



CITY OF PARK RIDGE
505 BUTLER PLACE
PARK RIDGE, IL 60068
TEL: 847/ 318-5291
FAX: 847/ 318-6411
TDD: 847/ 318-5252
URL: <http://www.parkridge.us>

DEPARTMENT OF COMMUNITY
PRESERVATION AND DEVELOPMENT

ZONING BOARD OF APPEALS

**Thursday, July 25, 2013
Council Chambers
505 Butler Place, Park Ridge, Illinois**

MINUTES

Chairman Gary Zimmerman called the meeting to order at 7:31 pm.

A. Roll Call

Present

Alice Borzym-Kuczynski
Atul Karkhanis
Missy Langan
Linda Nagle
Sal Parenti
Gary Zimmerman, Chairman

Staff

Ed Cage
Barb Cannon

City Council

None

Others Present

Approximately 5 citizens

Absent

Steven Nadler

B. Approval of Minutes – June 27, 2013

Alice Borzym-Kuczynski stated that the draft minutes should be amended as follows:

In regard to 1030 W. Higgins, Case Number V-13-04: page 4, last line on the page, specify that the current MD/physician rooms “in the Cardiology section” will...

Ms. Borzym-Kuczynski also requested the Findings of Fact regarding 10 S. Prairie, Case Number V-13-03, be amended so as to substantiate that there is a business coming in where a business was formerly located, by including, “there were at least two prior businesses at this location: Hill’s Hobby; and Burke’s Books.” Linda Nagle requested that the parking lease be referenced. This should be placed at the end of the third paragraph.

On a motion by Linda Nagle, seconded by Sal Parenti, the Board agreed to approve the minutes of the June 27, 2013 meeting, subject to the changes made by Ms. Borzym-Kuczynski.

Of the Members present at the June 27, 2013, the vote tonight was unanimous to approve the amended minutes. Atul Karkhanis and Missy Langan abstained from voting.

C. Appeals – None

D. Variances

1. Variance at 1030 W. Higgins – Case Number V-13-04 (Major)

Present to continue the discussion on this variance to allow a monument sign to exceed the sign regulations were: Katie Conroy of Poblocki Sign Company, 922 S. 70th Street, West Allis, Wisconsin; and Patrick Corrigan, condominium owner and Treasurer representing 1030 West Higgins Condo Association, 1030 W. Higgins, Park Ridge.

Mr. Corrigan stated that 1030 West Higgins Condo Association (the "Association") applied for a variance to allow for an illuminated monument sign listing Loyola University Medicine, Heart & Vascular Medicine, Immediate & Primary Care, the address, and the names of eight other building owners/occupants. Reasons for this request include the fact that this building is located directly across the street from Chicago, which has a different address numbering system; it houses condominiums and offices; current Loyola cardiology patients often get confused trying to locate these offices and this will more likely be the case with those trying to find the immediate care center; and, with 60% of the units bank-owned or vacant, adding tenant names to the monument sign may attract more owner/occupants. In Illinois, when a condominium goes into foreclosure, the bank ceases paying the common area maintenance expenses. The Association's annual operating budget is approximately \$300,000 to \$350,000. There are also assessments, such as for the currently broken elevator, which is an additional \$60,000. The Association is about \$170,000 in arrears due to the foreclosed units. This has caused quite a hardship for the owners paying the bills. Mr. Corrigan produced the floor plans of the existing three-floor facility which encompasses 56,200 square feet. The areas in foreclosure, vacant, or bank-owned are highlighted in orange. The Higgins side of the building is equal to the bottom edge of each floor plan. This was marked as Exhibit 14.

At the June 27, 2013 meeting, Mr. Corrigan displayed a map of Park Ridge indicating on it various B-1 properties with large pylon/monument signs. In addition to 1030 W. Higgins, detailed on the map were: Dominick's and Al's Beef; the Shell gas station, Dairy Queen, and TCF Bank on Talcott; a gas station, 7-11, Walgreens, and Community Bank in South Park; another office building that is about half of the size of the 1030 W. Higgins building with a large horizontal sign, almost the same dimensions as being requested here, which lists those tenants; closer to Uptown are Jewel and two signs over 20 or 30 feet tall at the Village Green shopping center; also shown are Parkway Bank, McDonald's, Crossroads, a dental office, and the Bredemann dealership on Dempster. Gary Zimmerman commented that it might be meaningful to the Members if the Association were to return tonight with a comparison of sign size versus building size with respect to these other B-1 locations.

Mr. Corrigan did an analysis and presented the Board with a spreadsheet and bar graph using square footage of signs per 1,000 square feet of building. These were marked as Exhibits 15 and 16, respectively. The buildings range in sign square footage per 1,000 square feet of building from 97.5 (i.e., 97.5 feet of building sign per 1,000 square feet of building) to 1.58 (1030 W. Higgins). On a per-square-foot basis, the bigger signs belong to smaller buildings: 7-11, Shell Gas, a real estate office, TFC Bank [sic], McDonald's, and a medical imaging company. The square footage of these signs ranges from 90 to 606.25. The Association is requesting a variance for an 87-square-foot sign.

