



**DES PLAINES PLANNING AND ZONING BOARD MEETING**

**APRIL 12, 2016  
MINUTES**

The Des Plaines Planning and Zoning Board Meeting held its regularly-scheduled meeting on Tuesday, April 12, 2016, at 7 p.m. in Room 102 of the Des Plaines Civic Center.

**ZONING BOARD**

**PRESENT:** Catalano, Saletnik, Hofherr, Schell, Szabo

**ABSENT:** Green

**ALSO PRESENT:** Scott Mangum, AICP, Senior Planner/Community & Economic Development  
Lauren Pruss, Coordinator/Community & Economic Development  
Gale Cerabona/Recording Secretary

Chairman Szabo called the meeting to order at 7:04 p.m. and read this evening's cases. Roll call was conducted.

**APPROVAL OF MINUTES**

**A motion was made by Board Member Hofherr, seconded by Board Member Catalano, to approve the minutes of March 22, 2016, as presented.**

**AYES:** Hofherr, Catalano, Saletnik, Schell, Szabo

**NAYES:** None

**\*\*\*MOTION CARRIED UNANIMOUSLY\*\*\***

**PUBLIC COMMENT**

There were no comments.

**NEW BUSINESS**

1. **Addresses:** 395 Eighth Avenue

**Case Number: 16-010-SUB**

Petitioner is requesting a Tentative Plat of Subdivision for the Johler Farm Subdivision to create Two Lots of 41,015 square feet and 18,221 square feet (0.94 and 0.42 acres) in the R-1, Single-Family Residential Zoning District.

**PINs:** 09-07-412-002-0000, 09-07-424-038-0000, 09-07-203-003-0000

**Petitioner:** Robby Johler, 395 N Eighth Avenue, Des Plaines, IL 60018

**Owner:** Robby Johler, 395 N Eighth Avenue, Des Plaines, IL 60018

Chairman Szabo in Mr. Johler, 395 N Eighth Avenue, Des Plaines, IL 60018 who advised he purchased the property 2 ½ years ago with the intention of making a Tentative Plat Subdivision so that his brother and family can build a single-family home closer to their family.

Chairman Szabo asked if the Board has any questions.

Board Member Catalano asked if Petitioner is aware of the 9 Comments. Mr. Johler advised he is.

Board Member Hofherr asked:

- regarding Lot 2, if that is the lot that will be built on. Mr. Johler advised it is
- if there is a prospective buyer for the other lot. Mr. Johler stated he will maintain the current barn structure and not build at this time.

Chairman Szabo asked Staff to present the Staff Report.

**Issue:** The petitioner is requesting a Tentative Plat of Subdivision for the Johler Farm Subdivision to create Two Lots of 41,015 square feet and 18,221 square feet (0.94 and 0.42 acres) in the R-1, Single-Family Residential Zoning District.

**Analysis:**

#### **Tentative Plat Report**

<b>Petitioner</b>	Robby Johler, 395 N Eighth Avenue, Des Plaines, IL 60016
<b>Owner</b>	Robby Johler, 395 N Eighth Avenue, Des Plaines, IL 60016
<b>PIN</b>	09-07-424-038-0000
<b>Name of Subdivision</b>	Johler Farm Subdivision
<b>Project Description</b>	The applicant proposes a Two Lot Subdivision to create lots of 41,015 square feet and 18,221 square feet (0.94 and 0.42 acres).
<b>Existing Zoning</b>	R-1, Single-Family Residential
<b>Existing Land Use</b>	Manufacturing
<b>Surrounding Zoning</b>	North: R-1, Single-Family Residential South: R-1, Single-Family Residential East: R-1, Single-Family Residential West: R-1, Single-Family Residential
<b>Surrounding Land Use</b>	North: Single-Family Residential South: Single-Family Residential East: Single-Family Residential

West: Single-Family Residential

**Street Classification** Rand Road is a four lane arterial street as identified in the Comprehensive Plan, while Meadow Drive and Eighth Avenue are local streets.

