

**CITY OF OAK FOREST**

**PLANNING/ZONING COMMISSION MEETING**

**Wednesday**

**April 20, 2016**

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The Plan/Zone Commission meeting was called to order by Chairman Stuewe at 7:00 p.m. with Roll Call. The Pledge of Allegiance was led by Mr. Cowgill.

**PRESENT:** Mrs. Morrissy  
Mr. Ziak  
Mr. Schroeder  
Mr. Cowgill  
Mr. Wolf  
Chairman Stuewe

**ABSENT:** Mr. Riha  
Mr. Walsh  
Mr. Oostema

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**PUBLIC HEARING - PZC CASE #16-004**

Chairman Stuewe introduced PZC Case #16-004 to recommend approval of a Zoning Text Amendment to Chapter 9.106.K.3, Electronic Message Center Regulations.

Mr. Melrose explained that the Code requires that electronic message centers not exceed 25% of the overall area of a ground sign but they typically do exceed that limit for various reasons, such as visibility of the message. He suggested changing this to a square foot limit so that an electronic message center does not exceed 40% of the total sign area. He briefly mentioned specific signs within the city that are over the current 25% limit.

Mr. Melrose stated that the Commissioners will retain the ability to deny the 40% maximum during Design Review, if they choose to do so.

Mr. Melrose went on to note specific verbiage. He suggested eliminating a small portion of the pole sign electronic message center code, which currently reads: "Any electronic message

center component as part of a pole sign shall not be displayed lower than 8 feet in height nor higher than 10 feet in height". He recommended eliminating the words "lower than 8 feet in height nor" from that portion of the Code. He pointed out that the Commissioners can still allow for departures from this under the Special Permit approval process.

Mr. Cowgill asked whether eliminating the "8 feet" portion will allow petitioners to request 6 feet or lower, depending on the premade sign box. Mr. Melrose explained that this portion of the Code was included so that the electronic message would not be displayed any lower than 8 feet or higher than 10 feet on a pole sign, and this wording created problems.

Mr. Cowgill asked about the average height of an electronic message center. Mr. Melrose stated that the "height" portion could be eliminated altogether since this is covered by the Special Permit review process and is considered on a case-by-case basis. A brief discussion ensued.

Mr. Wolf clarified that all pole signs fall under Special Use. Mr. Melrose confirmed this.

Mr. Wolf asked whether there is a limit to the size of a sign that can be on a pole. Mr. Melrose stated that the maximum allowable size can still be governed by the 25 square feet and not to exceed 40%.

Mr. Wolf commented that pole signs may be the only option for some of the commercial spaces. He expressed confusion as to what this proposal is addressing.

Mr. Wolf and Mr. Melrose discussed the 100 square foot limit of an entire sign. Mr. Melrose pointed out that Eagle Sports Range actually needed the 100 square feet, but most businesses don't. He and Mr. Wolf then discussed the current Code. Mr. Melrose pointed out that there appears to be a problem when there are multiple variances over and over again.

Mr. Wolf next talked about monument signs. He then asked whether the electronic portion of a pole sign will not exceed 25 square feet. Mr. Melrose confirmed this.

Mr. Wolf talked at length about properly built monument signs, using Walgreens at 147<sup>th</sup> and Cicero as an example. He pointed out that many of the non-conforming signs in question would be in the

25% if they were properly enclosed. Mr. Wolf commented that he would hate to see a bigger sign but not conforming to the monumental signs PZC is looking for. He added that he understands the intent of this Code, but he also wants what the City wants. Chairman Stuewe pointed out that this comes under Design Review.

Mr. Wolf suggested that some of the signs don't come in for Design Review, citing Pacor as an example. Mr. Melrose pointed out that Pacor responded with basically what PZC asked for, putting brick up and around the sign, and then moved forward. Mr. Melrose added that the Pacor sign looks very similar to the Walgreens sign Mr. Wolf just talked about.

Mr. Wolf went on to state that CNB's electronic message center sign currently is out of code since it is more of a pole sign. He recalled that CNB intends to conform and make this a monument sign. Chairman Stuewe confirmed hearing this.

Mr. Wolf stated that variances have been allowed in certain situations. He voiced concern that this text amendment would require no variance and there would be no need for Design Review.

Chairman Stuewe asked whether Mr. Wolf wants to leave the Code as written. Mr. Wolf responded affirmatively, stating that this is a just small mechanism of the Sign Ordinance. He cited specific variances that have been allowed. A brief discussion ensued about the Oak Forest Bowl sign.

