

**MINUTES
CITY OF ST. CHARLES, IL
PLAN COMMISSION
TUESDAY, MARCH 6, 2012**

Members Present: Todd Wallace, Chairman
 Brian Doyle
 Curt Henningson
 Tom Schuetz
 Tim Kessler, Vice Chairman/Secretary
 Thomas Pretz

Members Absent: Sue Amatangelo

Also Present: Matthew O'Rourke, Planner
 Russell Colby, Planning Division Manager

1. Call to order

The meeting was called to order at 7:00 p.m. by Chairman Wallace.

2. Roll Call

Chairman Wallace called the roll. A quorum was present.

3. Presentation of Minutes

A motion was made, seconded and unanimously passed by voice vote to accept the minutes of the February 21, 2012 meeting.

A motion was made, seconded and unanimously passed by voice vote to amend the Agenda to discuss item #6 prior to the public hearing.

6. Valley Shopping Center Subdivision (VSC Property, LLC)(South side of W. Main St., between 14th and 17th Streets)

Application for Final Plat of Subdivision

Supporting Documents:

- Final Plat of Subdivision received 2-3-12

Mr. O'Rourke reviewed the staff report.

Mr. Schuetz asked about the shared parking calculation. Mr. O'Rourke stated the applicant submitted a plan showing the total 499 spaces required by the Zoning Ordinance can be provided, but staff's shared parking calculation showed that 47 spaces would not be needed.

Mr. Kessler asked if any uses were proposed to change. Ken Kaergard, representing Henry Funk, stated that no uses are proposed to change. Cross access easements will be provided for all parking areas to absorb an excess demand for one of the uses.

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Mr. Kessler asked about the location of the unpaved area. Mr. Kaergard said the unpaved area is next to the former location of Aldi. For economic reasons, it is not beneficial to pave this area.

Mr. Kessler asked about Dr. Spurlock’s medical office. Mr. O’Rourke said parking is provided for that building in the calculations. Mr. Peter Bazos, attorney, noted that access easements are provided for this parking as well.

Mr. Kessler made a motion to recommend approval of the application for the Final Plat of Subdivision for Valley Shopping Center Subdivision (VSC Property, LLC) contingent upon resolution of all staff comments. Mr. Pretz seconded the motion.

Voice Vote:

Ayes: Schuetz, Henningson, Wallace, Kessler, Doyle, Pretz

Nays: None

Absent: Amatangelo

Motion Carried.

PUBLIC HEARING

4. General Amendments (City of St. Charles)

17.30.030, “General Definitions - Sign, Flashing” and 17.28.060, “Illumination” pertaining to electronic reader boards, 17.30.030, “General Definitions” pertaining to a yard location diagram, 17.28.090, “Exemptions” pertaining to the creation of regulations for drive-through menu board signs, 17.28, “Signs” pertaining to regulation for windows signs, Table 17.14-2, “Business and Mixed-Use Districts - Bulk Regulations”, 17.22.020.A, “General Requirements”, and 17.22.020.B, “Detached and Attached Garages” pertaining to the amount of buildable square footage allowed for detached garages in the CBD-2 Mixed Use Business District, 17.24.060, “Location of Off-Street Parking” pertaining to parking facilities provided on a separate lot, 17.02.430 C, “Authorized Administrative Changes” pertaining to signs in PUDs

The attached transcript prepared by Sonntag Reporting Service, Ltd., is by reference hereby made a part of these minutes.

Mr. Kessler made a motion to close the public hearing. Mr. Pretz seconded the motion.

Voice Vote:

Ayes: Schuetz, Henningson, Wallace, Kessler, Doyle, Pretz

Nays: None

Absent: Amatangelo

Motion Carried.

