discussion, based on planning work involving Board, staff, and community since October 2011. He included details of the planning process and the work that produced the current Draft. Trustee Read suggested that the Goal statements in the plan be rewritten to express accomplished results or achievements, rather than as actions to be undertaken. Trustee Greene requested that the plan be supplemented by a calendar that would show the sequence of projects and tasks. Ashton agreed to undertake these improvements.

The Board discussed numerous details of the draft and directed Ashton and staff to proceed with revision for presentation and possible approval at the June 27 Board meeting. Ashton agreed to distribute a revised version to the Board by June 20.

8. NEW BUSINESS

- a. Approval of Participation in Illinois Non-Resident Library Card Fee Program: Participation, Method for Fee Calculation, and Amount of Fee.

It was moved by Humphreys and seconded by Greene **THAT THE DOWNERS GROVE PUBLIC LIBRARY PARTICIPATE IN THE ILLINOIS NON-RESIDENT LIBRARY CARD FEE PROGRAM FOR THE PERIOD AUGUST 1, 2012 THROUGH JULY 31, 2013; THAT THE LIBRARY USE THE AVERAGE HOUSEHOLD PROPERTY TAX PAYMENT COMPUTATION METHOD FOR SETTING THE FEE; THAT THE FEE BE SET AT \$246.00 PER HOUSEHOLD; THAT THE FEE GO INTO EFFECT AUGUST 1, 2012.** Ayes: Eblen, Greene, Humphreys, Loftus, Read, DiCola. Abstentions: None: Nays: None. Motion carried.

9. REPORT OF THE DIRECTOR

Ashton summarized his written report (attached).

10. BOARD MEMBER COMMENTS AND REQUESTS FOR INFORMATION

None.

11. ADJOURNMENT

The regular meeting was adjourned at 8:13 p.m.

FOLLOWING ADJOURNMENT

The Board of the Downers Grove Public Library Foundation met.

APPROVED 7/2/12

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

JUNE 4, 2012, 7:00 P.M.

Chairman Jirik called the June 4, 2012 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

PRESENT: Chairman Jirik, Mr. Cozzo, Mr. Hose, Mr. Quirk, Mrs. Rabatah, Mr. Waechter, Mr. Webster

ABSENT: Mr. Beggs, Mr. Matejczyk

STAFF PRESENT: Community Development Planning Manager Jeff O'Brien and Planners Stan Popovich and Damir Latinovic

VISITORS: Mr. Ray Rahn, 4911 Washington; Mr. Gil Schroeder, 7020 Webster St.; Mr. Kevin Comer, 824 Franklin St.; Mr. Ricardo Ginex, 5424 Carpenter St.; Mr. Mark Ginex, 4100 N. LaSalle St., #1411, Chicago, IL; Mr. Greg Mast, CBRE, 20 N. Martingale, Schaumburg, IL; Mr. Justin Bretzke, Hertz Corp., 1728 Ogden Ave.; Mr. Dan Russell, 4112 Elm Street; Mr. Greg Ginex, 629 Gierz Street

Chairman Jirik led the Plan Commissioners in the recital of the Pledge of Allegiance.

APPROVAL OF THE MAY 7, 2012 MINUTES

MINUTES OF THE MAY 7, 2012 MEETING WERE APPROVED ON MOTION BY MR. WEBSTER, SECONDED BY MR. COZZO. MOTION CARRIED BY VOICE VOTE of 7-0.

Chairman Jirik reviewed the protocol for the public hearing.

PC-08-12 A petition seeking Special Use approval for an Automobile Dealership for Hertz Rental Car. The property is located at the southwest corner of Ogden Avenue and Drendel Road, commonly known as 2561-2565 Ogden Avenue, Downers Grove, IL (PIN 08-01-304-007, -008, -009, -010, -011); Hertz Local Edition, Petitioner; Page Development, LLC., Owner.

Chairman Jirik swore in those individuals who would be speaking on the above petition.

Village Planner, Damir Latinovic, directed commissioners' attention to a photo of the 1.13 acre-site on the overhead, noting the site (zoned B-3 General Services and Highway Business District) is part of the Drendel Commons shopping center (11,600 sq. feet) located at the southwest corner of Drendel Road and Ogden Avenue. The site has 50 parking spaces on-site. Petitioner, Hertz Rental Car, was requesting Special Use approval to relocate to 2561 and 2565 Ogden Avenue, which the Village's zoning ordinance lists in the B-3 District as a special use.

