

MINUTES OF THE ZONING BOARD OF APPEALS
October 26, 2015

The regular meeting of the Zoning Board of Appeals was called to order by Chairman William Cotey at 7:00 p.m. at the Village Hall.

Members present: Chairman William Cotey, Amy Flores, Matthew Krummick, Mark Moore, Walter Oakley, Kurt Schultz, and David Semmelman.

Members absent: None.

Village Staff present: John Spoden, Director of Community Development; David Smith, Senior Planner, and Fred Chung, Senior Project Engineer.

Board Member Oakley moved, seconded by Board Member Schultz, to approve the August 24, 2015, Zoning Board of Appeals meeting minutes.

Motion carried 7 - 0.

Board Member Oakley moved, seconded by Board Member Schultz, to approve the September 28, 2015, Zoning Board of Appeals meeting minutes.

Motion carried 7 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

**ZBA 15-27 Jack Straws Restaurant, Applicant
1124 N. Milwaukee Avenue**

Request is for a variation to increase the maximum permitted number of wall signs from one (1) to three (3) for a Jack Straws Restaurant with drive-thru service in a C-3, General Commercial District.

Mr. David Smith, Senior Planner, stated that the petitioner, Scott Pocius, Ridgefield Builders, is requesting a Special Use Permit for a Drive-In Establishment accessory to a Full Service Restaurant and Site Plan Permit in order to rehab an existing building for a Jack Straws Restaurant with drive-thru service in a C-3, General Commercial District at 1124 N. Milwaukee Avenue. He stated that the petitioner is also requesting a variation to increase the maximum permitted number of wall signs from one (1) to three (3) for the subject property.

Mr. Smith stated that the subject property, previously occupied by the Slott's Hots restaurant is located along on the east side of Milwaukee Avenue, north of a recently renovated Jimmy John's restaurant, and south of the Midas Muffler shop. He stated that directly to the east and to the rear of the subject site is R-8, Multiple Family Residential District zoning. Mr. Smith stated that the petitioner is proposing to rehab the existing Slott's Hots building with new facades, interior code

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compliant upgrades, and parking lot resurfacing with code compliant parking space striping and drive-thru lane.

Mr. Scott Pocius, architect and agent for the petitioner, stated that they intend to leave the existing building footprint intact. He stated that they will construct or extend the existing walls to include the parapet roof line. He stated that they will clean up the existing freestanding sign and that the panel will have an opaque background. He stated that there will be an outdoor patio in front of the building. He stated that there will be an improved vehicular stacking layout for the drive-thru and will not impede on site traffic flow. He stated that the Zoning Code requires 17 parking spaces but that they are providing 21 parking spaces. He stated that they are providing a refuse enclosure. He stated that storm water management will be improved due to proposed drainage buffer areas. He stated that they are providing two exits on the building per code requirement. He stated that the rooftop mechanical units will be painted to match the building facade. He stated that the proposed outdoor cooler added to the back of the building will have a facade to match the rest of the building.

Mr. Pocius stated that the proposed hydro disturbance is well under the 5,000 square feet. He stated that the proposed water use has been reviewed and approved by the Village Staff and that they will not need to dig in order install larger water lines.

Mr. Pocius stated that they are seeking a sign variation in order to install three (3) wall signs. He stated that the sign area is less than the maximum permitted of 8% of total facade area.

Board Member Oakley stated that he is concerned about the above ground electrical and inquired about the snow removal.

Mr. Pocius stated there are opportunities to move snow to the rear of the parcel as needed.

Board Member Oakley asked if the existing water lines can accommodate a sprinkler system. Mr. Pocius stated that due to the nature of the rehab, sprinklers are not required. He stated that alternate fire suppression and alarm systems meet the Fire Departments requirements.

Board Member Flores stated that she is concerned about the plan providing adequate protection for the outdoor diners from passing vehicles.

Mr. Pocius stated that an additional six (6) inch raised barrier curbing will be installed around the outdoor dining area.

Board Member Flores asked the petitioner if they have an alternate sign plan or Plan B for their wall signs that would meet code. Mr. Pocius stated that they could bunch the three (3) together to make them become one sign, but then the sign area would be 60 square feet.

Board Member Krummick asked for clarification of the sign code. Mr. John Spoden, Director of Community Development, stated that the sign code has been recently updated to incorporate the 8% of the facade regulation.

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Board Member Krummick stated that he likes the Plan B proposal better.

Board Member Schultz stated that he prefers the sign Plan B proposal as well.

Board Member Moore asked for clarification as to how the sign area is measured. Mr. Spoden stated that the area is measured in straight geometrical lines around the lettering for non-boxed individual letter and logo signs.

Mr. Pocius stated that they agree to combine the three (3) signs into one (1) wall sign and to reduce the area to not exceed 50 square feet in wall sign area.

Chairman Cotey asked the petitioner what they would like for the Zoning Board of Appeals to do tonight. Mr. Pocius stated they are ready for a recommendation from the Plan Commission and Zoning Board of Appeals.

In the matter of ZBA 15-27, Board Member Semmelman moved, seconded by Board Member Schultz, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted gross surface area for all permitted business signs from 8% to approximately 11.5%, to include the front wall sign to not exceed 50 square feet in sign area, as submitted in Plan B, Ridgefield Builders Signage Plan, Sheet 18 of 20, dated revised October 26, 2015 for a Jack Straws Restaurant with drive-thru service in a C-3, General Commercial District, subject to the following condition: 1) That the freestanding sign has no moving parts.

Motion carried 7 - 0.

Ayes: Cotey, Flores, Krummick, Moore, Oakley, Schultz, Semmelman

Nays: None

Absent: None

COMMUNICATIONS AND DISCUSSION: None.

Board Member Schultz moved, seconded by Board Member Semmelman, to adjourn the Zoning Board of Appeals meeting.

Motion carried 7 - 0.

Meeting adjourned at 8:15 p.m.