MEETING

5. General Amendments (City of St. Charles)

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17.30.030, “General Definitions - Sign, Flashing” and 17.28.060, “Illumination” pertaining to electronic reader boards, 17.30.030, “General Definitions” pertaining to a yard location diagram, 17.28.090, “Exemptions” pertaining to the creation of regulations for drive-through menu board signs, 17.28, “Signs” pertaining to regulation for windows signs, Table 17.14-2, “Business and Mixed-Use Districts - Bulk Regulations”, 17.22.020.A, “General Requirements”, and 17.22.020.B, “Detached and Attached Garages” pertaining to the amount of buildable square footage allowed for detached garages in the CBD-2 Mixed Use Business District, 17.24.060, “Location of Off-Street Parking” pertaining to parking facilities provided on a separate lot, 17.02.430 C, “Authorized Administrative Changes” pertaining to signs in PUDs

Mr. Kessler made a motion to recommend approval of the application for the General Amendment (City of St. Charles). Mr. Pretz seconded the motion.

Voice Vote:

Ayes: Schuetz, Henningson, Wallace, Kessler, Doyle, Pretz

Nays: None

Absent: Amatangelo

Motion Carried.

7. Meeting Announcements

Tuesday, April 3, 2012 at 7:00pm in the Council Chambers

Tuesday, April 17, 2012 at 7:00pm in the Council Chambers

Tuesday, May 8, 2012 at 7:00pm in the Council Chambers

Mr. Colby noted there is no meeting scheduled for March 20.

8. Additional Business from Plan Commission Members, Staff, or Citizens- None.

9. Adjournment at 7:34PM

**CERTIFIED
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STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

In the Matter of:)
)
)
General Amendments.)

CONTINUED REPORT OF PROCEEDINGS had at the
hearing of the above-entitled matter before the
Plan Commission of the City of St. Charles in the
Council Chambers, 2 East Main Street, St. Charles,
Illinois, on February 9, 2012, at the hour of
7:08 p.m.

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PRESENT:

- MR. TODD WALLACE, Chairman;
- MR. TIM KESSLER, Vice Chairman;
- MR. BRIAN DOYLE, Member;
- MR. CURT HENNINGSON, Member;
- MR. THOMAS PRETZ, Member; and
- MR. TOM SCHUETZ, Member.

ALSO PRESENT:

- MR. RUSSELL COLBY, Planning Division Manager; and
- MR. MATTHEW O'ROURKE, Planner.

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CHAIRMAN WALLACE: Now, we will proceed to Item 4, which is Continued Public Hearing, General Amendments, City of St. Charles.

Shall I reread this? It's in our previous minutes. I'll read it.

17.30.030, "General Definitions - Sign, Flashing"; and 17.28.060, "Illumination" pertaining to electronic reader boards; 17.30.030, "General Definitions" pertaining to a yard location diagram; 17.28.090, "Exemptions" pertaining to the creation of regulations for drive-through menu board signs; 17.28, "Signs" pertaining to regulation for window signs; Table 17.14-2, "Business and Mixed-Use Districts - Bulk Regulations"; 17.22.020.A, "General Requirements"; and 17.22.020.B, "Detached and Attached Garages pertaining to the amount of buildable square footage allowed for detached garages in the CBD-2 Mixed-Use Business District; 17.24.060, "Location of Off-Street Parking" pertaining to parking facilities provided on a separate lot; 17.02.430 C, "Authorized Administrative Changes" pertaining to signs in

1 PUDs.

2 Since this is a continued public hearing,
3 we'll proceed with further testimony, and at this
4 time, if we have any person -- I'll go ahead and
5 swear you in again -- any other person who wishes
6 to give testimony or ask any questions, I would
7 ask that at this point in time, you raise your
8 right hands and be sworn.

9 (The witness was thereupon duly
10 sworn.)

11 CHAIRMAN WALLACE: All right. Thank
12 you. You may proceed.

13 MR. O'ROURKE: Two weeks ago staff
14 during the public hearing presented a series of
15 general amendments to the zoning ordinance, and
16 based on the feedback that staff received from
17 this group, we altered and proposed some revised
18 ordinance amendments based on those comments and
19 that feedback.