The petitioner planned to modify the interior of the existing store to create some office spaces and a lobby area. No exterior changes were planned. The petitioner was required to submit a formal parking study analysis, which concluded that enough parking existed on the site to accommodate the use and that the proposed use was similar or less intense than a general retail use in the B-3 District.

Mr. Latinovic reported that currently, Hertz's fleet (101 vehicles) is 95% rented on an average day according to the parking study. About 60% of the vehicles are stored off-site at various car dealerships and body shops. Average mid-day parking demand for Hertz would be 3 to 4 parking spaces, which includes rental vehicles and employee vehicles. The petitioner indicated, however, that it will place a cap of 8 rental vehicles they can have on-site. Any vehicles above that will be relocated to other Hertz sites. A total of three employees will work at this location with one employee using a rental car and two employees parking their cars on-site. Current parking demand for this site met Village requirements.

Mr. Latinovic reviewed the petitioner's parking analysis, noting it covered parking counts on Friday and Saturday (March 2-3, 2012), respectively. Current peak parking demand was reviewed and parking calculations were explained, concluding that based on the parking analysis completed, there was enough parking for the proposed use. However, staff recommends including a condition that stated the petitioner was allowed to have no more than 10 rental vehicles at any time on-site.

Continuing, Mr. Latinovic explained that the petition was consistent with the Village's Comprehensive Plan and said the plan describes this area of Ogden Avenue as a catalyst site for the Village, where the plan prefers automobile uses that benefit the local residents and those from a wider region and benefit from a location near the interstate highways. Mr. Latinovic reported that proper public notification was made with no comments received from any adjacent residents. The four standards for Special Use were also met and the proposed use was desirable. It was considered in the interest of public service and convenience and would not have any detrimental effects on the surrounding uses nor impact the health, safety and general welfare of the residents. The proposal met all zoning ordinance requirements.

Staff recommended that the Plan Commission forward a positive recommendation to the Village Council subject to the three conditions in its staff report.

Asked if the conditions for recommendation addressed the number of employee parking the petitioner could have, Mr. Latinovic stated it did not and only the number of rental vehicles on site would be limited by the condition. Of the three employees, one would be using a rental car. Asked where the rental vehicles would be parked at night, i.e., in front or in the rear, Mr. Latinovic stated there would be no limitation where they were parked as the shopping center would be closed during the evening when the largest number of rental vehicles would be parking on site. Additionally, vehicles would be detailed/washed in the interior space where the garage door was located.

Mr. Webster voiced concern that the floor plan did not provide enough space for that washing area, wherein Mr. Latinovic explained that the petitioner provided a general floor plan which is not to scale and was meant to be flexible and confirmed that such activities would occur indoors. He envisioned that certain walls would be relocated for that purpose. Regarding signage, there was no formal proposal and staff was not too concerned as the signage would have to meet the Village's sign ordinance.

APPROVED 7/2/12

Regarding staff's Recommendation No. 2, Chairman Jirik asked for clarification about the word "stored", wherein Mr. Latinovic explained it meant "parked on site" and the petitioner was aware of the number of vehicles that were allowed. Asked if staff felt a need to be more specific about the washing/cleaning/detailing activities being required indoors, Mr. Latinovic stated that staff felt comfortable, based on the petitioner's business model, that it was not an issue since there was space for only one car and it was indoors.

Petitioner, Mr. Justin Bretzke, Area Manager with Hertz Corporation, 1728 Ogden Ave., Downers Grove, explained he was before the commission seeking a Special Use for a car rental operation closer to Interstate 355 and to meet corporate standards. Their current building was outdated and the company wanted to move into something more modern. It provided the separate bay for washing cars and other indoor amenities. He was aware and agreed with staff's points. Mr. Bretzke reviewed the business operations and explained how the vehicles were stored off-site. All maintenance on the vehicles was done through local vendors or through the regional maintenance facility in Des Plaines.

