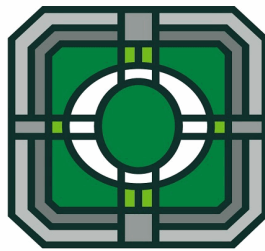


VILLAGE OF ORLAND PARK

*14700 S. Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org*



Meeting Minutes

Tuesday, January 21, 2025

7:00 PM

Village Hall

Plan Commission

*Nick Parisi, Chairman
Edward Schussler, Vice Chairman
Commissioners: John J. Paul, Patrick Zomparelli, Yousef Zaatar,
Daniel Sanchez and John Nugent*

CALLED TO ORDER/ROLL CALL

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

Present: 7 - Chairman Parisi; Member Sanchez; Member Nugent; Member Paul; Member Schussler; Member Zaatar, Member Zomparelli

APPROVAL OF MINUTES**2025-0077 Minutes for the January 7, 2025 Plan Commission Meeting**

A motion was made by Member Schussler, seconded by Member Zomparelli, that this matter be APPROVED WITH CORRECTIONS TO PAGE 19. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Member Sanchez, Member Nugent, Member Paul, Member Schussler and Member Zomparelli

Nay: 0

Abstain: 1 - Member Zaatar

NON-PUBLIC HEARINGS**OPEN NON-PUBLIC HEARING**

A motion was made by Chairman Parisi, seconded by Member Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 7 - Chairman Parisi, Member Sanchez, Member Nugent, Member Paul, Member Schussler, Member Zaatar and Member Zomparelli

Nay: 0

2025-0011 Doogan Park Redevelopment Project - 14700-14760 Park Lane

A motion was made by Chairman Parisi, seconded by Member Zaatar, that this matter be CONTINUED to the Plan Commission due back on 4/15/2025. The motion carried by the following vote:

Aye: 7 - Chairman Parisi, Member Sanchez, Member Nugent, Member Paul, Member Schussler, Member Zaatar and Member Zomparelli

Nay: 0

PUBLIC HEARINGS**OPEN PUBLIC HEARING**

A motion was made by Chairman Parisi, seconded by Member Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 7 - Chairman Parisi, Member Sanchez, Member Nugent, Member Paul, Member Schussler, Member Zaatar and Member Zomparelli

Nay: 0

2024-0587 Dave's Hot Chicken - Update Building Elevations and Branding - Amended

Village Attorney Anne Skrodzki swore in Petitioners on behalf of Dave's Hot Chicken.

Attorney Megan Preston stated she is one of the attorneys of behalf of the Petitioner for Dave's Hot Chicken. She introduced her Associate Attorney, Victoria Brown and Vice President of Operations Katie Pino.

Chairman Parisi stated you've seen staff's recommendations, and I understand one of the issues here is you're asked them to reconsider their position.

Ms. Preston responded, yes.

Chairman Parisi continued, you were going off a revision of elevation submittal number three.

Ms. Preston responded, yes. It's obviously a little confusing timing-wise. I think things weren't necessarily in the order they would typically be done. There was some rush on our end to try to get something approved to use for signage because we were opening at the beginning of December. We were going back and forth with the Village trying to make determinations on whether we could get our original artwork and signage approved. I think there was confusion on the Villages part about what exactly we were asking to be approved.

Chairman Parisi stated we're here to clarify that.

Ms. Preston responded yes, absolutely. Dave's Hot Chicken relies, in part, on the colorful artwork type of design for its branding (showing slides). This is representative of what we typically use for restaurants in various areas. We have one at Homewood and Batavia.

Chairman Parisi asked, you have one in downtown LaGrange?

Ms. Preston responded, I don't think that's one of our locations. The idea is to be fun and have people notice us and take interest in our product. We were told the backlighting on the lettering was not acceptable, so we went through a couple different designs to find something satisfactory. (Ms. Preston shows current design). This is contrary to what we're typically going for our brand. It's plain with the brown and white as opposed to the colors that are typically associated with us. What we're asking now is that our original design to be approved and we be

allowed to substitute that signage on the exterior for what is currently there now.
(refer to audio)

Chairman Parisi stated, please specify, I'm a little confused, which design that you put up that you think is the final one you'd like to see approved.

Ms. Preston goes to the correct slide. This is what we want approved.

Chairman Parisi asked, that's your original one?

Ms. Preston responded, yes. Which was previously rejected. I'm not completely clear to be honest whether there was a formal rejection or whether there was ongoing discussion about it not being approved. We then resubmitted something else before we ended up with the current one with the brown background and the white lettering.

Ms. Skrodzki stated I can clarify that if you want me to.

Ms. Preston replied, please.