20 Really there were two of the proposed
21 amendments that seemed to have the comments, so
22 I'll just run through what staff is proposing
23 based on those comments on those first two and
24 see if there's any questions on any of the

1 material.

2 The first one was with regard to electric
3 reader-board signs. The current ordinance says
4 they have to be static for 60 seconds. After we
5 reviewed some of the ordinances from other
6 communities, staff had brought forward a proposal
7 that said it should be modified that it can be
8 changed every 30 seconds; and based on the
9 comments, we're bringing this revised proposal
10 that says in all districts where these signs are
11 allowed, an interval of 15 seconds or more has to
12 be observed, and the actual area of the
13 reader-board sign is going to be limited to 50
14 percent of the sign or 50 square feet, whichever
15 is less.

16 Also it's going to go one step further in
17 the downtown CBD zoning districts where the
18 interval will be 30 seconds, and it will be
19 limited to 30 percent of the sign or 30 square
20 feet, whichever is less.

21 The second item that there were some
22 comments on were with regard to window signs.
23 When staff went back and looked at this -- there
24 were questions from the Plan Commission to say it

1 should be no more than 50 percent of the total
2 area of the windows on the facade and 50 percent
3 of the window frame. But when we analyzed that
4 requirement, we realized that's redundant. I
5 mean, if you limit it to 50 percent of the window
6 frame, you can't ever go over 50 percent of the
7 area of all the windows on the facade.

8 So we've just revised the proposal to say
9 50 percent of the window frame, and that should
10 take care of both issues. If you limit it, you
11 know, there is just no way to do it.

12 That really is the end of all staff
13 updates. I'll take any questions you have for
14 me.

15 MEMBER SCHUETZ: This means any
16 window frame, front, side?

17 MR. O'ROURKE: Yes. Wherever window
18 signs would be allowed.

19 MEMBER SCHUETZ: Okay.

20 MEMBER KESSLER: What about those
21 signs, those reader signs that are greater than
22 50 percent of the sign or 30 percent that are
23 existing now? What happens in those cases?

24 MR. O'ROURKE: Those would be

1 considered legal nonconforming. Based on staff's
2 analysis, I'm not aware of any that would be over
3 50 percent, and I'm not aware of any --

4 MEMBER KESSLER: I just saw one the
5 other day, and it just shocked me because it was
6 right out in plain view, the Dairy Queen sign.

7 MR. O'ROURKE: Yeah. That's one of
8 the ones we looked at. It's actually only
9 28 percent of the total sign face, though.

10 MEMBER KESSLER: You mean when you
11 compare it against the DQ?

12 MR. O'ROURKE: Right. The total sign
13 area allowed is 100 square foot. If we set the
14 requirement at 50 percent, it's only at 28.

15 MEMBER KESSLER: Even though it's
16 bigger -- it's big when you have the DQ.

17 MR. O'ROURKE: Yeah. I mean, we
18 looked at the math.

19 MEMBER KESSLER: So what you're
20 saying is if a 100 square feet is required, they
21 could have 50 square feet -- or excuse me, if
22 100 square feet is allowed, they could have
23 50 feet even though the rest of the sign may only
24 be 20 -- it could be bigger than the rest of the

1 sign now.

2 CHAIRMAN WALLACE: No.

3 MR. O'ROURKE: No.

4 CHAIRMAN WALLACE: Because what he's
5 saying is 50 square feet or 50 percent, whichever
6 is less.

7 MEMBER KESSLER: Okay. Okay.

8 CHAIRMAN WALLACE: So if the sign is
9 only 20 square feet, than the biggest reader
10 board they could have would be 10 square foot.

11 MR. O'ROURKE: Correct. A 100 square
12 foot for most freestanding signs is the maximum.
13 The only time you run into an issue is with the
14 big shopping center signs where the maximum is
15 225 square foot, but the way this amendment is
16 written, 50 square feet would be the maximum on
17 any of those signs.