Asked to address Page 6 of Mr. Benes and Associates parking study report under "alternative scenario", Mr. Bretzke summarized it came down to occupying both spaces versus the one space (2565 Ogden Ave.), as originally planned. Normal hours of operation were 7:30 a.m. to 6:00 p.m. weekdays; 9:00 a.m. to Noon on Saturdays; and 9:00 a.m. to 1:00 p.m. on Sundays. A majority of the cars were rented between 7:30 a.m. and 9:00 a.m. and then between 5:00 p.m. and 6:00 p.m. The mid-day peak hours worked well for the other tenants, as the Hertz business was not busy during that time. Mr. Bretzke stated he had not heard from any of his tenants about the proposal.

Chairman Jirik opened up the meeting to public comment. None received. Public comment closed. Mr. Bretzke waived his closing statement.

Messrs. Webster and Waechtler appreciated the petitioner having a traffic study to review. Chairman Jirik believed the use was very appropriate and stated the service was very much needed, given the other businesses in the area.

WITH RESPECT TO PC 08-12, MR. HOSE MADE A MOTION THAT THE PLAN COMMISSION MAKE A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED JUNE 4, 2012 AND THE ATTACHED PLANS AND DOCUMENTS, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES;**
- 2. NO MORE THAN 10 RENTAL VEHICLES CAN BE STORED ON THE PROPERTY AT ANY TIME; AND**
- 3. AT THE TIME OF BUILDING PERMIT REVIEW, FIRE ALARM AND SPRINKLER PLANS MUST BE SUBMITTED TO VERIFY THE EXISTING SYSTEMS MATCH THE OCCUPANCY AND THE INTERIOR REMODELING PLAN.**

SECONDED BY MR. WAECHTLER. ROLL CALL:

APPROVED 7/2/12

**AYE: MR. HOSE, MR. WAECHTLER, MR. COZZO, MR. QUIRK, MRS. RABATAH,
MR. WEBSTER, CHAIRMAN JIRIK**

NAY: NONE

MOTION CARRIED. VOTE: 7-0

PC-18-12 A petition seeking approval of a Final Plat of Subdivision to consolidate two existing lots into one lot. The property is located on the west side of Elm Street approximately 400 feet south of 40th Street, commonly known as 4112 Elm Street, Downers Grove, IL (PIN 09-05-113-020); Daniel Russell, Petitioner; Daniel and Cornelia Russell, Owners.

Chairman Jirik swore in those individuals who would be speaking on the above petition.

Village Planner, Mr. Stan Popovich, reviewed the above petition noting that the petition was for a consolidation of two parcels (each lot 50 feet wide by 150 feet deep) into one lot of record. A single-family home currently existed over the common property line and the owner was proposing to add an addition at the southwest corner of his home, which would be over the common property line also. The consolidation of the two lots would allow the addition to be constructed. The proposed lot was presented, noting the five-foot easements on the north and south sides and an additional five feet on the rear lot line to provide 10 feet of easement. The Comprehensive Plan identified the property as a "Single Family Modified Grid" which was the transition between the Traditional Grid and a curvilinear subdivision development. The area was considered in transition but typical adjacent properties were 50 feet x 150 feet deep. Staff believed the property was consistent with the neighborhood and area and the lot consolidation was consistent with the Comprehensive Plan.

All R-4 zoning district bulk requirements were met by this lot and the proposal provided for adequate public utility and drainage easements. Proper public notification was provided and, to date, only one phone call was received by staff concerning a general inquiry about the property. Due to the above requirements being met, staff recommended the Plan Commission forward a positive recommendation to the Village Council subject to the one condition in its staff report.

A correction was noted on page 2 of staff's report; staff was aware of it. No questions followed.

Petitioner, Mr. Dan Russell, 4112 Elm Street, Downers Grove, explained that the addition was to accommodate his mother-in-law. It will include an extension of a bedroom, new bathroom, dining room and screened-in porch.

Mr. Waechtler stated it was nice that Mr. Russell was adding an addition for his mother-in-law.

Public comment was invited by the Chairman. None followed. Public comment was closed. Mr. Russell waived the closing statement. Commissioners had no further comments.

