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2
3 **VILLAGE OF WOODRIDGE**
4 **PLAN COMMISSION MINUTES**
5 **FEBRUARY 21, 2011**
6

7 **I. CALL TO ORDER**
8

9 Commissioner Krywaruczenko announced that Chairman Zawacki would be unable to
10 attend the meeting, and that he would serve as Chairman Pro Tem (hereinafter
11 "Chairman"). He called the meeting to order at 7:30 PM, then asked Commissioner
12 Sydelko to call the roll.
13

14 **II. ROLL CALL**
15

16 **PRESENT:** Commissioners Goodwin, Hendricks,
17 Krywaruczenko, Mast, Przepiorka, Sydelko

18 **ABSENT:** Ch. Zawacki

19 **ALSO PRESENT:** Emily Rodman, Jennifer Walden, Michael Mays
20

21 **III. APPROVAL OF MINUTES FOR THE DECEMBER 20, 2010 MEETING**
22

23 Commissioner Przepiorka moved to accept the minutes of the December 20, 2010
24 meeting as presented, seconded by Commissioner Hendricks.
25 All in favor. The Motion carried.
26

27 **IV. CONSIDERATION OF CERTAIN PROPOSED ZONING TEXT AMENDMENTS**
28 **TO TITLE 9 OF THE VILLAGE CODE, THE ZONING ORDINANCE OF THE VILLAGE**
29 **OF WOODRIDGE**
30

31 **A. PUBLIC HEARING**
32

33 Chairman Krywaruczenko called the Public Hearing to order at 7:32 PM. He reviewed
34 the procedures to be followed for the Public Hearing, noting that all notices as required
35 by law have been given.
36

37 Rules of Procedure
38

39 Commissioner Przepiorka moved, seconded by Commissioner Goodwin to adopt
40 the Rules of Procedure.
41 All in favor. The Motion passed.
42

43 Applicant's Presentation
44

45 Emily Rodman, Senior Planner, and Jenny Walden, Planner, represented the Village of
46 Woodridge as the applicant for this Public Hearing.
47

1 Ms. Rodman said that staff annually reviews the Zoning Ordinance and Subdivision
2 Regulations to determine textual modifications that may be necessary. She indicated
3 that there were seven categories to be considered:

- 4
- 5 1. Miscellaneous
- 6 2. Outdoor Storage and Signage
- 7 3. Donation Drop Boxes and Renewable Energy Systems
- 8 4. Lighting
- 9 5. Wireless Communications
- 10 6. Human Signs
- 11 7. Fences
- 12

13 Attachment A: Miscellaneous Amendments (Titles 9 and 10)

14
15 Ms. Rodman referenced Attachment A submitted to the Commission in Staff's Report
16 dated February 21, 2011 (hereinafter "Staff's Report"). She asked if there were any
17 questions regarding the nine amendments under Miscellaneous and there were none.

18
19 Attachment B: Outdoor Storage & Signage Amendments (Title 9) & Pace Advertising
20 Guidelines

21
22 Chairman Krywaruczenko questioned Item K under PROHIBITED SIGNS on Page 3 of
23 Staff's Report, asking whether it was covered in any other part of the Ordinance. Ms.
24 Rodman said it was not.

25
26 Ms. Rodman explained the section allowing off-premise signs, stating that the current
27 Zoning Ordinance does not allow off-premise signs. However, PACE Suburban Bus
28 has an ad-shelter program in place. Under this program, PACE will install new bus
29 shelters in communities that contain an advertising panel. Municipalities receive a
30 portion of the revenue obtained from leasing of the panels.

31
32 Chairman Krywaruczenko asked for a clearer description, or image, of the section on
33 Page 5 of Staff's Report, letter A that states:

34
35 "or within any sight distance triangle unless the lowest point of the sign face is
36 greater than eight feet (8') in height above grade or the highest point of the sign
37 face is less than three feet (3') in height above grade."
38

39 Ms. Rodman said the sign code does not contain a visual image describing this
40 requirement. Staff evaluates proposed signs for compliance with this provision at the
41 time of permit application. The intent is to ensure that the sign does not block visibility
42 of traffic oncoming or turning traffic from the roadway. Chairman Krywaruczenko
43 suggested rewording the paragraph for greater clarity.

44
45 There were no questions from the Commission on the remaining amendments in
46 Attachment B.