18 MEMBER KESSLER: Okay. All right.

19 MR. O'ROURKE: Brian.

20 MEMBER DOYLE: This is going to be
21 maybe a somewhat redacted question.

22 How do you define the window frame?

23 MR. O'ROURKE: Essentially, it would
24 be, you know, everything inside the wood panel,

1 the vinyl, alluminum, whatever it is, the
2 clear -- the transparent part is how we would do
3 it.

4 MEMBER DOYLE: So if you have a --
5 I'm trying to think of an example. You know, you
6 have windows, and you've got -- I'm not certain
7 what you call the --

8 MEMBER KESSLER: Muntin.

9 MEMBER DOYLE: Muntin?

10 MR. KESSLER: Muntin.

11 MEMBER DOYLE: Okay. So if you had a
12 bay of windows with these -- muntins?

13 MEMBER KESSLER: Muntins,
14 m-u-n-t-i-n-s.

15 MEMBER DOYLE: Muntins.

16 MEMBER KESSLER: Muntin bars.

17 MEMBER DOYLE: Would that mean
18 50 percent of each pane, of each light could --
19 would it be --

20 MR. O'ROURKE: No. I think you would
21 look at that as one total window.

22 MEMBER KESSLER: It would be the
23 window jamb, I think, is how it's defined. A
24 window frame would be the jamb of the window

1 which is the actual structure. Those muntin bars
2 are set into the window frame. They're part of
3 the pane actually.

4 MEMBER SCHUETZ: Like that over
5 there, what would you consider the window frame?

6 MEMBER KESSLER: That's not a muntin.
7 That's two separate windows.

8 MR. O'ROURKE: Those are two --

9 MEMBER SCHUETZ: That's what I wanted
10 to clarify.

11 MEMBER DOYLE: And these windows are
12 an interesting example. So, for instance, under
13 this language, a business owner could not --
14 there's a light above the two lower windows that
15 sort of hinge out.

16 So a business owner could not put a sign
17 that would fill up that entire light above the --

18 MEMBER SCHUETZ: Transom.

19 MEMBER DOYLE: Yeah. That's correct.

20 MR. O'ROURKE: Yeah. That's how the
21 ordinance would read.

22 MEMBER DOYLE: I just wanted to
23 confirm that that is our intent, that limiting --
24 because it is a little bit different than the

1 entire facade. If it's 50 percent of the entire
2 facade -- well, the frame and the facade is going
3 to be the same thing, but the same thing going in
4 one direction is not necessarily the same thing
5 going in the other direction. Because you could
6 have -- I could envision a facade of windows
7 where you can have transoms, and a sign covering
8 the entire light of the transom would be
9 appropriate and would still allow for visibility
10 for law enforcement officers to see in the
11 business and other issues that might be of
12 concern.

13 MR. O'ROURKE: Sure.

14 MEMBER DOYLE: I don't want to
15 belabor this point. I just want to point it out
16 as a potential question that the staff might
17 encounter.

18 MEMBER SCHUETZ: Is that why you
19 reworded it to say "frame"?

20 MR. O'ROURKE: We reworded it mostly
21 frame because based on the comments we received
22 two weeks ago, that was the request. I would say
23 frame and facade, and when we looked at the math,
24 I mean, they're the exact same number, if you

1 limit it by frame and 50 percent of the facade.

2 The staff's original proposal was just at
3 50 percent of the facade windows and not worry
4 about the frame, and, you know, that's -- but
5 based on the feedback, we went the other way with
6 it.

7 MR. COLBY: If I could add a comment.
8 One thing to consider is, you know, we talk about
9 facade sort of in the context of individual
10 businesses like a storefront, but really when you
11 look at our ordinance, the entire facade is the
12 whole front of the building basically. So if the
13 interest was to regulate it based on the
14 storefront and the tenants based in the business,
15 that would be another option.