Mr. Wolf stated that he is not convinced that this Code needs to be changed, based on the number of variances allowed. He added that he has no problem with the first part of the proposed text amendment but would like these amendments split before the voting. Mr. Melrose suggested Tabling this until the next PZC meeting.

Mrs. Morrissy asked whether Mr. Wolf wants to Table this or not do it at all. Mr. Wolf stated that he would prefer to hold off on Number One in order to look at the Design Standards and the Sign Code. He added that he has no problem with a text amendment on Number Two.

Mrs. Morrissy asked whether postponing Number One will cause a problem. Mr. Melrose responded that this can be Tabled until the next meeting.

Mr. Cowgill asked whether pole signs will be encapsulated within anything to get rid of the pole. He recalled that there were many discussions about completely eliminating pole signs. He suggested including verbiage that pole signs must be wrapped.

Mr. Melrose stated that pole signs are only allowed when there is a need for it, such as very limited space. He reiterated that the Special Permit process allows PZC to require certain design standards for any necessary pole signs.

There were no other comments from the Commissioners. Chairman Stuewe requested a motion to Table PZC 16-004 until such time as the changes are clarified.

Mr. Wolf suggested this be looked at during a workshop since there is no immediate need. Chairman Stuewe suggested Tabling the proposal and recognizing it at the next meeting. He again requested a motion to Table.

Mr. Wolf made the motion.

Mr. Ziak seconded.

**The Roll Call vote was taken as follows:**

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Wolf			Mr. Riha
Mrs. Morrissy			Mr. Walsh
Mr. Ziak			Mr. Oostema
Mr. Schroeder			
Mr. Cowgill			
Chairman Stuewe			

The motion to Table PZC Case #16-004 carried, 6/0, with Three ABSENT.

Mr. Melrose stated that the next PZC meeting most likely will be May 18<sup>th</sup>, 2016.

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**PUBLIC HEARING - PZC CASE #16-005**

Chairman Stuewe introduced PZC Case #16-005, Petitioner Doug Enberg (The Ale House).

Mr. Melrose stated that the Petitioner has petitioned to annex the property at 13500 S. Harlem to the City of Oak Forest. As part of the annexation, the property will be zoned C-1 Local Commercial District. He added that the Petitioner has requested the necessary setback variations for the primary structure in order to ensure that it is considered a legal conformity.

Mr. Melrose noted that this type of annexation became legal as of January 1, 2016 and allows for a property of less than one acre to annex into a municipality if there is public land in right of way contiguous with it. The Cook County Forest Preserve is contiguous to Oak Forest's northern boundary, providing the Petitioner the ability to annex.

Mr. Melrose explained that The Ale House is located on a corner and has zero frontage, requiring a variance if located in the C-1 Local Commercial District. Staff and the City have determined that the C-3 Central Business District would allow for zero frontage, but C-3 is geographic in nature and not a good fit for the property in question. Because C-1 is more restrictive in terms of Uses than C-2, C-1 was chosen as the best fit for this property.

Mr. Melrose went on to explain that the building in question is located 3.9 feet off the front yard lot line and 4.9 feet off the corner side yard lot line, thus requiring a 21.1 foot yard variance and a 20.1 foot corner side yard variance. He briefly talked about specific standards of variations that have been met.

Mr. Melrose next talked about the existing dumpster enclosure, noting that the dumpster was not located there when he was at the property. He explained that he included the stated Condition in case the Petitioner decides to build a new enclosure in the future.

Mr. Melrose felt it was necessary to include a bicycle parking area because of the City's Bike Plan and because of the location adjacent to the Cook County Forest Preserve District. He also noted that the southwest accessory structure is over the property

line; however, the Petitioner has the required certification letter.

Mr. Wolf asked about a one-story brick building next to the metal building, shown on the diagram. Mr. Melrose stated that this is a mechanical structure which houses the necessary structures for the cell towers located on the property.

Mr. Wolf asked about a shed. Mr. Melrose stated that this is part of the utilities. Mr. Wolf asked whether the sheds are enclosed. Mr. Melrose stated that there is a fence running from the garage to the southwest corner of the building, which encloses the tank and everything.