Ms. Skrodzki explained, the procedure under the Village Code is that a design like this would undergo an Appearance Review which is performed at the administrative level by staff in the Village. The staff were in discussions with Dave's with regards to this original design. Staff declined to approve it and there was some negotiation as you mentioned so that the premises could open. When a design is not approved or disapproved under the Appearance Review process, it can be appealed to the Plan Commission. Right now, because the original design was never approved, ultimately when we learned you wanted to appeal, is when we issued a formal notice of disapproval. This design was disapproved at the administrative level and the appeal of that disapproval is what you are currently hearing.

Commissioner Zaatar asked what is the procedure after we vote?

Ms. Skrodzki responded, you're the appellate body under the Village Code. You sit in appeal of the staff as the administrative decision makers. I'm not 100 percent certain but what I think is the case is that this is the only appeals process that's provided for in the code. After your decision, if there was any further proceedings it would have to take place as an administrative review action in Circuit Court.

Ms. Preston added, if it matters that's my thought as well.

Ms. Skrodzki replied, I'm pretty sure but obviously I'm spit balling here.

Chairman Parisi asked if there were three locations.

Ms. Preston responded, this is our third. I'm sorry there's also one in Naperville.

Chairman Parisi asked if all of the locations look like this? The facades?

Vice President of Operations Katie Pino stated, a mix. I have some that are very well decorated. I have some that have little decorations but a majority of them are pretty extensive. Batavia for example, we just put up a freestanding right off Randall Road, all four sides are decorated in quite large signage. Homewood is opening next week and is decorated on all sides, painted white and fully spray-painted. People come in from California and do this by hand.

Chairman Parisi asked if there are slight variations.

Ms. Pino responded, yes. Everyone has a little bit of a variation. I have one that has a three-story wall that we just opened up.

Chairman Parisi asked Ms. Preston if she was done with her presentation.

Ms. Preston responded, that is more or less what we're looking for. To your attorney's point, the process was a little out of order because we weren't denied initially. We went with another design and we're asking for approval of the original design that was denied at the lower level. We're asking you to reconsider that decision and approve what we originally anticipated.

Chairman Parisi added, based on all of that, we do have a recommendation from staff, and we will hear from staff after you're finished and if we have any questions, we we'll address you.

Associate Attorney Victoria Brown introduced herself and stated her position is for the original design to be approved.

Planner Sangita Santhanam respectfully requested the staff report be accepted into the record as written and presented during the meeting. (refer to staff report)

Ms. Santhanam gives a brief presentation detailing the appeal process of a denial of an Appearance Review. She explained that once an Appearance Review proposal has been denied, the petitioner can appeal the decision. The Plan Commission has final authority to grant or deny the appeal. The decision does not go to the Board of Trustees. Ms. Santhanam continues her presentation by giving details about the site location, the initial design – version one design of version two,, and the current design – version three. She also discusses the Land Development Code as it relates to how the style should be complementary to the existing buildings. (refer to audio)

Ms. Santhanam stated the staff recommends that the Plan Commission deny the appeal stated in the Petitioner letter dated December 13, 2024.

Chairman Parisi responded, going through the three versions can be a bit confusing but I think the recommendation is to approve version one with the exception of the wall art. Correct?

Ms. Santhanam replied, our recommendation is to stay with what we approved which is what you're seeing on the screen, which is number three.

Chairman Parisi responded, number three.

Ms. Santhanam replied, exactly. It's the wall art where it's limited to portions of the elevation. We still have the expression of color but it's in certain areas of the building. With regard to the actual signage, at the time that we received their Appearance Review, halo-lit signs were not permitted in the Village. That has changed as of last night. The Board of Trustees approved halo-lit signs in the Village. (refer to audio)

Chairman Parisi stated what I'm reading here is for approval of the appeal there was recommendation and one of the items on that recommendation that was crossed out was wall art.

Ms. Santhanam responded, correct. That specific condition talks about the wall art being on demountable panels. Staff requested that if the petitioner wanted to move forward with the colorful art, it had to be on panels that could be removed. The reason being that if the space has a lot of color on the elevation and for whatever reason the tenant moves then we're left with the next tenant having to deal with the colorful art on the wall. (refer to audio)

Chairman Parisi asked which version is that?

Ms. Santhanam responded, version three.

Chairman Parisi stated it seems from what I'm understanding from our attorney, the ball is in our court. We can approve their appeal but now in doing so we'd be approving something that doesn't line up strictly with the Land Development Code.

Ms. Skrodzki replied, correct. You can either affirm the staff's decision or reverse the staff's decision and you can reverse the staff's decision and insert conditions if that's how you would like to do it.

Chairman Parisi added I didn't mean to dominate this.

Ms. Skrodzki asked Ms. Santhanam to clarify what will happen if the panel denies the appeal and affirms staff's decision regarding the passage of the ordinance allowing halo lighting. (refer to audio)

Ms. Santhanam explained, what you see here is an option for halo lighting that can be applied to the sign.

Chairman Parisi stated for clarification, the halo lighting is the red in this picture that shines against the back of the building.

Ms. Skrodzki added, behind the name.

