

**VILLAGE OF ITASCA
PLAN COMMISSION REGULAR MEETING
MINUTES
August 15, 2018**

CALL TO ORDER

The Village of Itasca Plan Commission Meeting was called to order by Chairman Mark Kischner at 7:05 p.m.

ROLL CALL

Present: Chairman Kischner; Commissioners Bob Hoffmann, Frank Carello, Jeff Holmes, Eric Swets and Krista Ray

Absent: Commissioner Drummond

Also Present: Shannon Malik Jarmusz, Senior Planner; Yordana Wysocki, Village Attorney; Paula Borowski, Recording Secretary

PUBLIC HEARING

**Slawomir Ignasik of St. Peter the Apostle Church
Diocese of Joliet
524 N. Rush Street
R-2 Single Family Residence District
Variance request to permit the construction of a dynamic display ground sign**

Prior to the petitioner's presentation, Attorney Wysocki wanted to maintain full disclosure stating that Commissioners Carello, Swets, Holmes and Ray are members of the church and have no monetary interest in the church and indicated they will act fairly and impartially during the proceedings. Also, Chairman Kischner, Commissioner Swets and Commissioner Ray live nearby and indicated they will act fairly and impartially during the proceedings. If anyone in the audience has any concerns they were asked to come forward.

Kevin Wilson, a resident nearby was sworn in and felt that four of the Plan Commissioners being members of the church may not be able to act fairly and impartially. The attorney felt that this would not be a conflict, but would add his comment to the record.

PETITIONER PRESENTATION

Ron Searls, business manager for St. Peter the Apostle Church, began by stating the church plans to remove the old wooden sign and replace it with a new modern dynamic sign with dimming capabilities. Materials to be used would be brick and masonry with illuminated announcements to change as needed.

Mrs. Malik Jarmusz explained the sign design in more detail. She further explained the two associated variations, first being the maximum sign square footage allowed is 48 square feet and the Church is requesting 83 square feet. The second request is for the dynamic display which is not permitted by the Zoning Ordinance.

Mrs. Malik Jarmusz stated she received three public contacts; two with concerns regarding lighting, and one written response in support of the request.

STAFF RECOMMENDED CONDITIONS OF APPROVAL:

1. Permit documents must be in substantial compliance with the Plan Commission/Village Board submittals.
2. The project must comply with all Village Ordinances, Building Codes, Standard Specifications, and the DuPage County Stormwater Ordinance in place at the time of permit application.
3. The variance will become null and void if permits have not been applied for within one year.
4. The variance is for the current land owner and St. Peter the Apostle Catholic Church only. Any subsequent owner or user is required to seek a new variance.
5. Approval is subject to the Village engineer's verification that the proposed sign location will cause no impediment to the stormwater management facilities located on site.
6. The recommendations from the May 12, 2010 technical memo on dynamic display signs shall be incorporated into the approvals and are generally described and clarified as follows:
 - a. A limited display period is required for each posted message. The amount of time sign changes shall not be less than 60 seconds.
 - b. All messages, images, and transitions must be static- without motion, animation, video, or other special effects.
 - c. All transitions between messages must be instantaneous.
 - d. Messages shall be complete in and of themselves, without continuation in content from one message to the next.
 - e. The dynamic display portion of the sign shall have the same appearance in terms of brightness as non-dynamic display signs at all times of day and under all weather conditions. No dynamic display sign shall be of such intensity or brilliance as to impair the driver's operation of a motor vehicle or interfere with the effectiveness of an official traffic sign, control device, or signal.
 - f. The dynamic display portion of the sign shall include a control panel to regulate the intensity of illumination, with automatic dimming capabilities after sunset.
 - g. The dynamic display portion of the sign shall be powered off between the hours of 10pm and 7am.

- h. The dynamic display sign shall be designed and equipped so that if the displays should fail, the display shall immediately discontinue, turn black, or shut off until the appropriate repair can be made.
- i. Failure to comply with the standards of the Village ordinances and conditions of approval will require that the owner immediately discontinue the use of the dynamic display portion of the sign.