16 In that case, you would put it along the
17 frontage of that individual business space and
18 the amount of window that's there, and then
19 50 percent would be applied to the total amount
20 of windows there at the front of that business
21 space.

22 MEMBER DOYLE: So to this point,
23 then, was our concern about using the word
24 "facade"? Was it -- I'm trying to recall the

1 testimony that we gave to the staff. Was it that
2 the business held -- I'm trying to think what we
3 were --

4 CHAIRMAN WALLACE: If the building
5 has second-floor windows, our concern was that if
6 we said 50 percent of the total amount of windows
7 in the facade, then that would allow someone with
8 a two-story building to theoretically --

9 MEMBER DOYLE: Cover the whole second
10 floor.

11 CHAIRMAN WALLACE: Cover the entire
12 first floor because they're measuring the total
13 area of the windows including the second floor.

14 MR. O'ROURKE: That's my
15 recollection.

16 MEMBER DOYLE: So would we prefer to
17 err on the side of doing the frames?

18 CHAIRMAN WALLACE: I would say so.

19 MEMBER KESSLER: I would say so, and,
20 you know, the consideration too is definitely,
21 you know, that we talked about that -- there's a
22 picture of a liquor store in town out west there,
23 that, you know, that's a lot of coverage, but you
24 could still see in, and they would probably --

1 well, they wouldn't conform because there's
2 lights up above and lights below.

3 But then also the liquor ordinance says if
4 you're serving alcohol, then law enforcement
5 needs to be able to see inside the building.

6 CHAIRMAN WALLACE: Well, that's more
7 a -- is that a State?

8 MEMBER KESSLER: I don't know if it's
9 State or City.

10 CHAIRMAN WALLACE: Is that a State or
11 City statute?

12 MR. O'ROURKE: I don't know if it's a
13 City ordinance specifically. It's kind of a
14 general concern that you be able to see into the
15 businesses.

16 MEMBER KESSLER: You could then on --
17 it used to be Steve's and now it's --

18 CHAIRMAN WALLACE: Thirsty Fox.

19 MEMBER KESSLER: -- Thirsty Fox. You
20 could cover an entire window and not be able to
21 see into the establishment at all. So that was,
22 I thought, the purpose of the window frame.

23 MR. O'ROURKE: I would just point out
24 from a practicality standpoint, you know, windows

1 that look like the ones here, I'm not sure how
2 many of those you're going to have on storefronts
3 with a similar setup to that, you know, a
4 business storefront.

5 MEMBER DOYLE: I just wanted to go
6 through the possible --

7 MR. O'ROURKE: Sure.

8 MEMBER DOYLE: -- variations on this
9 and make certain that this is the most applicable
10 language for the various circumstances that are
11 out there.

12 So you already answered that the frame is
13 the jamb, so the individual lights are not the
14 issue here. If that's generally understood, then
15 I think that there is -- the police department is
16 fine.

17 CHAIRMAN WALLACE: Matt, just looking
18 at these examples, for example, on the Liquor and
19 Wine picture, the lower windows where it seems
20 like those frames actually have 100 percent each
21 of the windows filled.

22 MR. O'ROURKE: Right.

23 CHAIRMAN WALLACE: That wouldn't be
24 allowable under the new -- the rewrite; correct?

1 MR. O'ROURKE: Right. With the
2 50 percent of the frame.

3 CHAIRMAN WALLACE: So only 50 percent
4 of each of those lower windows and the upper
5 windows have them all built up as well.

6 MR. O'ROURKE: Correct.

7 CHAIRMAN WALLACE: Is there any
8 concern that -- I mean, I see it here, but I'm
9 actually thinking of other areas where something
10 is placed in front of the window on the inside,
11 an ATM machine or something like that that -- I
12 mean, if you look over on the left side, it
13 appears that there is something in front of the
14 entire window here.

15 MR. O'ROURKE: Yeah. That's probably
16 a cooler.

17 CHAIRMAN WALLACE: Is there any
18 concern about that?

19 MR. O'ROURKE: A concern -- I don't
20 know how we could regulate that through the
21 zoning ordinance since it's inside the building.

