

MINUTES OF THE REGULAR MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, SEPTEMBER 2, 2009, AT THE VILLAGE HALL, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

Chairman Kopp called the meeting to order at the hour of 7:30 p.m.

2. ROLL CALL

Those present at roll call were Commissioners James Baker, Robert DelSarto, Joseph Heery, William Remkus, James Soukup, Vice-Chairman Wagner and Chairman Kopp. Also present were Acting Village Administrator Ed Konstanty, Planner Sara Hage and Secretary Joanne Prible. ABSENT: None.

3. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes – Regular Meeting May 6, 2009 (APPROVE)
- c. Minutes – Village Board Meetings – April 27, May 11, May 20 (Joint Workshop), May 26, June 8, June 22, July 13, July 27, August 10, 2009 (RECEIVE)

MOTION: Made by Commissioner Heery, seconded by Commissioner Soukup, to approve the Omnibus Vote Agenda.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

4. PLAN COMMISSION CONSIDERATION – Zoning Hearing Case 09-02: Vis-O-Graphics, Rezoning – 7904 Joliet Road

Public Hearing

Chairman Kopp opened the Public Hearing for Zoning Hearing case 09-02, convened for the purpose of considering a request for rezoning of a parcel of land located at 7904 Joliet Road in Willowbrook. The applicant is Robert M. Dahlke on behalf of the Robert V. & Mary J. Dahlke Trust. Specifically, the applicants are seeking rezoning of the parcel at 7904 Joliet Road from the R-1 District to the M-1 Light Manufacturing District.

Notice of the public hearing on the matter to be considered was published in *The Doings* on August 13, 2009. A copy of the certificate of publication shall be made a part of this hearing record as Village Exhibit “A”.

Chairman Kopp asked the Plan Commission to consider Rules of Procedure and asked for a motion to adopt the rules.

MOTION: Made by Commissioner DelSarto, seconded by Commissioner Soukup, to adopt the Rules of Procedure.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

Chairman Kopp asked is staff ready to present the case.

Planner Hage stated this is a request to rezone the Vis-O-Graphics property to the M-1 district. In 2007 the Village forcibly annexed the majority of the unincorporated properties in the immediate area with the exception being the House of Trucks which voluntarily annexed and requested rezoning of their property to the B-4 district. With the forced annexation, Vis-O-Graphics was zoned R-1. The Dahlke's have been using the building to continue their printing business and have been pursuing sales opportunities. However, all the potential purchasers and uses that were appropriate for the location would not comply with the residential district classification. Aspen Auto Body is interested in purchasing the property from the Dahlke's.

Chairman Kopp asked is there a representative of the applicant.

Bob Dahlke stated that his family is the owner of Vis-O-Graphic. He said they would like to get the zoning changed in case they sell the property.

Chairman Kopp asked if any of the Plan Commissioners have any comments.

Planner Hage commented that the property, even with rezoning, will be a legal nonconforming use. In other words, the existing business can continue to operate and any new business that complies with the M-1 district regulations could also operate. If they want to make structural changes, tear down the building or add on they would have to comply with the zoning code and most likely need variances. Planner Hage added that to continue using the structure as is for their print shop, or to bring in a new type of use, the structure is still considered legal nonconforming.

Commissioner Baker asked what forcibly annexed means.

Planner Hage stated that generally when there is a forced annexation the Village exerts their zoning authority so that the Village will control roads and how they are improved. Also, we are able to provide utility service and in some cases get tax proceeds.

Commissioner Wagner asked is it the intent to rezone these parcels to M-1.

Planner Hage said yes that is what the comprehensive plan calls for.

Commissioner Remkus asked about the alley on the plan.

Planner Hage answered that the alley was created a long time ago and a portion of the alley was vacated. What is on the map is the remaining lower half.

Commissioner DelSarto asked if this body shop wants to go to another location can another body shop move in.

Planner Hage answered yes another body shop could move in.

Chairman Kopp said at this point we will hear statements or testimony from persons in the audience.

Chairman Kopp stated the Plan Commission will discuss and consider our recommendation during the course of tonight's regular meeting. That part of the meeting is not a public hearing and no additional statements or testimony will be permitted once the public hearing is closed.

Chairman Kopp asked for a motion to close the Public Hearing.

MOTION: Made by Commissioner Remkus, seconded by Commissioner Heery, to close the Public Hearing.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

Chairman Kopp asked for a motion to approve.

MOTION: Made by Commissioner Remkus, seconded by Commissioner DelSarto, to recommend to the President and Village Board approval of the request to rezone to the M-1 District the property located at 7904 Joliet Road as submitted on behalf of the Robert V. and Mary J. Dahlke Trust in an application received on July 21, 2009.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

5. DISCUSSION – Willowbrook Sign Regulations

Planner Hage stated that the packets provided have information from the sign regulation joint workshop. Planner Hage said before we start with the discussion, she wanted to share information about a handout that was provided by Ms. Henley of Antares Institute of Woodland Office Park and the tenants' request for additional signage.