Commissioner Holmes questioned what portion of the sign would be illuminated. Mr. Searls stated only the top portion. Commissioner Swets asked if it is a single sided sign. Mr. Searls said yes and the side would face the school. Commissioner Hoffmann is not in favor of dynamic displays signs, however, he understands the allowances for dynamic signs where there is a need for a business to advertise their products for sale purposes. He felt that a church does not need to advertise anything except their location and name. Commissioner Swets was in agreement with Commissioner Hoffmann in reference to dynamic signs not being allowed in residential areas, but posed the question what does the church want to advertise and how often would the message change.

Mr. Searls stated the church has announcements like funeral, parish events, and Sunday mass times. Changes to the messages would vary. Commissioner Swets asked what hours the sign would be operational during, if approved, and would the illumination cause an adverse impact to the neighbors. Mr. Searls asked for the sign to be lit between the hours of 7am to 10pm which is the same time frame for the parking lot lights. Commissioner Swets and Chairman Kischner felt the need for a timer for dimming, based on seasonal changes between dark and light. Mr. Searls felt the parking lot lights have not been an issue and the church, specifically the pastor, would maintain the timing changes on the dimmer. Commissioner Swets realizes the need for technology to change the sign and stated that the location of sign does not point toward any of the neighboring homes and would not be a nuisance.

Commissioner Ray is in favor of dynamic signs, but also wants to be mindful of the neighbors. Commissioner Carello wanted clarification on the adjustment of allowing illumination during Christmas, for things such as midnight mass. Mr. Searls said they would adjust based on any time limitations set by the Plan Commission, but added the parking lot lights have more illumination than the sign and the pastor has turned off the parking lots when asked by the neighbors. Commissioner Carello agreed that the parking lot lights are brighter than the sign light.

Chairman Kischner described to the audience where the sign would be located. Chairman Kischner also added the sign location may need to be relocated if membership grew, since it is proposed sign is located in a parking bank. Chairman Kischner would like a detailed description of the dimming process. Commissioner Hoffmann is concerned with not having enough parking in the future. Commissioner Holmes and Carello felt that the parking issue would be the problem of the church. Mr. Searls said that if that need arose, they would address the issue at that time.

Chairman Kischner opened audience participation to Mr. Wilson at 502 N. Rush, who would like the Commission to regulate the brightness of the sign and the background coloring. He felt that the church does not need a dynamic display.

The Plan Commission began a discussion regarding the definition of dynamic display signs, the sign ordinance, and timing changes in the display portion of the sign with Mrs. Malik Jarmusz and Attorney Wysocki adding clarification.

Chairman Kischner closed audience comments.

Further discussion ensued regarding the length of time between messages. The Commissioners came to agreement that the minimum display period should be 60 seconds. This will amend staff recommended condition #6a. The Commissioners also amended #6f adding a requirement that the sign be powered off between the hours of 10pm and 7am daily.

REQUIRED FINDINGS OF FACT

Village attorney Yordana Wysocki proposed findings of fact for which the Plan Commissioners indicated their agreement or disagreement. A full account of the proposed findings and Commissioners responses can be found in the transcript.

Motions

Commissioner Hoffmann made the following motion:

After reviewing the submitted documents and the applicable Findings of Fact, and listening to evidence presented at this hearing, the Plan Commission recommends approval of the dynamic display ground sign (larger than currently allowed) subject to the recommended conditions of approval as amended and contained in the staff memo dated August 15, 2018.

The motion was seconded by Commissioner Swets

Roll Call Vote

Ayes-Commissioners Swets, Carello, Holmes, and Ray
Nays-Commissioner Hoffmann
Absent-Commissioner Drummond

REGULAR MEETING AGENDA

ROLL CALL

Present: Chairman Kischner; Commissioners Bob Hoffmann, Frank Carello, Eric Swets, Jeff Holmes, and Krista Ray
Absent: Commissioner Drummond

NEW BUSINESS

Note: Attorney Yordana Wysocki recused herself.

Mrs. Malik Jarmusz provided background on the Overshadowed Theatrical Productions 2011 approvals. The last Plan Commission request for a status update was in 2014 and resulted in the demolition of the structure which had been in poor repair.

