



City of Oakbrook Terrace  
Planning & Zoning Commission Meeting  
Tuesday, December 20, 2016  
Case #17-11

The Planning and Zoning meeting was called to order by Chairman Noble at 6:01 P.M.

Chairman Noble asked Building and Zoning / Planning and Zoning Secretary Bossle to take roll call.

Present: Chairman Noble, Commissioners Ventura, Jackson, Cardenas, Donoval, Smurawski

Absent: Commissioner Schneider

Also Present: Mihaela Dragan, Building and Zoning Administrator, Peter Pacione, City Attorney, Michelle Bossle, Building and Zoning / Planning and Zoning Secretary.

Chairman Noble said the first order of business was to approve the minutes of November 15, 2016, Case #17-10 for Two & Three Lincoln Centre / Com Ed for an Amendment to PUD.

Chairman Noble asked if there was any final discussion. There was no discussion.

Chairman Noble asked for a motion to approve the minutes of November 15, 2016, Case #17-10 for Two & Three Lincoln Centre / Com Ed for an Amendment to PUD.

**MOTION**

Commissioner Jackson moved and Commissioner Smurawski seconded the motion to approve the minutes of November 15, 2016, Case #17-10 for Two & Three Lincoln Centre / Com Ed for an Amendment to PUD.

A VOICE VOTE WAS TAKEN AND PASSED 6-0.

Chairman Noble said the second order of business was to consider the request by M. Richards, Ltd. d/b/a Merry Richards Jewelers (acting with permission from the owner West Suburban Bank as Trustee U/T/A dated April 29, 1999 Trust No. 10886) to allow for variations as follows: from Section 156.043(C)(8) (to allow a freestanding monument sign at its current location provided that electrical installation related to the sign will and the

sign structure shall be no closer than two (2) feet from the south property line, instead of minimum ten (10) feet from the property line); from Section 156.043(C)(3)(B) (to allow the installation of a digital sign serving various tenants at the property above the existing tenant panel portion of the existing freestanding monument sign); from Section 156.043(B)(3)(e) (to permit eight (8) existing window signs on the first floor and one window sign on the third floor to cover 100% of the windows to which they are applied and to permit not more than two additional third floor upper level existing window signs to cover 66% of these windows, instead of maximum 25% of each window on which a sign is hung); from Sections 156.043(B)(1) and 156.043(B)(3) (to allow a maximum of 316 square feet of gross signage for the subject property with its existing building, 72 square feet of which attributable to the new digital sign, instead of maximum 229.2 square feet); from Section 156.043(C)(5) (in order to reduce the required clearance below the monument signs from six (6) feet to zero (0) feet for the existing base of the monument sign at its current location); from Section 156.049 (in order to allow the removal of two Chanticleer Bradford Pear Trees between the existing driveways and to account for existing conditions along the south lot line, reducing the currently required points required for landscaping on the south lot line from 680 to 580 points); from Section 156.049 (in order to allow spacing of trees on the right of way at a distance greater than 50 feet). This hearing is intended to address solely those matters relating to the signage on the property and clearance for an intended addition of a digital sign above the tenant panels on the existing monument sign. Prior zoning relief and requirements for the existing improvements are intended to continue in effect.

Chairman Noble asked all those who would be speaking this evening to please stand up and be sworn in.

Mark Daniel of Daniel Law Office, P.C. was sworn in by Michelle Bossle, Building and Zoning / Planning and Zoning Secretary.

Chairman Noble asked the Petitioner to stand and state his case.

Attorney Daniel of Daniel Law Office, P.C. took the floor with his presentation and introduced Richard Cheng, owner of Merry Richards Jewelers. The matter involves a rather simple issue of adding a 36 sq. ft. per side digital sign above existing panel signage for the property. The panel signage, referred to as the existing signage, is situated in the bottom portion of the freestanding sign being proposed. Above that there is a cap that's an arch and below the arch is the address sign. What is being proposed is to install a support panel across the top of the existing sign, install matching pillars on each side of the sign in which there will be braces containing the digital sign, and place a cap above the digital sign; adding a total of 72 sq. ft.