**Comprehensive Plan** Single-Family Residential is the recommended use of the property.

**Total Acreage** 59,236 square feet (1.36 acres)

### **General Information**

**Lot Descriptions and Construction Plans:** This property has been a part of the original Moehling Farm which was last subdivided into 59 lots for a single-family residential development in 1997. The current proposal would not affect the parcel to the northwest where the original farmhouse and outbuilding are located, but would divide the existing lot that contains the barn (proposed Lot 1) from the portion of the lot that fronts on the Meadow Drive cul-de-sac (proposed Lot 2). The applicant proposes to construct a single-family residence on the 18,220 square-foot Lot 2 with driveway access from Meadow Drive. The demolition of an out-building is proposed on Lot 1, while the barn would remain. Both lots would exceed the minimum lot width (55-feet) and size (6,875 square feet) requirements of the R-1 Zoning District. Lot 2 would have street frontage on Meadow Drive, while Lot 1 fronts on both Rand Road and Eighth Avenue.

### **Tentative Plat Comments**

*The petitioner must make the following additions/corrections to the original copy of the plat:*

1. The Final Plat must include the correct utility easement provisions and have signatures from all public service utility companies;
2. The Final Plat must contain owner name and the signed and notarized owner certificate(s);
3. The Final Plat must include Certificates from the Planning and Zoning Board, Finance Director, Director of Public Works and Engineering, and Director of Community and Economic Development;
4. The Final Plat must state: "Send Tax Bill To: (Insert the name and address of the person(s) who will be paying the property taxes after the subdivision is recorded)."
5. The Final Plat must state: "Return Plat To: City of Des Plaines, Department of Community and Economic Development, 1420 Miner Street, Des Plaines, IL 60016."
6. The Final Plat must list the correct PIN
7. Address Engineering comments (Attachment 4) to the satisfaction of the Director of Public Works and Engineering and the City's General Counsel.
8. Zoning variations would be required for the number and size of Accessory Structures shown on the Site Improvement plans.
9. It appears that the "Meadow Drive" is the legal name of the street, as opposed to "Meadow Court" shown on the Plat. Please correct and/or verify.

### **Staff Recommendations**

- The Departments of Community and Economic Development, Fire, and Public Works and Engineering recommend approval of the Tentative Plat subject to the Comments in this memo and in Attachment 4.

### **Planning and Zoning Board Procedure**

The Planning and Zoning Board may vote to grant or deny approval of the Tentative Plat.

Chairman Szabo asked if the Board has further questions. There were none. He asked if anyone in the audience is in favor or opposed to this proposal. No one responded.

Chairman Szabo asked if there have been any inquiries from the neighbors. Mr. Johler advised he has made the known neighbors aware, and there are no objections at this time.

**A motion was made by Board Member Hofherr, seconded by Board Member Schell, to approve and that this petition be moved to the next step along with the 9 Comments that are recommended.**

AYES: Hofherr, Schell, Catalano, Saletnik, Szabo

NAYES: None

**\*\*\*MOTION CARRIED UNANIMOUSLY\*\*\***

2. **Addresses:** 275 Thacker Street

**Case Number: 16-011- CU**

Petitioner is requesting a Conditional Use Permit under Section 12-7-3-D.3 of the 1998 Des Plaines Zoning Ordinance, as amended, to establish a Child Care Center in the C-1 Zoning District.

**PIN:** 09-19-104-025-0000

**Petitioner:** Krystyna Wzorek, 3220 N. Neva Avenue, Chicago, IL 60016

**Owner:** Darryl Schellin, 1213 S. Linneman Road, Mount Prospect, IL 60056

Chairman Szabo swore in Krystyna Wzorek, 3220 N. Neva Avenue, Chicago, IL 60016 along with her daughter, Sylvia Sokol and husband, Krzysztof Sokol.

