

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JANUARY 12, 2010 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Economic Development Corporation Sign Amendment	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An ordinance has been prepared amending Chapter 28, Zoning Ordinance, Article XV, Signs. The amendment would allow properties in the B-3 zoning district with at least 260 feet of frontage and is at least 2.5 acres to have a monument sign that is 15 feet tall and 60 square feet.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2008-2013 identified *Exceptional Municipal Government*. Supporting this goal is the objective *Top Quality Core Services Responsive to Current and Future Community and Citizen Needs*.

FISCAL IMPACT

N/A.

RECOMMENDATION

The Plan Commission recommended approval of the text amendment with modifications as reflected in the attached ordinance. Staff recommended denial of the petition; however, staff does not object if the approval is granted per the Plan Commission’s recommendation.

BACKGROUND

The Downers Grove Economic Development Corporation (EDC) is requesting a text amendment to the Zoning Ordinance. Specifically, the EDC proposes modifying the sign regulations as they relate to commercial properties that are larger than 2.5 acres and have frontage of more than 260 feet along a public street. The sign ordinance permits all properties to have at least one monument sign. The ordinance provides a hierarchy for size and height of monument signs depending on the width of the lot. Shopping centers with more than 500 feet of frontage have the ability to install the largest signs. The current regulations are summarized in the table below:

Table 1: Existing sign regulations for commercial properties

Frontage	Maximum Height	Maximum Size	Maximum Total Sign Area
<100 feet	8 feet	24 square feet	300 square feet
>100 feet	10 feet	36 square feet	300 square feet
>500 feet (shopping center only)	15 feet	60 square feet	No Maximum (dependent on # of tenants)

The EDC submitted the petition to fill a gap in the Village’s standards for monument signs. The gap, as identified by the EDC, affects larger, single-user properties which are at least 2.5 acres with a frontage of at least 260 feet. The amendment would allow all commercial properties that meet these minimum size standards to have a free-standing sign which is 15 feet tall and 60 square feet. Commercial properties that are not 2.5 acres and at least one frontage of at least 260 feet would not be affected by this change. The EDC’s petition would not increase the total sign size for subject properties. The total maximum sign area would remain 300 square feet, including monument, wall and awning signs, for all single-user properties.

The Plan Commission reviewed the petition at their November 2, 2009 meeting. The Plan Commission discussed the request and concurred that there is a gap in the sign ordinance. The Commission found that the EDC’s petition generally filled the gap. However, the Commission recommended modifying the language to ensure the original intent and goals of the sign ordinance were maintained. As such, the two modifications were recommended: (1) limit the scope of the amendment to the B-3 zoning district, and (2) increase the side yard setback for the larger signs from 25 feet to 100 feet.

A summary table of the current regulations, the EDC’s proposal and the Plan Commission’s proposal is provided below:

Table 2: Summary of existing and proposed regulations

	Frontage	Maximum Height	Maximum Size	Maximum Total Sign Area
<i>Existing Ordinance</i>	<100 feet	8 feet	24 square feet	300 square feet
	>100 feet	10 feet	36 square feet	300 square feet
	>500 feet (shopping center only)	15 feet	60 square feet	No Maximum (dependent on # of tenants)
<i>EDC Proposal</i>	<i>260-500 feet and 2.5 acres</i>	<i>15 feet</i>	<i>60 square feet</i>	<i>300 square feet</i>
<i>Plan Commission Recommendation</i>	<i>260-500 feet and 2.5 acres in B-3 District only</i>	<i>15 feet</i>	<i>60 square feet</i>	<i>300 square feet</i>

Staff Findings

As background information for the Village Council, two substantive amendments have been proposed for the sign ordinance since its adoption in 2005. One amendment, drafted by Village staff, proposed larger signs for users along the Butterfield Road-Finley Road corridor and the other, presented by School District 99, proposed permitting electronic message signs for institutional properties. Both amendments were recommended for approval by the Plan Commission. Ultimately, these amendments were denied by the Village Council. As such, staff recommended denial to the Plan Commission as there has been no apparent direction to amend the sign ordinance to date.

Staff reviewed the petition to determine the impact on the Village’s commercial corridors. Staff agrees that the proposed petition helps to fill a gap in the sign ordinance requirements as they relate to large, single-user retail properties. Most of these properties already have signs that exceed the proposed height

of 15 feet and size of 60 square feet. The businesses would still need to reduce their overall signage to come into compliance with requirements of the sign ordinance.

