



Agenda Cover Memorandum

Meeting Date: August 20, 2012

Item Title: Affirming the Planning and Zoning Commission's denial of text amendments to Section 14.6.C. and 14.12.B. of the Zoning Ordinance regarding replacement of sign panels of non-conforming ground pole signs in the B-1 District - Case TA-12-04 .

Action Requested:

- Approval
- For discussion
- Feedback requested
- For your information

Staff Contact: James F. Testin, CP&D Manager

Phone Number: 847-318-5296

Email Address: jtestin@parkridge.us

Background:

Chetan Jani, applicant, proposes text amendments to the Zoning Ordinance for changes to Section 14.6.C and 14.12.B, in accordance with the requirements of Section 4.8 of the Zoning Ordinance.

The applicant requests text amendments to Section 14 (Signs), regarding sign panel replacement for nonconforming ground pole signs located in the B-1 Retail and Office zoning district. While the text amendment would impact pole signs for multi-tenant buildings in the B-1 District City wide the impetus for the request is that the applicant is in the process of updating signage for a new tenant (Dunkin Donuts) located at 1129 West Touhy Avenue.

Ground pole signs are nonconforming in the B-1 District. The Zoning Ordinance prohibits replacement of nonconforming signs after the activity, business, or use has been discontinued (Section 14.12.B). The applicant has proposed language that would allow a pole sign, serving multiple tenants, to continue to be utilized by a new tenant if one of the existing tenants is still active.

The Planning and Zoning Commission recommends denial of the request on a vote of 0 to 7, with 2 members absent. The PZC identified the need to bring nonconforming signs into compliance and that other similar requests have been consistently denied.

Recommendation:

1. Motion to remove from the table text amendments to Section 14.6 C and 14.12 B of the Zoning Ordinance regarding replacement of sign panels of non-conforming ground pole signs in the B-1 District
2. Motion to affirm the Planning and Zoning Commission's denial of text amendments to Sections 14.6 C and 14.12 B of the Zoning Ordinance regarding replacement of sign panels of non-conforming ground pole signs in the B-1 District.

Budget Implications:

Does Action Require an Expenditure of Funds: Yes No

If Yes, Total Cost:

Agenda Cover Memorandum (Cont.)

If Yes, is this a Budgeted Item:

Yes

No

If Budgeted, Budget Code (Fund, Dept, Object)

Attachments:

- Approved minutes of the Planning and Zoning Commission Meeting, June 12, 2012
- Staff Memorandum and application packet
-
-



CITY OF PARK RIDGE

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DEPARTMENT OF COMMUNITY
PRESERVATION AND DEVELOPMENT

PLANNING & ZONING COMMISSION

Regular Meeting
Tuesday, June 12, 2012
City Hall, City Council Chambers
505 Butler Place
Park Ridge, Illinois

MINUTES

Chairman Marr called the meeting to order at 7:00 p.m.

A. Roll Call

Present

Alfredo Marr, Chairman
Louis Arrigoni
Joe Baldi
John Bennett (Arrived at 7:05)
John Kocisko
Anita Rifkind
Mary Catherine Wells (Arrived at 7:05)

Absent

Aurora Abella-Austriaco
Chris Zamaites

Staff

Jon Branham
Cathy Doczekalski
Jim Testin

City Council

Alderman Sweeney

Others

Approximately 3 citizens

Chairman Marr welcomed Alderman Sweeney, who is acting as the new City Council liaison to the Planning and Zoning Commission. Chairman Marr also welcomed the new Manager of the Department of Community Preservation and Development, Jim Testin.

B. Approval of Minutes – May 8, 2012

It was moved by Commissioner Rifkind and seconded by Commissioner Baldi, that the minutes of the meetings held on May 8, 2012, be approved as submitted. The Commissioners, by voice vote, unanimously approved the submitted minutes.

Commissioners Bennett and Wells arrived at 7:05, after the minutes were approved.

C. Development Cases

1. Text Amendments to Section 14.6.C and 14.12.B of the Zoning Ordinance regarding replacement of sign panels of non-conforming ground pole signs in the B-1 District, Zoning Case Number: TA-12-04.

Chairman Marr explained the public hearing process and swore in all interested in testifying.

Mr. Branham summarized the staff memo dated June 12, 2012. He stated that Chetan Jani, applicant, proposes text amendments to the Zoning Ordinance for changes to Section 14.6.C and 14.12.B, in accordance with the requirements of Section 4.8 of the Zoning Ordinance. He stated that the applicant requests text amendments to Section 14 (Signs), regarding sign panel replacement for nonconforming ground pole signs located in the B-1 Retail and Office zoning district. The applicant is interested in placing sign panels within an existing vacant sign box at a multi-tenant property along Touhy Avenue. The other tenant at the property has been utilizing the other tenant sign box for an extended time, which predates the current Zoning Ordinance. The ground pole sign is now considered legal nonconforming and cannot be utilized by new businesses.

Mr. Branham noted that currently ground pole signs are not allowed in the B-1 Zoning District. He noted similar cases had been reviewed by the Commission in recent years regarding nonconforming signs. He also cited examples of other businesses in the B-1 district who were required to either install ground monument signs or remove existing ground pole signs.