Attorney Daniel continued stating that an inventory of all the existing signage at the property has been provided. In order to add the 72 sq. ft. of signage for the digital sign, approval of a variation to allow a digital sign is being requested, allowing a portion of that sign to be located 2 feet from the south lot line instead of 10. To the extent that electricity is involved, there is a box that is 8-10 inches off the ground that is on the 22<sup>nd</sup> Street side of the existing sign. That box may have to be enlarged a bit; it may be 2½-3 ft. from the property line, giving leeway for 6 more inches. With respect to the overall signage on site, the gross signage is affected by a collection of factors. On the first floor of the building, facing the building from 22<sup>nd</sup> Street, on each side of the door there are 3 windows. Those windows are entirely covered by very expensive, brand-sponsored signs, similar to decals that apply to the windows, costing about \$2,000 a piece. Merry Richards has had those signs for a very long time. The signs are actually on the outside of a case that is as wide as the wall; similar to a display case. On the east side and west side of the building they have a similar window and one of those sides has a sign on it as well, the other one does not. When looking at the other signs on the property, the dentist on the 3<sup>rd</sup> floor of the building has window signage identifying the business; which has been included in the request for a gross signage variation with the understanding that when that signage becomes no longer functional, that the Planning and Zoning Commission and City Council might request that signage will not be replaced. The dentist is one of the individuals that will share in some of the time on the digital sign being proposed.

Attorney Daniel also stated that there is some landscaping relief in play. There are two Bradford Pear trees, one on each side of the monument sign. This sign that identifies the tenants, currently has shrubs and a real nice landscape feature extending out to 22<sup>nd</sup> Street so that the lower portion of the sign is not visible. The two pear trees will obstruct any signage that gets above 6 ft. in height. The request is to allow the removal of each of those pear trees. Frankly, Richard wanted this sign in place two holiday seasons ago, but it has been difficult to plan for a handful of reasons; there was some work with IDOT, there was some review of the property for signage and some discussions with the landlord about how the signage would be insured and who would own the signage. The landlord will own the signage, the insurance will be in the name of the landlord, the tenant in control will be Merry Richards and they are obligated to maintain the signalization and what messages are on the signs. There will be no off premises use of those signs. With that said, IDOT has made some decisions in that area that have been rather beneficial to the City; they've also been problematic for the property owner. One example is the disappearance of a parking space; their as-built doesn't match the plans that they gave the landlord when they redid the entryway and built the U-turn. Another thing that IDOT did was that they declined to put the utilities underground.

Attorney Daniel continued noting that what they have now is a much wider right of way with the IDOT expansions, 40 mile per hour traffic on a good day heading east bound and there is a U-turn that starts just past JRC Plaza East and the Holiday Inn. Signage is crucial because that U-turn is the point where the decision is made as to what location/business is being patronized. From a westbound perspective, there is a higher elevation because of coming down from a slope of 7-8 feet. The topographical information from the DuPage County GIS shows the grade change coming down 22<sup>nd</sup> Street toward the west. With all that and the combination of speeds, it has been determined the benefits of digital signs. Merry Richards is a positive contributor to the community when it comes to sales tax generation. With respect to the digital sign, what is being proposed is in compliance with all the applicable City codes concerning strength of the lighting, it will be a four color sign; similar to what is at Pete's Market. The sign will comply with the height requirement as set forth in the zoning ordinance; the sign proposed will be just shy of 15 feet. When it comes to plan preparation and submission, the plan is to have the landlord approve the sign that Merry Richards commissions from a sign company. Structurally it will be able to withstand winds well in excess of typical high winds of 150 mph and more. When it comes to use, insurance and repair of the sign, there is an agreement between the landlord and the tenants. When it comes to succession to the rights of the sign, down the road if Merry Richards is no longer there, another tenant would take control and maintain operations or the landlord would. The insurance coverage is ready to be placed once designs and permit for the sign has been received. Removing the two pear trees will free up views to the sign from the east and the west so that they are not obstructed.