Village staff believes the additional size and height may be desirable for larger retail properties and would help to fill the gap in the ordinance. Larger retail properties tend to be located along busy arterial streets and have buildings that are setback further from the street with multiple access points. Larger signs tend to be more visible, provided there is not visual pollution from other signs, utility poles and street lights. Setbacks for signs can help alleviate this issue.

Also, staff believes larger, taller signs for larger properties may improve their visibility and help drivers identify the business and proper driveway earlier, which may reduce rear-end collisions. Shopping centers were originally given additional signage to account for their unique characteristics (e.g. many tenants, large properties, multiple access points and large setbacks from the road). Many large-scale retailers share some of these characteristics – specifically large setbacks and multiple points of access.

Plan Commission Review and Recommendation

As noted above, the Plan Commission considered the petition at its November 2, 2009, meeting and recommended approval a modified version of the request with a vote of 5-1. The Commission noted that the amendment was beneficial to larger properties in the B-3 zoning district and would fill an apparent gap in the existing sign code. However, the Plan Commission recommended two modifications: the first would limit the larger signs to properties in the B-3 zoning district. This modification is important as it limits the number of affected properties to 21. The EDC's petition would open the amendment up to most of the properties within the Village's office and industrial parks. The Plan Commission did not wish to have the sign amendment apply to that many properties and in locations which do not require the same benefit afforded by larger signs.

The second modification recommended by the Plan Commission was to increase the side yard setback from 25 feet to 100 feet. By increasing the side yard setbacks, the Commission believes there is less chance of creating sign clutter throughout the commercial corridors. Staff believes both modifications are important to maintain the goals and intent of the original sign ordinance amendments.

The dissenting Plan Commission member indicated concerns about making a general change to the sign ordinance which may not be appropriate given the goals of the Village's master corridor plan for Ogden Avenue. The member also indicated that where appropriate, the variation process may be an acceptable course of action.

Staff recommended denial of the petition but agrees that a gap in the sign ordinance could be filled by an amended version of the EDC proposed text amendment. Staff does not object to the Plan Commission recommendation.

ATTACHMENTS

Ordinance

Staff Report dated November 2, 2009

Attachments to the Staff Report

Minutes of the Plan Commission Hearing dated November 2, 2009

Monument Signs

ORDINANCE NO. _____

AN ORDINANCE AMENDING SIGNAGE PROVISIONS

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by **shading/underline**; deletions by ~~strikeout~~):

Section 1. That Section 28.1502.01 is hereby amended to read as follows:

28.1502.01 Monument Signs and Shingle Signs.

Unless otherwise specifically provided herein, each zoning lot is allowed either one monument sign or one shingle sign.

A. Monument Signs.

(1) Monument Signs may have signage on a maximum of two (2) sides only and shall comply with the following height and area limitations based on the indicated zoning lot widths **and lot size requirements**:

Zoning Lot Widths (ft.) and lot size	< 100 (ft.) All lot sizes	1001+259 (ft.) All lot sizes	260+ (ft.) And lot size of at least 2.5 acres for properties in the B-3 district only
Height (ft.)	8	10	<u>15</u>
Area (SF per side)	24	36	<u>60</u>

(2) Any monument sign fronting a street shall be setback ten (10) feet. No monument sign shall be located closer than twenty-five (25) feet from the lot line of any adjacent zoning lot. **Monument signs that are greater than ten (10) feet in height and greater than thirty-six (36) square feet shall be setback at least one hundred (100) feet from the lot line of any adjacent zoning lot.**

(3) Monument signs shall be subject to setback and vision safety requirements of Section 28-1102.

(4) Monument signs must contain the numerical street address of the property which shall be no less than eight (8) inches and no more than ten (10) inches in height. Such sign copy shall be excluded from the total sign surface area allowed.

(5) Zoning lots with more than one street frontage shall be allowed two (2) monument signs one on each street frontage of the same size placed no closer together than one hundred (100) feet.

(6) Shopping Centers:

a. Shopping centers with multi-tenants and a minimum of five hundred (500) linear feet of frontage along the public roadway may have two (2) monument signs of the same size placed no closer together than two hundred (200) feet. The maximum height shall be fifteen (15) feet with a maximum area of sixty (60) square feet. Such signs shall contain the names of more than one tenant. The maximum height shall be fifteen (15) feet with a maximum area of sixty (60) square feet. Each tenant's panel sign shall not be counted toward allowable sign surface area.

b. Shopping centers having between one hundred (100) and five hundred (500) linear feet of frontage along the roadway shall be allowed only one (1) monument sign with a maximum height of ten (10) feet and a maximum area of thirty-six (36) square feet. Such signs shall contain the names of more than one tenant. Each tenant's panel sign shall not be counted toward allowable sign surface area.

c. Shopping centers with less than one hundred (100) linear feet of frontage along the roadway shall be allowed one (1) monument sign with a maximum height of eight (8) feet and a maximum area of twenty-four (24) feet. Such signs shall contain the names of more than one tenant. Each tenant's panel sign shall not be counted toward allowable sign surface area.

