



City of Oakbrook Terrace
Planning & Zoning Commission Meeting
Tuesday, January 17, 2017
Case #17-13

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 December 20, 2016, Case #17-11 for 17W300 22nd Street / Merry Richards Jewelers for Variations From The Zoning Ordinance.

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

Chairman Noble asked for a motion to approve the minutes of December 20, 2016, Case #17-11 for 17W300 22nd Street / Merry Richards Jewelers for Variations From The Zoning Ordinance.

MOTION Commissioner Jackson moved and Commissioner Donoval seconded the motion to approve the minutes of December 20, 2016, Case #17-11 for 17W300 22nd Street / Merry Richards Jewelers for Variations From The Zoning Code.

A VOICE VOTE WAS TAKEN AND PASSED 6-0.

Chairman Noble said the second order of business was to approve the minutes of December 20, 2016, Case #17-12 for 17W621-631 Roosevelt Road for Variations From The Zoning Code.

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

Chairman Noble asked for a motion to approve the minutes of December 20, 2016, Case #17-12 for 17W621-631 Roosevelt Road for Variations From The Zoning Code.

MOTION Commissioner Jackson moved and Commissioner Ventura seconded the motion to approve the minutes of December 20, 2016, Case #17-12 for 17W621-631 Roosevelt Road for Variations From The Zoning Code.

A VOICE VOTE WAS TAKEN AND PASSED 6-0.

Chairman Noble said the third order of business was to consider the request of Party City Corporation, acting with permission from the property owner, 22nd Street Plaza 837, LLC, to allow for variations as follows:

- 1) An amendment to Ordinance No. 14-60 and Ordinance No. 14-61 and a variation from Section 156.043 (B) (1) of the Zoning Ordinance to allow Party City Corporation to maintain wall signage of up to 234 square feet on the Subject Property and to allow the Subject Property to maintain a total of 3,145 square feet of gross sign area on the Subject Property described below.
- 2) An amendment to Ordinance No. 14-60 and No. 14-61 and a variation from Section 156.043 (B) (3) (e) to allow Party City to maintain window signage in a total gross window sign area of up to 581.93 square feet which represents one hundred percent of the allowable window area on the store frontage.

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

Dennis Lindell of Lindell & Tessitore 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 Lindell of Lindell & Tessitore P.C. took the floor with his presentation on behalf of Party City Corporation and began by identifying the exhibits and having them entered into the record. Exhibits 1-3 are colored renderings of the existing building; the former Loyola Primary Care Center that no longer operates there, approximately 13,000 sq. ft. Party City plans to leave Oak Brook and bring the 3 million dollars projected revenues to Oakbrook Terrace at this location. Party City is a unique retail operation that will attract a lot of traffic to the shopping center.

Attorney Lindell continued stating that the building is set back about 600 plus feet from the burm. Exhibits 4-6 are included in the packets; the Party City layout showing their standard signage with the tag line. Exhibit 5 is the layout showing their windows which are identical to the store at the Shops of Oak Brook where Nordstrom Rack is anchored; utilizing 100% window signage. Exhibit 7 is actually a picture of that store right down the street in Oak Brook showing the classic Party City pictures. Exhibit 8 shows the site plan; the shopping center is zoned B-3 General Retail. Exhibit 9 is a signage study that FedEx Office did for all Party City locations and also the University of Cincinnati. The study is about retail signage and how critical it is as far as size, layout, and colors especially with a busy street like 22nd Street. Unfortunately for the Party City site, it is at the very back of the center and there is no pylon signage up front for advertising; at the back of the center it is very hard to see from 22nd Street which makes it unique. Exhibit 10 is a letter describing the project that was submitted in the packet. Being set back around 600 feet is part of the reason for larger signage. The existing ordinance that was approved by the City for this site has the former Loyola Medical Center, 13,000 sq. ft. area, approved for 144 sq. ft. for wall signage. That may have been fine for a medical care center that is a known destination, it is not a major retailer; they don't depend on people driving by. People that want to go see a doctor, they come here because they know it; it is the exact opposite with a major retailer like Party City that depends heavily on their signage and impulse buyers. Party City is asking for 90 sq. ft. more than what was permitted; obviously Home Depot's sign is much larger than that as well as Big Lots and Naf Naf Grill which can be seen right off 22nd Street. Party City is a high end retail that is going to create a lot of jobs and the corporate office is projecting about 3 million dollars' worth of sales which is dependent on being able to attract customers from 22nd Street as well as those in the shopping center.