APPROVED 7/2/12

WITH RESPECT TO PC-18-12, MR.WAECHTLER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE CONDITION BELOW:

- 1. THE FINAL PLAT SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION OF RUSSELL SUBDIVISION PREPARED BY MORRIS ENGINEERING, INC., DATED MAY 18, 2012 EXCEPT AS SUCH PLAT MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MRS. RABATAH. ROLL CALL:

AYE: MR. WAECHTLER, MRS. RABATAH, MR. COZZO, MR. HOSE, MR. QUIRK, MR. WEBSTER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 7-0

PC-19-12 A petition seeking approval of a Final Plat of Subdivision to consolidate two existing lots into one lot. The property is located on the south side of Gierz Street approximately 840 feet east of Stanley Avenue, commonly known as 629 Gierz Street, Downers Grove, IL (PIN 09-08-213-002); Gregory Ginex, Petitioner; James and Elaine Bryar, Owners

Chairman Jirik swore in those individuals who would be speaking on the above petition.

Mr. Latinovic stated the petitioner was seeking a lot consolidation at 629 Gierz Street, which was zoned R-4 Single family Residential District. The survey was placed on the overhead, noting an existing home was on the site with detached garage. The property was made up of two 25-foot wide by 125-foot deep lots. The petitioner planned to raze the home and construct new but was seeking to consolidate the two lots to permit the construction. The petitioner would provide Village-required easements along the sides and rear lot lines. Staff had not received the plans for the new home but stated the new home would be required to meet all requirements of the zoning ordinance.

The proposal met all the requirements of the Comprehensive Plan and was consistent with the "Traditional Grid Neighborhood." Proper public notification was provided and to date, only one phone call was received by staff concerning a general inquiry about the property. Due to the above requirements and ordinances being met, staff recommended the Plan Commission forward a positive recommendation to the Village Council subject to the one condition in the staff report.

No questions followed. The petitioner was invited to speak.

Petitioner, Mr. Greg Ginex, 629 Gierz, Downers Grove, stated he and his wife plan to raze the existing home and construct new. He asked that the Plan Commission support the proposal.

No questions followed from the commissioners. The public was invited to speak. No comments received. Public comment was closed. Mr. Ginex had no closing statement.

APPROVED 7/2/12

Mrs. Rabatah commented that the proposal was not presenting any unique conditions.

WITH RESPECT TO PC-19-12, MRS. RABATAH MADE A MOTION THAT THE PLAN COMMISSION MAKE A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE CONDITION BELOW:

- 1. THE FINAL PLAT SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION OF G & MS SUBDIVISION PLAT PREPARED BY INTECH CONSULTANTS, INC., DATED MAY 4, 2012 EXCEPT AS SUCH PLAT MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MR. HOSE. ROLL CALL:

AYE: MRS. RABATAH, MR. HOSE, MR. COZZO, MR. QUIRK, MR. WAECHTLER, MR. WEBSTER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 7-0

PC-20-12 A petition seeking approval of a Final Plat of Subdivision to consolidate three existing lots into one lot. The property is located on the north side of Franklin Street, approximately 133 feet east of Washington Street, commonly known as 824 Franklin Street, Downers Grove, IL (PIN 09-08-113-011); Kevin Comer, Petitioner and Owner.

Chairman Jirik swore in those individuals who would be speaking on the above petition.

Mr. Popovich explained that the petitioner was seeking a consolidation of three parcels into a single lot of record. The property was currently zoned R-4 Single Family and was 66.66 feet wide by 147 feet deep with a single-family home and detached garage. The three lots were noted on the overhead. The petitioners were planning to add on to the existing home and without the consolidation of the three lots, the petitioner would not be permitted to construct the addition.

The Comprehensive Plan identified the area as the "Traditional Grid" residential area and the property was similar to other lots in the area, which was consistent with goals of the Comprehensive Plan. The lot complied with all bulk standards and met the Village's Subdivision Ordinance. The proposal will meet the required public utility and drainage easements. Per Mr. Popovich, proper public notification was provided and, to date, staff had not received any phone calls or comments concerning this property. Due to the above Village requirements and ordinances being met, staff recommended the Plan Commission forward a positive recommendation to the Village Council subject to the one condition in its staff report.

A question was asked how lots 4 and 6 ended up configured the way they did, wherein Mr. Popovich stated he did not know when it would have occurred.