22 CHAIRMAN WALLACE: Yeah.

23 MEMBER KESSLER: Even along that
24 circle, it would make it easier to remove the

1 glass on those lower panels, if you need to do
2 that.

3 MR. O'ROURKE: Yeah. We require that
4 windows be transparent from 18 inches up to
5 7 feet, but below that 18 inches, it would be
6 like any wall. So they could do that.

7 CHAIRMAN WALLACE: Got it.

8 All right. Any other questions?

9 MEMBER KESSLER: I have none.

10 Do you have any?

11 MEMBER HENNINGSON: No.

12 CHAIRMAN WALLACE: Any on the
13 other -- I'm sorry -- what was the other issue
14 that we were --

15 MR. O'ROURKE: Reader-board signs.

16 CHAIRMAN WALLACE: Reader-board
17 signs.

18 MR. O'ROURKE: The electronic signs.

19 CHAIRMAN WALLACE: All right. Was
20 there anything left on the menu board signs? We
21 didn't -- is there any -- were there any open
22 issues on that?

23 MR. O'ROURKE: Not that I'm aware of.

24 CHAIRMAN WALLACE: We discussed it.

1 MR. O'ROURKE: Yeah. My recollection
2 was that the Plan Commission thought it would be
3 appropriate to do the 15-second interval outside
4 of the downtown and then lower the maximum.
5 Those are the only comments --

6 CHAIRMAN WALLACE: I'm sorry. I
7 misspoke. I meant on the drive-through
8 menu board signs.

9 MR. O'ROURKE: There wasn't any
10 requested changes to what staff proposed. There
11 was a great deal of conversation clarifying what
12 a point of service is.

13 CHAIRMAN WALLACE: Okay.

14 MR. O'ROURKE: But our ordinance, I
15 think, does a good job of that already.

16 CHAIRMAN WALLACE: So the one sign
17 for point of service.

18 MR. O'ROURKE: For an ordering box is
19 basically what we're talking about.

20 CHAIRMAN WALLACE: Okay. And then
21 maximum sign area of 32 square feet.

22 MR. O'ROURKE: Right.

23 CHAIRMAN WALLACE: Okay. All right.

24 Any other questions or comments?

1 MEMBER KESSLER: Yes, I do have a
2 question. Actually, it's for Brian.

3 MEMBER DOYLE: Okay.

4 MEMBER KESSLER: You made a comment
5 that you thought we should perhaps notify or
6 somehow invite the public or people who might be
7 affected to visit and weigh in on this issue.
8 Which particular issue was that? Was it the --
9 or all of them?

10 MEMBER DOYLE: All of them, I think,
11 but particularly the signage issue, and that was
12 going to be my question to you.

13 I know that we had specifically continued
14 the meeting to give business owners an extra
15 opportunity to become aware and to attend this
16 hearing.

17 So was there any success in contacting
18 business owners?

19 MR. O'ROURKE: Yeah. I did mention
20 this in the staff memo, and I didn't in my formal
21 presentation, that staff did contact both the
22 Chamber of Commerce and the Downtown Partnership
23 to let them know about these ordinance amendments
24 that might affect their memberships.

1 I do know for a fact that the Chamber sent
2 out as part of their weekly e-mail, news blast
3 that they pointed to the agenda on the Web site
4 and also mentioned that it was about signage; and
5 I believe the Downtown Partnership did the same,
6 but they did not copy me on that. But I
7 definitely confirmed with somebody from the
8 Partnership that they were going to do that.

9 MEMBER KESSLER: I suspect some of
10 the audience are here because of that.

11 MR. JIMENEZ: I got an e-mail from --

12 CHAIRMAN WALLACE: Wait. Hold on.
13 Sorry. Since it's a public hearing, if you speak
14 and you're on the public record, you have to let
15 us know who you are, if you want to say anything.