Attorney Lindell then went over the standards for the variation and how critical it is to Party City. One is Loyola Medical Center is a known destination, it does not depend on passerby customers for business whereas Party City does depend on passerby customers for its business. Business sales depend mostly on store visibility which is accomplished primarily through the use of wall signage and window signage. Being over 600 feet away from 22nd Street makes signage critical. People traveling on 22nd Street shouldn't have to divert themselves or struggle to see where the store is located. Without the signage, most people most likely won't see the store which will cause the store to lose out on a lot of revenue and not make it feasible for the store to relocate. In order to make it at this location, Party City does need the signage slightly increased and the window signage. The window signage is equally as important in attracting customers to the store; windows are the focal point of any retailer. Merry Richards Jewelers was just recommended for approval for 100% window signage.

Attorney Lindell stated that window signage is critical for store promotions and Party City is always offering promotions and switches out the window signage based on holidays; using the window signage to draw customers into the store. Statistics in the study done by FedEx Office found that nearly 76% of all consumers said they entered a store or business that they had never visited before simply based on its signage. About 67% of consumers surveyed said they had purchased a product because a sign caught their eye; approximately 60% of businesses reported that changing the design or enhancing the visibility of their signage had a positive impact on sales, number of transactions and profits. The study also concluded that on premise signage that is large enough, designed well and properly located are especially important for impulse sales. Impulse sales generate an important part of a retailer's business. The study found that 68% of purchases made during major shopping trips were unplanned and in these cases on site signage is critical. Signage to a retailer is everything; it's not just location. Without granting the sign variations, consumer retail demand will be negatively impacted and Party City will not be able to yield a reasonable return at this location. Party City, as a unique retailer will bring sales tax revenue and job creation to the City. There is not anything else like Party City in Oakbrook Terrace and it is a large enough retailer that it will attract other people to the center who will spend more money eating at the restaurants and shopping at the other areas. The second prong of the variance is that the plight of the owner is due to unique circumstances that they didn't create. Focusing on the distance of the store at the very back end of the center, which they can't help; the building was already created. Being at the far west end of the center provides poor visibility to the traveling public on 22nd Street; therefore, the larger signage is needed and the window signage is needed to attract clientele customers. Other tenants in the center have larger signage than what Party City is proposing in asking for 90 more sq. ft. and for their standard window signage which is part and parcel to their national operations that they have created in thousands of other stores throughout the country. The third prong is that the variations if granted will not alter the essential character of the locality. The surrounding area is retail; the whole center is retail and it is completely consistent with the comprehensive plan and the vision of Oakbrook Terrace. Party City will improve the quality of the center; a major retailer like Party City will be a better use than a medical care center. There is a lot of parking, the center has over 850 spaces; more than meets the parking requirements. In closing, Attorney Lindell stated that Party City really wants to come to Oakbrook Terrace and hopes for a recommendation for approval; the quality of retailer will improve the area and that center by providing another anchor.

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 with respect to the commercial area parcel which includes the Home Depot, Big Lots and the former Loyola space, in 2014 the City approved variations for signage from 1,973 sq. ft. to 2,473 sq. ft. and additional installation of seasonal banners. The seasonal banners were not ever installed. Commercial area has reserved 500 sq. ft. of signage which includes window signage; however, Party City is requesting approval for a wall sign of 234 sq. ft. The wall sign area is proposed to be 90 sq. ft. more than it is permitted and window signs are totaling up to 582 sq. ft. and are proposed to cover 100% of the window area on which they are applied. The wall sign is only on the south elevation.

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

Commissioner Ventura questioned the difference in wall signage area on the agenda versus the interdepartmental memo.

Attorney Lindell responded that originally the 144 sq. ft. that was approved for the Loyola Medical Center was included by error in the calculations so that is why Building and Zoning Administrator Dragan revised it to the 3,145 sq. ft.

Commissioner Ventura commented that the Party City sign is very colorful and bold so visibility should be good with that. The variation for the sign is reasonable, but to go from 25% to 100% window coverage is a drawback that she does not personally agree with.

