

**CITY OF WARRENVILLE  
PLAN COMMISSION/ZONING BOARD OF APPEALS  
MINUTES OF REGULAR MEETING OF JANUARY 21, 2010**

**1. CALL TO ORDER**

Plan Commission Chairman John Davis called the City of Warrenville Plan Commission and Zoning Board of Appeals joint meeting to order at 7:00 p.m. in the Council Chambers of City Hall at 28 W 701 Stafford Place.

**2. ROLL CALL**

**Plan Commission Members Present:\*** John Davis, Tim Cosgrove, Steve Gregory, Leah Goodman, June Nelson, Roland Laurin

**Plan Commission Members Absent:** Mike Milnamow, Mike Mulcahy, Joseph Rossi,

**Quorum:** Yes

**ZBA Members Present:\*** John Davis, Tim Cosgrove, Steve Gregory, Leah Goodman, Roland Laurin

**ZBA Members Excused:** Mike Mulcahy, Joseph Rossi

**Quorum:** Yes

**Also Present:** Sr. Planner Natalia Domovessova, Recording Secretary Marie Lupo

**\*No members were present via video or audio conference**

**3. APPROVAL OF MINUTES**

**A. Minutes of Regular Meeting of January 7, 2010**

COM. COSGROVE MOVED, SECONDED BY COM. GOODMAN, TO APPROVE THE MINUTES OF THE JANUARY 7, 2010, PC/ZBA MEETING, WITH THE FOLLOWING CHANGES:

- Page 2, Paragraph 2 – Insert “, in particular, issues with lighting would often be different than their proposal” before the end period.
- Page 4, Paragraph 6, Line 1 – Insert “if” after “consider” and “is needed” after “amendment.”

The motion carried unanimously.

**4. NEW BUSINESS**

**A. Phonak Inc. / RBG & Associates Inc.  
4520 and 4580 Weaver Parkway  
Project No. 2010-0011**

Request for Plan Commission approval of a minor amendment to previously approved PUD plans for properties at 4520 and 4580 Weaver Parkway to stripe-

out one parking space on each lot and construct a hard surface pedestrian path between two parking lots. This request is associated with Phonak's plans to lease approximately 30 additional parking spaces located on the property adjacent to the south at 4580 Weaver Parkway (formerly occupied by D. A. Stuart).

Ch. Davis briefly introduced the request; Petitioner Eric Blauert of RBG Architects, Inc. addressed the Commission on behalf of Phonak, and spoke of a parking shortage that generally occurs at the shift change, which Phonak would like to address as soon as possible, by the lease of approximately 30 spaces located on the currently vacant property adjacent to the south, at 4580 Weaver Parkway. Mr. Blauert stated that Phonak, which has the reputation for making "the Ferrari of hearing aids," continues to add staff, and plans to expand in the future.

Com. Cosgrove questioned the thought process behind the location of the proposed crosswalk. Mr. Blauert replied that it was the shortest distance to the door, and was likely centrally located on the berm so as not to disturb landscape material.

Com. Goodman questioned the language of the Parking Agreement, and noted the Staff Report's condition that if the 4580 Weaver Parkway building is again occupied, the proposed path must be removed, the berm must be replaced, and the parking lot must be restored to its original condition. Mr. Blauert replied that in the event such building is leased by Phonak, Phonak would desire to leave the proposed path in place. Com. Goodman then suggested modification of the Staff Report language, on behalf of Phonak, to reflect such alternative.

COM. GREGORY MOVED, SECONDED BY COM. COSGROVE, THAT THE PLAN COMMISSION APPROVE THE MINOR AMENDMENT TO CANTERA LOT H-2 AND H-3, CONSISTENT WITH THE STAFF REPORT DATED JANUARY 21, 2010, WITH THE EXCEPTION THAT THE REMOVAL OF THE PEDESTRIAN PATH REQUIRE OCCUPANCY AT 4580 WEAVER PARKWAY BY AN ENTITY OTHER THAN PHONAK INC. The motion carried unanimously.