Monument Signs

(7) Tollway Corridor: For properties that are directly adjacent to the I-88 and/or I-355 corridor, the regulations of this Section 28-1500, et seq. shall apply with the following exceptions:

a. In addition to the signage allowed by this Section 28-1502.01, one (1) additional monument sign shall be allowed for properties with a minimum tollway frontage of one hundred (100) feet or one hundred (100) feet of frontage on an IDOT right-of-way which fronts the tollway.

b. Such monument sign shall be placed adjacent to the tollway.

c. Such monument sign may not exceed two hundred twenty-five (225) square feet in sign surface area and shall not exceed twenty (20) feet in height.

d. Such monument sign shall be placed at least thirty (30) feet away from an existing tollway sign.

e. Such monument sign shall not be counted toward allowable sign surface area.

B. Shingle Signs.

(1) Shingle signs shall have a maximum of ten (10) square feet per side with a maximum height of seven feet (7'). The sign can be no closer to any side lot line than eight feet (8') there shall be no front yard setback.

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
NOVEMBER 2, 2009 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC 19-09 Zoning Ordinance Text Amendment – Economic Development Corporation Sign Amendment	Zoning Ordinance Text Amendment	Jeff O’Brien, AICP Planning Manager

REQUEST

The Downers Grove Economic Development Corporation is requesting a text amendment to Article 15 (Signs) of the Zoning Ordinance. The proposed language to add “automobile dealers” to the shopping center sign regulations and decrease the minimum frontage from 500 feet to 260 feet was revised by the Economic Development Corporation. The revised proposal would allow all commercial properties with at least 260 feet of frontage and is at least 2.5 acres to have a monument sign that is 15 feet tall and 60 square feet.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

APPLICANT: Downers Grove Economic Development Corporation
2001 Butterfield Road, Suite 120
Downers Grove, IL 60515

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Zoning Ordinance
3. Proposed Amendment

PROJECT DESCRIPTION

The Downers Grove Economic Development Corporation (EDC) is requesting review of a text amendment to the Zoning Ordinance. Specifically, the EDC is proposing to modify the sign regulations as they relate to commercial properties that are larger than 2.5 acres and have frontage of more than 260 feet along a one public street. The amendment would allow all commercial properties that meet these minimum size standards to have a free-standing sign that is 15 feet tall and 60 square feet. Commercial properties that are not 2.5 acres and at least one frontage of at least 260 feet would not be affected by this change.

Currently, only shopping centers with three or more tenants and greater than 500 feet of total street frontage are allowed monument signs that are 15 feet tall and 60 square feet. Large single-user properties (over 2.5 acres and 260 feet of frontage) are treated like all smaller shopping centers and single-user lots. That is, large lots are

permitted to have monument signs that are 10 feet tall and 36 square feet if their property is greater than 100 feet wide. If the lot is less than 100 feet wide, the user is permitted a monument sign that is eight feet tall and 24 square feet.

The proposal is summarized in the table below:

Frontage	Maximum Height	Maximum Size	Maximum Total Sign Area
<100 feet	8 feet	24 square feet	300 square feet
>100 feet	10 feet	36 square feet	300 square feet
>500 feet (shopping center only)	15 feet	60 square feet	No Maximum (dependant on # of tenants)
<i>260-500 feet and 2.5 acres*</i>	<i>15 feet*</i>	<i>60 square feet*</i>	<i>300 square feet*</i>

*** = EDC Proposed language**

The change would only affect commercial properties that are 2.5 acres and at least 260 feet of frontage along on street. No other changes are proposed for the sign ordinance at this time.

PUBLIC COMMENT

No comments have been received at this time.

FINDINGS OF FACT

Staff reviewed the proposed changes and researched the impact that it would have on existing commercial properties. The change would allow 21 single-lot users (mostly automobile dealers, grocery stores, home improvement centers and hotels) and one shopping center (at the southwest corner of Maple Avenue and Belmont Avenue) within the Village’s retail corridors to have larger signs. The proposed amendment fills a gap in the sign ordinance requirements as they relate to large, single-user retail properties. Most of these properties already have signs that exceed the proposed height of 15 feet and size of 60 square feet. The businesses would still need to reduce their overall signage to come into compliance with requirements of the sign ordinance.