Mrs. Wzorek advised she is a teacher and briefly provided her background. She stated she opened a Home Day Care in 2001 for 8 children and then licensed it for 16 children. Mrs. Wzorek shared the children will learn arts, crafts, etc. She stated to grow the business, Des Plaines became a suitable location. Mrs. Wzorek thanked the Board and seeks approval tonight.

Chairman Szabo asked if the Board has any questions.

Board Member Hofherr asked, regarding drop-off and pick-up times, if they will be the same or staggered. Mrs. Sokol advised it is based on the parents' schedules.

Chairman Szabo asked:

- if food will be prepared in the kitchen. Mr. Sokol advised it would
- how many staff members there will be. Mr. Sokol stated 4-5 staff members

Board Member Hofherr asked Staff, regarding the play area on the East side, how high the fence will be as it faces the railroad tracks. Mr. Mangum advised there is a requirement for a fence around the play area. He noted a fence around the eastern property line could be 8 ft. high.

Board Member Schell clarified that the property line does not require a fence. Mr. Mangum concurred.

Board Member Catalano asked:

- what would happen if a parent doesn't show up to pick up their child. Mr. Mangum advised the Ordinance limits the normal hours of operation to 7:00 p.m., but the hours could be extended if an extenuating circumstance arises
- if Petitioner is aware of the 5 Conditions. Mr. Sokol advised they are

Chairman Szabo asked what kind of security measures there are for the front door. Mr. Sokol advised there are security cameras, locked doors, and a staffed front desk with a buzzer to allow patrons to enter. He noted the glass front will remain. Chairman Szabo suggested a panic button be installed at the front desk.

Chairman Szabo asked Staff to provide the Staff Report.

**Issue:** The petitioner is requesting a Conditional Use Permit under Section 12-7-3-D.3 of the 1998 Des Plaines Zoning Ordinance, as amended, to establish a Child Care Center in the C-1 Zoning District.

**Analysis:**

<b>Proposed Use</b>	Class B Restaurant with accessory Drive-Through Facility
<b>Petitioner</b>	Krystyna Wzorek, 3220 N. Neva Avenue, Chicago, IL 60634
<b>Owner</b>	Darryl Schellin, 1213 S. Linneman Road, Mount Prospect, IL 60056
<b>PIN</b>	09-19-104-025-0000
<b>Plan of Operation</b>	The proposed Child Care Center would offer child care services within an approximately 2,400 square foot facility with a capacity for 50 children. Five staff members would be employed and the business hours would be from 6:00 A.M. to 7:00 P.M Monday through Friday.
<b>Existing Use</b>	Vacant Building
<b>Surrounding Land Use</b>	North: Single-Family Residential

East: Railroad/Open Space  
South: Single-Family Residential  
West: Single-Family Residential

**Existing Zoning** C-1, Neighborhood Shopping Commercial

**Surrounding Zoning** North: R-1, Single-Family Residential  
East: Railroad/I-1, Institutional  
South: R-1, Single-Family Residential  
West: R-1, Single-Family Residential

**Street Classification** This portion of Thacker Street is identified as a collector street according to the City's Comprehensive Plan. Warrington Road is identified as a local street.

**Comprehensive Plan** The Comprehensive Plan recommends a Single-Family Residential use for this site.

In reviewing the variation requests, staff has considered the following information:

Krystyna Wzorek has requested a Conditional Use Permit to operate a Child Care Center within an approximately 2,400 square-foot vacant building in the C-1 Zoning District. The approximately 23,300 square foot lot has frontage on Thacker Street (213 feet), and Warrington Road (72 feet). The 16-space parking lot is currently accessed by curb cuts off of both Thacker Street and Warrington Road.

