

**VILLAGE OF OSWEGO
MINUTES OF THE PLANNING & ZONING COMMISSION MEETING
100 PARKERS MILL
OSWEGO, ILLINOIS**

January 9, 2020

1. CALL TO ORDER

Chairman Pajor called the Oswego Planning & Zoning Commission Meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Dominick Cirone, Tom Guist, Karen Novy, Charlie Pajor and Rebecca Stine
Absent: Rick Kuhn

There was a quorum.

Oswego community representatives in attendance were:

Present: Rod Zenner, Community Development Director; Natalie Zine, Planner;
Mary Ellen Bliss, Recording Secretary; Judy Sollinger, Village Trustee

3. MINUTES

Motion: Commissioner Stine, second Commissioner Cirone to accept the minutes of the December 5, 2019 Planning & Zoning Commission Meeting.
Ayes: Commissioners Cirone, Guist, Novy, Pajor and Stine
Nays: None
Absent: Commissioner Kuhn
Motion carried

4. PUBLIC HEARINGS

Variance Request - Sign

Applicant: American Legion Post #675
Project #1053.19
Project Manager: Natalie Zine

Motion: Commissioner Cirone, second Commissioner Stine to open the Public Hearing at 7:01 p.m.
Ayes: Commissioners Cirone, Guist, Novy, Pajor and Stine
Nays: None
Absent: Commissioner Kuhn
Motion carried

Natalie Zine stated the applicant is requesting approval of a variance to allow for certain variations to the Village Sign Ordinance to allow an electronic messaging board sign in the Downtown Sign District at 19 W. Washington Street.

Ms. Zine stated the proposed new sign is a seven foot tall monument sign with an electronic messaging board portion. The sign itself is six feet three inches wide by five feet five inches tall, or approximately 33 square feet, with about two-thirds or 66 percent of the total sign area being the electronic messaging board. Ms. Zine stated the proposed sign dimensions are

compared to the existing legal-nonconforming sign and the Downtown Sign District ordinance regulations. Ms. Zine detailed the variances required to allow for the proposed monument sign with an electronic messaging board, based on the Village Sign Code.

Ms. Zine stated staff does not believe this request for variation meets the strictest interpretation of the Standards for Variations. Ms. Zine stated the proposed sign would create a more attractive condition than the current legal non-conforming one and would provide the necessary messaging feature desired by the American Legion organization. Ms. Zine detailed the staff recommended conditions should the Commission wish to recommend approval of the request.

The Commissioners discussed the size of the proposed sign and its proximity to the sidewalk.

Dorothy Schwartz was sworn in
Montgomery, IL

Ms. Schwartz is a representative of the American Legion. Ms. Schwartz stated the size of the proposed sign was chosen because it is similar in size to the current sign. Ms. Schwartz stated the proposed sign can be moved back from the sidewalk by one or two feet.

Chairman Pajor stated that one of the staff-recommended conditions is that the electronic sign cannot be animated and must maintain a uniform color. Ms. Schwartz stated a black background will be used.

No additional audience members wished to speak at the public hearing.

Motion: Commissioner Stine, second Commissioner Novy to close the Public Hearing at 7:23 p.m.
Ayes: Commissioners Cirone, Guist, Novy, Pajor and Stine
Nays: None
Absent: Commissioner Kuhn
Motion carried

Recommendation:

Motion: Commissioner Cirone, second Commissioner Stine to accept the findings of fact and recommends approval of:
A. A variance to allow for an electronic messaging sign in the Downtown Sign District
B. A variance to allow for an electronic messaging sign that occupies more than 25 percent of the sign area allowing for 66 percent
C. A variance to allow for a monument sign with the maximum possible setback in a B-2 zoning district and in the Downtown Sign District
D. A variance to allow a monument sign that exceeds 3½ feet in height in the Downtown Sign District to allow for 7 feet in height
E. A variance to allow a monument sign that exceeds 10 square feet in area in the Downtown Sign District to allow for 33 square feet

at 19 W. Washington Street in Oswego, IL subject to the following conditions:

1. The electronic message board sign is permitted to change no more than once every 20 seconds and shall contain a static message with text that

- does not grow, melt, scroll, travel, roll, twinkle, snow, rotate, flash, blink, spin, wave or present any animations.
2. The electronic message board sign must maintain a uniform color in text and background and shall not display light of such intensity to cause glare or otherwise impair the vision of motorists or result in a nuisance to motorists.
 3. The proposed sign shall not be located in the public right-of-way and shall be placed at the maximum possible setback within the property line.
 4. The applicant shall provide a site plan/location map illustrating the exact location of the proposed sign to be approved by staff prior to building permit issuance.