47
48 Commissioner Przepiorka asked Ms. Rodman to return to Amendment 1, saying it
49 sounded as though the amendment would allow outdoor displays by grocery stores.

1 Ms. Rodman clarified that the language referred to landscape displays. Commissioner
2 Przepiorka noted that this already exists with regard to home improvement stores and
3 asked how those stores obtained permission. Ms. Rodman responded that the Zoning
4 Ordinance is very specific in that it allows grocery stores over 50,000 square feet to
5 have seasonal landscape displays, which only applies to them. The Village only has
6 two home improvement stores. These stores are permitted to have permanent outdoor
7 storage under certain parameters. The proposed outdoor storage amendment provides
8 greater flexibility to businesses to assist in their advertising and promotion of
9 merchandise.

10
11 Commissioner Przepiorka said that he thought this could be open to interpretation and
12 asked how they will control what will be displayed outside. Ms. Rodman replied that the
13 intent is to allow businesses to sell, store or display any merchandise they feel is
14 appropriate as long as they do not violate square footage requirements and minimum
15 ingress/egress requirements. If it is limited to specific items, that can also become an
16 enforcement issue or an interpretive issue, depending on the items identified.

17 Commissioner Przepiorka said he thought there would be enforcement issues given
18 how the proposed language is written. He is concerned with “how” the merchandise will
19 be displayed. Ms. Rodman responded that there are a few communities that have
20 height or depth restrictions as well, and staff can look at adding other provisions and
21 restrictions. This is intended to also include vending machines, such as the Red Box
22 movie vending machines. This is intended to be something that can be used year
23 round.

24
25 Commissioner Przepiorka asked if businesses have other options in the Code to obtain
26 approval for outdoor displays. Ms. Rodman responded that businesses would have to
27 obtain approval through the zoning process, site plan review, PUD process, or a
28 variation. There is a provision for sidewalk sales for a certain number of days per year.

29 30 Attachment C: Donation Drop Boxes and Solar Energy System

31
32 Ms. Walden reviewed proposed amendments 1 and 2 in Attachment C of Staff’s Report
33 outlining the proposed regulations for donation drop boxes.

34
35 Commissioner Sydelko asked whether Staff has received complaints from the public or
36 commercial owners regarding the existence of these boxes. Ms. Walden said that there
37 have been no major problems; however, staff believes regulations are necessary to
38 prevent problems from occurring. She provided an example of one shopping center that
39 has at least twelve such drop boxes at this time.

40
41 Ms. Walden then referred to Amendments 3 and 4 of Attachment C which address Solar
42 Energy Systems. On page 4 of Attachment C she pointed out a typographical error in
43 line 2 of paragraph C1 that should read, “shall not exceed 50%” rather than “5050.” She
44 indicated that solar energy systems are not presently addressed in the Code, and staff
45 proposes to allow roof-mounted and ground-mounted systems. Commissioner Mast
46 asked if there are any residents using ground-mounted systems, and Ms. Walden said
47 to staff’s knowledge there were not.

1 Commissioner Przepiorka said the proposed language has specific measurements and
2 guidelines, and asked whether staff consulted with other municipalities to determine
3 these figures. Ms. Walden said a survey was conducted of surrounding communities to
4 determine figures, and staff also looked into some prototypes to determine what would
5 be appropriate.

6
7 Commissioner Sydelko referred to Paragraph B1 on page 4, which required a spot
8 survey by the homeowner. Ms. Walden said that if the homeowner did not have a
9 survey available they would have to get one.

10
11 Attachment D: Lighting Amendments (Title 9)

12
13 Ms. Walden said there are two proposed lighting amendments listed in the Attachment.
14 Staff has fielded a number of residential concerns over the years regarding lighting
15 glare, and the proposed amendments are intended to address those concerns. The
16 amendments exclude certain lighting, including public street lights, holiday lighting,
17 decorative yard lighting, etc.

18
19 Commissioner Mast inquired as to what actions have been taken to ensure compliance
20 with foot-candle regulations. Ms. Walden said that staff's intent is to require a
21 photometric plan when any change in lighting is proposed, as well as a cut sheet. That
22 is staff's opportunity to enforce regulations. Ms. Walden noted that Section H on page 4
23 of Staff's Report outlines the proposed nonconforming regulations, which was an
24 attempt to address nonconforming lighting, understanding it could be cost-prohibitive to
25 automatically require full compliance with all lighting regulations. Commissioner Mast
26 asked about the opportunity to have a tiered system, and Ms. Walden said that Staff
27 would look into that. The concern would be having to survey and analyze the entire
28 community.