Four classroom areas totaling approximately 1,450 square feet are proposed, in addition to a kitchen, restrooms, storage, and office. The proposed plan of operation would allow a maximum of 50 children and 5 employees, however, based on the size of the classrooms and requirement for 35 square feet of indoor activity area per child, approximately 41 children would be allowed. Based on the parking requirements in the Zoning Ordinance of 1 space per 15 children and one space per employee, 8 parking spaces are required. The applicant proposes to use the spaces furthest from the building entrance for employee parking, leaving the remainder of the spaces for drop-off and pick-up. A 3,150 square foot outdoor play area is proposed adjacent to the rear of the building.

A request to waive the traffic study requirement was granted after review by the City's Engineering Division. Engineering comments and a parking lot layout/improvement plan have been incorporated into the recommended conditions of approval to improve site circulation and reduce potential vehicular and pedestrian conflicts.

**Conditional Use Findings:** As required by Section 12-3-4.E (Standards for Conditional Uses) of the Zoning Ordinance, the proposed development is reviewed below:

**1. The proposed Conditional Use is in fact a Conditional Use established within the specific Zoning district involved:**

*Comment:* A Child Care Center is a Conditional Use in C-3, General Commercial Zoning District, as specified in Section 12-7-3.D.3 of the 1998 City of Des Plaines Zoning Ordinance, as amended.

**2. The proposed Conditional Use is in accordance with the objectives of the City's Comprehensive Plan:**

*Comment:* The 2007 Comprehensive Plan recommends a Single-Family Residential use for the site, however, the property is currently zoned commercial and improved with a commercial building.

**3. The proposed Conditional Use is designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity:**

*Comment:* The proposed Child Care Center would be located within an existing structure. No significant exterior alterations are proposed to the structure. An outdoor playground is proposed at the rear of the building and recommended conditions of approval would reconfigure the parking lot layout.

**4. The proposed Conditional Use is not hazardous or disturbing to existing neighboring uses:**

*Comment:* With proposed conditions of approval relating to lighting, noise, parking lot configuration, and hours of operation, none of the functions of the Child Care Center are anticipated to be hazardous or disturbing to the surrounding neighborhood.

**5. The proposed Conditional Use is to be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or, agencies responsible for establishing the Conditional Use shall provide adequately any such services:**

*Comment:* After reviewing the petitioner's plans, the proposed Conditional Use would be served adequately by essential public facilities and it would not overburden existing public services.

**6. The proposed Conditional Use does not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic well-being of the entire community:**

*Comment:* The proposed Conditional Use would appear to have adequate public facilities; it would not create a burden on public facilities nor would it be a detriment to the economic well-being of the community.

**7. The proposed Conditional Use does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors:**

*Comment:* With proposed conditions of approval relating to lighting, noise, parking lot configuration, and hours of operation, the proposed Child Care Center is not anticipated to create additional traffic, noise, or odors that could be detrimental to surrounding land uses.

**8. The proposed Conditional Use provides vehicular access to the property designed so that it does not create an interference with traffic on surrounding public thoroughfares:**

*Comment:* As recommended the proposed project would utilize the existing curb cut on Warrington Road for access. The Cook County Highway Department has jurisdiction over the adjacent section of Thacker Street. Based on an evaluation of the existing conditions and plans provided, staff has recommended a condition of approval to close direct access from Thacker Street to better improve internal circulation and reduce potential conflicts between the intersection at Thacker and Warrington with the curb cut on Thacker.

**9. The proposed Conditional Use does not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance:**

*Comment:* No exterior building alterations are proposed. The proposed plan would not add impervious surface, nor cause the destruction, loss, or damage of any natural, scenic or historic features of major importance.

**10. The proposed Conditional Use complies with all additional regulations in the Zoning Ordinance specific to the Conditional Use requested:**

*Comment:* The following regulations are specific to Child Care Centers:

**12-8-7 Child Care Centers.**

**12-8-7.A** - *Child care centers shall in no case may the lot size or required frontage be less than that required by the zoning district in which the facility is to be located.*

There are no frontage or minimum lot size requirements in the C-1 Zoning District.

