

ZONING BOARD OF APPEALS
MINUTES OF APRIL 5, 2017 – 7:00 P.M.

1. The regularly scheduled meeting of the Zoning Board of Appeals was called to order at 7:00 p.m.
2. A quorum was present. Gil Snyder, Bruce Boreson, Chairman Mark Cwik, Kathy Mennella, George Snarski, Frank Grieshamer, Jenny Corral, Lisa Manzo (Secretary), Village Attorney Matt Welch, and Zoe Heidorn (Village Planner). All members were present.
3. Member Grieshamer made a motion to accept the minutes of March 1, 2017. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. Old Business: None.
5. New Business: ZBA 17-03
Text Amendment 9-9-2, 9-9-5, 9-9-6, 9-5G-4
Village of Franklin Park

Chairman Cwik stated that this hearing is for a Text Amendment to sections 9-9-2, 9-9-5, 9-9-6 and 9-5G-4 regarding the regulation of digital billboards, electronic message boards, outdoor lighting and signs overhanging the public right-of-way.

Member Grieshamer made a motion to enter in any and all department reports, memos, new and revised reports and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner up at this time. He asked the petitioner to sign in and be sworn in. Ms. Zoe Heidorn, Village of Franklin Park, petitioner, came forward. She signed in and was sworn in.

Ms. Heidorn gave a presentation to the members on this request for a Text Amendment. She stated that the Department of Community Development and Zoning has been flooded with inquiries and requests for the conversion of static billboards to digital billboards in the last year. She explained that static billboards use printed media mounted onto the billboard face whereas digital billboards display digital images, which are changed remotely by computer. The Village's 1974 Zoning Code pre-dates digital billboard technology and does not include regulations relating to this type of signage. Left unregulated, she explained that they could proliferate and cause

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considerable driver distraction, aesthetic clutter and light pollution.

Ms. Heidorn stated that staff is recommending adding regulations that apply specifically to digital billboards. The proposed regulations will require: (1) That future digital billboard applicants obtain a Conditional Use Permit; (2) That the luminance of all digital billboards be no greater than 7,500 nits between sunrise and sunset and 300 nits between sunset and sunrise; (3) That the face of all digital billboards not change more than once every 10 seconds; and (4) That all digital billboards be operated in accordance with Village standards for timing, motion and automatic dimming. She noted that the proposed language specifically prohibits the construction of digital billboards on commercially-zoned property adjacent to I-294 or Mannheim Road.

Ms. Heidorn continued that staff is recommending changes to the regulation of electronic message boards, which advertise a good or service provided on the premises. Existing regulations on the light intensity of electronic message boards are measured in nits. However, the Building Department is currently unable to enforce the regulations because the Village can only afford to purchase a device that measures light in footcandles. Ms. Heidorn stated that staff is recommending language that limits the maximum illuminance of electronic message boards to .3 footcandles above ambient light levels, which will be measured at a calculated distance and under particular conditions as outlined in the proposed language.

Ms. Heidorn went on to address internal and external sign illumination as another form of potential outdoor light pollution. She stated that staff recommends restricting the spillover of standard illuminated signage to no more than 0.1 footcandle at any property line within or bounding a residential use or district and no more than 1.0 foot candle at any other property line.

Lastly, Ms. Heidorn stated that staff is recommending that the Franklin Park Zoning Code be amended to prohibit the projection of private signage over the public right-of-way. She explained that the Village's sidewalks, parkways and streets constitute the public realm, which serves to enhance the public's health, welfare and quality of life with a form of open space between private property and the curb. Staff views the projection of private signage over the public right-of-way as encroachment of the public realm as it may obstruct view corridors, prevent new tree plantings and lend to aesthetic clutter. In order to accommodate businesses with a zero lot line, staff is proposing language that permits flush-mounted signs to extend beyond a property line

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no more than 18 inches into the public right-of-way.

Chairman Cwik opened this hearing to the public at this time.

Chairman Cwik stated that anyone wishing to come forward to please step forward, sign in and be sworn in before testifying. Public session began at 7:07 p.m.

Ms. Sharon Weiler of 3142 Rhodes Ave, Melrose Park, IL, came forward. Ms. Weiler signed in and was sworn in at this time. Ms. Weiler distributed as Exhibit A a letter written to Barrett Pedersen explaining her concerns regarding existing and proposed billboard signs along Interstate 294. The second page of her exhibit is a google map of her neighborhood and Interstate 294. She is strongly opposed to the billboards as she feels they will negatively impact her neighborhood and the residents in her area.

Matthew Welch, (Village Attorney) stated that this hearing is for a Text Amendment to the zoning code and not about a specific case or location. Ms. Weiler stated that she wanted to submit her letter as Exhibit A anyway.

Public Session ended at 7:12 p.m.

Board Discussion began at 7:12 p.m.