Commissioner Baldi inquired why this type of sign was not allowed in the B-1 District. Mr. Branham responded that the B-1 district is the lowest intensity business district, and is generally considered more pedestrian friendly and less auto-oriented. He stated ground monument signs were permitted in the B-1 district.

Vipvi Patel, owner of the Dunkin Donuts, stated that his business has been affected because they have been unable to adequately advertise the business. He noted that the landlord has not pursued any changes to assist them in resolving this issue so they have applied for this text amendment.

The Commission discussed the options available to them if the public hearing were closed. The Commissioners agreed that nonconforming signs need to be brought into conformity, and that previously, these type of requests had been denied. They agreed an approval of such a request could set a precedent, which could allow other nonconformities to continue.

Chetan Jani, applicant, stated that they had not budgeted for a new monument sign at this time. He requested that they be allowed to use the empty sign box on the current pole, until the dry cleaning establishment vacated, and then they could install the monument sign.

On a motion from Commissioner Rifkind, seconded by Commissioner Baldi, the Commission voted to close the public hearing.

The Commissioners discussed the recourse the City has in requesting the landlord to remove the ground pole sign. Commissioner Bennett noted that the existing condition of the sign may be in conflict with the intent of Section 14.12 of the Zoning Ordinance.

On a motion by Commissioner Rifkind, seconded by Commissioner Kocisko,

The Commission AGREED to recommend City Council approval of text amendments to the Zoning Ordinance as noted in the staff memo dated June 12, 2012, Zoning Case Number TA-12-04,

Vote on the motion was as follows:

AYES 0 None
 NAYES 7 Commissioners Arrigoni, Baldi, Bennett, Kocisko, Marr, Rifkind, and Wells
 ABSENT 2 Commissioners Abella-Austriaco and Zamaite

The motion was denied and will be sent to City Council.

C. City Council Liaison Report

Alderman Sweeney reported that case number TA-12-03, the text amendment request regarding semi-covered walkways and pergolas, had received first reading approval at City Council, as recommended by the Planning and Zoning Commission.

Alderman Sweeney recognized Jim Testin, new Manager of Community Preservation and Development. He also introduced the candidate for the 6th Ward Alderman, Marc Mazzuca.

Alderman Sweeney noted that the budget had been approved, pending negotiations with three unions.

D. Other Items for Discussion

1. Feedback on Permit Process

Alderman Sweeney asked that Mr. Testin be allowed to review the processes before more discussion is held on this matter.

Chairman Marr asked Ms. Doczekalski to review the discussion.

Ms. Doczekalski stated that the Committee of the Whole had requested feedback from the Planning and Zoning Commission on the permit process, specifically at the order of the processes, and the permit process in general. The Planning and Zoning Commission had discussed the items briefly at the May 8th meeting. Ms. Doczekalski noted that she had prepared documentation of several scenarios of the permitting processes, per the Commission's request.

Commissioner Rifkind stated that the applicant needs to be aware that any preliminary review by the Appearance Commission does not constitute final approval. A project still needs to receive approval from the Zoning Board of Appeals or the Planning and Zoning Commission before final Appearance Commission approval is received.

Chairman Marr stated that communication with applicants was critical and that applicants should work with City staff on review steps. Staff should assist the applicant through the process.

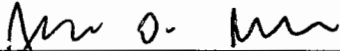
Commissioner Bennett stated that Appearance Commission approval on a project should not be given until all zoning items associated with the project had been finalized. The Commissioners discussed applicant options for Appearance Commission review.

E. Citizens wishing to be Heard on Non-Agenda Items

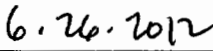
Commissioner Rifkind reported that a poorly maintained ground pole sign located at Touhy Avenue and Greenwood Avenue should be investigated.

F. Adjournment – The meeting was adjourned at 7:52 p.m.

PLANNING & ZONING COMMISSION



Alfredo Marr, Chairman



Date approved

These minutes are not a verbatim record of the meeting but a summary of the proceedings.

BEFORE THE PLANNING AND ZONING COMMISSION
Park Ridge, Illinois

In the Matter of)
)
Text Amendments to Section 14.6.C)
and 14.12.B)

Case No. TA-12-04

FINDINGS OF FACT

This matter having come before the Planning and Zoning Commission for a hearing on the request of the City of Park Ridge, for text amendments to Section 14.6.C and Section 14.12.B of the Zoning Ordinance; as required by law; and having heard evidence on the matter, based on the evidence presented, as reflected in the minutes of these proceedings, and for the reasons indicated in the minutes of this Commission in this case,

The Planning and Zoning Commission finds that the following facts have been established based on the standards set forth in the Zoning Ordinance:

1. The extent to which the proposed amendment promotes the public health, safety, comfort and convenience and general welfare of the City.

The proposed amendments to the Zoning Ordinance would not promote the public health, safety, comfort, convenience and general welfare of the City. Nonconformities need to be addressed to bring them into compliance.

2. The relative gain to the public, as compared to the hardship imposed upon the applicant.

The proposed amendment would not benefit the public, despite the hardship imposed on the applicant.

3. The consistency of the proposed amendment with the Comprehensive Plan.

The proposed amendment would not impact the Comprehensive Plan.

4. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.

The proposed amendment would not maintain consistency with eliminating nonconformities in the Zoning Ordinance.

5. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.

The proposed amendment would not correct errors in the Zoning Ordinance or add clarification to requirements for eliminating nonconformities.