**12-8-7.B** *Front, rear, and side yard setbacks shall be the same as for other uses permitted in the district. Additionally, no equipment may be affixed to the land within such side yards.*

The existing building and proposed play equipment shall comply with the C-1 setbacks.

**12-8-7.C** *There shall be a minimum of 35 square feet of indoor activity area per child within the structure. Areas for administrative use, bathrooms, hallways, storage and kitchen areas, shall not be counted in calculating this requirement.*

The four proposed classroom spaces, of approximately 1,450 square feet, would only accommodate approximately 41 children based on the requirement of 35 square feet per child.

*12-8-7.D There shall be a minimum of 75 square feet of outdoor activity area per child that could be expected to be outdoors at any one time. Such activity area or portions thereof shall be enclosed by a fence meeting all the requirements of Title 6, Chapter 7 of the City Code. Up to twenty-five percent of this requirement may be waived by the Zoning Board of Appeals upon a finding that:*

- 1. A park or similar permanent open space, suitable for supervised outdoor play, is located within 500 feet of the proposed facility;*
- 2. The park or similar permanent open space, suitable for supervised outdoor play, is one (1) acre (43,560 square feet) or larger; and*
- 3. The park or similar permanent open space, suitable for supervised outdoor play, is accessible from the proposed day care/child care facility location without crossing any street.*

A 3,150 square foot outdoor play area is proposed adjacent to the rear of the building, which would accommodate up to 42 children at a time, although the applicant states that the outdoor activity time would be staggered. A condition of approval limits the number of children that can be in the outdoor play area at any one time to not more than one child per 75 square feet.

*12-8-7.E Hours of normal operation shall be limited to 6:00 A.M. to 7:00 P.M.*

Proposed hours of operation are 6:00 A.M. to 7:00 P.M.

**Recommendation:** The Community Development Department recommends approval of the Conditional Use Permit for the establishment of a Child Care Center, based on review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4.E (Standards for Conditional Uses) of the City of Des Plaines Zoning Ordinance, subject to conditions of approval:

1. Prior to issuance of the Conditional Use Permit, the applicant shall submit a photometric plan in compliance with Sections 12-9-6.G and 12-12-10 of the Zoning Ordinance.
2. Prior to issuance of the Conditional Use Permit, the applicant shall submit a site and pavement marking plan to the satisfaction of the Directors of Public Works and Engineering and Community and Economic Development. The plan shall depict parking lot and site improvements including removal of the curb-cut on Thacker Street and restoration of the parkway, pavement markings to reinforce the one-way counter-clockwise circulation pattern, a walkway from the public sidewalk along Thacker, and the location and size of the fenced outdoor activity area.
3. The outdoor activity area shall be fenced and be limited to not more than one child per 75 square feet of outdoor play area at any one time. The indoor activity areas shall be limited to not more than one child per 35 square feet.
4. Hours of operation shall be limited to 6:00 a.m. to 7:00 p.m.
5. Use of outdoor activity area shall be limited from 9:00 a.m. to 7:00 p.m.

The proposed use is a reuse of the site and an evaluation of the proposed plans and existing traffic conditions indicates that it will not introduce any new adverse impacts with recommended conditions of approval.

**Planning and Zoning Board Procedure:** Under Sections 12-3-4.D (Conditional Uses) of the Zoning Ordinance the Planning and Zoning Board has the authority to recommend that the City Council approve,

approve subject to conditions, or deny the above-mentioned Conditional Use Permit for the establishment of a Child Care Center in the C-1 zoning district. The City Council has the final authority on the project.

Chairman Szabo asked if anyone in the audience is in favor or opposed to this proposal. No one responded.

Board Member Saletnik asked if Petitioner will be doing any building improvements. He also shared that he is glad to see the Petitioner moving into the building. Mr. Sokol advised there will be 3 bathrooms, an open floor plan, roof repair, new air conditioning units among other improvements.