The members discussed this hearing at this time. They thanked Ms. Heidorn for such a detailed presentation. The members stated that the code needed to be tightened in light of today's new technology.

Board Discussion ended at 7:14 p.m.

Member Grieshamer made a motion to “approve ZBA 17-03 for a Text Amendment to sections 9-9-2, 9-9-5, 9-9-6 and 9-5G-4 regarding the regulation of digital billboards, electronic message boards, outdoor lighting and signs overhanging the public right-of-way.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Mennella-Yes; Member Snarski-Yes; Member Boreson-Yes; Member Snyder-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

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Chairman Cwik thanked everyone for attending this evening.

6. New Business: ZBA 17-04
i.C. Media Inc. – Stephen Kirby
11500 Melrose Avenue
12-19-400-111-0000

Chairman Cwik stated that this is a Conditional Use for the construction of a double-faced advertising sign with an area per face of 1,200 square feet per section 9-9-6 of the Franklin Park Zoning Code for the property commonly known as 11500 Melrose Avenue.

Member Grieshamer made a motion to enter in any and all department reports, memos, new and revised reports and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner up at this time. He asked the petitioner to sign in and be sworn in. Petitioner Stephen Kirby, i.C. Media, and Mike Mallon, Watchfire Signs, came forward. They signed in and were sworn in.

Mr. Kirby gave a detailed presentation regarding his firm's proposal. He stated that i.C. Media is seeking a Conditional Use permit in order to re-construct a billboard on the subject property. A 1,200 square foot static billboard that was formerly located on the site was deconstructed in 2016. Mr. Kirby hopes to construct a 1,200 square foot digital billboard in its approximate place.

Mr. Mallon explained that Watchfire Signs, the manufacturer of the proposed digital billboard, has designed LED signs since 1996 and adheres to stringent national and international brightness standards. He stated that the proposed digital billboard will actually produce light spillover because LED lights, as opposed to traditional incandescent lights, are highly directional.

Mr. Kirby presented the sign lighting study included in the hearing packet for ZBA 17-04 to the members. He noted that given the measurement of light at varying distances and angles, the residential area to the south will see an almost undetectable difference in ambient light after installation of a digital billboard. He stated that the neighborhood's ambient light levels are probably more heavily impacted by porch

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lights than the increase of his proposed billboard.

Chairman Cwik opened this hearing to the public at this time.

Chairman Cwik stated that anyone wishing to come forward to please step forward, sign in and be sworn in before testifying. Public session began at 7:38 p.m.

Ms. Sharon Weiler of 3142 Rhodes Ave, Melrose Park, IL, came forward. Ms. Weiler signed in and was sworn in at this time. Ms. Weiler displayed her opposition and dismay for the new proposed billboard sign. She respectfully asks the members of the ZBA to reject i.C. Media's request for a Conditional Use permit. She stated that the billboard sign will decrease property values in her neighborhood and increase traffic crashes along Interstate 294.

Mr. Michael Gorecki of 3149 Rhodes Ave, Melrose Park, IL, came forward. Mr. Gorecki signed in and was sworn in at this time. He stated that his property will be impacted by the proposed billboard sign on the west. He is not in favor of the proposal.

Ms. Laura Wilson of 3148 Marten, Melrose Park, IL, came forward. Ms. Wilson signed in and was sworn in. She requested more information on why the proposed billboard sign is being placed where it is.

Public session ended at 7:46 p.m.

Chairman Cwik asked the petitioners to re-approach the podium to address the public's questions. Mr. Walid Abu-Ghazaleh from Project Outdoor came forward. Mr. Abu-Ghazaleh signed in and was sworn in. He reviewed the proposed placement of the billboard sign and explained why it is being placed in the location that it is. He stated that billboard signs along Interstate 294 need to be a minimum 500 feet away from one other. He also stated that due to the proposed sign location's proximity to O'Hare Airport, the applicant was required to obtain an FAA permit. He discussed his previous sign work in Times Square in New York. He stated that the billboards he constructs now are vastly different and that he understands the residents' concern over light pollution. He explained that there may be design changes and features he could apply to further reduce the light overspill into the adjacent residential area to the south. He stated that the petitioner could increase the angle between the two billboard faces to further direct the sign away from the residential area. He also stated that baffling could

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be added to the westernmost edge of the billboard to further reduce visibility from the residential district to the south.

Board Discussion began at 7:58 p.m.

The members discussed this case, the public comment and conditions that would need to be placed on this hearing.

Board Discussion ended at 8:04 p.m.