Attorney Daniel concluded stating that from a hardship perspective he has spoken about the geography, the change in grade, the visibility, and reported criminal activity at the property. The window signage for Merry Richards is critical to prevent clear views into the jewelry store and help from a security perspective as well. With respect to practical difficulty, he has touched on the issue of sales tax generation. The frontage on 22<sup>nd</sup> Street is what is going to be affected by the variations being requested; the residential side to the north will not be affected by the variation. It is a reduction in points being sought for the two trees and nothing else on site.

Chairman Noble asked if there were any comments from Building and Zoning Administrator Dragan.

Building and Zoning Administrator Dragan took the floor and responded that the Petitioner's Attorney made a detailed presentation of the request. The signs at the subject property, not including the window signs, are totaling approximately 176 sq. ft. which is under the allowable 229 sq. ft. for the property. The other window signs are totaling 140 sq. ft.

Building and Zoning Administrator Dragan stated that based on this, a variation for signage area is requested. For a couple of years, Merry Richards has discussed with the City the need for a digital sign to advertise their business. The Planning & Zoning Commission and City Council discussed if digital signs should be allowed without a public hearing and as you may recall, the City decided to review the requests on a case-by-case basis. The Petitioner hopes that the Planning & Zoning Commission will approve the variations from the sign code in order to allow for better visibility of the business. The actual variations are not for the height of the sign, not for the area of the sign, but to allow for a digital sign and to allow the monument sign to be situated 2 feet from the property line. The previous code allowed monument signs to be situated 3 feet from the property line; however, the current code requires monument signs to be 10 feet from the property line. Similar variation was approved for the Oakbrook Terrace Park District Fitness Center signage along 22<sup>nd</sup> Street a couple of years ago in regards to the location of the monument sign; allowing it to remain as existing. The other variation was to allow removal of the 2 trees which obstruct the signage and to allow the window signs to remain as existing.

Chairman Noble asked if there were any questions from the Commissioners.

Commissioner Ventura asked Building and Zoning Administrator Dragan about the location of the Oakbrook Terrace Park District Fitness Center sign.

Building and Zoning Administrator Dragan stated that there is a monument sign situated in front of the One Parkview Plaza building and at the time when they expanded the sign to advertise the park district, a similar variation was requested.

Commissioner Ventura stated that she understands that the digital signs are very popular today and the need for visibility. Her concern is going from 10 feet to 2 feet and setting precedence for other stores along 22<sup>nd</sup> Street; and also the request to go from a 6 foot clearance to a 0 clearance.

Building and Zoning Administrator Dragan replied that the sign is existing; those are current conditions.

Commissioner Ventura indicated that it is not an existing sign with a 0 foot clearance and it's 3 feet right now and it is a freestanding sign not a larger digital sign. The same thing with the window coverings; right now the ordinance says 25% coverage and the request is for 66% coverage; over double the amount of coverage. Again, what happens when other stores want to be 2 feet with a 0 clearance on 22<sup>nd</sup> Street as well.

Attorney Daniel stated that with respect to this circumstance, the signage as to the monument sign is an existing condition; the only thing being addressed is the location of the electrical box next to the existing footing for the monument sign there now; that electrical box may be another foot within the setback. The whole sign is already within the 10 feet because it was planned and approved at the prior 3 feet. There is electrical service to the panel, but to power the digital sign, the box may need to be a little larger; it's not even going to be visible because of the bushes. There is no movement of the sign; the sign is existing. As far as the 0 clearance, the ordinance could be read two different ways. The conservative way to read it is that all signs have to have that 6 foot clearance. Every tenant sign and part of Merry Richards would be lost if there was 6 foot clearance with this sign. All those panels are currently there; from 6 to 0 is existing conditions. If something happened to this sign, the sign would have to be restored and the landlord and tenants would need to discuss how to handle the sign; working with the City to determine if the same sign could be re-built or if more zoning relief would be necessary. If they were to remove the sign or stop using the sign, they would have to come in after a period of time of six months of nonuse. At that time they would have to conform to the zoning codes or come before the Planning and Zoning Commission for zoning relief. The key distinguishing factors from other properties is that this is an existing sign. On the windows, there is a difference between lower level windows and the third level windows. City Council can recommend removal of the third level windows when they became no longer of service and had to be replaced. Merry Richards signs on the first level are necessary and he cannot live without them; there have been two burglaries at this property, 3 in Oak Brook Center, and there is not the type of security that is needed. These window signs prevent someone from peering into the store, seeing the layout and determining how their security works, knowing when people come and go, and knowing when the vaults are accessed. The security is not the same as what is available at Oak Brook Center; it is a stand-alone jeweler and it is important to have that coverage.