The proposed amendment would allow virtually all office and industrial parcels to have the larger signs as most of these properties have frontages greater than 260 feet and are larger than 2.5 acres. These impacts would mostly be in the Ellsworth Business Park, the Esplanade Office Park, Highland Avenue-31st Street corridor, the industrial park at Finley Road and Centre Circle Drive, Corridors office developments and offices at Finley Road and Opus Place. Approximately 40 properties in these areas would be permitted to have larger free-standing signs.

Village staff believes the additional size and height may be desirable for larger retail properties. Larger retail properties tend to be located along busy arterial streets and have buildings that are setback further from the street with multiple access points. Larger signs tend to be more visible, provided there is not visual pollution from other signs, utility poles and street lights. Setbacks for signs can help alleviate this issue.

Also, staff believes larger, taller signs for larger properties may improve their visibility and help drivers identify the business and proper driveway earlier, which may reduce rear-end collisions. Shopping centers were originally given additional signage to account for their unique characteristics (e.g. many tenants, large properties, multiple access points and large setbacks from the road). Many large-scale retailers share some of these characteristics – specifically large setbacks and multiple points of access. This proposal would allow for greater sign visibility for larger properties while maintaining the Village’s goals of having lower, smaller monument signs.

Given the information above, two substantive amendments have been proposed for the sign ordinance since its

adoption in 2005. One amendment, drafted by Village staff, proposed larger signs for users along the Butterfield Road-Finley Road corridor and the other, presented by School District 99, proposed permitting electronic message signs for institutional properties. Both amendments were recommended for approval by the Plan Commission. Ultimately, these amendments were denied by the Village Council. As such, staff does not believe there is direction to amend the sign ordinance at this time. Based on the current direction, staff is recommending denial of the amendment.

If the Plan Commission believes the amendment is necessary and desirable, staff believes several refinements may be necessary to mitigate any unintended consequences. First, staff recommends increasing the side setbacks for the larger signs to mitigate reduce the potential for visual clutter along the roadway. Staff would recommend 100 foot setback from any side lot line. Additionally, staff would recommend restricting the larger signs to properties in the B-3 zoning district. Most of the larger retail properties are in this zoning district and occur along Ogden Avenue and Butterfield Road. This action would eliminate the larger signs that would be permitted in the office and industrial parks.

RECOMMENDATIONS

Staff believes there is a gap in the sign ordinance for large, retail properties that the proposed text generally addresses. Staff has some concerns regarding the sign setbacks and proliferation of larger signs in the office and industrial parks. Further, staff does not believe there is direction to modify the sign ordinance at this time. The Village is currently updating its Comprehensive Plan which may provide new direction for signage and appearance of the Village's commercial corridors. In the absence of policy direction from the Village Council, staff does not recommend approval of the proposal amendment.

If the Plan Commission finds the language is appropriate, staff would recommend adding the following provisions to the attached ordinance:

1. In Section 1501.02(2) add a new sentence, "Signs that are more than ten (10) feet in height and greater than thirty-six (36) square feet shall be setback at least 100 feet from any adjacent zoning lot."
2. In Section 1501.02(1) add "for properties in the B-3 District" after "260+(ft.) And lot size of at least 2.5 acres."

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:jwo
-att

Project Summary/Narrative Letter

The Downers Grove Economic Development Corporation (DGEDC) is requesting a text amendment to the current Village sign ordinance. The proposed language for the text amendment and the businesses that would be impacted by the text amendment are attached.

The proposed text amendment requests that single tenant businesses with a minimum of 260 feet of linear frontage on a commercially zoned street and are greater than 2.5 acres in size be allowed to install a single monument sign not to exceed 15 feet in height with a total square footage of 60 square feet. No request to the total allowable property signage is requested at this time.