Ms. Henley of the Woodland Office Park stated some issues from the tenants of the Park. She stated that she is coming to the village for assistance with these operational issues. She stated that the tenants' clients are unable to find them with current the signage. They feel that the current sign and location is inadequate. New clients continually miss the address and because of this are late for their appointment. Clients are unaware of their location and therefore cancel their appointments. This results in a financial impact on their business.

Chairman Kopp stated that the Commission did have a meeting with the Trustees who are aware that the signage ordinance needs to be updated. The discussion is not to reduce signage but to increase signage because many retailers and other businesses have delivered that message. He stated that is why the Village is starting this process to increase the available signage. Chairman Kopp said that when they get a recommendation to amend the ordinance they will then have a public meeting and Ms. Henley would be able to participate. He added that the Plan Commission will make a recommendation to the Trustees and the Trustees will vote on the recommendation. The practice of the Trustees is to allow the public to speak on matters before them. The ultimate decision makers are the Trustees.

Ms. Henley asked Chairman Kopp what is the line of communication for her and her colleagues as the Plan Commission moves forward with making a recommendation to the Board,

Chairman Kopp stated that this is going to be a long process. They are looking at the sign ordinance for the entire Village and the process will take several months.

Planner Hage told Ms. Henley that she is welcome to bring her concerns to staff and they would be shared with the Plan Commission. Likewise, staff is happy to share with her what has been drafted thus far. She further stated that this is a starting point for discussion and judging from the information Ms. Henley has provided, it appears there is a close match.

Commissioner Remkus added that the information provided from Ms. Henley is important feedback because the Commission will take a look at specifics. He added any information from their clients is very helpful.

Planner Hage stated that the items in the packet included the minutes from the last workshop and a copy of the Power Point presentation and summary of the issues that were raised at the joint workshop. One of the items that was raised during the workshop was the issue of sandwich board signs which falls under temporary signage. The issue is whether or not the Plan Commission supports those signs, and if you do, do you want to include a sunset clause or a specific expiration date. Staff is looking for you to provide direction.

Commissioner Remkus said that the sandwich boards should have a limit on the hours and the length of time they can be displayed.

Planner Hage stated that staff is suggesting that the sandwich boards become a permanent part of the landscape so they could be out 52 weeks a year. There are parameters (included in the suggested code language) such as hours of use, size and location. For example, to have a sandwich board you must be a retailer in a retail district and there must be a front door or a service window in close proximity to the sandwich board.

Chairman Kopp asked about the rationale for limiting the time or the duration of a sandwich board.

Planner Hage stated that there is no limit on the duration but there is one for the hours of display for security reasons such as when it is dark and the shopping centers are closed.

Chairman Kopp asked the Commission if anyone is opposed to the sandwich boards.

Planner Hage explained that an example of use is Whole Foods. They are a prime user of items like this to advertise their upcoming events, sales and items they are featuring. Dominick's is supportive of this. For example, standing in front of Dominick's and looking towards Ace Hardware it is a blank run (of façade). There is no way of knowing what each individual business has to offer. Planner Hage added that staff is looking at ways to help every business bring in more foot traffic. A lot of our businesses are restaurants and sandwich boards are a big deal for restaurants because they can advertise specials.

Commissioner DeSarto said that he thinks the sandwich boards add clutter to the shopping center and that someone will have to regulate and inspect the boards. Commissioner DeSarto added that he does not think that sandwich boards will bring in business.

Commissioner Remkus said that he thinks the sandwich boards are a tool to give to the businesses. The sandwich boards are effective ways of advertising and can be eye catching and informative to customers.

Planner Hage added that every piece of advertising is an investment to a business.

Chairman Kopp added that the landlord will have to give permission for the sandwich board. We want to give the retailer the best opportunity to thrive. He added that he is in favor of the sandwich boards.

Commissioner Baker added that he thinks it is not the sign itself that brings in the foot traffic, the newspaper has sales (flyers) that bring in customers.

Planner Hage said that the comments from Regency Centers are that their major need is foot traffic generation. They told the Village that their demographic for that shopping center is not a destination center, it is convenience and neighborhood services. The businesses feed off of each other.

Commissioner Remkus said that the sandwich board signs will bring in more traffic. It creates people moving around. He feels the signs do not take up a large area and they are not a hindrance to foot traffic. The stores want them to bring in more traffic. Commissioner Remkus added that as long as the size is monitored, this would do all the businesses a favor and encourage them to advertise in the center.

Vice-Chairman Wagner said that he thinks they are more clutter. If the Village is going to do this, there should be real uniformity to this and regulate the maximum size.

Chairman Kopp and Vice-Chairman Wagner and Commissioner Remkus stated that they are not in favor of a "sunset clause".