29
30 Commissioner Mast then asked if staff has considered including additional language
31 requiring more energy efficient lighting. Ms. Walden responded that the amendments
32 will help in that direction and staff can review other ways to promote energy efficiencies.

33
34 Commissioner Przepiorka referred to Page 1 of Attachment D, saying he could not
35 determine what the difference was between Full Cutoff and Fully Shielded. Ms. Walden
36 responded that they are intended to be the same.

37
38 Commissioner Przepiorka then inquired about the exemptions permitted under Section
39 G on Page 4 of Attachment D, and whether the Village covers security lights in another
40 area of the Ordinance. Ms. Walden said to her knowledge it is not addressed
41 anywhere else, but she would look into it.

42
43 Attachment E: Wireless Communication Amendments (Title 9)

44
45 Ms. Rodman explained that the Village Code doesn't presently contain provisions
46 regulating telecommunication towers or antennas, except in the RBC district. In the
47 past, towers have been co-located on existing structures in the community. However,
48 staff believes it is appropriate to place guidance regulations into the Ordinance as we
49 anticipate there will be an increasing number of inquiries for cell tower and antenna

1 structures. She reviewed the proposal, noting that the proposed amendment outlines
2 guidelines for location and types of materials used, as well as required documentation.
3

4 Commissioner Przepiorka referred to Page 8 of Attachment E, Section 13, and asked
5 what they mean by “artificial illumination of the facility.” Ms. Rodman said it refers to
6 lighting on the towers, as well as lighting at the base. In further response, Ms. Rodman
7 said they could exempt security lighting if preferred.
8

9 Attachment F: Human Signs Amendment (Title 9)

10
11 Ms. Rodman explained that this request originated from the Plan Commission to
12 address people dressed in costume, or holding signs to promote a particular business
13 or service. Staff surveyed surrounding communities and found that two do not permit
14 these at all, three interpret them as being “not permitted” under their current Code, and
15 five do not take enforcement action against this type of sign. Ms. Rodman noted that
16 the Village’s Attorney has advised staff that attempting to explicitly regulate and enforce
17 Human Signs could be problematic based on Freedom of Speech rights granted under
18 the First Amendment. Staff recommends amending the existing portable sign
19 provisions which address signs that can be moved or do move, and clarify that Human
20 Signs would be incorporated into that definition.
21

22 Commissioner Przepiorka asked for clarification as to the Portable Sign Ordinance and
23 what it regulates. Ms. Rodman responded that the Portable Sign definition is similar to
24 that of other communities. It intends to regulate signs that are mounted to a structure
25 and may move, spin, or are trailer mounted for ease of mobility. The intention is to
26 restrict signage to permanently mounted signage, and prohibit moving/portable signs.
27 Staff interprets the existing portable sign definition to prohibit Human Signs. However, if
28 the Commission and Village Board prefer to make the prohibition that explicit, they
29 should remember that the Village Attorney has expressed concerns.
30

31 Commissioner Sydelko inquired about delivery trucks and vehicles with signs on the
32 vehicle and whether they are prohibited. Ms. Rodman said businesses are allowed to
33 have their name on the vehicles and park them on their property. It can become an
34 issue if the business parks their vehicles in areas of the shopping center that are not
35 adjacent to their business. Staff is aware that it occurs in the community and there is
36 the ability to require such vehicles to be parked in the area of their own business
37 property.
38

39 Chairman Krywaruczenko noted that staff did not mention any communities that allow
40 Human Signs. Ms. Rodman replied that they surveyed eight surrounding communities
41 and the only community that allows them is Naperville, as long as they are immediately
42 adjacent to the business they are representing.
43

44 Attachment G: Fence Amendment (Title 9) & Resident letter

45
46 Ms. Rodman said a resident requested in 2007 that the Village consider amending the
47 zoning regulations to allow closed fences up to 8’ in height. The Plan Commission
48 recommended approval of an amendment, but the Commission and Board required a
49 minimum length requirement of 200 feet. The same resident is requesting that the 200’

1 minimum length requirement be eliminated because it would require that his adjacent
2 property owners agree to install an 8' fence as well.