16 Do you have any testimony you want to give
17 or any thoughts on anything? Any questions?

18 MR. JIMENEZ: A question, sure.

19 CHAIRMAN WALLACE: Okay. Why don't
20 you come on up. Raise your right hand.

21 (The witness was thereupon duly
22 sworn.)

23 CHAIRMAN WALLACE: If you could just
24 state your name and spell your last name and also

1 state your address for the record.

2 MR. JIMENEZ: Sure. My name is David
3 Jimenez. I'm the owner of El Puente Mexican
4 restaurant. You can't really see it through the
5 window, but 112 East Main Street here right in
6 downtown.

7 CHAIRMAN WALLACE: And how do you
8 spell your last name?

9 MR. JIMENEZ: The last name is J-i-m,
10 as in Mary, -e-n, as in Nancy, -e-z, Jimenez.

11 CHAIRMAN WALLACE: Thank you.

12 MR. JIMENEZ: I couldn't help but
13 notice part of our establishment is in that
14 picture over there. For the record, I did
15 receive an e-mail from the Chamber. That's why
16 I'm here.

17 I guess my only concern or question is -- I
18 don't know how many people are familiar with our
19 business over here. Thankfully we've been in
20 St. Charles -- thank you.

21 MR. O'ROURKE: Good tacos.

22 MR. JIMENEZ: Thank you. We have
23 been in business in St. Charles now -- come
24 August of 2012, it will be 13 years now, and we

1 really like being in the community.

2 My only question, I guess, is the way our
3 storefront is set up now, we actually own two
4 buildings, 112 East Main Street, which is the
5 original one, and then 108 East Main Street.

6 I guess, it's hard to see on there because
7 it's only half of the 108 East Main Street
8 building, but as our storefront is set up now,
9 would there be any issues with how we have signs?
10 We do have some beer signs in our window. They
11 are neon.

12 Main Street/Route 64 is one of the busiest
13 streets in the State, and we do want to get some
14 attention. I don't have a blinking billboard. I
15 don't have a neon sign, I'll say, like The Office
16 or Pi Pizza Perfection or anything like that, but
17 they are -- they're Mexican brands, and we are a
18 Mexican restaurant. So that's the thinking
19 behind that.

20 I guess I was just asking if there was
21 going to be an issue with how we have our
22 storefront set up. Unfortunately, you can't,
23 like I said, see a whole lot, but we do have a
24 couple there. I do also have curtains in there

1 as well that we change seasonally.

2 But I guess that was my only question.
3 Would there be any effect on what we do?

4 MR. O'ROURKE: Staff did walk around
5 the downtown area and drove around town to take
6 these pictures. You know, without doing a full
7 analysis of your signs there, I couldn't
8 guarantee if it would meet, but based on what I
9 observed, I don't think you'd have an issue. The
10 curtains, you know, we don't consider window
11 signs. So that's not going to be part of it.

12 MR. JIMENEZ: We have like one sign
13 per window.

14 CHAIRMAN WALLACE: I don't think
15 they're going to have a problem.

16 MR. JIMENEZ: Okay.

17 CHAIRMAN WALLACE: Unless it's more
18 than 50 percent of the window.

19 MR. JIMENEZ: That's half of the one
20 building, but that was my only concern.

21 MR. O'ROURKE: Yeah.

22 MR. JIMENEZ: That's why when I got
23 the e-mail, I figured that -- I'm just around the
24 corner here, so I figured it would be good to

1 just make sure, A, if there was any effect or
2 differences; and, B, if I would be in compliance.

3 So that's why I wanted to come in.

4 MEMBER DOYLE: Do you know offhand if
5 any of your signs cover more than 50 percent of
6 the window?

7 MR. JIMENEZ: I don't believe they
8 do. Each main window has one sign, and they're
9 not terribly huge.

10 MR. O'ROURKE: I think you can see
11 one of them here in this picture.

12 MR. JIMENEZ: Yeah. You can see one
13 there.

14 MR. O'ROURKE: Based on just looking
15 at this, I would not think it was 50 percent.

16 MR. JIMENEZ: I'm guessing less than
17 25 -- yeah, I'm guessing probably even less than
18 25 on some of the small ones, but I figured I'd
19 check.