Petitioner, Mr. Kevin Comer, 824 Franklin, Downers Grove stated he was planning to add a two bedroom addition to the house and attach the garage.

APPROVED 7/2/12

No questions followed. The public was invited to speak. None received. Public comment was closed. Mr. Comer had no closing statement. No comments received from the commissioners.

WITH RESPECT TO PC-20-12 MR. WEBSTER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE CONDITION BELOW:

- 1. THE FINAL PLAT SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION OF COMER'S CONSOLIDATION PREPARED BY NEKOLA SURVEY, INC., DATED MAY 10, 2012 EXCEPT AS SUCH PLAT MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MR. QUIRK. ROLL CALL:

AYE: MR. WEBSTER, MR. QUIRK, MR. COZZO, MR. HOSE, MRS. RABATAH, MR. WAECHTLER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 7-0.

Village Planning Manager, Mr. O'Brien stated the next meeting was scheduled for July 2, 2012 but he wanted to confirm who would be attending. If there was to be no quorum, he would schedule the meeting for the following week -- July 9th. He asked those in attendance that if there was a conflict, to contact him this week. A quick review of the next agenda followed. Mr. O'Brien reminded commissioners about their Freedom of Information training and Open Meetings Act training and to not use the current version Internet Explorer due to compatibility issues.

Mr. Waechtler thanked staff for sending the commissioners the planning publication. It was noted that the Walgreens proposal at 63rd and Woodward was being presented tomorrow night at the Village Council meeting.

THE MEETING WAS ADJOURNED AT 8:05 P.M. ON MOTION BY MR. WEBSTER, SECONDED BY MR. QUIRK. MOTION CARRIED BY VOICE VOTE OF 7-0.

/s/ Celeste K. Weilandt
Celeste K. Weilandt
(As transcribed by MP-3 audio)

APPROVED 6/27/12

VILLAGE OF DOWNERS GROVE
ZONING BOARD OF APPEALS
MAY 23, 2012 MINUTES

Call to Order

Ms. Majauskas called the meeting to order at 7:35 PM.

Roll Call

Present: Mr. Domijan, Mr. Isacson, Ms. Majauskas, Ms. Souter

Absent: Mr. Earl, Mr. Enochs, Ch. White

A quorum was established.

Staff: Jeff O'Brien, Planning Manager
Stan Popovich, Planner

Also present: Willis Johnson, 603-635 Rogers LLC

In the absence of Chair Pro Tem White, Mr. Domijan moved, seconded by Ms. Souter, that Ms. Majauskas serve as Chair Pro Tem (hereinafter "Chair").

All in favor. The Motion Carried

Minutes of April 25, 2012 meeting

Mr. Isacson moved to approve the minutes of the April 25, 2012 meeting as presented. Ms. Souter seconded the Motion.

AYES: Mr. Isacson, Ms. Souter, Mr. Domijan, Ms. Majauskas

NAYS: None

The Motion passed 4:0.

Meeting Procedures

Chair Pro Tem Majauskas explained the function of the Zoning Board of Appeals, and reviewed the procedures to be followed during the public hearing, verifying with staff that all proper notices have been published with regard to petition ZBA-03-12. She then called upon anyone intending to speak before the Board on the single agenda item to rise and be sworn in, as the public information portion of the meeting is an evidentiary hearing. Chair Pro Tem Majauskas explained that members of the Zoning Board of Appeals all have had the opportunity to review the documents for the petition prior to the meeting. In order for a requested variation to be approved there must be a majority of four votes in favor of approval. She added that the Zoning Board of Appeals has authority to grant petitions without further recommendations being made to the Village Council.

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ZBA-03-12 A petition seeking a sign variation for the property located at the northwest corner of Burlington and Fairview Avenues, commonly known as 5008-5018 Fairview Avenue, Downers Grove, IL 60515 (PIN 09-08-227-010); Tivoli Enterprises, Inc. Petitioner; 603-635 Rogers LLC, Owner.