Ms. Santhanam responded, correct. Our Code says that the halo lighting can only be white. In this instance, the light that's coming out of the signs themselves will be white, but I think Dave's wants red behind the sign, which is okay.

Commissioner Zaatar stated you said it would be okay. That's a subjective comment. It would be against the Code yes, or no?

Ms. Santhanam replied, the Code permits it.

Commissioner Zaatar responded the Code permits white or any color?

Ms. Santhanam replied only white. In this instance the sign is still going to have only white light.

Commissioner Zaatar responded no, the backlight. The Code permits colored backlights?

Ms. Santhanam responded, no.

Commissioner Zaatar stated so it would not be conforming to Code correct or not, correct?

Ms. Santhanam replied I think the petitioner's intent here...

Commissioner Zaatar interjected, I'm just asking strictly Code, strictly precedence, strictly laws. We put a rule out that says we can have white backlights so this would be a variance, or this would be okay?

Chairman Parisi asked is this a red backlight for is it a reflective surface?

Ms. Santhanam responded it is red paint applied to the building giving the appearance.

Commissioner Zaatar replied that red is not a backlight?

Ms. Santhanam responded, no.

Commissioner Zaatar stated, I'm sorry. You said last night halo lighting was

approved but the first submission had roof lighting. The Code that was approved last night doesn't allow for roof-line lighting. If we approve the original request, we would be breaking Code. Is that fair?

Ms. Skrodzki responded, correct.

Commissioner Zaatar continued, I think what I'm interpreting is that the subjectivity comes from the colorful paint right? Is that the subjectivity?

Ms. Santhanam replied, correct.

Commissioner Zaatar responded, thank you. I'm just trying to understand the rules.

Ms. Skrodzki added the halo lighting ordinance just passed last night.

Ms. Santhanam stated the one thing we want to point out is the space is part of a multi-center development. It's not a standalone building. The petitioners talked about other locations in Batavia and Chicago. Those are standalone buildings where we feel that it might be acceptable there.

Ms. Pino responded, Batavia is the only standalone location. The Chicago and Homewood locations are in multi-tenant spaces.

Chairman Parisi stated, thank you for the clarification.

[Commissioners]

Commissioner Zomparelli added, I just want to clarify what's in front of us right now is number one.

Ms. Santhanam responded, correct.

Commissioner Zomparelli continued, that's the appeal. If we don't want that, we want to go with what the Village recommended. We're not going to be voting on number one, we'd be going with three. We can recommend that but that's not what they're here for. They're here for one, correct?

Ms. Santhanam responded, that is correct.

Ms. Skrodzki added I want to clarify that you're not sitting as a recommending body in this case. You're sitting as an appeal body so you're going to affirm or deny the appeal, or affirm with conditions or deny with conditions.

Commissioner Zomparelli stated that's the clarification I was looking for.

Ms. Skrodzki continued, this is not going to anyone else after you. You're not

making a recommendation. This number one design has been disapproved by the administrative staff and they're appealing.

Commissioner Zomparelli asked that's what we're voting on?

Ms. Skrodzki responded, yes, that's what you're voting on.

Chairman Parisi asked if we were to deny the appeal, what would be the next step?

Ms. Skrodzki replied they would get number three or take us to court.

Chairman Parisi stated in terms of this body, we're not going to come back and say we'll approve number three with modifications?

Ms. Skrodzki replied, you're the appellate body. This is it.

Commissioner Schussler added they already have three. If we deny the appeal, what's there is what stays there.

Commissioner Zomparelli asked, three is there now?

Ms. Santhanam responded, correct.

Commissioner Zomparelli asked the petitioner, what you really want is one?

Ms. Preston replied, this is what's currently on the building (shows image).

Ms. Skrodzki stated can you clarify one thing, is there currently halo lighting?

Ms. Santhanam responded, there is no halo lighting.

Ms. Skrodzki replied, but that could change. That's now permissible. If you denied it, it would be this, but they could also do halo lighting they want.

Commissioner Zomparelli added, and they don't have to go through anything else if we approve it.

Ms. Skrodzki responded, correct.

Commissioner Zomparelli continued if we approve one, their appeal, they don't have to go through anything more because the halo lighting was approved last night.

Ms. Skrodzki replied, no, if you deny the appeal and approve number three, which is this (pointing to screen), they still get to add halo lighting because of what

happened last night, which they don't have in this picture.

Chairman Parisi added but they would lose all the art.

Commissioner Zomparelli stated, I didn't think we can approve three.

Commissioner Schussler added three is already up there.

Ms. Skrodzki stated three is what was administratively approved.