Chairman Noble asked if there were any other questions or comments from the Commissioners.

Commissioner Jackson clarified that the current window signs are there; they are not changing the coverage of the windows from what is now existing; it is just that there is not a variance to satisfy what exists. Likewise, the sign exists with the zero clearance from the six feet; the only new part to anything is the additional sign up to 14'9" for the digital part of the sign.

Commissioner Ventura questioned the wording of additional third floor window signs.

Attorney Daniel explained that the word additional does not mean new though; it may be in the context of the recitation that they are in addition to the first floor windows. Everything referred to in the application is existing with the exception of the digital sign.

Commissioner Jackson asked if the trees were a part of the original approval before the building of the structure and the landscaping.

Attorney Daniel responded that they were part of the approval of the addition to the building that led to Merry Richards existence. The building originally did not have the build-out area for Merry Richards; that was an addition. When that came in, the new landscaping came in with those 2 trees.

Building and Zoning Administrator Dragan stated that they walked the subject property to see if the trees could be relocated somewhere else on the property; but this is not an option because there is no other area where trees can be relocated other than in front of the building.

Commissioner Donoval added that not just the trees, but all the brush in front of the sign needs to be removed because the sign is not visible with the property sitting higher and the road lower.

Attorney Daniel stated that the dilemma with that is there is a license agreement continuing with IDOT and a lot of that landscaping is in the IDOT right of way. When IDOT engaged in the taking of part of the east entrance, there was an access restriction imposed and they exchanged a license for the landscaping. To change the landscaping in the lower tier is going to be a difficult circumstance; the owner does not want to go through the IDOT process and the tenants think that the digital sign is a solid answer. Once the trees are removed the issue will be whether to do seeding, or a garden, or use some tall grasses; that is something that Building and Zoning Administrator Dragan can determine based on how she sees the parking and the security and curbing. The digital sign will give people a landmark for all tenants.

Commissioner Smurawski commented that he thinks that the request is reasonable but feels it is business specific. He also stated that in driving by a lot, he rarely notices the business there. Most of the strip malls are located further off 22<sup>nd</sup> Street; whereas Merry Richards is more in the front. So for other business to want to move their signage up to the front; it would be a stretch to assume that they would want to.

Commissioner Cardenas agreed with redoing the landscaping similar to the beautiful flower arrangement near the entrance to Oak Brook mall; lower landscaping without obstructing the sign. He would hate to see a business leaving Oakbrook Terrace because there is not enough exposure and then have an empty building without producing any income.

Chairman Noble asked Building and Zoning Administrator Dragan if a discussion with the owner would facilitate the issue of points and the removal of the trees.

Building and Zoning Administrator Dragan replied that the owner of the property might not be willing to make any changes, but Merry Richards would be willing to do landscaping to replace the trees. As long as the planting is done within the property line landlord approval will be needed.

Attorney Daniel also added that the legal notice could only reach areas within the four corners of the property and if the preference is to have the right of way landscaped with floral instead of shrubs or bushes, it would be a public improvement and the City has jurisdiction to direct the work with IDOT. Since the trees are right on the property line, there is not much on the property to work with, so everything as far as the landscaping improvements; 98% of it is within the IDOT right of way.

Chairman Noble asked if the building was fully occupied or is there any vacancy.

Attorney Daniel responded that an access office that was being used by the landlord is available for rent, but otherwise it is fully occupied.