Chairman Szabo asked if the building has fire sprinklers. Mr. Sokol advised it does not.

**A motion was made by Board Member Saletnik, seconded by Board Member Catalano, to recommend to City Council that the Conditional Use Permit be granted along with 5 Conditions as recommended by Staff.**

AYES: Saletnik, Catalano, Hofherr, Schell, Szabo

NAYES: None

**\*\*\*MOTION CARRIED UNANIMOUSLY\*\*\***

Chairman Szabo advised Petitioner a recommendation will be submitted to City Council.

3. **Addresses:** Citywide

**Case Number: 16-013-TA**

City initiated Text Amendments are proposed to the Commercial and Manufacturing Districts Use Matrixes (Tables 12-7-3.K) to amend the conditional use regulations for Drive-through Facilities, to amend the bond requirements for sign permits (Section 12-11-3), to amend the sign regulations for wall signs, canopies, and awnings (Section 12-11-6), and to amend the Definitions for awnings and canopies (Section 12-13-3), of Title 12 of the Des Plaines City Code (the City of Des Plaines 1998 Zoning Ordinance, as amended).

**Petitioner:** City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60016

Lauren Pruss, Coordinator/Community & Economic Development for the City advised she will read the PowerPoint presentation noting signage is key for businesses and will provide the Staff Report. She stated a flexible sign code is desired. The current code has restrictions and is burdensome to applicants. Ms. Pruss advised of the proposed changes. She noted signage will be allocated per building size which may be distributed via signage and awnings. Specifics were provided. Ms. Pruss stated there will be no internally-illuminated canopy signs permitted. Proposed signage on canopies was shared. She referenced a canopy needs to be supported from the ground up where an awning does not. Wall sign proposed text was identified. Sign examples were illustrated.

**Issue:** City initiated Text Amendments are proposed to the Commercial and Manufacturing Districts Use Matrixes (Tables 12-7-3.K) to amend the conditional use regulations for Drive-through Facilities, to amend the bond requirements for sign permits (Section 12-11-3), to amend the sign regulations for wall signs, canopies, and awnings (Sections 12-11-4 and 12-11-6), and to amend the Definitions for awnings and

canopies (Section 12-13-3), of Title 12 of the Des Plaines City Code (the City of Des Plaines 1998 Zoning Ordinance, as amended,).

**Analysis:**

**General Information**

<b>Petitioner</b>	City of Des Plaines, Community and Economic Development Department 1420 Miner Street, Des Plaines, IL 60016
<b>Address</b>	Citywide
<b>Case Number</b>	15-068-TA

**Background Information**

In addition to the standard zoning and business registration requirements, the City's sign regulations have the most impact on our business community. Businesses often find themselves caught between the City's sign regulations, and brand requirements passed down from corporate offices. Although the City has procedures in place to provide relief when there is conflict, these processes take anywhere from two to three months, adding significant time and expense to opening day. In the City's ongoing effort to streamline the approval process for our business community, City staff propose to amend the sign regulations encompassing wall, canopy and awning signs. These amendments will provide greater flexibility in allocating allowable signage on all facades of the building as well as on awnings and canopies. We also propose a housekeeping amendment to remove the antiquated bond requirements for sign permits.

Additionally, in 2015, the City's Economic Development Commission recommended that the City consider amendments to the regulations for drive-through facilities. Where allowed, drive-through facilities are strictly regulated as a conditional use. Similar to the procedures for sign variances, this process also takes two to three months to complete, even for existing sites located within our commercial zones that are developed with drive-throughs. These restrictive requirements are a legacy of the beginnings of the fast food movement where drive through facilities were crammed into inappropriate sites. The resultant backlash was the high level of restriction we see today. The zoning ordinance now provides other mechanisms to ensure proper design for these uses, leaving noise and traffic impacts on adjacent uses as the main issues for consideration. In recognition of these issues, staff is proposing to make drive-through facilities a permitted use in the C-3 zone, except when adjacent to a residential use. Drive through facilities would continue to be a conditional use in the C-2, C04, and C-5 zones.