- 6. That the proposed amendment will benefit the residents of the City as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the applicant.

The proposed amendment would not benefit the citizens of Park Ridge by allowing non-conformities to exist.

- 7. Whether the proposed amendment provides a more workable way to achieve the intent and purposes of this Ordinance and the Comprehensive Plan.

The proposed change would not achieve the intent and purpose of the Zoning Ordinance. The amendment would not impact the Comprehensive Plan.

- 8. The extent to which the proposed amendment creates nonconformities.

The proposed amendment would create nonconformities.

- 9. The extent to which the proposed amendment is consistent with the overall structure and organization of this Ordinance.

The proposed amendment would not be consistent with the Zoning Ordinance

Therefore, the Commission recommends denial of this text amendment to the Zoning Ordinance, as requested, on the terms and conditions set forth in the minutes of the meeting of June 12, 2012.

6.26.2012
Date Approved


Alfredo O. Marr
Alfredo Marr, Chairman



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DEPARTMENT OF COMMUNITY
PRESERVATION AND DEVELOPMENT

Date: June 12, 2012
To: Planning and Zoning Commission
From: Jon Branham, City Planner 
Subject: Text Amendments to Section 14.6.C and 14.12.B of the Zoning Ordinance, Zoning Case Number: TA-12-04

Introduction

Chetan Jani, applicant, proposes text amendments to the Zoning Ordinance for changes to Section 14.6.C and 14.12.B, in accordance with the requirements of Section 4.8 of the Zoning Ordinance.

The applicant requests text amendments to Section 14 (Signs), regarding sign panel replacement for nonconforming ground pole signs located in the B-1 Retail and Office zoning district.

Notification requirements for this application have been satisfied. A legal notice for the public hearing was published in the *Park Ridge Herald-Advocate*.

Information Submitted by the Applicant & Background

The applicant is proposing that panels located within nonconforming ground pole sign boxes in the B-1 district be allowed to be replaced for tenants located within a multi-tenant building, only if one of the other existing tenants located within the building remains active.

The applicant is in the process of updating signage for a new tenant (Dunkin Donuts) located at 1129 West Touhy Avenue. Dunkin Donuts is one of the tenants located within the two-tenant building. A dry cleaning establishment is located in the other tenant space. A legal nonconforming ground pole sign exists at the property, which contains sign boxes for the two tenants. The dry cleaning establishment portion of the sign remains within the sign box, while the other space reserved for the second tenant is empty (see attached photo), and has not been replaced since the previous business was vacated. Dunkin Donuts is interested in placing signage within the existing sign box area.

Currently, ground pole signs are nonconforming in the B-1 District. The Zoning Ordinance prohibits replacement of nonconforming signs after the activity, business, or use has been discontinued (Section 14.12.B).

Ground monuments signs of up to six feet in height and 32 square feet in sign area, are currently permitted in the B-1 District. Wall sign, windows signs, projecting signs, and directional signs are also permitted.

The applicant has proposed language to allow ground pole sign panels to be replaced in the B-1 District, if certain requirements are met:

Proposed Language for Section 14.6.C.4. (all new language)

Replacement of existing ground pole sign panels in an existing multi-tenant building in the B-1 District are permitted only in instances when a new activity, business, or use is established and where at least one of the existing businesses in the multi-tenant building is still active and utilizing a ground pole sign panel. If all tenants in a multi-tenant building are inactive, this provision shall not be permitted.

Proposed Language for Section 14.12.B.

No nonconforming sign shall be allowed to remain after the activity, business, or use to which it relates has been discontinued, except as explained in Section 14.6.C.4 of the Zoning Ordinance.

The Planning and Zoning Commission reviewed similar requests in 2010 and 2011. In 2010, there was a request for nonconforming sign panels to be able to be replaced on nonconforming wall signs. That request was unanimously denied by the Commission and upheld by the City Council. In 2011, a request was presented at the Planning and Zoning Commission to allow sign panels to be able to be replaced on all nonconforming signs. This item was ultimately was not considered, due to the one-year time limit for previously denied text amendments having not been met. The minutes from both of those meetings have been attached.

There are several other nonconforming ground pole signs along this stretch of Touhy Avenue, which is predominantly zoned B-1. A ground pole sign maintained by one of the motor vehicle service stations across the street from the site was destroyed a couple years ago and the owners were required to install a ground monument sign rather than being able to replace the ground pole sign. Additionally, the restaurant location directly across the street from the site previously maintained a ground pole sign which was required to be removed when the tenant vacated the premises a few years ago.

Appearance Commission

Any proposed signs associated with this proposal would still be required to be reviewed and approved by the Appearance Commission, if any approval is received.

Standards for Text Amendments

The applicant has submitted a statement which addresses the standards for text amendment in Section 4.8, Table 1, of the Zoning Ordinance.

Planning and Zoning Commission Action

The Planning and Zoning Commission should review and consider the proposed text amendments in accordance with Section 4.8 of the Zoning Ordinance and the standards for text amendments in Section 4.8, Table 1 (attached). In taking action on the case, the Commission shall make findings of fact regarding the noted standards.

The Commission may decide to recommend approval, recommend approval with changes, or recommend denial to the City Council. The Commission may also table or continue the matter.

