

MINUTES OF A REGULAR MEETING OF THE
VILLAGE OF NEW LENOX PLAN COMMISSION

Held in the New Lenox Village Hall, 1 Veterans Parkway

Tuesday, December 18, 2012 7:00 p.m.

#12-12-B

CALL TO ORDER

A regular meeting of the Village of New Lenox Plan Commission was called to order at 7:00 p.m. by Chairman Mark Muehlnickel, with a quorum present.

Chairman Mark Muehlnickel led the Pledge of Allegiance.

ROLL CALL

Upon roll call, the following were present: Chairman Mark Muehlnickel, Commissioners Rob Moss, Annette Boyd, Gary Berner, John Kuchler and Joan Byerley.

The following was absent: None.

Also present were: Director of Community Development Robin Ellis and Senior Planner Jeff Smith.

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR PLAN COMMISSION MEETING OF NOVEMBER 20, 2012

Chairman Muehlnickel entertained a motion to approve the minutes of the November 20, 2012 Plan Commission meeting. Commissioner Moss made a motion, seconded by Commissioner Berner. Voice vote was taken. Commissioners Boyd and Kuchler abstained. Motion carried.

TEXT AMENDMENT – ELECTRONIC MESSAGE CENTER SIGNS (Public Hearing)

Chairman Muehlnickel entertained a motion to open the public hearing at 7:04 p.m. Motion was made by Commissioner Boyd, seconded by Commissioner Byerley. Voice vote was taken. Motion carried.

Director of Community Development Robin Ellis explained that the text amendment is moving forward as a result of the variance request from the Provena Healing Arts Pavilion that was before the Zoning Board of Appeals in August. Ms. Ellis explained that during the Village Board's review of the variance request, the Board seemed supportive of allowing electronic message center signs in commercial and industrial districts. The Board indicated that Provena's request did not meet the variance criteria, and suggested that Provena wait until the Village Board adopted amendments to the Zoning Ordinance. Due to timing issues with placing a sign

on the Provena property, the Village Board did grant a variance in December, and Ms. Ellis explained that the approved sign for Provena complies with the draft regulations included in the Plan Commission's packet.

Robin Ellis continued by explaining that the Village Board discussed possible regulations for electronic message center signs at two Council of the Whole meetings, and the draft ordinance being presented for public hearing tonight is consistent with the Village Board's recommendations.

Ms. Ellis explained that the first part of the ordinance would amend the sign regulations for single-use commercial and industrial establishments. She noted that an electronic message center could not exceed 25% of the sign area, and explained that the 25% would be calculated based on the actual sign area. For example, if a business chose to install a smaller sign than allowed, the electronic message center component could not exceed 25% of the smaller sign area, not 20 square feet, which would be 25% of the maximum allowable sign area.

The Community Development Director called the Plan Commission's attention to the provisions that would not allow an electronic message center sign within 250 feet of a residential district or property recommended for residential use. She also pointed out that only one sign per business could have an electronic message center. For example, businesses on corner lots are permitted two signs, but only one could contain an electronic message center.

Robin Ellis noted that electronic message center signs would not be permitted in the C-1 Neighborhood Convenience Shopping District, and that there must be at least 500 feet between electronic message center signs.

Ms. Ellis explained that the second section of the draft ordinance addressed electronic message center signs for shopping centers and multiple-tenant commercial and industrial buildings. She stated that the regulations are similar to those for a single use, except that for signs advertising 2, 3 or 4 tenants, the maximum sign area is 100 square feet, and for signs advertising 5 or more businesses, the maximum sign area is 150 square feet. Robin Ellis explained that in either case, the electronic message center component could not exceed 25% of the actual sign area, not 25 square feet or 37.5 square feet.

Chairman Mark Muehlnickel requested clarification on whether the electronic message center could comprise 25% or 50% of the sign area. He noted that the Staff Report indicates 50%, but the draft ordinance states 25%.

Robin Ellis explained that the regulations included in the Staff Report are the existing regulations for electronic message center signs for public and religious uses, which can be 50% of the total sign area. Ms. Ellis explained that these regulations would not change.

Commissioner Annette Boyd clarified with Staff that businesses would only be permitted one electronic message center sign.

Another Commissioner noted that shopping center outlots would not be permitted to have an electronic message center sign.

Robin Ellis noted that a shopping center may have one electronic message center sign, on which all tenants and outlots could display a message, depending on the landlords' policies.

Commissioner Gary Berner inquired what would happen if a McDonalds is next to a Burger King and both request electronic message center signs.

Director of Community Development Robin Ellis explained that it could be a situation of who applies for the sign first. She stated that the Village Board did consider this issue, and indicated that Staff should use its best efforts to encourage the placement of electronic message center signs near the center of the property so that it would not preclude an adjacent business from also having an electronic message center sign. She also noted that the majority of commercial properties have 250 feet of frontage.

Commissioner Berner noted that Frankfort, Mokena and Joliet were not included on the spreadsheet summarizing the regulations of other communities. He inquired whether this omission is because these communities do not allow electronic message center signs.

Senior Planner Jeff Smith confirmed that Frankfort and Mokena do not allow electronic message center signs. He stated his belief that Joliet does permit these types of signs, but he could not find the governing regulations.

Chairman Muehlnickel expressed his concern about the brightness of the electronic message center, referring to a sign for a car wash in Worth that is so bright it is distracting.

Commissioner Berner shared this concern, and noted that the Will County ordinance summarized by Staff does include regulations for brightness.

Robin Ellis responded that the ordinance could be amended to address brightness.

Commissioner Boyd stated that the height of the sign also impacts brightness. She stated that brightness is not as much of a concern for taller signs. She expressed concern about lumens pollution.

Chairman Muehlnickel referred to the Plainfield regulations that address the average nit.

Jeff Smith added that other communities, such as Manhattan, also address brightness, and the Village could include similar ordinance provisions.

Chairman Muehlnickel inquired whether the proposed regulations would allow the VFW to have an electronic message center sign.

Robin Ellis responded that the ordinance does not allow electronic message center signs within 250 feet of a residential district, and since the VFW is in a predominantly residential area, it would not be permitted to have an electronic message center sign.

Chairman Muehlnickel entertained a motion to close the hearing at 7:16 p.m. Commissioner Boyd made a motion, seconded by Commissioner Kuchler. Voice vote was taken. Motion carried.

Chairman Muehlnickel entertained a motion to recommend approval of the text amendments to change the regulations governing electronic message center signs in commercial and industrial districts. Motion was made by Commissioner Boyd, seconded by Commissioner Byerley. Voice vote was taken. Motion carried unanimously.

OLD BUSINESS

Ms. Ellis informed the Plan Commission that the text amendment pertaining to fences was approved by the Village Board last night.

NEW BUSINESS

Robin Ellis informed that the next meeting is scheduled for January 8, 2013.

Chairman Muehlnickel inquired whether the Village Board had found a replacement for former Commissioner Orsini.

Ms. Ellis responded that she expects the Village Board to approve the Mayor's appointment of a replacement at the Board's first meeting in January, so there should be a new Commissioner for the Plan Commission's second meeting in January.

ADJOURNMENT

Chairman Muehlnickel entertained a motion to adjourn the meeting at 7:17 p.m. Motion was made by Commissioner Kuchler, seconded by Commissioner Berner. Voice vote was taken. Motion carried unanimously.

Robin L. Ellis, Community Development Director