Ms. Conroy stated that she believes all of the B-1 signs in the analysis had been approved through the variance process. In requesting its sign variance, the Association has been trying to stay within the parameters of what had previously been approved for others. The 12-foot height was

determined to accommodate legible copy area for Loyola and eight other tenants. Each tenant panel is 7.5 inches, which allows for six inches of copy. This will only allow visibility of about 300 feet. Reducing sign height will reduce copy space which will reduce visibility of building tenants. The Association desperately needs to offer signage to the tenants. It is important to have a legible sign.

Alice Borzym-Kuczynski mentioned that, if this variance were granted, Loyola could not include all of the information on the sign it is requesting. Asking the Board and staff to review, she cited 14.5.G.1 of the Zoning Ordinance, General Design Standards for Permanent Signs, Limitation on Items of Information: So as not to create traffic hazards for passing motorists and to minimize the cluttered appearance of signs, all signs shall limit the number of items of information on any single sign face to no more than three (3) items. Items of information may include: the name of the business, type of use, product or service (if not part of the business name), street address, phone number, website address, business logo, business slogan, or other business information.

[The Landings Shopping Center at Potter and Dempster has six items of information. It received a variance for three in addition to the three allowed by Ordinance.]

Missy Langan appreciates all of the information in Mr. Corrigan's analysis but explained that it is based on building size versus sign size and the Zoning Ordinance was not written that way. The sign section of the Zoning Ordinance was rewritten in 2008 and then there were several amendments to that section made about a year and a half ago. Many of the amendments were made because many businesses felt the Ordinance was too prohibitive and that it did not allow them to advertise their businesses as well as they would have liked. Through a 10-month task force, none of that ever unfolded. There was never validation that this would make or break a business. That part of the Zoning Ordinance was never amended. Not every business in the B-1 district has a sign variance. Many signs mentioned were erected prior to 2007 and would not be allowed today with or without a variance. She feels the Village Green sign is excessive. In the present case, with the five-foot setback and if the sign were moved further toward Cumberland, Ms. Langan believes there is a pretty clear sightline of the sign.

Gary Zimmerman toured the city again recently looking specifically at the signs. He feels 1030 W. Higgins is unique and wonders why it is not zoned B-2. He is not allowing a possible economic hardship factor to cloud his decision. He feels that a 12-foot sign in front of a building this size, which faces Chicago and no residences, and is surrounded by like-sized signs, would not alter the character of the neighborhood. It is not within a residential neighborhood; it is more of an industrial strip.

Alice Borzym-Kuczynski asked staff for confirmation that her interpretation of Section 14.5.G.1 of the Zoning Ordinance was correct and that Loyola would be allowed only three items on its sign. Ed Cage confirmed this. She added that the sign Loyola is proposing would contain a logo plus seven to nine items and asked whether they would have to change this sign for the immediate care center. Mr. Cage acknowledged Ms. Borzym-Kuczynski raised a valid point. The way the ordinance is written, there is a limitation on items of information. Loyola's proposal clearly contains more than three. Section 14.5.G.1 would apply here.

Sal Parenti referenced 14.5.G.2 of the Zoning Ordinance: Ground signs for developments with multiple tenants that are used to advertise which tenants are located within the development shall be limited to one (1) item of information per tenant within the development, in addition to the address of the development.

Loyola’s three items would include a logo; the name; and, as the Board requested at the previous month’s meeting, the address. At this point, being limited to three items, Ms. Borzym-Kuczynski stated the information would be Loyola’s choice. The proposed sign in its exhibit cannot be allowed; another variance would be required. As it is currently proposed, Loyola’s sign contains: (1) logo; (2) business name; (3 and 4) services; (5) times of operation. Atul Karkhanis disagrees. He believes the logo and business name should be considered as one and would like to defer that decision to the Zoning Administrator.

Mr. Corrigan and Ms. Conroy agreed to limit the Loyola portion of the sign to three items.

Atul Karkhanis asked about the specifics of the sign. Ms. Conroy explained that Loyola’s maroon rectangle is 2’11” and each tenant tile is 7.5” with 0.25” top and bottom retainer bars, plus a 1’7” base. The eight inches allotted to each tenant would provide each with six inches of copy. Every one inch of copy is visible for fifty feet, so each tenant’s name would be visible for 300 feet. Higgins is a four-lane road with a speed limit of 35 miles per hour. The eight-inch signs will be seen for 0.7 seconds. This will be an internally-lit sign using 375 lumens; there will be no background or external lighting. The only things that will light up, and be visible at night, are the logo and the copy because the background is opaque. Ms. Conroy believes the proposed sign dimensions are in proportion with the building. A color copy of the sign specifications, including a proposed night view, was marked as Exhibit 17. Mr. Karkhanis acknowledged Mr. Corrigan’s work and expressed his appreciation for the spreadsheet calculations and chart but agrees with Ms. Langan that he does not factor that information into his decision because the Zoning Ordinance is not written to accommodate that. The information about the sign, speed limit, and visibility is a lot more important to him.