Ms. Pino asked to go to the first slide. I'm not asking for the roof lighting. It's not allowed in the Village. What I ultimately want is my business branded. I'm looking for the artwork, the spray paint, I'm looking for that to be added. It's removable whether we put it up with spray paint or the panels. If I ever leave which I don't ever intend on leaving, I'll put it back to exactly how it was originally if I have to. I was then asked to tone it down to neutral tones with minimal artwork, that is version two, removing the roof edge lighting. It's hard to see the panels as you drive down LaGrange. (refer to audio)

Ms. Preston added if you drive past the location, the parking lot, particularly on the LaGrange Road side is rather tight. As you're approaching, because it's on the corner and away from the way you're pulling in you can't see any of the design until you're right up on the space as opposed to the higher artwork which would be more visible. There is a benefit to the business for being on a main route like LaGrange Road and if our branding isn't recognizable from those traversing the road we've lost some of that appeal being on the main artery in the first place. I would point out under Sign Code 6-307, subsection six provides that part of the purpose is to support the Village's economy by recognizing the need for adequate site identification and maintaining effective communication between signs and the public. Obviously, the Village is interested in helping businesses or allowing businesses to promote their brand in a recognizable way so members of the public can find them. I would also point out under section 6-308, which is design standards, part of the purposes for architectural design standards is to create an architectural identity and to avoid monotonous similarity or inappropriateness in exterior design and appearance of property. I don't think the intent of the code is to require all businesses to look the same. They should be identifiable for what they are. The main part of that for us is being able to see the colorful artwork on the exterior of our building.

Commissioner Zomparelli responded, thank you for the clarification. My concern is I can see if it was a freestanding building it would be different. I understand why staff had that because I'm thinking of Hometown. There are a bunch of duplexes, and it looks very hodge podge. I think that's the issue here. When you look at the strip mall there's beautiful color and then everybody else is kind of uniform. If it was a separate building like Hooters that had some flashy colors, I could see that being on its own. It wouldn't make a difference.

Chairman Parisi stated even in that case I would remind us that we do have some businesses in town that have trademark signage outside. (refer to audio)

Commissioner Nugent asked staff if we had a Hard Rock Café would they be compliant. They have that dramatic front entry.

Ms. Santhanam responded, typically those are stand along structures. They do have the large guitar up front. Is that what you're referring to?

Commissioner Nugent responded, yes, they also have plants coming out the front at every location. I thought it was Hard Rock or Planet Hollywood.

Ms. Skrodzki replied, are you thinking of Rainforest Café.

Commissioner Nugent stated yes, Rainforest Café. Those would not be allowed unless they were freestanding in our Village, right?

Ms. Santhanam responded I think that's how we look at it. When we've had instances of artwork on buildings, (showing Opa! Greek Cuisine on the screen), the artwork is looked at as a mural in this instance. We delineate portions of the elevation where that can really shine. There are examples throughout the Village. We're not saying no art, we're just saying that we want to limit it and make it more cohesive with the rest of the building.

Commissioner Nugent stated PF Chang's has a horse in front of the building. That's different because it's a freestanding metal sculpture? Is it not art?

Ms. Santhanam replied, yes. That would qualify as art.

Commissioner Nugent asked because it's not attached or because it's freestanding?

Ms. Santhanam responded that's more sculptural I would think.

Chairman Parisi added we denied the ice cream cone for Andy's.

Ms. Santhanam replied, Rainbow Cone.

Chairman Parisi responded, no, Andy's. Since you mentioned Rainbow Cone, it is quite colorful but it's freestanding.

Commissioner Nugent stated the Rainbow Cone, I think it goes back to the art idea. It's a little bit more subdued. They have both a code and the colors as their artwork. The issue here is the flamboyant color?

Ms. Santhanam replied, yes, that is part of it.

Chairman Parisi added it seems to me the issue is the artwork.

Commissioner Nugent stated we always have to look at the sites. I don't mean this negatively but what's hot chicken? Is all the chicken hot or is it Nashville hot? (refer to audio)

Ms. Pino responded we are the chicken of In-N-Out Burger. We sell four items, tenders, mac & cheese, fries, and milkshakes, that's it. Do one thing right, don't try to do 75 things.

Commissioner Nugent stated technically In-N-Out Burger sells chicken?

Ms. Pino responded, no I'm saying they have the burgers; we have the chicken and there are limited items.

Commissioner Nugent asked, there will be no drive-thru but there's going to be outside dining?

Ms. Pino replied, yes. There are exterior tables outside.

Commissioner Nugent asked, who is your clientele?

Ms. Pino responded, what we're seeing in this area is high 18 to 28 male and we're seeing a large female population come in as well. Target is men 18 to 32 but we're seeing it shift.

Commissioner Nugent stated I noticed the chicken symbol driving by, and I've never heard of you before, but it caught my attention. That's not enough? (refer to audio)

Ms. Pino responded, it's very hard to see.

Commissioner Nugent replied, people don't notice the chicken symbol?

Ms. Pino responded, no, mainly by social media but it's usually by the artwork.

Commissioner Nugent asked Ms. Skrodzki, if we all approve, we just need majority?

Ms. Skrodzki replied, to affirm or deny the appeal, whichever one would be a majority vote.