Ayes: Commissioners Cirone, Guist, Novy, and Stine
Nays: Commissioner Pajor
Absent: Commissioner Kuhn
Motion carried

Special Use Permit

Dr. LungZzz Tobacco Store
Applicant: Rocio Mata
Project #1051.19
Project Manager: Natalie Zine

Motion: Commissioner Stine, second Commissioner Cirone to open the Public Hearing at 7:25 p.m.
Ayes: Commissioners Cirone, Guist, Novy, Pajor and Stine
Nays: None
Absent: Commissioner Kuhn
Motion carried

Ms. Zine stated the applicant is requesting a special use permit to operate a cigar, cigarette, and tobacco store at 267 N. Merchants Drive. Ms. Zine stated the property is currently a vacant tenant space in the Merchants Plaza commercial retail center and is surrounded by a mix of retail, service, and restaurant uses. Ms. Zine stated the proposed tobacco store is consistent with the surrounding commercial uses in the area. Ms. Zine stated the petitioner intends to have hours of operation from 11:00 a.m. to 7:00 p.m., Monday through Saturday, and closed on Sunday. Ms. Zine stated the shopping center has provided the required parking spaces for the proposed use.

Ms. Zine stated staff believes the applicant has met the Standards for a Special Use. Ms. Zine stated staff recommends the Planning and Zoning Commission accept the findings of fact for the Standards for a Special Use Permit and recommend approval of the Special Use permit for a cigar, cigarette, and tobacco store located at 267 N. Merchants Drive.

Jim Reiland was sworn in
Oswego, IL

Mr. Reiland stated he is a member of the Fernwood Gardens Homeowner's Association. Mr. Reiland questioned the proximity of the proposed store to an adjacent tobacco store. Mr. Reiland stated a daycare center was previously located across the street from the proposed store. Mr. Reiland stated a tobacco store would not have any detrimental effect on their neighborhood.

Richard Hills was sworn in
Oswego, IL

Mr. Hills asked for clarification on what will be sold in the proposed store.

Rocio Mata was sworn in
Oswego, IL

Ms. Mata is the petitioner and stated the store will provide a broad range of tobacco products.
Ms. Mata stated the store will have a minimum age limit for tobacco purchases.

No additional audience members wished to speak at the public hearing.

Motion: Commissioner Cirone, second Commissioner Stine to close the Public
Hearing at 7:32 p.m.

Ayes: Commissioners Cirone, Guist, Novy, Pajor and Stine

Nays: None

Absent: Commissioner Kuhn

Motion carried

Recommendation:

Motion: Commissioner Stine, second Commissioner Cirone to accept the findings of
fact for the Standards for a Special Use Permit and recommend approval of the
Special Use Permit for a cigar, cigarette, and tobacco store located at 267 N.
Merchants Drive.

Ayes: Commissioners Cirone, Guist, Pajor and Stine

Nays: Commissioner Novy

Absent: Commissioner Kuhn

Motion carried

5. OLD BUSINESS

None.

6. NEW BUSINESS

Downtown Parking Analysis

Director Zenner provided an analysis of the parking demand in the downtown area for informational purposes. Chairman Pajor suggested the Commissioners retain the report for future reference.

7. PUBLIC FORUM

None.

8. CHAIRMAN'S REPORT

None.

9. COMMISSIONERS REPORT

None.

10. HISTORIC PRESERVATION COMMISSIONER REPORT

No report.

11. ECO COMMISSION REPORT

No report.

12. COMMUNITY DEVELOPMENT DEPARTMENT REPORT

No report.

13. OSWEGOLAND PARK DISTRICT REPORT

No report.

14. NEXT MEETING - February 6, 2020

15. ADJOURNMENT

Motion: Commissioner Stine, second Commissioner Novy to adjourn the Planning and Zoning Commission Meeting.

Ayes: Commissioners Cirone, Guist, Novy, Pajor and Stine

Nays: None

Absent: Commissioner Kuhn

Motion carried

Chairman Pajor adjourned the Planning & Zoning Commission Meeting at 7:55 p.m.