Commissioner Ventura asked if the verbiage should be reconsidered stating that it is only the electrical box that is no closer than 2 feet, and remove that it is the structure as well.

Attorney Daniel replied that the definition of structure includes the box so staying within the footprint of the sign with the exception of the box would be a fair decision.

Commissioner Ventura again questioned the additional window signage verbiage.

City Attorney Pacione restated that the additional refers to the signs on the third level that are already there; additional as opposed to those on the first level.



Building and Zoning Administrator Dragan explained that Attorney Daniel is representing the tenant with the landlord's approval and authorization; however, he is very detail-oriented and he looked at the window signage for the entire property. Other attorneys just represent the tenant and don't take into consideration the other tenants, but working on this legal notice, Attorney Daniel submitted information regarding the window signage for all tenants and felt it is appropriate as representing a tenant in the building to bring the entire property into compliance.

Attorney Daniel stated that he did not want Merry Richards' application delayed because of concerns with windows on the third floor that he has no tie to, but those are existing signs, they are additional to the ones that Merry Richards controls on the first floor, not additional to the ones that are out there right now.

City Attorney Pacione pointed out that the legal notice does say existing sign and that maybe just take out the word additional.

Commissioner Ventura asked about getting rid of the signs in the windows in order to be in compliance.

Attorney Daniel responded that it is what they would be doing when they are not in service anymore unless the Commission requires removing them as part of their recommendation.

Commissioner Jackson asked if the sign was not going up for the digital would the building be in compliance today. But because of what Merry Richards wants to do, which will also benefit the tenant on the third floor, the tenant on the third floor will not be in compliance of the gross signage area for the building.

Attorney Daniel also stated that the tenant on the third floor agreed in writing to remove all the window signs once the digital sign was in place. The commitment is based on the Commission's recommendation to make the removal of the signs a condition of the ordinance.

Building and Zoning Administrator recommended 30 days from the installation of the digital sign which is reasonable time for the tenant as well as for the City to follow up.

Chairman Noble opened the floor for public participation.

Chairman Noble asked for any positive or negative testimony.

Chairman Noble noted Richard Cheng's positive testimony stating that he would be very grateful and appreciative if the process was approved.

Chairman Noble closed the public portion of the hearing.

Chairman Noble asked if there were any additional questions from the Commissioners; there were none.

Chairman Noble asked for a motion to approve Case #17-11 the request by M. Richards, Ltd. d/b/a Merry Richards Jewelers (acting with permission from the owner West Suburban Bank as Trustee U/T/A dated April 29, 1999 Trust No. 10886) to allow for variations as follows: from Section 156.043(C)(8) (to allow a freestanding monument sign at its current location provided that electrical installation related to the sign ~~will and the sign structure~~ shall be no closer than two (2) feet from the south property line, instead of minimum ten (10) feet from the property line); from Section 156.043(C)(3)(B) (to allow the installation of a digital sign serving various tenants at the property above the existing tenant panel portion of the existing freestanding monument sign); from Section 156.043(B)(3)(e) (to permit eight (8) existing window signs on the first floor and one window sign on the third floor to cover 100% of the windows to which they are applied and to permit not more than two ~~additional~~ third floor upper level existing window signs to cover 66% of these windows, instead of maximum 25% of each window on which a sign is hung); from Sections 156.043(B)(1) and 156.043(B)(3) (to allow a maximum of 316 square feet of gross signage for the subject property with its existing building, 72 square feet of which attributable to the new digital sign, instead of maximum 229.2 square feet); from Section 156.043(C)(5) (in order to reduce the required clearance below the monument signs from six (6) feet to zero (0) feet for the existing base of the monument sign at its current location); from Section 156.049 (in order to allow the removal of two Chanticleer Bradford Pear Trees between the existing driveways and to account for existing conditions along the south lot line, reducing the currently required points required for landscaping on the south lot line from 680 to 580 points); from Section 156.049 (in order to allow spacing of trees on the right of way at a distance greater than 50 feet). This hearing is intended to address solely those matters relating to the signage on the property and clearance for an intended addition of a digital sign above the tenant panels on the existing monument sign. Prior zoning relief and requirements for the existing improvements are intended to continue in effect.