Attachments



Zoning Text Amendment Application

City of Park Ridge

Community Preservation and Development Department . 505 Butler Place . Park Ridge, IL . 60068
Phone: (847) 318-5291 . Fax: (847) 318-8411 . www.parkridge.us

Case Number: TA-12-04

Applicant Information:

Name: CHETAN JANI

Phone: (312) 813-1438

Address: 1129 WEST TOUHY AVENUE,
PARK RIDGE, IL 60068

E-mail: cjani26@gmail.com

Summary of Requested Zoning Text Amendment (refer to Section 4.8 of the Zoning Ordinance):

Existing Zone: B-1

Section 14.6.C.4: Replacement of existing ground pole sign panels in an existing multi-tenant building in the B-1 district are permitted only in instances when a new activity, business, or use is established and where at least one of the existing businesses in the multi-tenant building is still active and utilizing a ground pole sign panel. If all tenants in a multi-tenant building are inactive, this provision shall not be permitted.

Section 14.12.B: No nonconforming sign shall be allowed to remain after the activity, business, or use to which it relates has been discontinued, except as explained in Section 14.6.C.4 of the Zoning Ordinance.

I hereby certify, as the undersigned applicant, that the above statements and attached documentation are true and correct to the best of my knowledge.

Signature of Applicant

5/1/2012

Date



atul karkhanis architects, ltd.

Commercial • Residential • Healthcare

Writers Direct Dial
773.508.5533, ext. 204

Writers Direct E-mail
atipnis@akarchitects.com

Date: May 11th 2012

City of Park Ridge
Community Preservation and Development Department
505, Butler Place
Park Ridge, IL 60068

Ref: Dunkin Donuts – 1129 West Touhy Avenue, Park Ridge, IL 60068 – Text Amendment Statement

To Whom It May Concern,

The following are the standards for the zoning amendment requested for the existing pole sign at the address mentioned above.

1) **PUBLIC HEALTH / SAFETY:**

Currently, the existing pole sign stands without any display of the business information. If permitted, the pole sign, at its existing location, will identify the new Dunkin Donuts business. The tenants will re-finish the existing sign and enhance the nature of the sign thus making the sign informative and the business accessible to potential customers. By doing this, the tenant enhances the existing surroundings as well.

2) **HARDSHIP:**

As there are no Dunkin Donuts faces installed on the existing pole sign, the tenant has a hardship of attracting business as the public has limited knowledge of its existence.

3) **CONSISTENCY WITH COMPREHENSIVE PLAN:**

The sign is well within the limits of the previously approved signage parameters and no revisions/alterations to the existing size will be proposed either except for the replacement or installation of sign faces.

4) **CONSISTENCY WITH ORDINANCE:**

The location, size and height of the existing pole sign will not be changed, modified or altered in any way, thereby maintaining its present physical dimensions.

5) **ERRORS, CLARIFICATIONS ETC:**

The amendment is requested for the grand-fathering of the existing pole sign. It does not impact the existing ordinance or policy. The installation of the sign faces clarifies to the general public about the nature of the active business.

6) **BENEFITS TO THE PUBLIC:**

By installing new faces and clearly and specifically displaying them on the existing pole sign, the public is directed towards the business and is made aware of its existence even while driving on a street as busy as West Touhy Avenue. The pole sign will help motorists slow down on this busy street and thereby addressing the safety issues that may have been a concern prior to the existence of the sign. The installation of new faces and refinishing of the existing pole sign promotes public interest and their specific needs. Its presence also clarifies to the public the existence of the Dunkin Donuts.

concept to completionSM

7) **WORKABILITY:**

The proposed amendment to maintain the existing sign to identify the existing active business (Dunkin Donuts) does work in favor of the Ordinance and the Comprehensive Plan as the proposed amendment states that the existing sign may be removed if the building has no active businesses at the time of the removal.

8) **NON-CONFORMITIES:**

The proposed amendment does not conform to Sections 14.6.C & 14.12.B.

9) **EXTENT OF CONSISTENCY:**

The proposed amendment is requesting a grand-fathering of the existing sign. The proposed amendment does not request any alterations or modifications to the existing sign except for the installation of the sign faces to identify the existing active business (Dunkin Donuts). As such, the existing structure and organization of the Ordinance is maintained.

Sincerely,
For Atul Karkhanis Architects, Ltd

Ani Tipnis, Senior Associate and Project Manager
President

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Applicant Disclosure Statement (Section 2-24-1)

Name of Applicant: Dunkin Donuts - CHETAN JANI

Subject Property Information:
Address: 1129 W. Touhy Ave Park Ridge IL 60068

P.I.N.: 09-35-103-025-0000

Name and business address of any and all current holders of legal or beneficial title to the subject property (attach additional sheets if necessary):

Elie Charouni - landlord

If there is a pending contract for the sale of the subject property, list the purchasing party's name:

N/A

List any entities, other than a natural person, that hold legal or beneficial title and that have a greater than 3% interest in the entity:

Elie Charouni - landlord

For each entity listed above that, list every director, officer and manager of the entity:

Elie Charouni - landlord

For each entity listed above that is a limited partnership or limited liability company, list the name of every limited or general partner or member:

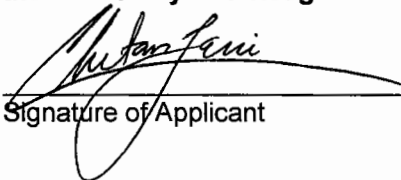
N/A

For each limited partner or general partner that is a corporate entity, list the name of every person who holds a greater than 3% interest in the corporation:

N/A

I acknowledge that I have read and understand the requirements of Article 2, Chapter 24 of the Park Ridge Municipal Code ("Code"). I understand that as the applicant, I am required to keep all of the information on this form current and updated until the City Council takes final action on my request. I also understand that if I fail to comply with this requirement, the City Council may declare the action it has taken with respect to my request null and void. In addition, the City Council may direct the initiation of legal action for a violation of the Code and may seek the penalties set forth in Section 2-24-4 of the Code, including daily monetary fines. I understand that this disclosure statement will be open for public inspection and posted on the City's website prior to any meeting when my request will be acted upon. I understand that if the subject property is assigned, transferred or if an agreement is entered into to transfer any right, interest, or permit within one year of the City Council's final action, there will be a rebuttable presumption that the assignee or transferee had constructive control of the subject property at the time of my application. The penalty discussed above will be imposed for any failure to disclose any such assignee or transferee.

I, the undersigned applicant, hereby certify that above statements are true and correct to the best of my knowledge.


Signature of Applicant

03/22/12
Date

TABLE 1: STANDARDS FOR ZONING AMENDMENTS

Standards	Map Amendments	Text Amendments
The existing use and zoning of nearby property.	X	
The extent to which property values of the subject property are diminished by the existing zoning.	X	
The extent to which the proposed amendment promotes the public health, safety, comfort, convenience and general welfare of the City.	X	X
The relative gain to the public, as compared to the hardship imposed upon the applicant.	X	X
The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one (1) or more of the uses permitted under the existing zoning classification.	X	
The length of time that the property in question has been vacant, as presently zoned, considered in the context of development in the area where the property is located.	X	
The evidence, or lack of evidence, of community need for the use proposed by the applicant.	X	
The consistency of the proposed amendment with the Comprehensive Plan.	X	X
The consistency of the proposed amendment with the intent and general regulations of this Ordinance.		X
Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.		X
That the proposed amendment will benefit the residents of the City as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the applicant.	X	X
Whether the proposed amendment provides a more workable way to achieve the intent and purposes of this Ordinance and the Comprehensive Plan.		X
The extent to which the proposed amendment creates nonconformities.	X	X
The trend of development, if any, in the general area of the property in question.	X	
Whether adequate public facilities are available including, but not limited to, schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to the development of the uses, which would be permitted on the subject property if the amendment were adopted.	X	
The extent to which the proposed amendment is consistent with the overall structure and organization of this Ordinance.		X

ZONING AMENDMENT ACTION TABLE				
Type of Amendment Request	Planning and Zoning Commission Recommendation After Public Hearing	Initiating Party	Further Action	City Council Vote Required for Adoption
Text	Denial	City Council	Forwarded to City Council	Super majority
Text	Denial	Anyone Other Than City Council	Forwarded to City Council	Super majority
Text	Approval	City Council	Forwarded to City Council	Majority
Text	Approval	Anyone Other Than City Council	Forwarded to City Council	Majority
Map	Denial	City Council	Forwarded to City Council	Super majority
Map	Denial	Anyone Other Than City Council	Forwarded to City Council	Super majority
Map	Approval	City Council	Forwarded to City Council	Majority
Map	Approval	Anyone Other Than City Council	Forwarded to City Council	Majority

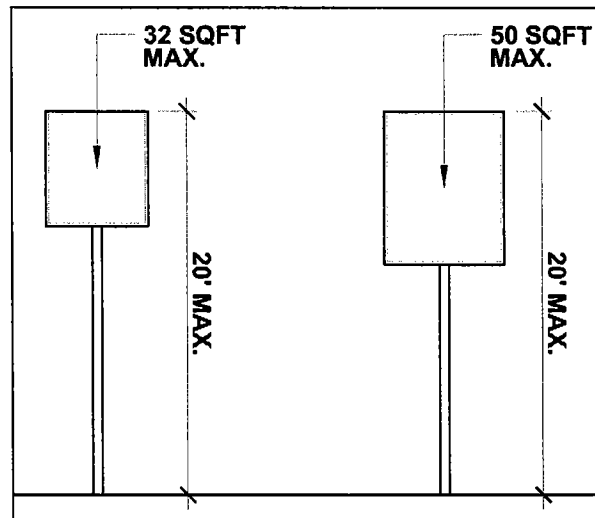
*For the purposes of this table a super majority vote shall be defined as six voted of the City Council, including the Mayor. (Ordinance 2011-61, 11/21/2011)

C. Ground Pole Sign

Ground freestanding poles signs shall be permitted only in the B-2 and B-3 Districts, subject to the following:

1. The maximum height of pole signs shall be limited to twenty (20) feet in height. Freestanding pole signs are limited to thirty-two (32) square feet in sign area in the B-2 District and fifty (50) square feet in sign area in the B-3 District. (See Figure 26: Ground Pole Sign Size)

FIGURE 26: GROUND POLE SIGN SIZE



2. There shall be only one (1) ground sign per lot, whether pole or monument ground sign, except that on a corner lot one (1) additional pole ground sign shall be permitted for each street frontage of two-hundred (200) feet or more. All pole signs shall be set back from the property line a minimum of ten (10) feet; however, no part of any pole sign shall be located on or over the public right-of-way. (See Figure 24 above) Directional signs, subject to the requirements of Section 14.7.C (Directional Signs (Permanent)), are permitted in addition to other pole signs on that lot.
3. The primary support of a pole sign shall be erected in such a manner that at least forty-two (42) inches of the length of the support is underground. This requirement may be modified based upon the size of the sign and the height of the sign, at the discretion of the Zoning Administrator. The Zoning Administrator may require, in cases of signs over ten (10) feet in height, proper documentation from a structural engineer or manufacturer that indicates proper installation instructions for the sign, as well as the sign's ability to withstand wind pressures.