Chairman Parisi stated with the pictures we have up now, if we approve the appeal is that what we're approving?

Ms. Pino responded, that's exactly what the building looks like now.

Ms. Santhanam added if you approve the appeal, this is what they'll get (referring to version one on the screen).

Chairman Parisi stated we get version one minus the roof lighting.

Ms. Skrodzki interjected, that's not correct. They're voluntarily saying that now, but the roof lighting was part of the design that they're appealing. They're saying now we'll forgo it but that's not technically not part of the appeal. It is part of the appeal. You could grant the appeal except as related to the roofline lighting.

Chairman Parisi asked to go to current branding and signage photo.

Commissioner Schussler stated that's what's there right now.

Ms. Skrodzki added if you deny the appeal, it will be this plus whatever halo lighting, they're allowed to do by the ordinance last night.

Ms. Santhanam stated this was staff's recommendation to keep the artwork to those panels.

Commissioner Nugent asked staff, beyond the artwork, are they all the way back or there's another business behind them? Are you all the way to the back of the building?

Ms. Santhanam replied, yes.

Ms. Pino responded, my restaurant goes all the way to the back. That is my entire side.

Commissioner Nugent stated so people are going to park on the side and the back. Behind you is the Kohl's mall. Is there any signage in the back?

Ms. Pino responded, no.

Commissioner Nugent asked, and you're good with no artwork back there?

Ms. Pino replied, I'm not asking for artwork there.

Chairman Parsi added, you're more concerned with capturing the view of the people on LaGrange Road?

Ms. Pino responded, yes. Version one is what I would like. Version two is a toned-down version.

Chairman Parisi asked, to be clear your appeal is for us to approve version one?

Ms. Pino replied, correct.

Commissioner Nugent clarified, we also have to be careful what we do for the future. If we approve their appeal, are we creating an opening for a future business with a non-conforming or a variation?

Ms. Skrodzki responded, yes. If you approve it, you'd have to decide what to do about the roof-edge lighting and as I understand this the halo lighting is also different from what was allowed by the ordinance last night. The last issue is the color.

Chairman Parisi added, when we say conforming it's conforming to some specific code requirement as opposed to a subjective requirement.

Ms. Skrodzki replied, right.

Commissioner Schussler asked staff, is there anything in the code that specifically says that a freestanding building has more latitude than an applicant that is in a strip mall?

Chairman Parisi added, or is that subjective?

Ms. Santhanam responded, that is a good question.

Ms. Skrodzki added, I think you might point to the code provision about uniformity between facades in a multi-tenant building.

Commissioner Schussler stated, my personal opinion, and this is all subjective, from the staff's standpoint, from our standpoint, version number one is a bit over the top. You came back with version number two, and I thought that was acceptable. It toned down the amount of color that you're blasted with in version number one, and I thought that was reasonable. I'm not quite sure why staff didn't like it. I understand when you look at those bushes in front, they go halfway up the window. It's very hard to see those panels that were approved for the front. I think number two is a reasonable alternative but that's not an option. Is there some way that if a majority of this Commission agreed that we could approve version number two?

Ms. Skrodzki responded, you'd have to affirm or deny the appeal. You're denying version one but if you deny with conditions, I'm not sure you can get two from that with conditions of your denial for one. You could recommend to staff that they administratively approve version two. I think that may run into problems with the roof-edge lighting since that's not as much of a subjective item.

Commissioner Schussler clarified, when I said version number two, I meant without the roof-edge lighting. If we were to turn down the appeal, which means we now have version three which is there, would you be amendable if they came back with version number two without the rooftop lighting or would you be amendable to approving that or can you answer that tonight?

Ms. Skrodzki stated you could tell them that if they appealed again off of a staff denial of version two, you'd grant it.

Chairman Parisi added I suppose we could do that.

Commissioner Schussler stated if we can do that, my suggestion would be that we reject the appeal which means we're not going to go with one, which in my opinion is over the top but my encouragement would be to the petitioner is they come back with version number two without the rooftop lighting and present that to the Village and get that approved. If it didn't get approved, you come and appeal back to this body and we sustain the appeal.

Chairman Parisi responded, a lot of good information here. Personally, I'm inclined to approve their appeal with the exception of the rooftop lighting, but I'll go to my other Commissioners.

Commissioner Zaatar stated I'm totally on board with the rest of the room. I think the roof lighting has to go and I'm kind of very black or white. Your request to appeal the decision as is number one has to be rejected point blank. Technically, I think the rules are you need to bring forward another proposal and then we vote again. I think this is a very subjective topic when you start talking about horses, ice cream cones, and artwork. I don't think your splattered paint, not trying to offend you, is a trademark or that's part of your signage, but I'm not sure. I went to Dave's Hot Chicken in California last week and it was just the circle with the yellow chicken, and I think that meets what you read in the Code. I wouldn't want to set a precedent for every business to go out there and ask our staff for crazy colors on the walls so they can have rubber-neckers looking and causing accidents on LaGrange. The toned-down version, I don't think is that bad. I am curious to ask would you keep the panels on the lower walls if you got something approved today?