3
4 Chairman Krywaruczenko asked whether other municipalities have been surveyed. Ms.
5 Rodman said the applicant submitted a review of other communities that allow fences
6 over 6' in height, and she confirmed the accuracy of those noted regulations.

7
8 Commissioner Hendricks asked what the rationale was for the minimum 200-foot
9 requirement. Ms. Rodman responded that in 2007 the Commission had concerns about
10 the aesthetic impact of having fences of varying heights. The 200' minimum length
11 requirement was meant to address that issue and better impact the noise caused by
12 adjacent highway traffic. Staff did not provide a study, but the applicant, Mr. Nusbaum,
13 has studied noise levels and could respond to that.

14
15 Commissioner Goodwin noted a typographical error on page 1 of Attachment G, 2nd
16 line in the paragraph entitled Background. It should read, "to erect closed fences up to
17 8' in height", rather than "up to 8' in length."

18
19 Commissioner Sydelko asked if there are other ways a resident could obtain an 8' fence
20 under the Village's Code. Ms. Rodman said a resident has the ability to request a
21 variation. However, the challenge is that one of the standards requires that the situation
22 on the property to be a unique circumstance. The existence of Route 53 is not unique
23 to that property.

24
25 Chairman Krywaruczenko called upon anyone wishing to support the applicant. There
26 being none, he called for anyone who wanted to cross-examine the applicant or
27 witnesses.

28
29 Mr. and Mrs. Jeffrey Barg of Woodridge were sworn in and commented on the
30 Woodridge Center Townhome Owner's Association minor PUD amendment that was
31 denied by the Village Board last year, indicating that this was a good step in the right
32 direction related to lighting.

33
34 Mr. Barg explained that the first handout is the text of the amendment with annotations
35 from him and his wife, as well as Ms. Debra Norvile and Ms. Gail Clyma collaborated to
36 prepare. The second handout is a copy of the Village of Homer Glen's model lighting
37 Ordinance, which he recommended for review by the Village and Plan Commission.
38 Chairman Krywaruczenko had both handouts entered into the record as Exhibits C and
39 D.

40
41 Mrs. Barg thanked the Commission for allowing them to submit their comments. She
42 described Debra Norvile as the founder of the Village of Homer Glen, and co-author of
43 the Village of Homer Glen's outdoor lighting ordinance. Gail Clyma is a Board Member
44 of a Sensible and Efficient Lighting to Enhance Nighttime Environment, and has been
45 instrumental in having various legislations passed in New York.

46
47 Mrs. Barg said they first approached the Village of Woodridge at the Neighborhood
48 Dialogue meeting in 2009 regarding dark skies initiatives and suggested that the Village
49 invite someone from Homer Glen to discuss their lighting Ordinance. At that meeting

1 Mayor Murphy said someone would contact Homer Glen to discuss their Ordinance.
2 When Ms. Walden notified them of tonight's meeting they contacted Ms. Norvile and
3 Ms. Clyma asking for some expert advice. We also learned that no one from Woodridge
4 ever contacted Ms. Norvile personally. Mrs. Barg reviewed the Homer Glen Ordinance
5 as co-authored by Debra Norvile, who is a founding member of the Illinois Coalition for
6 Responsible Outdoor Lighting, and is a former environmental compliance engineer for
7 ComEd. Both Ms. Norville and Ms. Clyma are willing to share their expertise and have
8 reviewed Woodridge's proposed amendments and made annotations, which were
9 included in the handouts.

10
11 Mrs. Barg explained that she and her husband have made comments on the proposed
12 Ordinance amendments regarding lighting. She said one general comment has to do
13 with wattage versus lumens. The amendment states 75 watt or 75 watt LED or less,
14 and she assumes that 75 watts is the standard for incandescent lighting. She then
15 referenced a new Federal mandate expected to go into effect in July of 2011 requiring a
16 package and label change to identify the number of lumens. "Lumens" measures the
17 amount of light being generated, versus watts, which represents energy used. She
18 suggested that the wording on the text amendments be modified to include lumens, as
19 done in the Homer Glen Ordinance. She referred to comments made by Ms. Norvile in
20 a document distributed to the Commission.