Mr. Wolf asked whether the portion marked "concrete" is the pad for a dumpster. Mr. Melrose stated that the dumpster pad is at the northwest side, near 135<sup>th</sup> Street. Mr. Wolf asked about the pad near the tank. Mr. Melrose was unsure what that pad was for.

Mr. Wolf asked where the dumpster is currently located. Mr. Melrose responded that it may be located in the fenced area but he did not see it; therefore, he wrote a Condition about any enclosure that may be built.

Mr. Wolf cited that a dumpster 'must have an enclosure constructed of masonry or decorative material resembling the primary structure'. Mr. Melrose surmised that the dumpster may be located in the fenced-in area. Mr. Wolf reiterated his position that a dumpster enclosure is required. He and Mr. Melrose again discussed this.

There were no further comments/questions from the Commissioners. Chairman Stuewe offered audience members an opportunity to ask questions and/or make comments.

Mayor Hank Kuspa, 14948 Moorings Lane, Oak Forest, identified himself and was sworn in. Mayor Kuspa first thanked the Commissioners for their service. The Mayor then stated that other businesses are looking to annex into Oak Forest, which he is very excited about.

Mayor Kuspa noted that The Ale House does have a dumpster, which is located behind the fence, and they do have garbage service. He explained that the tank is there because the property has a septic system, which is pumped out very regularly.

The Mayor stated that he believes The Ale House will be an asset to the City and he appreciates the Commissioners' cooperation.

Mr. Wolf asked whether there are regulations/restrictions regarding the septic system, and asked if that will need to be changed. Mayor Kuspa stated that he is not aware of the City Code requiring changes to the plumbing. He pointed out that there are other structures in the City that have septic systems.

There were no other questions or comments. Chairman Stuewe requested a motion to approve PZC Case #16-005, Petitioner Doug Enberg, for a variation request of the front and corner side yard setbacks at 13500 S. Harlem upon annexation and addition to the zoning map as C-1 Local Commercial District, Conditioned on the following:

A bicycle parking area is to be established on the south side of the building, with signage and racks; to be implemented no less than 3 months after annexation. If a new dumpster enclosure is constructed, it must be of masonry or decorative material resembling the existing primary structure. A Cook County Forest Preserve District certification letter shall be provided to the City, stating that the furthest southwest accessory structure identified on the plat of survey as "one story brick building" is legal and permitted by the CCFPD to be located over the property line onto the CCFPD property. And the zoning map amendment is recommended for approval to add this property as C-1 Local Commercial District.

Mr. Cowgill made the motion.

Mr. Wolf seconded.

**The Roll Call vote was taken as follows:**

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Cowgill			Mr. Riha
Mr. Wolf			Mr. Walsh
Mrs. Morrissy			Mr. Oostema
Mr. Ziak			
Mr. Schroeder			
Chairman Stuewe			

The motion to recommend approval of PZC Case #16-005 carried, 6/0, with Three ABSENT.

Mr. Melrose stated that this will be placed on the April 26, 2016 City Council agenda.

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**RESOLUTION**

Chairman Stuewe requested a motion to approve the proposed PZC Resolution, forwarding the Commission's recommendation for approval of PZC Case 16-005 to the April 26<sup>th</sup>, 2016 City Council meeting.

Mr. Melrose explained that the Zoning Council has recommended this Resolution so that a rough draft of these minutes and PZC's recommendation can be forwarded to the City Council in an official manner, in order to expedite the proposed requests.

Chairman Stuewe asked whether this will pertain to future meetings that need to be expedited. Mr. Melrose responded affirmatively, adding that a Special Meeting will not be required in order to approve the minutes. The official minutes will be voted on at the following PZC meeting.

Mr. Cowgill asked whether the Commissioners will vote on whether individual cases will be expedited. Mr. Melrose and Chairman Stuewe both confirmed that the Commissioners will vote on whether to expedite a case to City Council.

Mr. Wolf clarified that the Resolution will facilitate the process, rather than waiting for the transcribed minutes and having a special meeting to approve them before submitting the minutes to be included on City Council's agenda. Mr. Melrose confirmed this.

For future reference, Mr. Wolf asked what happens in the case of split vote in a case that is expedited through Resolution. He pointed out that the Aldermen won't have complete information about what went on in the PZC meeting. Mr. Melrose reiterated that rough draft minutes will be provided to City Council to ensure that they are informed. If questions were raised by a Commissioner during the PZC meeting, the Aldermen then will be able to contact the Commissioner about his/her concerns. He noted that this has occurred in the past. Mr. Melrose reiterated that he feels this Resolution process is an appropriate solution in special circumstances.

