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**VILLAGE OF PLAINFIELD  
ZONING BOARD OF APPEALS MEETING  
RECORD OF MINUTES**

**Date: November 17, 2009**

**Location: Village Hall**

Chairman Sobkoviak called the meeting of the Zoning Board of Appeals to order at 7:00 p.m.

**Roll Call:**

**Present:** Commissioners Heinen, Seggebruch, Kiefer, Sanders, O'Rourke, Chairman Sobkoviak

**Absent:** Commissioner Renzi, Fire District, Park District, School District and Library District

Also Present: Jon Proulx – Planner and Merrilee Trotz, Secretary

**Approval of Minutes:**

The October 20, 2009 minutes were accepted as presented.

Commissioner Renzi arrived at 7:03 p.m.

**Development Report:**

Planner Proulx summarized the results of the Village Board meeting of November 16, 2009. He also announced the Pace Bus Schedule was posted on our website.

**Old Business:**

None

**New Business:**

**Case No. 1492-101509.V Staples Sign Variance**

Planner Proulx stated this is a variance request requiring a public hearing and that appropriate notices have been published and posted as required. Staples is on Lot 2 located north of the Menards building at the northeast corner of Route 59 and 135<sup>th</sup> Street. There are 3 or 4 additional retail spaces that were approved and identified to be constructed to the north of Staples. Also there are several outlots in front of Staples along Route 59 that obstruct the visibility to Staples. The applicant is requesting a variance to permit additional wall signage on the north elevation and to place additional signage on the Menards monument sign currently existing along Route 59.

Planner Proulx summarized the four findings of fact as outlined in the staff report. Staff has evaluated these two sign requests and does not feel there was sufficient evidence to support the request for the wall signage on the north elevation. Staff does support the request for additional monument signage along Route 59.

Chairman Sobkoviak swore in the petitioners. Troy Funk, account executor for Keiffer Sign Company; Gene Godek, district manager for Staples for this area.

Mr. Funk stated sales are down and they are trying to raise visibility. Staples has closed a lot of their stores around the nation and they are trying to keep this one open.

Mr. Godek stated they originally depended on the other lots to be developed at the same time as Staples. Staples has asked their customers and employees as to what they might do to improve sales. Signage was one of the recommendations.

Chairman Sobkoviak asked if there was anyone in the audience that cared to ask a question or make a comment regarding this case.

David McCord, resident of Lot 43 in Graver Estates, presented pictures taken from his back yard looking south to Staples. He indicated the landscaping that Menards had installed was destroyed when this property was developed and was never replaced. He said additional signage facing his property would only make it worse and drop his property value even further.

Chairman Sobkoviak asked Staff to check into the agreements on the Menards development and to make Mr. McCord's pictures a part of the permanent record. Planner Proulx indicated he would follow up on the agreements and also indicated the developer for this site leases the property to Staples.

Mr. McCord also stated the cigar store plays music every Saturday and Sunday nights and asked if there was an ordinance for noise.

Chairman Sobkoviak said there is an ordinance and asked Staff to look into compliance with the ordinances.

Doug Steger, resident of Graver Estates, agrees any additional signage on the north wall would not be seen. He also agreed the berm Menards installed was beautiful with flowering crab trees, pine trees, hardwood trees, and islands of perennial flowers and shrubs. He said these plantings were bulldozed when Staples was built and never replaced. He also felt signage on Route 59 would be the best recommendation.

Chairman Sobkoviak reiterated he would ask Staff from Planning and Building to look into the agreements to ensure what was agreed to would be complied with.

Chairman Sobkoviak asked if anyone else in the audience wished to make any comments.

Commissioner Renzi asked the applicant what would be the benefit of any signage to the north side of the building.

Mr. Funk stated this was probably a long shot but desperate times call for desperate measures. They wanted to see what kind of visibility they could obtain. He stated they were willing to drop the request for this letter set.

Mr. Funk stated the addition to the existing Menards sign is the most convenient signage installation wise and pricing wise. Mr. Godek indicated the real estate department had spoken with Menards and they would approve of this addition to their monument.