Ms. Pino nodded, yes.

Commissioner Zaatar stated I think we have to talk about this holistically and an Appearance Review needs to be a proposal with the full appearance because if we're sitting here talking about some paint on the top but then they're going to keep the paint on the walls, we're getting into this situation that is putting our foot in our mouths, and next door is going to say that business did it. Following the rules, black or white, they're supposed to submit what they'd like, and we're supposed to say yes or no. There is subjectivity involved and for me the first option

that you're asking to appeal would be way over the top in my opinion subjectively with the bottom panels, the top color, and the roof lighting. I would vote no. Just for your information, if in the future you came for a review and it was toned down, I think that I personally would be okay with it, but I want to see it before I vote. (refer to audio)

Chairman Parisi added it's confusing the different iterations we're seeing.

Commissioner Zaatar replied, yes, that's right. Are you going to take down the circle and replace it with Dave's Hot Chicken?

Ms. Pino replied, from my understanding, no. We have to follow the Sign Code for square footage.

Commissioner Zaatar responded, the next version doesn't have the circle, it has Dave's Hot Chicken.

Ms. Pino replied, correct. The first version.

Commissioner Zaatar stated, that's what you're asking for.

Ms. Pino responded, version one was the original one submitted, and it was not approved for the square footage. I did the sign separately.

Commissioner Zaatar asked, what you're asking for is the bottom panels, version one, no roof lighting, and also keeping the circle.

Ms. Pino replied, I would keep the lighting that's on there. The side is not halo lighting.

Commissioner Zaatar stated, the side has a circle right now today. You would keep the circle?

Ms. Pino responded, yes.

Commissioner Zaatar added, it wouldn't be that picture. It would be that picture with a circle on the right side.

Ms. Pino replied, the sign permit is separate. This is for the artwork appearance.

Chairman Parisi added, to clarify, we can't approve another version tonight. We're here to either approve or disapprove their appeal.

Commissioner Zaatar stated I was trying to learn what they want. I want to learn what the final result from their perspective would be.

Chairman Parisi added, understand if we did deny it, they'd have to come back with another version.

Commissioner Zaatar clarified, the circle would be there and facing LaGrange you want to have white halo letters and the back if it is red lights or paint because I can't tell from that artwork. (refer to audio)

Ms. Pino replied, this is my first time hearing that they approved halo lighting.

Commissioner Zaatar stated the picture looks like the artist did a glow with the red sign.

Ms. Pino responded, signs are done separately, we originally asked for halo lighting, but it came back the Village did not allow it, so I took out the halo lighting.

Ms. Preston added, obviously there's confusion. Number one, because the code change was last night. Like my client indicated, this is the first we're hearing of that. Additionally, like I said earlier, the process was not the typical process. The process was more, what about this, what about this, we've got to get open, we need something.

Commissioner Zaatar stated, I also think that when they said, what about this, in essence that's the staff telling you no. It's a denial of this and I have to say if you're appealing what they denied and I can't see what the appearance would be, I would say I deny this as well. I gave you, my thoughts. I wouldn't want panels and paint on top and roof lighting. I'd want to tone it down. (refer to audio)

Commissioner Sanchez stated I don't mind the artwork. I feel like it's your branding. It's also a free country so if that's what you want to do, it's your business, go for it. From Commissioner Zaatar's point, tonight we'll have to vote no just based on the lighting on the roof but I'd be in favor of version one with conforming halo lights and removing the roof edge lighting. I do like the idea of potentially, if you did leave the facility, returning it to how it was before. That would help alleviate some concerns. With those modifications I would be okay with one.

Commissioner Paul stated I'm going to vote to approve the appeal, and I'll give you, my reasons. I'm not sure version one is all that different than version two, just a little more color to it. I don't have a problem with that. A lot of the feedback we get is everything in Orland Park, most things are big chains. The big chain restaurants and big chain stores. You are a chain but it's not a big chain. You have to draw attention to yourself. You've got to find a way for people to find you. That's not a great location to be honest with you. The street is above you looking down towards the restaurant. If all you had on there were two little golden arches on each side people would be lined up to go there. If you had a little KFC on the side people would be lined up to go, there. We know those brands. We can spot those a mile away, but nobody's heard of Dave's. Do we want restaurants to come to

Orland Park that are not big names or multinational and have a shot at being successful? I think that gets people's attention and that's exactly what you need to have. It totally makes sense to me. They're not Jewel, they're not Mariano's. You're not going to spot that sign from a mile away. They've got to stand out to have any shot at being successful. One of the things in the Code states appropriate to the Chicago area. This is Chicago area. In Chicago you see every sign is different, every building is different. Concerns about things going south and the building becomes vacant seems to me like that would be more if a concern between you and the property owners. (refer to audio)

Ms. Pino added you need landlord approval for the exterior work, and they don't want you to leave. You want to be seen.