Separately, Ms. Conroy explained the sample materials of the proposed sign to Atul Karkhanis and Missy Langan.

On a motion by Linda Nagle, seconded by Missy Langan, the Zoning Board of Appeals

AGREED to recommend City Council approval of two variances to allow a monument sign to be 12-foot in height and 67.22 square feet in size, instead of the maximum 6-foot high and 32 square feet, as permitted by Section 14.6.B.1, at 1030 W. Higgins Road, Zoning Case Number V-13-04, subject to Section 14.5.G.1, with the caveat that the Zoning Administrator will interpret that section.

Vote on the motion was as follows:

| | | |
|---------|----------|--------------------------------------|
| AYES | <u>4</u> | Karkhanis, Nagle, Parenti, Zimmerman |
| NAYS | <u>2</u> | Borzym-Kuczynski, Langan |
| ABSTAIN | <u>0</u> | None |
| ABSENT | <u>1</u> | Nadler |

The motion passed.

2. Variance at 900 S. Western – Case Number V-13-05 (Major)

Present to request this variance to allow the construction of an at-grade patio to encroach 11 feet into the required rear yard setback of 15 feet, as required by Section 7.3, Table 3 of the Park Ridge Zoning Ordinance, were the owner/applicants, Rich and Patricia Balow.

Mr. Balow explained that the variance would allow his family to build an at-grade brick paver patio, approximately 350 to 400 square feet in area, with an 18-inch-tall sitting wall toward the south and west property lines. This is represented in Exhibit 6. The neighbor’s garage is along the southern property line. Between the proposed patio and the neighbor’s home to the south are a bush on the Balow property, a chain link fence, another bush and a swing/sitting area.

The patio is part of a larger project which entails replacing a wooden deck and stairs and covering an area of grass. All would be constructed using the same Unilock brick pavers. They also plan to replace a concrete driveway and a single, heavily cracked 5’x5’ sidewalk square.

The Balows submitted a Google Map aerial photograph to illustrate where the patio would be in proximity to their neighbors and to their own house. This is Exhibit 7. Exhibits 8 and 9 are backyard photographs, one from the west and one from the south. The eight-inch garden edging displayed in these exhibits will be removed.

The Balows live on a corner lot and so, even with the requested variance, will maintain 63.2% open green space. Although it does not mirror a total green space, Unilock brick pavers will allow some drainage between the bricks. The patio will be sloped toward the existing green space within the Balow's own yard, draining northward.

The Balows complied with all of the notification requirements for this application. A legal notice of this public hearing was published in a local newspaper, a sign has been posted in front of their house for the past 2.5 weeks, and 40 neighboring property occupants within a 250-foot radius of their home were notified regarding tonight’s hearing and their plans for the property. To date, they have received no negative feedback and all with whom they have spoken are in full support of the proposed project.

Gary Zimmerman believes this is a unique case because this property is a reverse corner lot, which creates a hardship. The patio would drain northward. It would be situated next to a garage and some open area and therefore does not alter the essential character of the neighborhood. Missy Langan does not believe a reverse corner lot is unique in this town.

On a motion by Missy Langan, seconded by Atul Karkhanis, the Zoning Board of Appeals

AGREED to recommend City Council approval of a variance to allow an at-grade patio to encroach 11 feet into the rear yard, instead of the required 15 feet as required by Section 7.3, Table 3, at 900 S. Western Avenue, Case Number V-13-05.

Vote on the motion was as follows:

| | | |
|---------|----------|--------------------------------------|
| AYES | <u>4</u> | Nagle, Parenti, Karkhanis, Zimmerman |
| NAYS | <u>2</u> | Langan, Borzym-Kuczynski |
| ABSTAIN | <u>0</u> | None |
| ABSENT | <u>1</u> | Nadler |

The motion passed.

E. Other Items for Discussion and Updates

Chairman Zimmerman will discuss 212 Gillick with City Attorney Hill.

He would also like to, at the next meeting, discuss the outcome of a previous case involving the sight line and a fence across a driveway on Touhy Avenue. A text amendment recommendation should be considered regarding vision clearance from the corner of a lot. A staff memo had been distributed at a prior meeting. Missy Langan would like to act on this because she feels the issue will come up again. As Gary Zimmerman remembers, it was 10 to 15 feet. Ed Cage added that five feet was suggested to at least have a minimum. Gary Zimmerman thinks it should be greater so that a large number of people are not put into nonconformity. Mr. Cage recently had a complaint about some properties along Northwest Highway, on Seeley and Seminary, where the hedges were right up against the sidewalk and an individual walking to the train almost got hit at both intersections.

Chairman Zimmerman is asked about two topics quite often: the opening date of Whole Foods; and whether anything will be done with the old Napleton property.

- F. **Citizens Wishing to Be Heard on Non-Agenda Items** - None
- G. **City Council Liaison Report** - None
- H. **Adjournment** – The meeting was adjourned at 8:42 p.m.

Date

Gary Zimmerman, Chairman

Barb Cannon
Recording Secretary

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