The standards for consideration of a text amendment to a zoning ordinance are listed below:

- (1) The existing uses and zoning of nearby property;
- (2) The extent to which the particular zoning restrictions affect property values;
- (3) The extent to which any determination in property value is offset by an increase in the public health, safety and welfare;
- (4) The suitability of the subject property for the zoned purposes;
- (5) The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity;
- (6) The value to the community of the proposed use, and;
- (7) The standard of care with which the community has undertaken to plan its land use development

As to item #1, the DGEDC feels that existing uses and zoning of nearby property is consistent with this request. Currently, lots with greater than 500 feet of linear frontage are granted 2 monument signs each 15 feet in height and 60 square feet of signage. These types of lots exist immediately adjacent to lots with frontages between 260 and 500 feet. These 500 foot plus lots enjoy two monument signs, each 15 feet in height with 60 total square feet. In essence, these 500 foot plus lots already qualify for one monument sign every 250 feet. This approach to signage is working and in use within the village. Allowing a single use business with 260 feet of linear frontage and greater than 2.5 acres in size one monument sign of the same size as already allowed on a 500 foot lot is completely consistent with existing and nearby uses.

As to item #2, the DGEDC feels that the current zoning restricts negatively affect property values. Larger properties with 260-500 feet of frontage are key retail assets to the Village of Downers Grove. They typically require additional signage to compete with surrounding smaller lots and similar sized lots in nearby communities.

As to item #3, the DGEDC feels that compelling arguments can be made for both sides of the size issue regarding signage. However, larger properties tend to have larger setbacks and attract more traffic. Larger and taller signs will provide more warning for motorists.

As to item #4 this standard is not applicable.

As to item #5, this has a direct correlation on the proposed amendment. As previously mentioned, properties with large frontage and significant acreage are unique in the Village of Downers Grove and the current sign ordinance does not address this. In the case of the auto industry for example, these requirements come directly from the manufacturer and the local dealer has no choice. As the automobile market continues to contract, signage restrictions will become a bigger barrier to entry. This is a critical element in location evaluation. A property that was an automobile dealership is much more likely to remain vacant with more restrictive signage requirements. Additionally, automobile dealerships house nearly all of their inventory outdoors. Often times the inventory (due to its size) blocks the sign creating a hazard for motorists trying to locate the dealership.

As to item #6, larger parcels are a tremendous value to the community. The businesses on these properties generate sales and property tax and employ people. Currently, automobile dealerships and large national/regional retail chains occupy a large number of these properties and these businesses accounts for >25% of all retail sales tax in the community. As the automotive industry and the national/regional retail economy in general continues to contract geographically, any steps that can be taken to make Downers Grove a growth geography will only serve to enhance the value of these businesses to the community. With the geographic contraction in the automotive and other industries, corporations are able to dictate now more than ever, the requirements a local business must meet in order to be awarded a point of sales. If those requirements can not be met by the community, then businesses can and will look and ultimately locate elsewhere.

As to item #7, the DGEDC believes the current sign ordinance has a gap as it relates to unique, larger properties within the Village of Downers Grove. It does not recognize the unique characteristics of larger lots with large commercial frontage. It does not recognize the setbacks that are typically associated with these size lots, the nature of the inventory typically found on these lots and need for appropriate signage.

When the current sign ordinance was enacted, one of the primary goals was to reduce the size and height of signs in the Village. The EDC's proposal is consistent with this objective as it will still reduce the signage that is currently present of these larger properties while continuing to attract large-scale, attractive retailers to the Village of Downers Grove. It was noted for the record that the ordinance would be fluid and dynamic. It was further noted that the ordinance could be changed to meet current market conditions. The EDC believes there is a gap when it comes to properties with frontages between 101 and 500 feet of frontage. Provided an acreage restriction is added the EDC believes that the proposed changes are consistent with the 2005 sign ordinance amendments. The EDC's proposed amendment will help the Village of Downers Grove's ordinance adapt to current market conditions and support continued growth in the automotive industry in Downers Grove.

Monument Signs

ORDINANCE NO. _____

AN ORDINANCE AMENDING SIGNAGE PROVISIONS

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by **shading**/underline; deletions by ~~strikeout~~):

Section 1. That Section 28.1502.01 is hereby amended to read as follows:

28.1502.01 Monument Signs and Shingle Signs.

Unless otherwise specifically provided herein, each zoning lot is allowed either one monument sign or one shingle sign.

A. Monument Signs.

(1) Monument Signs may have signage on a maximum of two (2) sides only and shall comply with the following height and area limitations based on the indicated zoning lot widths **and lot size** requirements:

Zoning Lot Widths (ft.) and <u>lot size</u>	< 100 (ft.) All lot sizes	100 1 + 259 (ft.) All lot sizes	260+ (ft.) And lot size of at least 2.5 acres
Height (ft.)	8	10	<u>15</u>
Area (SF per side)	24	36	<u>60</u>

(2) Any monument sign fronting a street shall be setback ten (10) feet. No monument sign shall be located closer than twenty-five (25) feet from the lot line of any adjacent zoning lot.