Commissioner Jackson asked if there would be any signage visible from Butterfield Road.

Building and Zoning Administrator Dragan replied that Party City will have advertising on the pylon sign on Butterfield Road, but no building signage on the north side of the building. Party City will take over the former Loyola space on the pylon signs on Butterfield Road and 22nd Street.

Commissioner Smurawski noted that signage does not seem out of place for the area and looks appropriate.

Attorney Lindell commented that Party City changes out the window signage depending on the season.

Commissioner Smurawski asked if Party City was a franchise.

Jack McDonald, General Manager of the Party City in Oak Brook responded that there were a handful of stores that were a franchise, but those stores are in the process of being bought out by the corporation.

Commissioner Donoval asked if Party City was involved in organizing parties or if they just sell the merchandise.

General Manager McDonald responded that they do just sell the merchandise and no parties are held at the store.

Commission Cardenas commented that everything looks good and the signage will improve the visibility of the store and increase the sales.

Chairman Noble asked if Party City was aware that during the summer, the Home Depot puts a garden center in the front parking lot.

Attorney Lindell stated that it would not affect Party City because they do not have sidewalk sales and there is plenty of parking available.

Chairman Noble opened the floor for public participation.

Chairman Noble asked for any positive testimony or negative testimony.

Chairman Noble noted that there was none.

Chairman Noble closed the public portion of the hearing.

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

Commissioner Ventura stated that Party City is a great addition for the City of Oakbrook Terrace and the parking is going to be so much more convenient than in the prior location.

Attorney Lindell stated that with so much retail over there, the parking is awful.

Commissioner Ventura added that the new store will be a nice location for moms with kids for that type of errand.

Attorney Lindell replied that it is a nice clientele that comes into the store.

Commissioner Jackson requested that the minutes reflect that 100% coverage of the windows is something that the Commission is reluctant to grant, but this location, because it is so far back from the street, seems to be worthy of an exception from that requirement.

Chairman Noble commented that it is very nice that Party City has decided to come to Oakbrook Terrace and that it is a very good business.

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 #17-13, the request by the Petitioner, Party City Corporation, acting with permission from the property owner, 22nd Street Plaza 837, LLC, to allow for variations as follows:

- 1) An amendment to Ordinance No. 14-60 and Ordinance No. 14-61 and a variation from Section 156.043 (B) (1) of the Zoning Ordinance to allow Party City Corporation to maintain wall signage of up to 234 square feet on the Subject Property and to allow the Subject Property to maintain a total of 3,145 square feet of gross sign area on the Subject Property described below.
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MOTION

Commissioner Jackson moved and Commissioner Smurawski seconded the motion to approve Case #17-13, the request by the Petitioner, Party City Corporation, acting with permission from the property owner, 22nd Street Plaza 837, LLC, to allow for variations as follows:

- 1) An amendment to Ordinance No. 14-60 and Ordinance No. 14-61 and a variation from Section 156.043 (B) (1) of the Zoning Ordinance to allow Party City Corporation to maintain wall signage of up to 234 square feet on the Subject Property and to allow the Subject Property to maintain a total of 3,145 square feet of gross sign area on the Subject Property described below.
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Chairman Noble asked Building and Zoning / Planning and Zoning Secretary Bossle to take the roll call.

Ayes: Chairman Noble, Commissioners Jackson, Cardenas, Donoval, Smurawski
Nays: Commissioner Ventura
Absent: Commissioner Schneider

MOTION PASSED WITH A VOTE OF 5-1.

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 February 14, 2017 City Council meeting agenda. The next Planning and Zoning meeting is scheduled for February 7, 2017 at 6:00 P.M. and Building and Zoning / Planning and Zoning Secretary Bossle will notify the Commission when the packets are available for pick up.

Chairman Noble asked for a motion to adjourn the meeting.

MOTION Commissioner Ventura moved and Commissioner Smurawski seconded the motion to adjourn the meeting.

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

Chairman Noble adjourned the meeting at 6:45 P.M.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read "Michelle Bossle". The signature is fluid and cursive, with a large loop at the end.

Michelle Bossle
Building and Zoning / Planning and Zoning Secretary