Commissioner Paul continued, that's between you and the landlord, what you write into the lease. I'm sure that's been discussed and I'm sure you guys have figured it out.

Ms. Pino responded, they feel the same way. They want us to be there too. They have been flexible with the options we give them.

Commissioner Paul stated that shouldn't really concern us. It seems like this whole thing is subjective. We're not talking about changing Codes. We've already agreed that the roof lighting is not going to happen no matter what because that's not legal. The halo lights were just approved. Those are the reasons I support the appeal.

Commissioner Zaatar commented, I'm confused with the last statement. You said without the roof lights. Is that allowed? Are we saying conditions on the appeal?

Commissioner Paul responded, roof lights aren't legal.

Ms. Skrodzki replied, the roof lights are not legal but if you vote yes on the appeal, they do get the roof lights unless you say yes with the conditions.

Chairman Parisi added, we can vote yes to the appeal with the condition that the roof lights are removed.

Commissioner Paul responded, I would support that 100 percent because roof lights are illegal. That's not subjective. That's black and white.

Commissioner Schussler asked, if the appeal is approved, then we go back to version number one which says roof-edge lighting and halo lighting for the signs and now the attorney said we'd have to put in a condition that the roof-edge lighting is not allowed because that's under the Code. If we don't put that condition in, they get it because that was in their original proposal. Is that correct?

Ms. Skrodzki responded, correct.

Commissioner Schussler continued, with regard to the halo lighting, only white halo lighting is approved but their original version, number one, had red halo lighting.

Chairman Parisi stated it had white halo lighting with a red background. It's reflecting on red paint.

Ms. Pino added, it's white light, the red is a backdrop. The backlight is white.

Commissioner Schussler stated the halo lighting isn't an issue because it's now allowed in the Code.

Chairman Parisi added, just the rooftop lighting isn't allowed.

Ms. Skrodzki asked Ms. Santhanam, is that correct?

Ms. Santhanam responded, yes. The one thing to add is if the red backdrop becomes part of the sign, then that counts towards the sign square footage.

Chairman Parisi asked Ms. Pino, which you are aware of.

Ms. Pino replied, I'm 100 percent aware.

Chairman Parisi added there's a lot of discussion here so we need to be as clear as we can.

Commissioner Zaatar stated, I'm still confused. I think we're leaning towards a way of appealing or approving with conditions. I think there's probably going to be a motion. Do we have to add in conditions about the existing panels that are on the lower half of the building?

Ms. Skrodzki responded, it's not conditions. Conditions is the wrong term of art for what you would be doing.

Commissioner Zaatar asked, would it be variances?

Ms. Skrodzki replied, it would be that you would approve. You would not affirm the staff with regards to if you wanted to break it apart and do it with regard to certain elements you could. You could affirm the staff's decision with regards to the roof lighting. You could affirm the staff's decision with regards to the halo lighting. You could not affirm or deny with regards to the other elements.

Chairman Parisi asked, this is a separate motion?

Ms. Skrodzki responded, you can make whatever motion you want to make.

Chairman Parisi stated, I personally feel benefited from a lot of the discussion we had, particularly, listening to Commissioner Paul's discussion. Do we take a vote to approve the appeal and do we take a separate vote to approve...

Ms. Skrodzki replied, if I were to rephrase what you just expressed, I would say that you're seeking a motion to approve the appeal except with respect to the roof lighting.

[After Motion was made]

Chairman Parisi stated the appeal is approved by a majority vote. Since it's not unanimous, does it have to go to the Committee?

Ms. Skrodzki responded, this is not a recommending body. This is the final decision with regards to this. It doesn't go anywhere else.

Commissioner Zaatar asked, did we approve the wall panels?

Ms. Skrodzki replied, no, the wall panels were part of the compromised design. They get that (pointing to screen) which does not limit the artwork.

Commissioner Schussler stated we should have another motion to remove the wall panels.

Commissioner Zaatar added, that's right.

Ms. Skrodzki responded that design, which is approved does not contain the wall panels.

Commissioner Zaatar stated, this is an Appearance Review, and we just approved an appearance so technically if they want to go with this appearance, they need to make it look like the picture except for 6 and 7. (refer to "Approval of Appeal" slide)

Commissioner Schussler replied, that's what she said. The wall panels have to come down automatically because they're not up there.

Chairman Parisi asked the petitioners if they understood.

Ms. Preston stated our understanding is the lower part was already approved and now we're talking about the upper part. This goes to your comments on confusion over what is approved versus disapproved because we had a previous approval and now, we have a new approval.

Ms. Skrodzki responded, the administrative approval is now reversed.

Commissioner Zaatar added, you have an awarded appeal. The first approval is gone.

Ms. Preston replied, I understand.