(3) Monument signs shall be subject to setback and vision safety requirements of Section 28-1102.

(4) Monument signs must contain the numerical street address of the property which shall be no less than eight (8) inches and no more than ten (10) inches in height. Such sign copy shall be excluded from the total sign surface area allowed.

(5) Zoning lots with more than one street frontage shall be allowed two (2) monument signs one on each street frontage of the same size placed no closer together than one hundred (100) feet.

(6) Shopping Centers:

a. Shopping centers with multi-tenants and a minimum of five hundred (500) linear feet of frontage along the public roadway may have two (2) monument signs of the same size placed no closer together than two hundred (200) feet. The maximum height shall be fifteen (15) feet with a maximum area of sixty (60) square feet. Such signs shall contain the names of more than one tenant. The maximum height shall be fifteen (15) feet with a maximum area of sixty (60) square feet. Each tenant's panel sign shall not be counted toward allowable sign surface area.

b. Shopping centers having between one hundred (100) and five hundred (500) linear feet of frontage along the roadway shall be allowed only one (1) monument sign with a maximum height of ten (10) feet and a maximum area of thirty-six (36) square feet. Such signs shall contain the names of more than one tenant. Each tenant's panel sign shall not be counted toward allowable sign surface area.

c. Shopping centers with less than one hundred (100) linear feet of frontage along the roadway shall be allowed one (1) monument sign with a maximum height of eight (8) feet and a maximum area of twenty-four (24) feet. Such signs shall contain the names of more than one tenant. Each tenant's panel sign shall not be counted toward allowable sign surface area.

(7) Tollway Corridor: For properties that are directly adjacent to the I-88 and/or I-355 corridor, the regulations of this Section 28-1500, et seq. shall apply with the following exceptions:

a. In addition to the signage allowed by this Section 28-1502.01, one (1) additional

Monument Signs

monument sign shall be allowed for properties with a minimum tollway frontage of one hundred (100) feet or one hundred (100) feet of frontage on an IDOT right-of-way which fronts the tollway.

b. Such monument sign shall be placed adjacent to the tollway.

c. Such monument sign may not exceed two hundred twenty-five (225) square feet in sign surface area and shall not exceed twenty (20) feet in height.

d. Such monument sign shall be placed at least thirty (30) feet away from an existing tollway sign.

e. Such monument sign shall not be counted toward allowable sign surface area.

B. Shingle Signs.

(1) Shingle signs shall have a maximum of ten (10) square feet per side with a maximum height of seven feet (7'). The sign can be no closer to any side lot line than eight feet (8') there shall be no front yard setback.

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest:

Village Clerk

PC-19-09 A petition seeking an Amendment to Chapter 28 of the Municipal Code – Zoning Ordinance Section 28.1500 Signs to amend the original monument sign regulations as they relate to shopping centers and automobile dealerships; Downers Grove Economic Development Corporation, Petitioner.

Chairman Jirik swore in those individuals who would be speaking on PC-19-09.

Director of Community Development, Tom Dabareiner, explained that the Downers Grove Economic Development Corporation (“DGEDC”) is requesting a text amendment to Article 15 of the Zoning Ordinance pertaining to signage. Specifically, the DGEDC would like to permit free-standing signs that are 15 feet tall and 60 square feet on lots with a minimum frontage of 260 feet with a minimum of two-and-one-half acres. Also, the maximum square feet would be 300. Staff has reviewed the request and is recommending against it because there has not been much direction from the Village Council to aggressively change the ordinance. However, the Council is generally remains “open” to logical changes. Staff feels a gap does exist in the sign ordinance where larger, single-use properties could benefit from various types of signage, because they have similar characteristics as shopping centers, such as multiple access points, larger setbacks, etc.

Staff feels that the height can improve visibility and allow for some improvements to traffic safety along major arterial road corridors. However, there are some concerns that the request may be contrary to the goals of the original sign ordinance amendment, i.e., clutter, as well as possibly being too broad. Examples of the proposed amendment as compared to current compliant signage in the B-3 district, were depicted on the overhead to provide a sense of proportion to the commissioners and audience. Director Dabareiner then presented various depictions of signage for frontages that are less than 100 feet (monument allowed 8 ft. tall, 24 sq. ft.); more than 100 feet (monument allowed 10 ft. tall, 36 sq. ft.); and then shopping center frontages more than 500 feet (monument allowed 15 ft tall, 60 sq. ft.) which clearly identifies a gap.

