

**PLANNING AND ZONING COMMISSION MINUTES**  
**City of Geneva**  
**109 James Street - City Council Chambers**

**March 10, 2022 – Meeting #37**

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Chairman Stocking called the meeting of the Geneva Planning and Zoning Commission to order at 7:00 p.m. and read a statement explaining the proceedings for the remote and in-person meeting.

**Roll Call:**

Present: Chairman Stocking, Commissioners Evans, Holoman, Matyskiel, Mead, Moran, Slifka

Staff Present Community Development Director David DeGroot and City Planner Chayton True

Also Present: Planet Depos Court Reporter

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**Approval of the Agenda**

**Motion by Commissioner Mead, second by Commissioner Slifka to approve the agenda. Motion carried unanimously by voice vote of 7-0.**

**Approval of January 13, 2022 Minutes**

**Motion by Commissioner Slifka, second by Commissioner Evans, to approve the January 13, 2022 minutes. Motion carried unanimously by voice vote 7-0.**

**Public Hearing**

Chairman Stocking swore in those individuals that would be speaking tonight.

**A. Zoning Ordinance Text Amendment** – Text Amendment to Section 11-14-5(C) of the Geneva Zoning Ordinance to allow a sixth type of sign variation, specifically “to allow a tenant without street frontage in a multiple-tenant/owner building to have one (1) wall sign, awning sign, or canopy sign, provided that the total sign area of all signs on the building façade does not exceed the sign area that would otherwise be permitted for those tenants having street frontage.” *Location:* City of Geneva. *Applicant:* Cole Calamos, NKCFO,LLC.

Chairman Stocking announced that the applicant would not be in attendance due to a family matter and Planner Chayton would be discussing the request. Planner True proceeded to read into the record the contents of the planning file.

In the absence of the applicant, Planner True discussed what the applicant was seeking, explaining that within the City’s code an applicant can currently apply for five different types of sign variances. An explanation of each followed. The proposed sixth type of sign variance would allow a tenant without street frontage in a multiple-tenant/owner building to have one (1) wall sign, awning sign, or canopy sign, provided that the total sign area of all signs on the building façade does not exceed the sign area that would otherwise be permitted for those tenants having street frontage. Current sign allowances were explained by Planner True, who referenced the current building on the overhead and the current status of the tenant space in comparison to the street frontage.

Per Planner True, the current variation text appeared limited and the applicant, with the assistance of City staff, came forward with the proposed sign variance change. For this signage proposal, and any combination of sign, canopy, etc., the applicant would be allowed to go up to a total of 40 square feet (per tenant) on the frontage facade. Details were explained.

Responding to Commissioner Mead's concern, the sixth type of variation would not be able to increase from the 40 square feet per tenant. DeGroot explained to commissioners how the 40 sq. feet would be calculated. Further explanation followed by Director DeGroot on why the sixth variation was written the way it was in order to avoid future conflicts between interior tenants, the landlord/owner and those tenants who may have external signage. For this case, DeGroot pointed out the proposed signage was being placed on the building owner's frontage. Commissioner Evans' understanding was that it was the owner's risk to manage his/her building's signage, since the rights would go to the owner versus the tenant. However, Director DeGroot noted it was through the variation process. Upon commissioners asking who would apply for the variation – the tenant or the building owner – DeGroot explained it could be the tenant, with the owner's permission, to apply for the variation.

Other buildings that could experience similar instances were voiced by DeGroot and some by the commissioners. Commissioner Moran pointed out that almost every building on State Street had a second floor and nothing was stopping an owner on Third Street from dividing a tenant space, which he believed could be concern for a double increase in signage. He believed that was why the sixth variance was written the way it was. Director DeGroot concurred, voicing he had lengthy conversations with the applicant over the past year on this same topic. More dialog followed among the commissioners. Director DeGroot relayed how the 40 square foot maximum was a carry-over from the re-write of the sign code back in 2011-2012, in which he was a part, and it worked very well to date.

After much dialog and staff responding to a number of questions by the commissioners, the commissioners believed there was no detriment to the City and the burden came down to the building owner and how he/she managed the signage.

Chairman Stocking invited public comment. None was received.

**Motion by Commissioner Mead to close the public hearing. Second by Commissioner Evans. Roll call:**

**Aye: Evans, Holomon, Slifka, Matyskiel, Mead, Moran**

**Nay: None**

**MOTION PASSED. VOTE: 6-0**

**Motion by Commissioner Mead, second by Commissioner Matyskiel to approve text amendment to Section 11-14-5(C) of the Geneva Zoning Ordinance to allow a sixth type of sign variation, specifically “to allow a tenant without street frontage in a multiple-tenant/owner building to have one (1) wall sign, awning sign, or canopy sign, provided that the total sign area of all signs on the building façade does not exceed the sign area that would otherwise be permitted for those tenants having street frontage”, subject to the findings of fact in staff's report. Roll call:**

**Aye: Evans, Holoman, Slifka, Matyskiel Mead, Moran**

**Nay: None**

**MOTION PASSED. VOTE: 6-0**

**B. Sign Variation – To allow a tenant without street frontage in a multiple-tenant/owner building to have one (1) wall sign upon the W. State Street building facade. Location: 501 W. State Street. Applicant: Cole Calamos, NKCFO, LLC.**

Planner Chayton True read into the record the contents of the planning file.

He stated the applicant submitted a request for the sixth type of sign variance. The proposed sign would be 12 square feet along the West State Street frontage which matched the existing signage on the building. The sign's location on the building was pointed out by staff. Staff explained the proposed sign would have no adverse effect on the building.

Commissioners believed the proposal was fine for the building and the five standards were met.

Chairman Stocking opened up the meeting to public comment. No comments were received.

**Motion by Commissioner Evans to close the public hearing. Second by Commissioner Mead. Roll call:**

**Aye: Evans, Holoman, Matyskiel, Matyskiel, Mead, Slifka, Moran**

**Nay: None**

**MOTION PASSED. VOTE: 6-0**

**Motion by Commissioner Mead, second by Commissioner Holomon to approve a sign variation from Section 11-12-6 to allow Soraya J. McTeague CPA, Inc., the tenant without street frontage in Suite 202 of the building located at 501 W. State Street, to have a wall sign along the State Street frontage, subject to the findings of fact in staff's report. Roll call:**

**Aye: Evans, Holoman, Matyskiel, Mead, Slifka, Moran**

**Nay: None**

**MOTION PASSED. VOTE: 6-0**

Per staff, the above recommendation would be sent to the City Council meeting on March 21, 2022 at 7:00 p.m. in Council chambers.

**Public Comment** - None.

### **Other Business**

Planner True reviewed active applications and their status for the commissioners, stating that what he discussed was about half of the applications submitted to the department. As a result, the department was looking to hire a full-time assistant planner. On another matter, Planner True reminded the commissioners to submit their economic impact statements when they receive them. Other updates followed on the future widening of East State Street and the East Side Dunkin Donuts application.

### **Adjournment**

**A motion was made by Commissioner Evans to adjourn the meeting at 7:53 p.m. Motion carried unanimously by voice vote of 6-0.**