Commissioner O'Rourke asked if it was possible at this time to rebuild the Menards sign to make it multi-tenant, Staples could use the entire thing now and then as new buildings were added they would not have to come forward to ask for additional signage but would just need new panels.

Mr. Godek and Mr. Funk did not think Menards would be willing to rebuild the entire thing.

Commissioner O'Rourke mentioned it would be to Staples benefit

Planner Proulx stated Staff recommended multi-tenant signage to Staples as it could be signage for Staples and future tenants. If approved this sign would give signage to the developer as well and maybe they would participate in the cost. Staff is suggesting a coordinated approach so we do not end up with a haphazard appearance of signage of varying sizes that does not reflect the character that we would like to see in the Village of Plainfield.

Commissioner O'Rourke said if it were rebuilt now, Staples could use the entire space until other tenants would need signage.

Commissioner Renzi suggested Staples going with the multi-tenant signage; or if the developer wanted to go in with them for how ever many lots there will be now; or wait for the next tenant and then Staples and the new tenant each would pay 50% of the cost and Menards would not care as they would pay nothing.

Commissioner Heinen asked if Menards originally applied for a variance for their current sign.

Planner Proulx said the current sign is over double what would be allowed but he would need to pull the annexation agreement to review how this was approved. He was not suggesting Menards sign needed to be replaced but Staff was proposing the new 48 square feet of signage be added to the base area of the existing Menards sign or to redo the base with multi-tenant signage.

Commissioner O'Rourke asked if this could be accomplished by adding panels below the existing sign.

Planner Proulx said they would do a sign box that would protrude a little.

Commissioner Kiefer indicated that currently the only need for additional signage for Staples.

Chairman Sobkoviak said there is some vacant property and there will be additions in the future.

Commissioner O'Rourke suggested with making it a 4 panel sign that Staples could use the entire space until there were additional tenants needing signage when they could split the available space and cost and just pay for the new panels. He asked if a panel was sufficient or if they needed the raceway sign.

Mr. Funk asked why Menards would want to do something like that. He said what they propose will cost a couple thousand dollars versus tens of thousands of dollars.

Commissioner O'Rourke said it may not cost that much, you propose a little box and you could make it a bigger box to add panels to it. Right now you would be the only panel but in the future you would have to agree to shrink that as other tenants moved in..

Mr. Funk said that would be a possibility but they would have to check with Menards. Basically their agreement was to put a little box so it did not take away from their sign and they were okay with that.

Commissioner O'Rourke said it may get Staff to a more comfort level regarding the future as well so it is not haphazard but still decent quality as well.

Commissioner Sanders indicated the viewing corridors are very limited if you are moving at 35 mph. He described the different viewing corridors on this site. He asked how Office Max obtained the additional signage.

Planner Proulx stated Office Max received a variance for their additional signage.

Commissioner Sanders indicated he would support the signage on the north elevation due to the speed usually traveled on Route 59 as you cannot see Staples from Route 59. He mentioned other stores on Route 59 that have signs. He asked about the other lots north of Staples.

Planner Proulx said there is site plan approval for 3 additional mid-box spaces. Staff is working with the developer on a proposed use for a fourth mid-box in that location and it is the developer's hope that if that deal goes through and moves forward they would like to build out the entire space. The more customer traffic you generate the better it is for all the businesses. Staff sees an upside benefit to Menards to try and provide a strong foundation for retail at this location.

Commissioner Sanders further described the existing sign on Staples building and asked if they would consider changing the back lighting to have a red and white sign. He said at night it just shows up as white back lite, the red that appears in the day is black at night.

Mr. Funk described Staples signs and indicated that could be a possibility to add track lighting.

Commissioner Kiefer clarified that the applicant was comfortable with dropping the north wall signage. Applicant agreed. He stated based on the other findings of fact he would be comfortable with recommending the monument signage alternation.

Commissioner Sanders said with the traffic moving by what would it take for people to realize there is a Staples located there.

Mr. Funk said the Menards sign is almost right in the center entrance and that is why they would like to have that signage because when you turn in there it is right dead center of that entire area.