Therefore, staff is suggesting that the commission explore this gap for frontages of 260 feet with a two-and-one-half acre limit. A list of 60 properties positively affected by that suggestion were reviewed. However, because that figure was significant, staff decided to explore a limitation to the B-3 zoning district only, which reduced the figure to approximately 15 properties, which was manageable. An explanation followed on how the gap would be filled.

Commissioners had no comments at this point.

Mr. Greg Bedalov, President of the Downers Grove Economic Development Corporation (“DGEDC”), thanked staff for assisting the DGEDC with drafting the amendment. For the record, Mr. Bedalov stated the DGEDC has always supported and continues to support the spirit and intent of the Village’s sign ordinance. He explained the proposed amendment is in line with the spirit of the original ordinance. Regarding the shopping centers with greater than 500 linear feet of frontage on Ogden Avenue, Mr. Bedlov

believed they qualified for two monument signs: each 15 feet tall and 60 sq. feet on either side of the monument. There is potential to have a 15 ft. tall monument sign with 60 sq. feet of signage every 135 feet, which requires multiple tenants.

Mr. Bedlov referenced his narrative letter meeting the standards for a text amendment and emphasized he was not seeking an increase in total signage since the 300 sq. feet was working. The amendment pertained to unique lot characteristics and the fact that the sign trend in the economy was reflecting “brands” versus individual businesses and more brand consolidations would be seen in the future, which was the reason why the DGEDC brought forth the request.

Asked if the DGEDC was seeing more businesses acknowledging that they have to become sign compliant by 2012, Mr. Bedalov stated his office receives three to four calls a month on the matter.

Mr. Beggs inquired as to the benefit of approving the proposal versus reviewing a special use permit for the 15 properties, wherein Mr. Bedalov stated for the businesses, it was a matter of the time and effort associated with the process. Mr. Beggs asked how this proposal would affect the 21 single-lot users listed in staff’s memo. After a more thorough explanation by the petitioner, Director Dabareiner further added that it was important to give the affected businesses a choice of placing their 300 sq. feet either on their building or on a smaller monument sign based on their own needs. Asked if the change could hurt adjacent businesses, Director Dabareiner ensured there would be enough setback from the side property lines so that visually there was no impact from the larger signs.

Chairman Jirik inquired as to staff’s rationale for including only the B-3 businesses into the proposal, wherein Director Dabareiner explained staff was trying to focus the change only to the busy roadways, i.e., Ogden Avenue and Butterfield Road. Staff believes the proposal would address these corridors and the type of businesses that are located in a B-3 District (regional retail/service-type business). The Chairman commented he supported staff’s recommendation but at the same time he did not have a strong reservation to opening up this proposal for all business districts. However, staff proceeded to review the differences between the various business districts, noting staff was more concerned about opening up the proposal to the other business districts because the focus was on the corridors and highways. An explanation followed on how the 260 feet of frontage figure was determined.

Asked if the proposed amendment was going to allow any monument signs along the tollway to become larger, Director Dabareiner stated that the issue was completely separate and was not being addressed by the proposed text amendment and it would not change it either way. Mr. Bedalov also confirmed that the proposed amendment does not ask for any additional tollway signs and staff’s memo does not seek the same either. Asked how many potential variations could come before this commission, Director Dabareiner could not predict.

Chairman Jirik opened up the matter to public comment.

Mr. Charles Lukas, 4840 Washington, stated he was on the Zoning Board of Appeals (“ZBA”) for 22 years and referenced the petitioner’s notification letter and some unusual language. He cited within staff’s report verbiage about “larger signage preventing rear-end collisions” noting that when he was sitting on the ZBA years ago, he heard just the opposite, that larger signs were distracting and causing rear-end collisions. He also thought the proposed amendment would have come before the ZBA and not this commission. He found it disappointing that the DGEDC was the petitioner on this matter, commenting the current Zoning Ordinance Section 28.1500, Signs, was the result of an extensive study that was done to determine how the village’s corridors were to look. He stated the appeal process could be used for individual requests. Mr. Lukas recommended that the commission adhere to the ZBA’s procedures for a variance built into the sign ordinance. He requested that the commission not support the petitioner’s request. Lastly, he stated to the DGEDC that if anyone comes to them stating they will not locate or relocate in the Village due to the sign ordinance, to convey to them to look at other options. They need to emphasize that DGEDC wants to bring in businesses that want to come to Downers Grove for the way Downers Grove looks and not for the type of signs they can get.