Petitioner's presentation:

Mr. Willis Johnson of 603-635 Rogers LLC introduced himself as President of Tivoli Enterprises, and Manager of 603-635 Rogers LLC. Mr. Johnson stated that Tivoli Enterprises owns a commercial/retail/office building at 5008-5018 Fairview Avenue. He said the building has five retail spaces and seven interior suites. There is a pylon sign on Fairview Avenue that has been on the premises since 1995. All tenants, by right of their lease, are listed on the sign. Signage is especially important to the tenants of the internal suites, as they have no ability to have wall signage on the building. That pylon sign is 20' high and 10' wide with 136 square feet of face. When the Village changed its Sign Ordinance, the pylon sign became nonconforming.

Mr. Johnson said on Fairview Avenue the Fairview Concentrated Business District as it pertains to signage starts at the south side of Maple Avenue and runs south to Burlington Avenue. He said that the majority of the businesses in the Fairview Avenue Business District are not even affected by the Sign Ordinance since they are not in the defined area.

Mr. Johnson noted that installing a sign in conformance with the Ordinance would result in an extremely small sign for the building area and businesses covered. The surface area allowable for the subject property is only 20 square feet. They are requesting a variance to allow for a sign that is large enough to give all of their tenants equal exposure, which will be visible and legible to vehicles traveling in both directions on Fairview Avenue. The lot is 1.3 acres in size and contains 62 parking spaces. People enter the parking lot from Maple Avenue as well as Fairview Avenue. He noted that there is landscaping around the sign as well. He is requesting the variance as a courtesy to their tenants and to the businesses located on that site. He referenced supporting materials provided to the Board in their packets.

Mr. Domijan asked for clarification that the petitioner is requesting to retain the internal illumination on the sign. Mr. Johnson replied they did make that request knowing that there may be changes required down the road when changes are required to the type of bulbs used. He indicated that until that time their intention is to maintain the internal illumination of the sign in some form.

Chair Pro Tem Majauskas asked why they are requesting the ten feet instead of the seven feet that is allowed. She doesn't understand why it has to be taller than what the Ordinance allows. Mr. Johnson said if they lowered the sign to seven feet it would put the bottom of the sign one foot off the ground. It could also be more accessible to vandalism.

There being no further testimony from the petitioner at this time, and no questions from the Board, Chair Pro Tem Majauskas called upon staff to make its report.

Staff Presentation:

Mr. Stan Popovich, AICP, Planner for the Village, stated that the variation requested is for a 36 square foot, 10-foot tall box type monument sign in a location where a 20 square foot monument sign is permitted. He described the location of the site, saying that it is made up of B-1 and B-2 Zoning. It is part of the Fairview Avenue Concentrated Business District (FCBD). The parcels north of Maple Avenue and south of Burlington Avenue are not in that District.

APPROVED 6/27/12

The subject parcel is slightly over an acre in size. Mr. Popovich noted that some of the tenants in the building do not have frontage on a right-of-way, and therefore are not allowed to have a wall sign. He showed drawings of the proposed sign on the property. The sign is basically 9' x 4', with a 4'10" base and a 5'2" sign box. The issue with lowering the sign would make the lettering only about a foot off the ground and difficult to see.

Mr. Popovich explained that Section 28.1503 of the Zoning Ordinance outlines the sign regulations for properties within the FCBD. Those regulations prohibit box signs and permit a monument sign to be no more than 20 square feet in size with a maximum height of seven feet in the FCBD. The FCBD requirements are stricter than in other business districts. Other similar sized properties throughout the Village within a B-1 or B-2 zoning are allowed to have a 36 square foot, ten-foot tall monument sign. With the proposed sign, tenants have about 2.5 square feet of signage available to them. Mr. Popovich then showed a video he prepared of the location with comparisons of the existing sign versus an allowable sign, and the proposed sign.

Staff finds that there are unique circumstances associated with this property that warrant granting the requested sign variation. Those circumstances include

1. The existing office and retail building houses 12 tenants and no other property in the FCBD houses as many tenants within one building.
2. Seven of the 12 tenants within the building do not have tenant frontage along Fairview Avenue and therefore are not permitted to install wall signs along Fairview Avenue. Those seven tenants are prohibited from advertising on other facades because those facades do not face a public right-of-way.
3. The property is more than two times the size of the next largest property in the FCBD. The subject property is 1.03 acres in size while the next largest property at 4951-5003 Fairview Avenue is only 0.49 acres in size.
4. The location of the building and the small sign could make the allowable sign difficult to read for southbound traffic. The difficulty in reading a smaller sign could cause passing vehicles to slow, interrupt traffic flow and create safety issues.

