

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS December 7, 2010

MINUTES

Approved at the February 15, 2011 meeting.

1. Call to Order, Roll Call and Establishment of a Quorum.

Chairman Jarolin called the meeting to order at 7:00 p.m. Roll call found Commissioners Lannes, Posadzy, Mireault, Warbiany, Van-der-Mey and Jarolin were present. Commissioner Boyer was absent.

Also in attendance was City Planner Jeff Harris.

2. Pledge of Allegiance.

Everyone in attendance participated in the Pledge of Allegiance.

3. Chairman's Comments.

The Chairman welcomed new Commissioner Lannes to the Plan Commission.

4. Minutes.

Commissioner Warbiany made a motion, seconded by Commissioner Van-der-Mey, to approve the minutes of October 5, 2010 as presented. Voting Aye: Commissioners Jarolin, Posadzy, Warbiany, Van-der-Mey and Mireault. Voting Nay: None. Commissioner Lannes abstained. Motion carried.

5. Public Hearing Case PC 10-17, Text Amendment

The applicant formally withdrew their petition so this case will not be considered.

6. Review of Case PC 10-17, Text Amendment

No review was conducted because the applicant formally withdrew their petition.

7. Public Hearing Case PC 10-18, Text Amendment

Mr. Harris provided an overview on the text amendment request. The City of West Chicago is proposing text amendments to the Zoning Code Regulations regarding political signs and commercial storefront window coverings. The State of Illinois recently adopted new regulations

regarding political signs and the City is proposing an amendment to its own political sign regulations to be consistent with the new State regulations. The City is also proposing to add regulations regarding window coverings for storefronts in non-residential zoning districts.

The following struck through text is proposed to be deleted from the existing political sign regulations outlined below.

12.3 Exempt signs.

(L) Political campaign signs announcing candidates, seeking public office and/or political issues and other pertinent information. Such signs shall be confined to private property. Political campaign signs in residential districts shall not exceed sixteen (16) square feet in area, except for properties having frontage along Neltor Boulevard (IL Route 59), North Avenue (IL Route 64), or Roosevelt Road (IL Route 38), in which case such signs shall not exceed thirty-two (32) square feet. ~~Political campaign signs shall be removed within seven (7) days after the election to which they pertain.~~

The State's new regulations regarding political signs state that a municipality cannot prohibit the outdoor display of political signs during any period of time. In order to be in full compliance with the State's new regulations the City must make a simple amendment to the existing sign regulations by deleting the current language that requires said signs to be removed within seven days after the election. All other aspects of the City's current political sign regulations are in compliance with the State's regulations for such signage.

The following bold face text is new text proposed to be added to the existing Appearance Code regulations outlined below:

Section 7.13

(J) Maintenance and upkeep

(2) Particular site considerations

b. Buildings and appurtenances

5. Window coverings such as blinds, curtains and tinting may be utilized, but shall not render the window space opaque or prohibit visibility through the window except during times when the screening of direct sunlight is necessary. Window coverings shall be kept in good repair, replaced if they become faded or deteriorated and shall be kept clean to present a neat appearance.

This amendment has been triggered because City staff has noticed several businesses that are screening their storefront windows for reasons that are not consistent with a typical commercial business's goals of attracting customers and displaying their products or services for sale in a visually appealing manner from the business's storefront. Also, there are several stores that are using screening materials (i.e. newspaper, bed linens, etc.) that are aesthetically unappealing in a commercial setting. Lastly, for safety reasons staff feels it is important that adequate visibility be maintained for all commercial storefronts.

The Appearance Code regulations are applicable to all of the City's commercial zoning districts as well as the ORI district. The Turner Junction Historic District and the Manufacturing district are exempt from the regulations and would not be subject to the proposed regulations. The Turner Junction Historic District is subject to its own set of guidelines, which already prohibit storefront windows in the District from being rendered opaque.

City staff recommends approval of the proposed political sign and window covering text amendments to the Zoning Code Regulations as presented in order to be consistent with the State's regulations for such signage and will improve aesthetics of commercial storefronts by regulating the types of windows coverings that can be utilized as well as prohibit storefront windows from being continuously screened.