Com. Cosgrove inquired whether the island in question is irrigated. Mr. Blauert did not believe it was irrigated. Com. Cosgrove suggested that he look into the matter before any work commences.

**B. Sign Ordinance Amendments / City of Warrenville**

Zoning Board of Appeals consideration of potential amendments to Sign Ordinance regarding electronic message board sign regulations.

Ch. Davis directed attention to the research materials staff provided on neighboring communities relating to this matter, which was brought to the PC/ZBA's attention by Com. Cosgrove as he observed that the new Hubble Middle School sign was in violation of the City's Sign Ordinance.

Planner Domovessova reported that to date, the City's Code Enforcement Officer has not yet been involved in enforcement of such School District violation, as no formal complaint has been filed with the City. Com. Nelson suggested that the School District should initially be informed of such violation, as they may not be aware of it, and may fully comply with the existing Sign

Ordinance without hesitation. Thus, she felt that such matter may not warrant consideration on behalf of the PC/ZBA, as it has posed no problems thus far. Com. Gregory concurred.

Ch. Davis provided his opinion that he is satisfied with the City's current Sign Ordinance language relating to electronic message boards. He personally only sees merit in toll way electronic message boards. He suggested that perhaps a distinction should exist between electronic signs that provide information, versus those that advertise. Com. Cosgrove disagreed, stating that electronic message signs should be treated uniformly across the board.

Com. Gregory stated that if the PC/ZBA determines Sign Ordinance language should be altered, perhaps it could consider that electronic message boards should be restricted to major connector streets in residential districts. He felt that the Hubble sign serves a purpose in providing direction to visitors of the school. Com. Nelson concurred, stating that the school is set back from the road, and its entranceway is unassuming without a flashing sign. She has been told by visitors to the school that they appreciated the electronic signage, which drew their attention and aided them in way finding to sporting events.

Com. Goodman observed that Warrenville appears to be the only community in the study that has one-hour restrictions to changeable messages.

Com. Laurin felt that the City's Sign Ordinance may be too restrictive. He also commented that he finds Calamos' electronic message board at Rt. 59 and Ferry Road extremely distracting and dangerous.

Com. Cosgrove shared his opinion that the Wheaton Warrenville High School sign appears to be highly distracting to motorists.

When asked by Com. Gregory whether this matter could be approached as a variance to reduce the one-hour timeframe, Pl. Domovessova stated that it was her opinion that the best approach to this situation would be a text amendment. Com. Gregory reasoned that with a text amendment, Hubble could demonstrate hardship based on identification and message.

Ch. Davis suggested the need for information on Hubble's policy for changing the electronic messages on the sign as to frequency and duration. Com. Gregory observed no consistency in Hubble's display of messages.

Upon general recommendation by the Commission, Planner Domovessova agreed to follow up with the City's Code Enforcement Officer to notify the School District of its Sign Ordinance violation, which is typically done via U.S. Mail. Ch. Davis stated that if the School District voluntarily complies, the Commission can then determine whether it should pursue altering the Ordinance to lessen the current time restriction of one hour at a future meeting, when additional Commissioners are in attendance.

Further discussion ensued. Aside from Com. Cosgrove, who was not averse to changing the Ordinance, the Commission determined that it did not wish to pursue a self-initiated text amendment. Com. Cosgrove based his decision on a pro-business approach of allowing businesses to get their message out in shorter time increments, if they so desire.

**5. OTHER BUSINESS****A. DuPage County Zoning Board of Appeals  
Zoning Petition Z09-066 Gasser  
5S393 Stewart Dr., Naperville, IL 60563****Located in Unincorporated DuPage County, south of Diehl Road, west of Route 59**

Request for variation to reduce side and rear yard setbacks for existing deck and shed on a single-family residential property.

Pl. Domovessova explained that this request concerns existing conditions of non-compliance that must be addressed if such homeowner desires to perform additional work on his or her property in unincorporated DuPage County. She stated that it is likely that permits were not obtained for the deck and sheds on the above-captioned property.