MOTION Commissioner Ventura moved and Commissioner Jackson seconded the motion to approve Case #17-11 the request by M. Richards, Ltd. d/b/a Merry Richards Jewelers (acting with permission from the owner West Suburban Bank as Trustee U/T/A dated April 29, 1999 Trust No. 10886) to allow for variations as follows: from Section 156.043(C)(8) (to allow a freestanding monument sign at its current location provided that electrical installation related to the sign ~~will and the sign structure~~ shall be no closer than two (2) feet from the south property line, instead of minimum ten (10)

feet from the property line); from Section 156.043(C)(3)(B) (to allow the installation of a digital sign serving various tenants at the property above the existing tenant panel portion of the existing freestanding monument sign); from Section 156.043(B)(3)(e) (to permit eight (8) existing window signs on the first floor and one window sign on the third floor to cover 100% of the windows to which they are applied and to permit not more than two ~~additional~~ third floor upper level existing window signs to cover 66% of these windows, instead of maximum 25% of each window on which a sign is hung); from Sections 156.043(B)(1) and 156.043(B)(3) (to allow a maximum of 316 square feet of gross signage for the subject property with its existing building, 72 square feet of which attributable to the new digital sign, instead of maximum 229.2 square feet); from Section 156.043(C)(5) (in order to reduce the required clearance below the monument signs from six (6) feet to zero (0) feet for the existing base of the monument sign at its current location); from Section 156.049 (in order to allow the removal of two Chanticleer Bradford Pear Trees between the existing driveways and to account for existing conditions along the south lot line, reducing the currently required points required for landscaping on the south lot line from 680 to 580 points); from Section 156.049 (in order to allow spacing of trees on the right of way at a distance greater than 50 feet). This hearing is intended to address solely those matters relating to the signage on the property and clearance for an intended addition of a digital sign above the tenant panels on the existing monument sign. Prior zoning relief and requirements for the existing improvements are intended to continue in effect. With the condition that the third floor tenant will remove the upper level existing window signs 30 days after the installation of the digital sign.

Chairman Noble asked Building and Zoning / Planning and Zoning Secretary Bossle to take the roll call.

Ayes: Chairman Noble, Commissioners Ventura, Jackson, Cardenas, Donoval, Smurawski

Nays: None

Absent: Commission Schneider

MOTION PASSED WITH A VOTE OF 6-0.

Chairman Noble asked Building and Zoning Administrator Dragan when the petition would be presented to the City Council.

Building and Zoning Administrator Dragan stated that the Letter of Recommendation will be placed on the January 10, 2017 City Council meeting agenda.



City of Oakbrook Terrace  
Planning & Zoning Commission Meeting  
Tuesday, December 20, 2016  
Case #17-12

Chairman Noble said the third order of business was to consider a request by 17W621 Roosevelt LLC for the following relief:

- A variation from Section 156.043 (B) (1) of the Zoning Ordinance to permit the area of all wall signs not to exceed 428.1 sq. ft. instead of maximum allowed 386 sq. ft. for the property.
- A variation from Section 156.043 (B) (3) (e) of the Zoning Ordinance to permit window signs to exceed an area of 25%, but not more than 50%, of the windows to which they are applied.

Chairman Noble asked all those who would be speaking this evening to please stand up and be sworn in.

George Kourafas was sworn in by Michelle Bossle, Building and Zoning / Planning and Zoning Secretary.

Chairman Noble asked the Petitioner to stand and state his case.

Petitioner Kourafas took the floor stating that they have had a vacancy in the building since February 2016. There is now a tenant going in to that end cap unit at the subject strip center. The request is for an additional 42 sq. ft. of building signage and with the window signage for the entire property not to exceed 50%, but a minimum of 25%.

Chairman Noble asked if there were any comments from Building and Zoning Administrator Dragan.