Commissioner Sanders said he would support either the corner sign or that because it was done at Office Max.

Commissioner O'Rourke clarified that Commissioner Sanders was supporting the north elevation sign against Staff's recommendation over the concerns of the neighbors and over the withdrawal of the applicant.

Commissioner Sanders said he would support it.

Commissioner Seggebruch said he was on the commission when Menards originally come through. He felt they had an excessive number of outlots especially the one where the cigar store is which he felt should have been a landscaping feature as it was the north entrance of the whole shopping center. He remembered there was an extensive amount of landscaping on the berm originally. He was not on the commission when the Staples building came through. He said looking at the other corner centers, there is no signage at the 135<sup>th</sup> Street entrance to this Menards center. He thought there were 2 monument signs at any one of these developments. He described the Meijer, Jewel and Target sites and their signage. He did not think people associate The Crossings with this shopping center, people think of it as Menards. He agreed there would be no benefit to the wall signage. He felt they had a good case for additional monument signage and suggested working with Staff and Menards to develop this as a multi-tenant panel. He would support either the way Staples proposed or the multi-tenant signage.

Mr. Funk stated they understand Staff's recommendation but Staples might not have leverage with Menards.

Commissioner O'Rourke asked if the height was increased at The Crossings sign to give Staples more visibility.

Planner Proulx indicated it exceeds the height limit to match the height of Menards sign.

Commissioner O'Rourke stated he wanted the applicant to understand the city is understanding and wants to work with tenants and developers. He stated the applicant came in knowing there were outlots in front of your building and that he would support the extra monument sign on Menards sign. He stated he understands more signage is always better, visibility and access are probably the two number one things. He would also support a bigger panel today that can be shared later.

Mr. Funk stated no one anticipated how bad the economy would be. He agreed they knew about the outlots.

Commissioner Renzi clarified the terms of the recommendation to allow the monument sign to go either way or do we need to make any change to the motion.

Planner Proulx said the motion would allow what Staples is requesting tonight and in addition it would allow but would not necessarily require the multi-tenant coordination that was talked about.

Commissioner Seggebruch asked if the total square footage of the existing monument sign was 18 square feet.

Mr. Funk agreed.

Planner Proulx clarified the motion would allow 48 square feet of new signage on top of the Menards sign on both sides of the base area.

Commissioner Sanders asked how signage is worked out and if it is handled in an annexation agreement.

Planner Proulx stated our Zoning Code stipulates the maximum size of the monument sign to be 48 square feet regardless of the size of the retail use. He also explained the separation requirements. A shopping center can have two monument signs, but they have to be separated by 800 feet of linear street frontage.

Commissioner O'Rourke said if you are able to get a bigger panel from Menards you could utilize the whole thing today and knowing in the future you would have to split it with your neighboring tenants but today you could get a bigger presence.

Chairman Sobkoviak asked if there were any other discussion, questions or comments..

Commissioner Renzi made a motion to adopt staff's findings of fact as the findings of fact of the Zoning Board of Appeals and, furthermore, that we recommend approval of a variance to allow off-site monument signage for tenant of Lot 2 of the Menards of Plainfield Subdivision, subject to the following stipulations:

1. The retail tenants must provide written approval from the owner of the land on which the signage is to be placed prior to receiving sign permit approval; and
2. The total sign area of the additional monument signage, in addition to the existing Menards sign, shall not exceed 48 square feet.

Commissioner O'Rourke seconded the motion.

Chairman Sobkoviak called for a vote by roll call.

Aye: Renzi , O'Rourke, Sanders, Kiefer, Seggebruch, Heinen, Chairman Sobkoviak

Nay: None

The motion carried 7-0.

Chairman Sobkoviak asked Staff to check with Planning and Building to investigate the buffering requirements and agreements for the Menards subdivision to ensure compliance with the various agreements.

**Discussion:**

None

**Adjourn:**

Since there was no further business before the Commission, Chairman Sobkoviak adjourned the meeting at 8:05 p.m.

Respectfully Submitted

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Merrilee Trotz  
Recording Secretary