Com. Lauren expressed regret that he could not base his opinion on the input of the neighbors, since the public hearing is taking place at the County tonight. Planner Domovessova stated that the County typically gathers information at a public hearing, but delays its decision until a future meeting, which allows staff and board members to analyze the input.

Com. Gregory noted that the neighbor to the south of the subject property has similar issues of non-compliance on its property, according to the plat provided.

Following a discussion regarding the plat of survey, the Commission collectively determined that because the deck did not present a visual issue, it was in favor of a variance for such structure. However, Commissioners were generally not in support of the variances for the sheds due to their visual impact.

COM. DAVIS MOVED, SECONDED BY COM. GOODMAN, THAT THE ZBA RECOMMENDS THAT CITY STAFF SEND NOTICE TO THE DUPAGE COUNTY ZBA WITH REGARD TO THE GASSER ESTATE, CITING NO OBJECTION TO THE VARIANCE FOR THE DECK, BUT CITING OBJECTIONS TO THE VARIANCES FOR THE TWO SHEDS. The motion carried with four (4) "Aye" votes and one (1) "Nay" vote, as follows: Com. Davis, Goodman, Gregory, and Laurin voted "Aye," and Com. Cosgrove voted "Nay."

**B. DuPage County Zoning Board of Appeals  
Zoning Petition Z10-006 Gallaher  
31W356 Diehl Road, Naperville 60504****Located in Unincorporated DuPage County, east of Eola Road, south of I-88**

Request for variations for increased height, size and reduced setback from Right-of-Way for a pole-mounted sign.

Ch. Davis summarized that this matter is a variance request for a 20-foot setback upon an already-granted variance for an 80-foot setback for an electronic message billboard. Pl. Domovessova stated that the County requires a 500-foot setback for such electronic message billboards.

As to dimensions, Pl. Domovessova stated that the County allows a maximum of 100 square feet per face of pole-mounted signs in its I-2 General Industrial zoning district. This applicant previously received a variance to increase such size, and currently requests a further increase in size to 800 square feet per face.

Com. Cosgrove inquired as to the nature of the original approval for the billboard sign on Mr. Schille's property in Warrenville, located east of Raymond Drive, north of I-88. Pl. Domovessova stated that in 1986 the owner appeared before the ZBA for the sign height variance. The City Attorney and ZBA Chairman determined that the Illinois Highway Advertising Control Act of 1971 preempted the City's regulations. Such Act has evolved through the years, but it allows municipalities to reasonably regulate billboard signage located on private property within 650 feet of the major highway right-of-way.

The Commission strongly objected to the requested variances.

COM. COSGROVE MOVED, SECONDED BY COM. NELSON, THAT THE ZBA RECOMMENDS THAT THE CITY STAFF SEND NOTICE TO THE DUPAGE COUNTY ZBA STRONGLY OBJECTING TO THE APPROVAL OF THIS REQUEST BASED ON THE EXCESSIVE SIZE AND THE REDUCED SETBACK FROM THE RIGHT-OF-WAY. The motion carried unanimously.

#### **6. SR. PLANNER'S REPORT**

Pl. Domovessova reported that she has no items for the next meeting's agenda, to date.

When asked as to the progress of the ProCure Cancer Treatment Center, she replied that to her knowledge, ProCure is on schedule.

Pl. Domovessova provided a brief update on the meeting with IDOT officials in Schaumburg regarding the Rt. 56 expansion project. In attendance on behalf of the City were the Mayor, Director Mentzer, and Engineer Kuchler, together with three representatives from the City's consultants. Approximately 12 people were present representing IDOT. Dir. Mentzer was encouraged that IDOT committed to a number of items on which they wish to work with the City. IDOT intends to go out for bid in June 2010, and begin construction in Warrenville in the Fall of 2010. Additional Rt. 56 Workgroup meetings will be scheduled.

#### **7. ADJOURNMENT**

COM. COSGROVE MOVED, SECONDED BY COM. NELSON, TO ADJOURN THE MEETING AT 7:56 P.M. The motion carried unanimously.

Respectfully submitted,

---

Marie Lupo, Recording Secretary

Approved: February \_\_\_\_, 2010