21
22 Mrs. Barg said that the earlier statement by Ms. Walden that "fully-shielded" and "full-
23 cutoff" are the same is erroneous, and she said that Ms. Norvile recommended that
24 different definitions of the two terms. Mrs. Barg then read from Ms. Norvile's comments
25 further defining the two terms. Definitions for the terms by Ms. Clyma were also
26 reviewed by Mrs. Barg.

27
28 Mrs. Barg continued referencing statements from the handouts given to the Commission
29 containing comments and recommendations from Ms. Norvile and Ms. Clyma regarding
30 light trespass, based on the Homer Glen Ordinance. Mrs. Barg commented on the
31 proposed conformance regulations and their concerns with how it would prolong the
32 existence of objectionable lighting. She suggested using the Homer Glen's conformance
33 language. If the Village doesn't use the Homer Glen regulations, she suggested that
34 caveats be added that require conformance to those lights that cause disability glare or
35 lighting that spills into properties and impacts the quiet enjoyment of one's property.

36
37 They requested that their comments, as well as supporting articles/documents
38 regarding the negative impacts of blue-rich white lighting, be forwarded on to the
39 Mayor and Village Board. Those additional articles regarding blue-rich white lighting
40 were entered into the record as Exhibits E and F.

41
42 Chairman Krywaruczenko asked which other municipalities have adopted this
43 Ordinance. Mr. Barg said that they believe Arlington Heights, Frankfort and Barrington
44 Hills have adopted it, but they had not reviewed or verified.

45
46 Mr. Nusbaum of 6208 Meyer Road, Woodridge commented about noise levels
47 for property adjacent to Route 53. He noted that this request about fence height is very
48 specific for those particular properties. Mr. Nusbaum said this is not all about noise.
49 His house is older and is closer to the highway than most of the other properties. Mr.

1 Nusbaum noted that he has put a couple of videos up on YouTube for staff review and
2 invited the Commission to review those as well. He asked for the Commission's
3 consideration in recommending approval for the 8' fence.

4
5 Chairman Krywaruczenko called for anyone who wished to speak in opposition to the
6 presentation by the applicants. There were none, and the applicants chose not to make
7 any further statement.

8
9 There being no further discussion, Chairman Krywaruczenko called for a Motion to
10 close the Public Hearing.

11
12 **Commissioner Przepiorka moved, seconded by Commissioner Goodwin, to close**
13 **the Public Hearing.**

14 **All in favor. The Motion passed.**

15
16 **C. REVIEW AND CONSIDERATION**

17
18 Micheal Mays indicated that the Plan Commission has the option to make a
19 recommendation regarding the proposed amendments tonight or delay their
20 recommendation to another meeting.

21
22 Ms. Rodman suggested that the Commission may wish to make recommendations on
23 individual amendments if there is a consensus regarding these amendments. The
24 remaining amendments for which the Commission is requesting staff conduct additional
25 research can be tabled to another meeting. Chairman Krywaruczenko asked for
26 comments regarding Attachment A.

27
28 Ms. Rodman said that staff recommends that the Plan Commission recommend to the
29 Mayor and the Board of Trustees approval of the proposed text amendments to Titles 9
30 and 10 of the Municipal Code, as outlined in Attachments A-E. Ms. Rodman further
31 stated that the Plan Commission should consider whether they support the
32 amendments proposed in Attachments F and G, and if so, these should be added to the
33 first recommendation. She recommended they review each Attachment to determine
34 changes and then make one recommendation.

35
36 Attachment A: There were no comments.

37
38 Attachment B: Commissioner Przepiorka said he believes the language in Section 1 is
39 vague. He said it is a combination of many things regarding outdoor storage and
40 display of materials. He is concerned about measuring the permitted space and
41 enforcement. Ms. Rodman asked if he would like to see a specific time limitation
42 established, and Commissioner Przepiorka responded that he thinks a mechanism to
43 require an approval process by the Community Development Department would be
44 beneficial. He believes that the way it is presently written will make enforcement
45 difficult.

46
47 Mr. Mays said, for clarification, that he understands Commissioner Przepiorka is
48 seeking some type of approval process, but not regulating seasonal use or items such
49 as Red Boxes, propane storage, ice chests, and other things that are difficult to move.