Chairman Parisi stated your appeal is approved. We don't have roof lighting on there as Commissioner Schussler read it correctly. The LED lighting is not part of that, and the wall panels have to come down.

Commissioner Schussler added, you got your upper stuff but the lower comes down.

Ms. Preston responded, understood.

[There was additional discussion about signage, interior design and In-N-Out]

The Appearance Review for Dave's Hot Chicken at 15139 LaGrange Road - Update

Building Elevations and Branding, case number, AR-24-00456/2024-0587, as shown on

the plans submitted by the petitioner on September 11, 2024, prepared by Design Team Sign Company LLC, was administratively approved on October 7, 2024, subject to the following conditions:

1. That ALL building code related items, including acquisition of permits, are met;
2. That signage is reviewed and approved separately through a sign permit.
3. Existing landscape to be restored per the approved Landscape Plan dated 2/11/2003. Missing plants to be replaced with like species.
4. Existing landscape stone/rock mulch to be replaced with 3" organic mulch.
5. Wall art (on demountable wall panels) to be installed per the petitioner's documents received via email on September 11, 2024
6. Install 4 bicycle parking spaces (2 U-shaped "hoop" racks) within 50' of the main entrance, with 4' spacing between the bike racks.

Dec 26, 2024 Amendment

Detailed Planning Discussion and Update:

On July 29th, 2024, the petitioner submitted an Appearance Review application (Version 1) with a submittal including elevations drawings, and information on outdoor furniture, signage and branding.

The feedback from Development Services Staff was based on Section 6-308 Design Standards. The Purposes of the Design Standards are:

- To create an architectural identity and to avoid monotonous similarity or inappropriateness in exterior design and appearance of property
- To protect and to stabilize the general appearance of buildings, structures, landscaping, and open space areas throughout the Village
- To encourage and promote acceptability, attractiveness, cohesiveness and compatibility of new development so as to maintain and improve the established standards of property values throughout the Village

Considering that the project is not a stand-alone building but part of a strip mall development, staff also notes the following Design Standards:

- Colors should be used harmoniously and with some restraint. Color schemes should consider and respect the character and quality of structures in the area. Excessively bright or brilliant colors should be used only for accent. Materials and colors should withstand the weather well over a twenty-five (25) year period.
- Architectural style should be appropriate to the Chicago area and evaluation of a project shall be based on the quality of design and its relationship to surroundings. The design of structures should display a sensitivity to the best aspects of the character, quality and scale of those structures already existing in the area of a proposed project.
- Monotony of design shall be avoided, however styles should be complementary and should relate to indigenous architecture.
- Buildings and structures shall be consistent with the established neighborhood character and with any adjacent residential property.

Based on guidance and feedback from Development Services, the petitioner revised and resubmitted elevation drawings on August 25th, 2024 (Version 2).

Development Services provided further feedback on the designs and recommended the use of the accent colors at specific locations on the building elevations.

The petitioner provided a third and final submittal of the elevations on September 11th, 2024 (Version 3). This package depicted three options for the front elevation and two options for the side elevation. Development Services approved one design each for the front and side elevations. These elevations served as the basis of approval for the Appearance Review, approved on October 7th, 2024.

On Dec 13th, the petitioner submitted a letter (attached) seeking the appeal of the denial of their original proposed design submitted on July 29th, 2024 (Version 1). The letter states that the petitioner submitted the alternate design on September 11th, "because of the timing concerns related to its planned opening".

The design package received on July 29th, 2024, does not conform to the Design

Standards set forth in Section 6-308 of the Land Development Code. The use of color, halo lighting and LED roof edge lighting do not conform to cohesiveness and compatibility requirements in Section 6-308 Design Standards.

..Recommended Action/Motion #2 (Amended Dec 26, 2024)
The Appearance Review for Dave's Hot Chicken at 15139 LaGrange Road - Update Building Elevations and Branding, case number, AR-24-00456/2024-0587, as shown on the plans submitted via email by the petitioner on July 29th, prepared by Design Team Sign Company LLC, is administratively denied on December 26, 2024.

A motion was made by Member Schussler, seconded by Chairman Parisi, that this matter be APPROVED. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Member Sanchez, Member Nugent, Member Paul, Member Schussler and Member Zomparelli

Nay: 1 - Member Zaatar

CLOSE PUBLIC HEARING

A motion was made by Chairman Parisi, seconded by Member Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 7 - Chairman Parisi, Member Sanchez, Member Nugent, Member Paul, Member Schussler, Member Zaatar and Member Zomparelli

Nay: 0

OTHER BUSINESS

2025-0076 Memo: New Petitions

NON-SCHEDULED CITIZENS & VISITORS

ADJOURNMENT

The meeting was adjourned at 8:22 p.m.

A motion was made by Chairman Parisi, seconded by Member Schussler, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 7 - Chairman Parisi, Member Sanchez, Member Nugent, Member Paul, Member Schussler, Member Zaatar and Member Zomparelli

Nay: 0