David Sabathne, Director of the West Chicago Chamber of Commerce located at 306 Main Street stated that the Chamber of Commerce has reviewed the proposed additions to the ordinance and has interviewed a number of businesses within the effected business districts; we believe that the language as proposed fails to recognize the businesses that require a level of privacy or modesty in performing their service and would further disallow businesses from screening windows that in doing so actually improve the safety of our residents. Specific businesses that reside within the districts that desire window coverings for reasons other than the screening of direct sunlight are Church groups, social service groups (Alcoholics Anonymous for example), dance instruction studios, high-end retailer prior to closing time and restaurants that have live entertainment. Learning to dance can be embarrassing; doing so in full view of the public would prevent some from pursuing the skill altogether. Churches also wish to pray, preach, meditate and otherwise exercise their rituals of their religion and do so among others in the congregation but not in view of the public. Live entertainment is a wonderful amenity for a restaurant or even public venue to offer; but people often congregate in front of windows to watch and hear a performance and people in auto's driving by may be distracted for too long if they wish to "check out" what may be happening inside a venue that has a clear window during performances. The chamber appreciates the opportunity to be involved in the process of reviewing our local codes and providing input from a business perspective; and we expect to provide recommendations that might be considered. In this case we need additional time to formulate a proposed solution for your consideration and seek, as part of the solution, voluntary improvements by those businesses that may have contributed to the topic being raised and the changes being considered.

No one else was in the audience to speak for or against the petition.

Chairman Jarolin asked Mr. Sabathne if the Chamber feels that adding such language is necessary.

Mr. Sabathne stated that he would like to think that all businesses would voluntarily want to make their storefronts as appealing as possible. He also stated that provisions should be included for the use temporary window coverings such as during times of construction where visibility is needed or necessarily desired nor is the use of nicer window coverings that may get dirty or damaged during the construction process.

Chairman Jarolin suggested that be tied to the issuance of a building permit for the construction work.

Mr. Harris stated that some remodeling work such as painting, flooring, drywall, etc., does not require a building permit. He also stated that leaving the discretion of window coverings up to the business owner can be very subjective as individual tastes vary greatly.

Commissioner Posadzy stated that covering all of the windows is also a safety issue.

Mr. Harris stated that the difficulty with the proposed regulations is coming up with an appropriate list of exemptions that doesn't make the language too vague or confusing. He also stated that the City does regulation the percentage of window coverage for signage, but the matter at hand does not relate to signage.

Commissioner Van-der-Mey stated that if the language is approved as presented then it would appear to be restrictive for many existing businesses. He suggested that maybe the businesses can help regulate themselves by monitoring each other to ensure compliance and overall aesthetic well being.

Chairman Jarolin stated that it is apparent that the proposed language needs to be modified or expanded, but that what is proposed is a good starting point.

Mr. Sabathne requested that the consideration of this text amendment be continued so that the Chamber has more time to discuss the issue with other businesses in town and work with City staff on revising the language.

The Commission agreed and discussed the best date to continue the meeting to.

Commissioner Van-der-Mey made a motion, seconded by Commissioner Posadzy, to continue the public hearing until the January 18, 2011 Plan Commission meeting at the request of Dave Sabathne. Voting Aye: Commissioners Jarolin, Lannes, Posadzy, Van-der-Mey, Warbiany and Mireault. Voting Nay: None. Motion unanimously carried.

8. Review of Case PC 10-18, Text Amendment

The review of Case PC 10-18 was continued until the January 18, 2011 Plan Commission meeting along with the public hearing.

9. Other Commission Business.

None.

10. Previous Petitions and General Development Update.

Mr. Harris informed the Commission that the Shell gas station landscape and building setback variances were denied by the City Council. Mr. Harris also stated that the internet used vehicle

sales text amendment and special use for such at 3N155 Powis Road was approved by the City Council. Mr. Harris also stated that the driveways text amendment and 310-330 Charles Court pavement deviation were also approved by the City Council.

11. Adjournment.

Commissioner Van-der-Mey made a motion, seconded by Commissioner Warbiany, to adjourn the December 7, 2010 Plan Commission/Zoning Board of Appeals meeting at 7:57 p.m. The Commissioners unanimously agreed. Motion carried.

Respectfully submitted,

Jeff Harris, City Planner

PlanComm/ZBA.MIN120710/jh