1 Commissioner Przepiorka asked how they regulate Red Boxes or other materials that
2 are out 24 hours a day to prevent vandalism, etc.
3

4 Commissioner Goodwin asked for information as to how a business such as Home
5 Depot is regulated. Ms. Rodman responded that it depends upon the business district
6 in which they fall such as B-1, B-2, B-3, OSB, RBC districts that can have outdoor
7 storage. This proposed amendment was intended to provide an opportunity to other
8 businesses to provide outdoor display and storage as well. This is only intended to be
9 in sidewalk areas adjacent to the building, and not in parking spaces, drive aisles, etc.
10

11 Commissioner Hendricks agreed that the wording as presented is vague and suggested
12 that specifying a time period might be helpful.
13

14 Commissioner Przepiorka, in response to the Chairman, said that his concern is not just
15 the size, but security, prevention of vandalism and mischief, etc. Ms. Rodman
16 commented that the Village does not provide for the security, beyond police patrols. It
17 is in the interest of the business to monitor their materials. She said she is not aware of
18 there being any issues from Home Depot, Jewel, etc., of vandalism. Mr. Mays said he
19 was also unaware of problems of vandalism.
20

21 Ms. Rodman said the types of things they expect to be stored would be similar to Red
22 Boxes, propane storage, ice chests, gas station supplies, mulch, etc.
23

24 With regard to cargo containers, Mr. Mays said he suspected any cargo container would
25 take up more than the space allowed by the amendment. Commissioner Przepiorka
26 asked if there are commercial properties that could take advantage of this situation that
27 could effect enforcement. Mr. Mays replied that the first requirement would be the size
28 limitation. Secondly, with respect to location, they cannot use drive aisles, parking
29 areas, etc. He said that they can look at this in terms of modifying the total size
30 allowed. Mr. Rodman said they could also put height restrictions in place to limit the
31 potential to stack materials.
32

33 Commissioner Przepiorka asked if this storage is for merchandise for sale, or for any
34 type of storage. Ms. Rodman said it is intended for merchandise for sale. Staff is
35 recommending the amendment to provide greater visibility and flexibility to businesses
36 to market themselves and sell their merchandise by using the space outside for that
37 purpose. This is not intended to provide additional storage space.
38

39 Commissioner Hendricks said the only drawback he sees is the potential for creating an
40 eyesore.
41

42 Commissioner Przepiorka has no issue with allowing outdoor sales. He objects to the
43 language of this particular amendment.
44

45 Ms. Rodman said it sounds as though the Commission would like staff to revisit this and
46 specify size and appearance.
47

48 Commissioner Mast agreed that the language could be tightened to provide greater
49 control and to avoid having businesses sell merchandise belonging to another vendor.

1
2 Chairman Krywaruczenko also asked that the language on page 5 of Amendment #3 A4
3 be clarified.

4
5 Attachment C: There were no comments.

6
7 Attachment D: Commissioner Hendricks referred to the information provided earlier
8 this evening and asked whether the Village of Woodridge has looked at the Homer Glen
9 Ordinance. Ms. Walden said staff has reviewed that information. Staff's
10 recommendations are based on what Staff thinks best fits the context of the Village of
11 Woodridge.

12
13 Commissioner Sydelko asked staff's opinion regarding using lumens instead of watts.
14 Ms. Walden replied that staff agrees that can be reviewed. Commissioner Sydelko
15 recommended that be looked at closely to use language that reflects the illumination,
16 versus power usage.

17
18 Commissioner Przepiorka referred to Section G on page 4, saying that the way it is
19 written it sounds like a 75 watt LED light. He recommended that this be reviewed more
20 closely with recommendations from the other Ordinances and then revisited by the
21 Commission.

22
23 Commissioner Mast asked that they take a closer look at compliance requirements, as
24 well as the 50% figure.

25
26 Commissioner Goodwin noted that Homer Glen has a lot less commercial property.
27 There is greater impact on Woodridge's commercial developments by setting timelines
28 similar to theirs.

29
30 Attachment E: There were no comments.

31
32 Attachment F: Commissioner Sydelko said he has a concern with this regulation, as
33 expressed by the Village Attorney. He does not support this regulation being included.
34 There haven't been any complaints, and if problems do occur, they can go back to it.
35 Ms. Rodman said the Village Attorney's recommendation was that it would be
36 problematic to enforce.

37
38 Ms. Rodman asked for verification that the Commission did not support the amendment.

39
40 Commissioner Hendricks said that he would actually support including the regulation,
41 even if it is unenforceable. It is only a change of adding this to the definition, and he
42 thinks having this on the books could be beneficial. He's seen some of these human
43 signs in other communities and it is very distracting.