Member Grieshamer made a motion to “approve ZBA 17-04 for a Conditional Use for the construction of a double-faced advertising sign with an area per face of 1,200 square feet per section 9-9-6 of the Franklin Park Zoning Code for the property commonly known as 11500 Melrose Avenue with the following conditions: 1. That the overall billboard height shall be no greater than 40 feet above the nearest curb level of Interstate 294; 2. That the luminance of the sign shall not be greater between (a) 7,500 nits between sunrise and sunset and (b) 300 nits between sunset and sunrise; 3. That the display on the face of the sign shall not change more than once every 10 seconds and that the display change interval shall not exceed .25 seconds; 4. That the sign shall not display any motion or visible effects, including but not limited to action, motion, fading, dissolving, blinking or the illusion of such effects; 5. That the sign shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign’s luminance; 6. That in instances where the sign malfunctions, the sign shall either automatically shut off or turn to a black screen; 7. That the sign shall have not less than a 45 degree separation between the two faces; and 8. That baffling shall be installed on the westernmost edge of the billboard faces; and 9. That this use complies with all Village regulations at all times.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Mennella-Yes;

7. New Business: ZBA 17-05
Map Amendment – Village/Aaron Sloan
9100 Belmont, 3250 Elm, 3300 River Rd

Chairman Cwik stated that this hearing is for a Map Amendment to zone and include within the boundary lines of the I-1 Restricted Industrial district the property commonly known as 9100 W. Belmont Avenue, 3250 N. Elm Street and 3300 N. River Road. The subject property is currently split-zoned I-1 Restricted Industrial and C-3 General Commercial.

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Member Grieshamer made a motion to enter in any and all department reports, memos, new and revised reports and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner up at this time. He asked the petitioner to sign in and be sworn in. Petitioners Jordan Sloan, Peacock Oil, and Zoe Heidorn, Village of Franklin Park, came forward. They signed in and were sworn in.

Mr. Jordan Sloan came in representation of his father Aaron Sloan, owner of Peacock Oil, and stated that he has no objections with this hearing this evening.

Ms. Heidorn stated that the Village of Franklin Park and Peacock Oil Company are requesting a Map Amendment to zone and include within the boundary lines of the I-1 Restricted Industrial district 4 parcels: PINS 12-22-402-030 and 12-22-402-031, which are owned by the Village; and PINS 12-22-402-058 and 12-22-402-060, which are owned by Peacock Oil.

Ms. Heidorn stated that the parcels are currently vacant, with the exception of a small brick building on the Village owned portion used by the Department of Public Works for material storage. The Village initiated re-zoning of the property in order to make the Village-owned property more marketable as part of a larger industrial redevelopment project anticipated to take place in the next year or so at the corner of Belmont Avenue and River Road. Rixson has been preparing its 6.5-acre site for redevelopment to the west and Peacock Oil has been marketing its 1.55-acre property for redevelopment as well. The Village and Peacock Oil are hoping to find a single buyer to purchase the subject properties in combination with Rixson's site to undertake the redevelopment of the entire 10.55-acre site. NAI Hiffman is currently marketing the multiple-owner property as such.

Ms. Heidorn stated that Rixson's site to the west is currently zoned I-1 Restricted Industrial. This Map Amendment to re-zone those subject parcels that are split-zoned or zoned C-3 General Commercial will bring the entire redevelopment site into uniform zoning classification. This will make the property more attractive to prospective buyers and encourage quicker redevelopment of the vacant property. She explained that the Village anticipates that the future buyer will be an industrial user or developer and looks forward to redevelopment of the property, which is a major gateway into Franklin Park.

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Ms. Heidorn noted that if the ZBA chooses to recommend approval of the Map Amendment, staff will wait to move the ordinance re-zoning the PINs owned by Peacock Oil (12-22-402-058 and 12-22-402-060) to the Board of Trustees until a closing takes place on the property. The Village-owned property will be moved to the Board regardless.

Chairman Cwik opened this hearing to the public at this time. Since there was no public comment, Chairman Cwik closed this portion of the hearing to the public at this time.

Board Discussion began at 8:12 p.m.

The members discussed the benefits of re-zoning the property to bring it under unified zoning classification.

Board Discussion ended at 8:14 p.m.

Member Grieshamer made a motion to “approve ZBA 17-05 for a for a Map Amendment to zone and include within the boundary lines of the I-1 Restricted Industrial district the property commonly known as 9100 W. Belmont Avenue, 3250 N. Elm Street and 3300 N. River Road.” Member Mennella seconded the motion. Roll Call Vote. Member Corral-Yes; Member Mennella-Yes; Member Snarski-Yes; Member Boreson-Yes; Member Snyder-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

8. Staff Update:

Ms. Heidorn stated that a first draft of the new Franklin Park Comprehensive Plan will

be distributed to the public and the Village's boards and commissions later this month for review.

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9. Public Comment: None.

A motion was made by Member Grieshamer to adjourn the meeting of the Board of Appeals. It was seconded by Member Mennella. All in favor. carried. Zoning
Motion

The meeting adjourned at 8:16 p.m.

Respectfully Submitted,

Lisa M. Manzo
Secretary