There were no further questions/comments from the Commissioners or audience members. Chairman Stuewe requested a motion to approve the PZC Resolution, forwarding the Commission's recommendations for approval of PZC Case #16-005 to the April 26, 2016 City Council meeting.

Mrs. Morrissy made the motion.

Mr. Cowgill seconded.

**The Roll Call vote was taken as follows:**

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mrs. Morrissy			Mr. Riha
Mr. Ziak			Mr. Walsh
Mr. Schroeder			Mr. Oostema
Mr. Cowgill			
Mr. Wolf			
Chairman Stuewe			

The motion to approve the Resolution for expedition of PZC Case #16-005 to City Council carried, 6/0, with Three ABSENT.

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**APPROVAL OF MINUTES**

Chairman Stuewe requested a motion to approve the minutes of March 2, 2016. No additions, deletions or corrections were requested.

Mr. Schroeder made the motion.

Mr. Ziak seconded.

**The Roll Call vote was taken as follows:**

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Schroeder		Mr. Cowgill	Mr. Riha
Mr. Wolf		Mrs. Morrissy	Mr. Walsh
Mr. Ziak			Mr. Oostema
Chairman Stuewe			

The motion to approve the minutes of March 2, 2016 carried with a majority of the quorum, 4/0, with Two ABSTAIN and Three ABSENT.

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**UPCOMING MEETINGS**

Mr. Melrose stated that the next meeting will be on May 18<sup>th</sup>, 2016.

Mr. Melrose notified the Commissioners that he has accepted a position with City of Lockport and next week is his last week with Oak Forest. He made heartfelt comments regarding the City's potential. Chairman Stuewe thanked Mr. Melrose for his work.

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**CITIZEN PARTICIPATION**

Chairman Stuewe offered audience members an opportunity to speak on any issue.

Mr. Aman Kishore asked about the Golf View Plaza sign. Mr. Melrose agreed to speak with Mr. Kishore about the application process after the meeting. Chairman Stuewe explained that the application comes through Mr. Dotson or Mr. Melrose and then comes to PZC. He added that Mr. Kishore will be notified of his actual meeting date. A discussion ensued about notification. Mr. Melrose explained that the City has not yet received a Special Permit application.

Mr. Kamal Kishore, owner of Golf View Plaza, explained that he spoke with Mr. Dotson this morning and confirmed that the Public Hearing for his sign is today. Mr. Aman Kishore confirmed this.

(END SIDE A) (BEGIN SIDE B, in progress)

Mr. Aman Kishore stated that they are already a month behind. He insisted that they were told their sign would be on tonight's agenda. Mr. Kamal Kishore stated that Mr. Dotson told him personally that the letter was sent and the meeting is tonight. Mr. Melrose stated that he did receive the application for the

sign permit, but not the Special Permit application. He denied sending out a letter to Mr. Kishore.

Mr. Melrose added that he spoke with Mr. Kishore's sign company two weeks ago in order to get the Special Permit application and fee. He reiterated that he has not received anything.

Mr. Kamal Kishore stated that no one told him about the need for a Special Permit application. Mr. Melrose recalled speaking with Mr. Kishore in the initial conversation.

Chairman Stuewe requested that Mr. Kishore discuss this with Mr. Melrose after the meeting. The Chairman apologized for the confusion.

There were no other comments or questions from audience members.

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**COMMENTS**

Mr. Wolf expressed appreciation for Mr. Melrose's work and wished him the best in his new position.

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**ADJOURNMENT**

Chairman Stuewe requested a motion to adjourn.

Mr. Ziak made the motion.

Mr. Cowgill seconded.

Everyone was in agreement and the meeting adjourned.

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CHAIRMAN JAMES L. STUEWE

**PLAN/ZONE COMMISSION MEETING**

**MEETING DATE:** 20 April 2016

**PETITIONER:** PZC Case #16-005  
Doug Enberg (The Ale House)

**ADDRESS OF PROPERTY:** 13500 S. Harlem Avenue

**REQUEST:** To recommend approval of the variation request of the front and corner side yard setbacks of this property, upon annexation, and addition to the zoning map as C-1 Local Commercial District, with the stated Conditions

**VOTE:** Motion to recommend approval Carried, 6 Ayes, 0 Nays, with 3 Absent.

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