D. Marquee

Marquee signs are permitted in the U-Core Sub-District of the B-4 District subject to the following:

1. No marquee shall be extend beyond the curb line.
2. Marquees shall be not less than the width of the building entrance and extend not more than five (5) feet beyond each side of the entrance.

- d. Directional signs may have a maximum height of seven (7) feet and a maximum surface area of thirty-two (32) square feet. (Ordinance 2009-50, 7/6/2009)
- e. Directional signs may be illuminated.

2. Wall Signs

One (1) wall sign for identification of each building shall be permitted provided the surface area of such sign shall not exceed one-hundred (100) square feet.

C. Educational Boarding District

All signs and sign regulations that are permitted and applicable within the B-2 District shall apply to the Educational Boarding District.

D. Sexually-Oriented Business District

All signs and sign regulations that are permitted and applicable within the B-2 District shall apply to the Sexually-Oriented Business District. However, electronic message signs are prohibited.

E. Parking District

Only directional signs, in accordance with Section 14.7.B (Directory Signs (Permanent)), shall be permitted in the Parking District.

14.12 NONCONFORMING SIGNS

Any sign lawfully existing prior to the enactment of this Section, but which could not be erected in accordance with the provisions of this Section shall be deemed to be a legally nonconforming sign and may continue to be in existence with the following conditions:

- A. The sign must be properly maintained in a safe condition. No nonconforming sign shall have any changes made in the words or symbols used or the message displayed on the sign unless the sign is specifically designed for changeable copy. Any other changes made will be to bring the nonconforming sign into conformance with the provisions of this Section.
- B. No nonconforming sign shall be allowed to remain after the activity, business, or use to which it relates has been discontinued.
- C. If a nonconforming sign is damaged in such a manner that the estimated expense of repairs exceeds fifty percent (50%) of its replacement value, the sign shall not be allowed to remain and must be removed.
- D. Nothing in this Section shall relieve the owner or user of a legal nonconforming sign or structure, or the owner of the property on which it is located, from the provisions of this Section regarding safety, maintenance and repair of signs and structures. However, any repainting, cleaning or other normal maintenance or repair hereof shall not modify the sign, structure or copy in any way which makes it more nonconforming.



CITY COUNCIL ACTION REQUIRED

CITY OF PARK RIDGE

505 BUTLER PLACE
PARK RIDGE, IL 60068
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DEPARTMENT OF COMMUNITY
PRESERVATION AND DEVELOPMENT

PLANNING & ZONING COMMISSION

Regular Meeting
Tuesday, November 23, 2010
City Hall, City Council Chambers
505 Butler Place
Park Ridge, Illinois

MINUTES

~~Chairman Marr~~ Acting Chair Abella-Austriaco called the meeting to order at 7:35 p.m.

A. Roll Call

Present

Aurora Abella-Austriaco – Acting Chair
Louis Arrigoni
John Bennett
Cathy Piche
Anita Rifkind
Mary Catherine Wells

Staff

Jon Branham
Cathy Doczekalski
Laura Kleiner

City Council

Alderman Joe Sweeney, Council Liaison
Alderman Robert Ryan

Absent

Joe Baldi
Alfredo Marr
Sal Raspanti

Others

Approximately 30 citizens

B. Approval of Minutes – October 26, 2010 and November 9, 2010

It was moved by Commissioner Arrigoni and seconded by Commissioner Rifkind that the minutes of the meetings held on October 26, 2010 and November 9, 2010, be approved as submitted. The Commissioners, by voice vote, unanimously approved the minutes.

C. Development Cases

Acting Chair Abella-Austriaco noted that Zoning Case MA-10-03 for the Map Amendment from the B-1 District to the R-4 District at 255-257 North Northwest Highway needed to be removed from the agenda because of a discrepancy with the legal notice that was published on November 4, 2010. Because so many residents came to participate in the hearing, Ms. Abella-Austriaco proposed moving item E on the agenda, Citizen’s Wishing to be Heard on Non-Agenda Items, to this time and asked those wishing to speak to do so.

Acting Chair Abella-Austriaco explained the public hearing process and swore in all those wishing to testify for either of the cases to be heard.

1. Case Number TA-10-05: Various Text Amendments to the Zoning Ordinance: Section 14.12.A for Nonconforming Signs; Section 14.8.A.7 for Political Signs or Non-commercial Messages; and Section 11.5, Table 8 for Permitted Encroachments for Mechanical Equipment

Cathy Doczekalski summarized the staff report dated November 23, 2010. She stated that the City of Park Ridge, applicant, proposes text amendments to the Zoning Ordinance to Sections 14.12.A for nonconforming signs, Section 14.8.A.7 for political signs or non-commercial messages, and to Section 11.5, Table 8 for permitted encroachments for mechanical equipment. She also noted that notification requirements for the application had been satisfied.