Building and Zoning Administrator Dragan took the floor and stated that the memo received explained the signage approved without variations from the sign code and allowed for each space. The actual variance for the wall sign to advertise Oxford Insurance results in a request for an additional 48 sq. ft. of signage for the property. The owner of the property feels that more signage will be needed for that tenant; there is no digital component, just a request to allow a little bit larger signage than allowed by the code. As you know, Gus Danos, the owner of the subject property highly maintains all the commercial properties within the City of Oakbrook Terrace as well as neighboring communities and thinks more signage than allowed by the code

is needed for the new tenant to be a successful business in Oakbrook Terrace. Since they applied for a variation from the sign code, the window signage issues were also addressed. Additional variation is requested to allow the signage to remain as existing. It has been a while since the new sign code addressing the window signs; businesses have always had window signs; however, the City did not have any restrictions. It is very hard enforcement to measure window signs and especially for the retail and the gas stations that need the window signs more than anybody else.

Chairman Noble asked if there were any questions from the Commissioners.

Commissioner Smurawski asked if Oxford Insurance was the new tenant.

Petitioner Kourafas responded that it is an insurance agency that is going to be the new tenant in that space.

Commissioner Donoval also commented the Gus Danos owns several properties in the City and they are all kept very nice and he feels that the signage proposed is needed there.

Chairman Noble opened the floor for public participation.

Chairman Noble asked for any positive or negative testimony.

Chairman Noble noted that there was none.

Chairman Noble closed the public portion of the hearing.

Chairman Noble asked if the Commissioner's had any other comments.

Commissioner Ventura commented that there is very good signage over the store front and all these window signs sometimes detract from the business too, making it look almost begging for business.

Chairman Noble pointed out that if there were more businesses like Gus Danos in the City, this would be a perfect town, and he does maintain his buildings beautifully.

Chairman Noble asked the City Attorney Pacione if he had any comments.

City Attorney Pacione had no comments.

Chairman Noble asked for a motion to approve Case #17-12 the request by 17W621 Roosevelt LLC for the following relief:

- A variation from Section 156.043 (B) (1) of the Zoning Ordinance to permit the area of all wall signs not to exceed 428.1 sq. ft. instead of maximum allowed 386 sq. ft. for the property.
- A variation from Section 156.043 (B) (3) (e) of the Zoning Ordinance to permit window signs to exceed an area of 25%, but not more than 50%, of the windows to which they are applied.

MOTION Commissioner Jackson moved and Commissioner Smurawski seconded the motion to approve Case #17-12 the request by 17W621 Roosevelt LLC for the following relief:

- A variation from Section 156.043 (B) (1) of the Zoning Ordinance to permit the area of all wall signs not to exceed 428.1 sq. ft. instead of maximum allowed 386 sq. ft. for the property.
- A variation from Section 156.043 (B) (3) (e) of the Zoning Ordinance to permit window signs to exceed an area of 25%, but not more than 50%, of the windows to which they are applied.

Chairman Noble asked Building and Zoning / Planning and Zoning Secretary Bossle to take the roll call.

Ayes: Chairman Noble, Commissioners Ventura, Jackson, Cardenas, Donoval, Smurawski  
Nays: None  
Absent: Commissioner Schneider

MOTION PASSED WITH A VOTE OF 6-0.

Chairman Noble asked Building and Zoning Administrator Dragan when the petition would be presented to the City Council.

Building and Zoning Administrator Dragan stated that the Letter of Recommendation will be placed on the January 10, 2017 City Council meeting agenda. Since no public hearing is scheduled at this time, does the Commission want to cancel the January 3, 2017 Planning and Zoning meeting and the next Planning and Zoning meeting is scheduled for January 17, 2017 at 6:00 P.M.

Chairman Noble asked for a motion to adjourn the meeting.

MOTION Commissioner Cardenas moved and Commissioner Donoval seconded the motion to adjourn the meeting.

MOTION PASSED UNANIMOUSLY THROUGH A VOICE VOTE OF 6-0.

Chairman Noble adjourned the meeting at 7:10 P.M.

Respectfully submitted by,

Michelle Bossle  
Building and Zoning / Planning and Zoning Secretary