Vice-Chairman Wagner suggested looking to the marketplace and seeing what is available.

Planner Hage said that she would be happy to look for inventory available. Staff can also go out and photograph examples in other communities.

Commissioner Remkus stated that he would like one sandwich board sign per entrance way not including handicapped entrances.

Vice-Chairman Wagner stated that it should be more general with "x" amount of square feet, two sided and a maximum height requirement for all sandwich boards.

Chairman and Commissioners all agreed.

Planner Hage stated that the next item is window signs. During the workshop the issue of illuminated window signs came up. Information was presented in the meeting packet on the number of businesses in town that currently have these signs that are illegal but staff felt should remain and be allowed with some parameters. Planner Hage noted that the direction she received at the workshop was to develop an inventory of window signs in the Village. She also researched commercially available window signs and what their specifications are. The question that came up at the workshop is whether the Village would like to allow for illuminated window signs to be larger or smaller than four square feet.

Commissioner Remkus said that he thinks they are good for business but we should limit the size of them and keep them from flashing.

Vice-Chairman Wagner asked how the signs are measured.

Planner Hage responded that a “bounding box” around the entire sign is used to measure the area.

Vice-Chairman Wagner said that the signs that read open or closed, whether it is permitted or not, seems to be a standard of the industry. He added that when the Plan Commission approved Portillo’s, it made it difficult to tell other store owners that they cannot have neon in their window.

Commissioner Remkus added that he does not find the neon offensive as long as it is not flashing or overly bright. But it should be limited to a certain amount of square footage and would include an open sign. He added that we should make it reasonable and restrict the size of the sign so it cannot take up the whole window.

Chairman Kopp added that he does not mind the neon signs.

Commissioner DelSarto asked what the problem would be with an illuminated sign that is a maximum four square feet and reduce that from the 40 percent that was allowed in the window.

Planner Hage stated that she wanted to confirm the Commission’s position and asked if they were advocating that there be no limit on the illumination square footage as long as it counts against the 40 percent allowed.

Commission Remkus said, no, there needs to be a limit on the illumination.

Commissioner DelSarto asked if I have a store with three windows can I put an illuminated sign in each window.

Planner Hage said what was suggested is one per business.

Vice-Chairman Wagner proposed a square footage limit on illuminated signs and that the illuminated sign is included within the allowable window signage in a store front. He added the window signage is limited to 40% of the total window.

Planner Hage confirmed that he suggested no more than four square feet within the 40%.

Vice-Chairman Wagner added the signs should not flash or change.

Chairman Kopp said that the Commissioners are all in agreement with that and that the sign should count against the 40%. He asked if anyone felt that four square feet is too small.

Commissioner DelSarto said that four square feet is adequate and generous.

Commissioner Remkus said he is not sure about that and added that he would like a little more input on the signs. Commissioner Remkus asked how big the Jimmy John's sign is and how big is the Quiznos, stating that those signs do not look overly offensive. A neon sign is more offensive than a backlit sign.

Chairman Kopp said that he does not see how we can tell store owners that they cannot have neon when we allowed Portillo's to have neon.

Vice-Chairman Wagner said if it is four square feet and anything over they would need a variation approval.

Commissioner Remkus asked for more feedback on the backlit signs versus the neon.

Planner Hage answered that she would research that and get back to the Commissioners.

Planner Hage moved the discussion on to leasing signs. She stated that currently we have a (vacancy) threshold for leasing signs and it is 10%. At the last meeting we suggested increasing the allowance for leasing sign area but keeping a 10% (vacancy) threshold. Planner Hage asked the Commissioners if that threshold is appropriate and how they feel about the leasing signs.

Vice-Chairman Wagner said there is one in front of every shopping center and all we can do is limit the size. He thinks that 32 square feet is generous and (allow only) one sign per property.

Commissioners agreed that staff should not require a monument sign to include permanent owner/agent contact information for leasing purposes rather than a "For Lease" sign.

Chairman Kopp asked if anyone objects to the 10% vacancy rate.

Planner Hage said that from what is seen in the industry vacancy rate trends, the 10% threshold is a goal that we should strive towards (and which we are currently above).

Commissioners agreed 10% is a good ratio.

Chairman Kopp asked if there should be a length of time that a leasing sign can be posted.

Commissioners agreed that when the vacancy rate falls below 10% the sign should come down.

Planner Hage said at next month's meeting we will cover the ground signs and wall signs.

6. VISITOR'S BUSINESS

None.

7. COMMUNICATIONS

None.

8. ADJOURNMENT

MOTION: Made by Commissioner Baker, seconded by Commissioner DelSarto, to adjourn the regular meeting of the Plan Commission at the hour of 9:00 p.m.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

PRESENTED, READ AND APPROVED,

\_\_\_\_\_, 2009

Minutes transcribed by Joanne Prible.

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Chairman