Mrs. Reba Hervas explained that Overshadow would still like to build a performing arts center in Itasca, however the project is on hold due to several financial commitments that have not been forthcoming and the bank will not entertain a loan to a non-profit with nothing for collateral.

Commissioner Carello asked how close to being funded they are. Mrs. Hervas stated they have \$700,000.00 and need to be at 1.5 million before they could begin to build. If, for some reason they could not build they can sell the land now that the structure has been removed.

Commissioner Hoffmann felt that there has been some criticism by the public regarding why this project has been taking so long to move forward. Mrs. Hervas asked for clarification regarding a negative comment made by Commissioner Hoffmann at a meeting about Overshadowed's project. Commissioner Hoffmann denied making any such negative statement.

Chairman Kischner entertained having a formal discussion added to the agenda on whether the proposal is still viable business at that location and if the Plan Commission would still approve this use now. He added that the Plan Commission may want to revisit this issue every two to three years.

Commissioner Swets is in favor of project, but felt the need for a time limit. Commissioner Carello asked if drawings were submitted, reviewed and approved. Mrs. Hervas stated no permit was issued and only conceptual drawings were submitted. Commissioner Carello felt that when new drawings came in they would be reviewed and compared to what was previously submitted. Commissioner Swets felt that as time goes by the project concept would be forgotten.

Commissioner Holmes felt that no other petitioner has been given such a long extension.

Following a question from Chairman Kischner, Mrs. Malik Jarmusz indicated that the zoning ordinance has included a provision permitting the Plan Commission to make a recommendation to the Village Board on special uses after two years with no action and that provision pre-dates the 2011 project approvals. She added that there was no specific additional time limitation added to the approval ordinance.

Mrs. Hervas was not aware of this and does not want any special treatment because of who she is married to. With this information, Chairman Kischner indicated he'd like to strike his previous comment to re-review every few years. Commissioner Holmes stated the ordinance was referenced in the memo to the Mayor in 2014. Mrs. Malik Jarmusz read Section 14.11 (11) of the Zoning Ordinance to clarify the provision.

Some of the Plan Commission members raised questions about what would happen if the preliminarily approved plans were to change between the 2011 approvals and the time of permit application. Mrs. Malik Jarmusz stated the plans would be reviewed for substantial conformity.

Mrs. Hervas stated that if God wants them to build in Itasca, they will. If not, they will move on.

Mrs. Malik Jarmusz stated that the Plan Commission would have to add this item to a future agenda if the Commission did decide to take action to make a recommendation to the Village Board. Commissioner Hoffmann felt the petitioner should take some time to review how to proceed with this situation. It was the consensus of the Plan Commission that they would like this to appear on the next available agenda.

Note: Attorney Wysocki returned to meeting.

MINUTES

Commissioner Hoffmann made a motion to approve the minutes as amended, Commissioner Swets seconded the motion.

Ayes-Chairman Kischner, Commissioners Hoffmann, Swets, Holmes and Ray.

Absent-Commissioner Drummond

Nays-None

Abstain-Commissioner Carello

PROJECT UPDATES AND ANNOUNCEMENTS

Commissioner Hoffmann inquired about the status of Raging Wire. Mrs. Malik Jarmusz anticipates receiving a revised submittal for Plan Commission consideration.

The Route 53 townhomes, Highland Gate, are under construction.

Hamilton Partners is conducting interior renovations to some of their buildings.

The draft text amendment regarding dynamic display signs will be at the September meeting for discussion.

PUBLIC COMMENT

Mr. Paul Petzold, 1246 Dover, Elk Grove Village, would like to know the status of the project at Route 53 and Devon. Mrs. Malik Jarmusz stated it has been given preliminary approval of a mixed use project and the tower will be removed.

ADJOURNMENT

Commissioner Hoffmann moved to close the meeting. Commissioner Carello seconded the motion. The motion carried with unanimous approval and the August 15, 2018 meeting adjourned at 8:45 p.m.

NEXT SCHEDULED MEETING

The next regular meeting is scheduled for Wednesday, September 19, 2018 at 7:00 p.m.