20 MEMBER DOYLE: Okay.

21 MR. JIMENEZ: Okay. That was my only
22 question or concern. All right.

23 CHAIRMAN WALLACE: Thank you.

24 All right. Any other questions or

1 comments?

2 Sir, you can just come on up. If you would
3 just raise your right hand.

4 (The witness was thereupon duly
5 sworn.)

6 CHAIRMAN WALLACE: And then just
7 state your name and spell your last name.

8 MR. SCHROCK: Jay Schrock, J-a-y
9 S-c-h-r-o-c-k. Do you want the home address or
10 business address?

11 CHAIRMAN WALLACE: Either one.

12 MR. SCHROCK: 2010 East Main Street,
13 St. Charles.

14 I'm the owner of Heinz Brothers Greenhouse
15 Garden Center, and I was just curious as far as
16 the motion is concerned. I didn't quite see
17 that, but is it going to be static for 15 seconds
18 on the electronic reader board; is that what --

19 MR. O'ROURKE: Yeah. That's correct.
20 The current ordinance is 60 seconds that it has
21 to remain static, but it's going to be reduced to
22 15 seconds. So for 15 seconds it has to be one
23 image, and then it can change.

24 MR. SCHROCK: Yeah. And can you have

1 motion? Is that changing?

2 MR. O'ROURKE: No. That part of the
3 ordinance is being left alone. It's considered
4 attention-getting devices and things like that.
5 No, it will still be a static image.

6 MR. SCHROCK: Okay.

7 CHAIRMAN WALLACE: Okay. Thank you.

8 MR. SCHROCK: Pictures are still
9 fine, though; right?

10 MR. O'ROURKE: Yeah.

11 MR. SCHROCK: Okay.

12 CHAIRMAN WALLACE: All right. Any
13 other questions? Comments?

14 (No response.)

15 CHAIRMAN WALLACE: All right.
16 Anything else from the Plan Commission?

17 (No response.)

18 CHAIRMAN WALLACE: Matt, do you have
19 anything else?

20 MR. O'ROURKE: No.

21 CHAIRMAN WALLACE: Okay.

22 MEMBER KESSLER: I'll make a motion
23 to close the public hearing.

24 CHAIRMAN WALLACE: All right. It's

1 been moved to close the public hearing.

2 Is there a second?

3 MEMBER PRETZ: Second.

4 CHAIRMAN WALLACE: All right.

5 Tim.

6 MEMBER KESSLER: Schuetz.

7 MEMBER SCHUETZ: Yes.

8 MEMBER KESSLER: Doyle.

9 MEMBER DOYLE: Yes.

10 MEMBER KESSLER: Pretz.

11 MEMBER PRETZ: Yes.

12 MEMBER KESSLER: Henningson.

13 MEMBER HENNINGSON: Yes.

14 MEMBER KESSLER: Wallace.

15 CHAIRMAN WALLACE: Yes.

16 MEMBER KESSLER: Kessler, yes.

17 CHAIRMAN WALLACE: All right. The

18 public hearing is closed.

19 (Which were all the proceedings
20 had in the above-entitled matter
21 ending at the hour of 7:31 p.m.)

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STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, JOANNE E. ELY, Certified Shorthand Reporter No. 84-4169, CSR, RPR, and a Notary Public in and for the County of Kane, State of Illinois, do hereby certify that I reported in shorthand the proceedings had in the above-entitled matter and that the foregoing is a true, correct, and complete transcript of my shorthand notes so taken as aforesaid.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my Notarial Seal this 13th day of March, 2012.



Joanne E. Ely

Certified Shorthand Reporter

My commission expires
May 16, 2012.