Mr. Popovich reiterated staff's findings that the Standards for Granting Variations as specified in the Zoning Ordinance have been met. He reviewed each of the nine standards as explained on pages 3-5 of staff's report dated May 23, 2012.

Mr. Domijan asked if staff looked at the existing pylon signage on the east side of Fairview. Mr. Popovich responded that the majority of signs in the FCBD are nonconforming signs and will eventually have to be removed. He said that the size of the subject property is part of the unique circumstances of this particular case. Tenants on the east side are mostly individual tenants with individual signage. There is adequate space to provide adequate signage and remain within the requirements of the Sign Ordinance.

Mr. Domijan inquired if they were discounting the legal right-of-way on the west side of the property coming from Maple Avenue. Mr. Popovich said that the property in question does not front the right-of-way due to an adjacent parcel having frontage on Maple Avenue. The access driveway from Maple Avenue is not a right-of-way but an easement granted to the property owner.

APPROVED 6/27/12

Chair Pro Tem Majauskas asked why this particular area is more restrictive than the surrounding area. Mr. Popovich responded that the intent related to buildings against the property line, so this area is viewed similar to the downtown area and has to meet the same signage requirements as the downtown area. The Sign Ordinance did not take into account the unique situation of the FCBD. He reviewed the properties in the district, and explained again that the Sign Ordinance only covers a portion of the overall Fairview Avenue area.

Mr. Jeff O'Brien said that the reason for the special designation of the FCBD was likely to provide setback relief. He noted that the B-1 and B-2 Zoning Districts do not allow buildings constructed right up to the front property line. He said the legal description for the FCBD did not capture all of the properties that practically function as part of the business district, such as those north of Maple. Some of the businesses south of the railroad tracks have started changing their signage to conform to the Sign Ordinance.

Chair Pro Tem Majauskas then asked why seven tenants cannot have wall signs. Mr. Popovich explained that it has to do with the lack of frontage for the internal tenants. If a tenant's space faces a right-of-way they can have a wall sign on the facade. However, if there is no tenant frontage they cannot have a wall sign. Based on the frontage rules, the internal tenants are unable to advertise using wall signage.

In response to Mr. Domijan, Mr. Popovich said that this FCBD is not a TIF District.

Chair Pro Tem Majauskas noted that there were no people in the audience to provide testimony in support of or in opposition to the petition.

Mr. Johnson then noted with regard to lowering the height of the sign, there are three parking spaces on the north side of the sign, and they face Fairview Avenue. If the sign was lowered, any car parking in those spaces would obscure the bottom portion of the sign.

Mr. Domijan asked if the lights on the sign are on 24 hours a day, or dawn to dusk. Mr. Johnson said there are two separate controllers. The parking lights are on from dusk to dawn, however the sign goes off at midnight.

There being no further questions, Chair Pro Tem Majauskas closed the opportunity for further public comment.

Board's Deliberation:

Mr. Isacson said he thought this variation was in the spirit of what they are trying to do to assist businesses.

Mr. Domijan said initially he was hesitant because it runs so contrary to the Sign Ordinance; however, upon examination of the circumstances, he would approve this request. He thinks that an amendment to the Sign Ordinance would address this district in a different fashion.

Chair Pro Tem Majauskas said she didn't think it was fair that this area had such restrictions placed on it, while surrounding businesses were able to have more signage.

APPROVED 6/27/12

Mr. Isacson made a motion that the Zoning Board of Appeals approve the variation in case ZBA 03-12 as presented, subject to the condition stated on page 5 of staff's report dated May 23, 2012. Ms. Souter seconded the Motion.

AYES: Mr. Isacson, Ms. Souter, Mr. Domijan, Ch. Majauskas

NAYS: None

The Motion passed unanimously.

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Mr. O'Brien said that staff has received a variation petition for the June meeting. He reminded the Board again about the Open Meetings Act training.

There being no further business, Chair Pro Tem Majauskas adjourned the meeting at 8:15 PM.

Respectfully submitted,

Tonie Harrington
Recording Secretary