To properly evaluate the text amendment requests, the standards below, which are contained in Section 3.7-5 of the Zoning Ordinance, must be employed. Following is a discussion of those standards:

**A. Whether the proposed amendments are consistent with the goals, objectives and policies contained in the Comprehensive Plan:**

**Comment:** The City of Des Plaines Comprehensive Plan, adopted by the City Council in 2007, does not address these changes in detail.

**B. Whether the proposed amendments are compatible with the current conditions and the overall character of existing developments in the immediate area:**

**Comment:** These amendments will provide greater flexibility in allocating allowable signage on all facades of the building as well as on awnings and canopies while still regulating the maximum footage of allowable signage, ensuring that the future application of the code remains compatible with our commercial environments.

**C. Whether the amendments are appropriate considering the adequacy of public facilities and services available to the property:**

**Comment:** The proposed amendments are not anticipated to have a significant effect on public facilities or services.

**D. Whether the proposed amendments will have an adverse effect on the value of properties throughout the jurisdiction:**

**Comment:** The majority of the proposed amendments are not substantive in nature and should not have an adverse effect on the value of properties.

**E. Whether the proposed amendments reflects responsible standards for development and growth:**

**Comment:** The proposed amendments are part of an effort to streamline the approval process for new businesses locating to, and currently doing business in the City. These zoning text amendments do not appear to directly conflict with the City's Comprehensive Plan, the official policy guide to future land use, development, and conservation amendments would not appear to be in conflict with responsible standards for development and growth.

**Recommendation:** Based on the above analysis, the Community and Economic Development Department recommends approval of proposed text amendments.

**Plan Commission Procedure:** Under Section 3.7-4 of the Zoning Ordinance (Amendments) the Plan Commission may vote to *recommend* approval, approval with modifications, or disapproval. The City Council has the final authority on Amendments to the Zoning Ordinance.

Board Member Schell asked:

- what is wrong with Morton's sign size. Ms. Pruss advised it is more than 25%
- if background graphics are considered part of the sign. Ms. Pruss advised some are logos and some are graphic designs

Board Member Catalano stated, regarding awnings, they may not necessarily be load bearing. Ms. Pruss inquired if “non-load bearing” should be omitted from the awning language. She advised she will review same more thoroughly noting the definitions don’t differentiate.

Board Member Saletnik stated a canopy handles a roof drainage system. He noted an awning would not have a drainage system. It was noted a canopy is a horizontal structure component from a building. Ms. Pruss stated she would review same.

Chairman Szabo asked, regarding national chains, how they will be impacted. Ms. Pruss advised that’s why this is being proposed – to offer flexibility. She noted petitioner may still come before this Board to seek a variance.

Board Member Hofherr recommends getting feedback from national chains. Ms. Pruss stated this has been an ongoing review process. Being flexible helps the applicant when dealing with their corporate office.

Board Member Saletnik:

- agrees that this approach does need to be simplified with some tweaking
- stated he doesn’t know if load-bearing should be addressed
- asked that clarity be provided for an awning vs. a canopy
- suggests tweaking this revision before going before City Council

Board Member Catalano asked that Staff review and find better solutions to differentiate.

**A motion was made by Board Member Hofherr, seconded by Board Member Catalano, to recommend approval of the Text Amendment to City Council after revisions/differentiations are reviewed.**

AYES: Hofherr, Catalano, Saletnik, Schell, Szabo

NAYES: None

**\*\*\*MOTION CARRIED UNANIMOUSLY\*\*\***

**OLD BUSINESS**

There was no Old Business.

**ADJOURNMENT**

On a voice vote, Chairman Szabo adjourned the meeting at 8:07 p.m.

Sincerely,

Gale Cerabona  
Recording Secretary

cc: City Officials, Aldermen, Zoning Board of Appeals, Petitioners