Ms. Doczekalski read into the record a letter from Randall Derifield, former Director of Community Preservation and Development and member of the Zoning Ordinance Rewrite Committee. The letter outlined the reasoning behind the current wording and intent of the Zoning Ordinance and his opposition to the proposed amendment to Section 14.12.A for nonconforming signs.

The Commissioners inquired how the proposed amendment regarding nonconforming signs was brought to the Planning and Zoning Commission for consideration. Cathy Doczekalski responded that a business owner had brought the case to the Procedures and Regulations Committee, who recommended it be brought to the Planning and Zoning Commission. The proposed amendment would allow existing nonconforming panel signs to be replaced with new business panel signs should a new tenant inhabit the business location.

Missy Langen, 1924 Canfield Avenue, expressed her concern about changing the Zoning Ordinance to accommodate one instance. She stated that the purpose of the Zoning Ordinance was to eliminate non-conformities, not to perpetuate them.

Judy Barclay, 524 Courtland Avenue, stated that allowing signs that do not meet current zoning standards would not meet the intent of the Zoning Ordinance or the Findings of Fact requirements.

On a motion by Commissioner Rifkind, seconded by Commissioner Arrigoni, the Commissioners voted to close the public hearing.

The Commissioners agreed that the findings of fact had been met for the two text amendments: for Section 14.8.A.7 for political signs or non-commercial signs, which must be changed to comply with Public Act 96-904, which prohibits municipalities from limiting the time period that signs may be displayed, and to Section 11.5, Table 8 for permitted encroachments for mechanical equipment, which simply corrects a typographical error.

On a motion by Commissioner Rifkind, seconded by Commissioner Piche, the Commission

AGREED to recommend City Council approval of the text amendments to Section 14.8.A.7 for political signs or non-commercial messages and to Section 11.5, Table 8 for permitted encroachments for mechanical equipment District, as submitted in the staff report to the Planning and Zoning Commission dated November 23, 2010.

Vote on the motion was as follows:

AYES 6 Commissioners Abella-Austriaco, Arrigoni, Bennett, Piche, Rifkind, and Wells
 NAYS 0 None
 ABSENT 3 Commissioner Baldi, Marr, and Raspanti

The motion passed.

The Commissioners agreed that the intent of the Zoning Ordinance and provisions for master sign plans could be compromised if signs were not required to be brought into compliance with the current Zoning Ordinance. Other business owners have already made changes to their signs in order to comply. Nonconforming box signs are something the Commission has historically encouraged to be removed from business locations.

On a motion by Commissioner Rifkind, seconded by Commissioner Bennett, the Commission

AGREED to deny the text amendment to Section 14.12.A for non-conforming signs, as submitted in the staff report to the Planning and Zoning Commission dated November 23, 2010.

Vote on the motion was as follows:

AYES 6 Commissioners Abella-Austriaco, Arrigoni, Bennett, Piche, Rifkind, and Wells
 NAYS 0 None
 ABSENT 3 Commissioner Baldi, Marr, and Raspanti

The motion to deny the text amendment passed.

2. Case Number MA-10-03: Map Amendment from the B-1 District to the R-4 District at 255-257 North Northwest Highway

This case was removed from the agenda, but time was given for statements from the residents present during "Citizens Wishing to be Heard on Non-Agenda Items."

3. Case Numbers MA-10-02: Map Amendment from the R-2 Single Family Residential District to the R-4 Multiple Family Residential District; and PD-10-01: A special use for a Planned Development Review for a Stage 1 Development Plan for a Multi-Family Residential project, all at 1963-1975 West Touhy Avenue

Jon Branham summarized the staff memorandum dated August 24, 2010. He noted that the applicant, Hoffman Homes, requests a zoning map amendment from the R-2 Single Family Residential District to the R-4 Multiple Family Residential District and a special use for a planned development review for a stage 1 development plan for a multi-family residential project at 1963-1975 West Touhy Avenue. Mr. Branham stated that the parcels were currently under a single owner. The case was tabled at the August 24, 2010 meeting to allow the applicant to respond to comments made by the Commission and residents. The revised proposal eliminated eight units, reducing the scope of the project to a three-story, 20-unit multi-family residential building with a total of 54 parking spaces, 37 of which are



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DEPARTMENT OF COMMUNITY
PRESERVATION AND DEVELOPMENT

PLANNING & ZONING COMMISSION

**Administrative Session
Tuesday, October 11, 2011
City Hall, City Council Chambers
505 Butler Place
Park Ridge, Illinois**

MINUTES

Chairman Marr called the meeting to order at 7:01 p.m.

A. Roll Call

Present

Alfredo Marr (Chairman)
Aurora Abella-Austriaco (arrived 7:12 pm)
Louis Arrigoni
Joe Baldi
John Kocisko
Mary Catherine Wells
Chris Zamaites

Staff

Jon Branham
Cathy Doczekalski
Laura Kleiner

City Council

Alderman Bernick

Absent

John Bennett
Anita Rifkind

Others

Approximately 5 citizens

B. Approval of Minutes –September 13, 2011

It was moved by Commissioner Arrigoni and seconded by Commissioner Kocisko that the minutes of the meeting held on September 13, 2011, be approved as submitted. Commissioners Baldi and Zamaites abstained. The remaining Commissioners, by voice vote, unanimously approved the submitted minutes.