Mr. Martin Tully, 4808 Cornell Avenue, suggested that the commission make a positive recommendation on this text amendment with the conditions stated in staff’s report. He discussed the extensive work that went into the 2005 draft of the Signage Ordinance but also stated that it was never intended to anticipate every situation that could arise and that there would be certain corridors/ parcels that would be challenging in the future and need modification. The sign ordinance was to be flexible. He found the petitioner to be appropriate in its request because it represented the economic community. More so, the request was addressing a gap that currently exists. His support for the proposal followed. While he acknowledged staff’s support for the text amendment, he stated there was no policy direction from the village council. He stated the council wanted to hear from businesses in order for it to create policy and yet stay flexible so it could draw businesses to the community. He recommended that the commission forward a positive recommendation to the Village Council to discuss the matter.

Regarding Mr. Beggs’ question about what identifies the gap other than the difference between two numbers, Mr. Tully explained there was the concern that special corridors exist and would need additional attention. As to the gaps, Mr. Tully stated they could have been discussed endlessly at that time, but something had to be adopted.

Mr. George Nicholaou, 4845 Highland Avenue, Downers Grove, came up and said he worked on the sign ordinance. He stated that no one at the time thought they wrote a perfect sign ordinance so a five-year review was placed on it. He pointed out the benefits that have resulted from the sign ordinance process and the exorbitant amount of time that was spent on drafting the ordinance. He agreed the sign ordinance needed to be improved but stated the modification being reviewed tonight concerned him because it did not take into consideration how it will affect the other 50 to 60 individuals who have

made the modifications. He raised concern about liability and he supported Mr. Lukas's comments about the goals of Downers Grove. He recommended that a greater job needs to be done to complete full due diligence. Mr. Nicholas reviewed various signs around the Chicago-land area on the overhead projector and the signage that could be placed on the parcels. He encouraged the commission to forward the proposal with a negative vote.

There being no further comment, the Chairman closed the public participation.

Mr. Beggs stated that ordinances were always subject to change and he did not believe the village would be liable. He found there was no evidence to prove whether larger signs are distracting or not and had to rely upon staff's opinion. He believed it was important for this commission to advise the Village Council on the proposal. He supported the text amendment.

In general, Chairman Jirik, commented on how change occurs and he was around when the sign ordinance was being drafted. He agreed with the comments that the ordinance was a work in progress. However, he pointed out there is a balance between overloading the variance process and refining the ordinance to negate the need for the administrative work. As he saw it, the petition was a finer gradation between classes. Mr. Waechter also agreed with the chairman's comments about the ordinance being a work in progress. To recommend a negative vote, Mr. Waechter stated it did not necessarily end the process but gave the council an opportunity to discuss the matter further. However, he raised the point that in the end, when the economy improves, the village will have to ask itself how it wants to look to others, citing the Ogden Avenue Master Plan. He further stated it was a good attempt by staff and the Downers Grove Economic Development Corporation to resolve an issue. He asked the commissioners to think about those businesses who already tried to conform to the sign ordinance to improve their own image.

WITH RESPECT TO FILE PC-19-09, MR. BEGGS MADE A MOTION TO SEND A POSITIVE RECOMMENDATION REGARDING THE ABOVE PETITION TO THE VILLAGE COUNCIL INCLUDING THE FOLLOWING MODIFICATIONS AS OUTLINED IN STAFF REPORT:

- 1. IN SECTION 1501.02 (2) ADD A NEW SENTENCE, "SIGNS THAT ARE MORE THAN TEN (10) FEET IN HEIGHT AND GREATER THAN THIRTY-SIX (36) SQUARE FEET SHALL BE SETBACK AT LEAST 100 FEET FROM ANY ADJACENT ZONING LOT."**
- 2. IN SECTION 1501.02 (1) ADD "FOR PROPERTIES IN THE B-3 DISTRICT" AFTER "260+ (FT) AND LOT SIZE OF AT LEAST 2.5 ACRES."**

MR. WEBSTER SECONDED THE MOTION.

ROLL CALL:

**AYE: MR. BEGGS, MR. WEBSTER, MR. MATEJCZYK, MRS. RABATAH,
CHAIRMAN JIRIK
NAY: MR. WAECHTLER**

MOTION CARRIED. VOTE: 5-1

Mr. Waechtler explained he voted Nay due his above-mentioned comments and because he believed that if there was a hardship situation, there is a different commission that could review the case. He did not believe the process would be overloaded.

(On a side note, Mrs. Rabatah noted the track changes in the ordinance was confusing. She suggested that staff review the language and make it clearer what is being added and deleted.)