44
45 Ms. Rodman said that under the existing definitions they could interpret human signs as
46 being prohibited. The proposed definition is very explicit, although current language
47 would make it enforceable if necessary.

1 Commissioner Sydelko said he felt they should either put it through and enforce it, or
2 not put it through. He doesn't support it.

3
4 Attachment G: Commissioner Hendricks said he understands the views submitted by
5 Mr. Nusbaum regarding the 200 feet. He suggested that there be additional
6 documentation as to the source of the 200 feet figure, or they should allow the property
7 owners to install the 8' fence.

8
9 Chairman Krywaruczenko said he recalls the 200 foot distance, and he doesn't
10 understand why they need a limitation on the length of the fence. There are fences
11 across the street from Village Hall and they look bad, even though they are all six feet
12 tall. He doesn't think the 8' fence versus the 6' fence would be aesthetically bad. It
13 appears to be an arbitrary number and he sees no reason why they should be limited by
14 the 200 feet figure.

15
16 Mr. Mays said he understood that the Commission is requesting that staff look at the
17 questions raised, put together the additional information, and continue this at the next
18 meeting.

19
20 Ms. Rodman suggested that the Commissions make recommendations on the items in
21 which they have consensus tonight.

22
23 Mr. Mays said that Staff will not take the amendments to the Village Board until the Plan
24 Commission has made recommendation on all of the amendments.

25 26 **C. RECOMMENDATION**

27
28 **Commissioner Przepiorka moved that Amendments A, C, E and G to Titles 9 and**
29 **10 of the Municipal Code be supported as submitted and recommend approval by**
30 **the Mayor and Village Board.**

31
32 **Attachment B, Amendment #1 should be further reviewed by staff;**

33
34 **Attachment B, Amendment #3,A and #3,B4 are to be further reviewed by staff.**

35
36 **The remaining amendments on Attachment B are recommended for approval.**

37
38 **Attachment D is to be further reviewed by staff.**

39
40 **The Commission is not in favor of adopting the proposed language for**
41 **Attachment F. Commissioner Goodwin seconded the Motion.**
42 **All in favor. The Motion passed.**

43 44 **V. PUBLIC COMMENT (items not related to the agenda)**

45
46 Mrs. Barg thanked the Commission for recommending approval of their package to the
47 Mayor and Village Board.

1 **VI. DISCUSSION ITEMS**

2
3 Mr. Mays said that staff will look at the issues raised. He did not know when this will be
4 brought back to the Commission, but estimated at least four weeks. In response to a
5 question, Mr. Mays said that text amendments come up roughly every eighteen months.
6 As issues arise they are collected and then presented in a package to the Commission
7 and Village Board.

8
9 Chairman Krywaruczenko commented that Mr. Nusbaum began his request for the
10 change in fence height requirements in 2007. If he were Mr. Nusbaum he would not
11 have waited that long but would have brought it before the Commission and had them
12 review it much more quickly. Mr. Mays responded that anyone can submit an
13 application as an amendment to the Zoning Ordinance. Mr. Nusbaum decided to wait.
14 Chairman Krywaruczenko said as part of the Commission, he would rather see one of
15 these amendments combined in a regular meeting, than have to review so many at one
16 time.

17
18 Commissioner Przepiorka asked whether Ordinance changes have to be recorded with
19 the County. Mr. Mays said that they have to be codified, but they are not recorded with
20 the County.

21
22 Ms. Rodman said there are efficiencies in doing them all at once because newspaper
23 notification is required which has a cost, and an outside codifying service is used as
24 well, which is an additional cost. Doing these individually would be more expensive.

25
26 Commissioner Sydelko asked if there were any cases coming up. Mr. Mays said there
27 is something that will be about a month out for Centerpointe.

28
29 **VII. UPDATE OF PREVIOUS PLAN COMMISSION CASES**

30
31 Ms. Rodman said at the January 20th Village Board meeting, the Board approved the
32 Famous Athletics request for a recreational use.

33
34 **VII. ADJOURNMENT**

35
36 **Commissioner Mast moved to adjourn the meeting, seconded by Commissioner**
37 **Goodwin.**

38 **All in favor. The Motion carried.**

39
40 Chairman Krywaruczenko adjourned the meeting at 9:25 PM.