C. Development Cases

1. Case Number TA-11-03 - Text Amendments to the Zoning Ordinance Section 14 - Signs

Chairman Marr explained the public hearing process and swore in all those wishing to testify.

Commissioner Abella-Austriaco arrived at 7:12, after the minutes were approved.

Cathy Doczekalski summarized her memo dated October 4, 2011. She stated that the City Council, on September 6, 2011, referred text amendments to the Planning and Zoning Commission regarding changes to Section 14 (Signs), of the Zoning Ordinance. Other minor modifications were made by the City Attorney to clarify language in this section. She noted that the Mayor has also announced his intention of forming a task force to reevaluate this section of the Zoning Ordinance.

The Commissioners inquired about the reasons for the suggested changes. Ms. Doczekalski stated that City Council had requested several of the changes due to issues with inappropriate signs, A-frame signs being requested by local business owners, and non-conforming signs.

Commissioner Arrigoni questioned why the Chief of Police needed to approve electronic signs. Ms. Doczekalski responded that he was best equipped to determine if they were a traffic safety hazard.

Commissioner Baldi questioned whether it was illegal to control free speech in regulating the copy on signs.

The Commissioners discussed the reasoning of making changes to this section of the Zoning Ordinance if a task force was being formed to examine it as well. Cathy Doczekalski responded that it would probably take a substantial time for the task force to be formed and eventually suggest further recommendations. The Mayor had announced the task force formation at approximately the same time the City Attorney had proposed these changes.

Missy Langan, 1924 Canfield Avenue, questioned the proposed changes to Section 14.12 for non-conforming signs. She noted that on November 26, 2010, the Planning and Zoning Commission denied allowing wall signs to remain non-conforming if only a panel were changed and now that request is being made for all signs. This provision would be against the purpose of the Zoning Ordinance to bring non-conformities into conformity.

Shiela Duda, 413 Vine Avenue and owner of Tea Lula, stated that she supported using A-frame signs to raise business awareness in the City. She also reported that the cost of completely replacing a sign versus changing out a panel is prohibitive to new business owners. She ask that the Commissioners consider the business community when making decisions on these Ordinance changes.

Linda Hills, owner of the Rocky Mountain Chocolate Company, stated that she supported the use of A-frame signs by local businesses to promote their business.

Pat Livingsparger, 413 Courtland Avenue, questioned the appropriateness of hearing changes to Section 14.12 on non-conforming signs when a similar request was denied less than a year ago. She also asked how the Ordinance would prevent A-framed signs, if allowed, from clogging sidewalks.

Shiela Duda responded that the proposed text amendment proposed language prohibits A-frame signs from blocking pedestrian traffic.

On a motion by Commissioner Arrigoni, seconded by Commissioner Abella-Austriaco, the Commissioners voted to close the public hearing.

Commissioner Baldi noted that the ordinance did say that A-frame signs could not block the public right-of-way and that they were limited to commercial districts. He also questioned the legality of voting on Section 14.12 if a similar request was denied less than one year ago.

Chairman Marr stated that the suggested changes were a stop-gap measure until the task force could take a significant time to make its recommendations. He stated that while he sympathized with business owners, when a business changes hands is the only time to bring signs into conformance. He asked that staff to possibly reapply for the changes to Section 14.12 after the allowable time limit has passed.

On a motion by Commissioner Baldi, seconded by Commissioner Kocisko, the Commission

AGREED to recommend City Council approval to the changes to Section 14 of the Zoning Ordinance regarding signs, Zoning Case Number TA-11-03, as stated in the staff memo from Cathy Doczekalski dated October 4, 2011, subject to eliminating the proposed changes to Section 14.12.

Vote on the motion was as follows:

AYES 7 Commissioners Abella-Austriaco, Arrigoni, Baldi, Kocisko, Marr, Wells and Zamaites
 NAYES 0 None
 ABSENT 2 Commissioners Bennett and Rifkind

The motion passed unanimously.

2. Case Number TA-11-04 - Text Amendments to the Zoning Ordinance for changes to Section 4.8.C.2.B – City Council Zoning Amendment Action Table, Section 11.4.I.3 Mechanical Equipment, Sections 4.4.H, 4.6.H, 4.8.E and 5.6.C.4 – Limitations on Denials, and Appendix C – Affidavits

Cathy Doczekalski summarized the staff report dated October 4, 2011. She noted that all notification requirements had been met.

Commissioner Kocisko questioned the proposed changes to Sections 4.4.H, 4.6.H, 4.8.E and 5.6.C.4 – Limitations on Denials and stated that he disagreed with allowing the Zoning Administrator to decide if an application was “substantially the same” as the previous one. He feared that this would allow cases to return for hearings repeatedly.

Commissioner Arrigoni stated that if this change was not made, there is no clarity on who would make the decision. By making someone accountable, it would reduce the number of cases coming back for additional hearings and strengthen the Ordinance, not weaken it.

The Commissioners discussed ways of changing these sections of the Ordinance to provide consistency and accountability when rehearing cases. Most agreed that the proposed language would be sufficient.

The Commissioners discussed the action table for determining the number of votes required for a super majority.