



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
SPECIAL MEETING
WEDNESDAY, JUNE 22, 2011
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chairman Hayden at 7:30 p.m. On roll call, members Esposito, Gavle, Goss, Greenman, Jouron, Skluzacek, and Hayden were present. Members Batastini and Lembke were absent.

Michelle Rentzsch, Director of Planning and Economic Development, Latika Bhide, Planner, and Rick Paulson, Building Commissioner, were present from Staff.

Mr. Hayden asked those in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Mr. Hayden stated that this meeting is being televised now as well as being recorded for future playback on the City's cable station.

APPROVE MINUTES OF THE JUNE 15, 2011 PLANNING AND ZONING COMMISSION MEETING

Mr. Esposito moved to approve the minutes from the June 15, 2011 Planning and Zoning Commission meeting as presented. Mr. Skluzacek seconded the motion. On roll call, members Esposito, Gavle, Goss, Greenman, Jouron, and Skluzacek voted aye. Mr. Hayden abstained. Motion passed.

2011-33 UDO AMENDMENT – PUBLIC HEARING

Amendment to Article 4-1000 Signs and Article 10, Definitions, of the Unified Development Ordinance regarding Electronic Message Center (EMC) signs.

Mr. Hayden stated the Certificate of Publication is in the file and waived the reading of the legal notice without objection.

Ms. Bhide said the Electronic Message Center (EMC) signs are currently prohibited in the UDO. Under the previous Sign Ordinance they were permitted for a short period of time. She said the City frequently receives requests for the EMC signs which are currently going directly to City Council as a sign variation. Due to the number of requests, the City Council referred this matter to the Planning and Zoning Commission for discussion on a possible amendment to the UDO. Ms. Bhide showed examples of EMC signs that are currently approved within the City.

Ms. Bhide said the Commission has three options. The first is for the UDO to remain as it is currently, which is to prohibit this sign type. The second is to continue to send the signs to Council for review as a

sign variation but with criteria/standards established in the UDO. The third option is to have the signs reviewed through the Special Use Permit process, allowing them in certain districts/streets and establishing criteria. She said when a variation is requested a hardship needs to be proven. Legally, once a variation is granted a precedence is set. When requiring a Special Use Permit, criteria needs to be met to approve it and each EMC is looked at individually. Ms. Bhide said staff has suggested certain criteria for a Special Use Permit such as restricting the EMC to property of at least 2 acres and having continuous frontage of more than 200 feet along Routes 14 and 31. The minimum design standards are similar to the internally illuminated sign standards. Ms. Bhide said if the Variation option is chosen, the petitioner would be required to determine a hardship for the EMC such as conditions unique to this property. It is up to the Commissioners which option they feel most comfortable with.

There was no one in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Goss said there are several members of the Commission who were around when the sign sunset clause was established. He would prefer no variations but that is not possible. He said he likes the concept of positioning the sign in the center of the frontage of the property. Mr. Goss said he would also like to add that the sign not be in the setback. He asked about the requirement that the message be changed every 5 minutes but time and temperature can be changed every minute. Mr. Goss added that having an EMC sign is a privilege and suggested that there are no current sign variations on the property and no variations will be requested in the future.

Mr. Skluzacek asked if criteria could be established and if they are adhered to the sign could be approved without a Special Use Permit.

Mr. Esposito feels that a Special Use Permit will probably be better. He asked about adding Route 176. Ms. Bhide said Staff felt that the area was mixed in character with many lots being residential. She said an EMC sign was requested on Route 176 and it was denied. Mr. Esposito suggested that they possibly add Rakow Road and Randall Road.

Mr. Goss said if the property is a PUD would the sign request be a PUD Amendment? Also, how would that apply to an outlot. Ms. Bhide said there could be one EMC sign for the development that would be shared by all of the tenants but the smaller outlots probably would not meet the criteria. Mr. Esposito said many along Route 14 wouldn't meet the frontage criteria. These signs are the wave of the future and we see them more and more every day. He likes the maximum of 40% of the sign for the EMC and added that the sign at the Crystal Lake Plaza would be too big of an area for the EMC. Ms. Esposito said they need to be certain there are no electronic billboards. He believes that most businesses are going with the EMC and having it on a monument sign would be the way to do it.

Mr. Gavle said he would prefer the sign as a Special Use Permit with criteria. He believes this would be acceptable to business owners. Mr. Gavle said the criteria that are created should cover most of the old signs that were approved as well as the newer signs.

Mr. Greenman said he would prefer the Special Use Permit and asked how the request would flow through the system. If the petitioner doesn't meet the criteria, the request can be denied or a variation could be granted. Mr. Esposito said they always have a right to request a variation. Mr. Greenman said then they would go back to a sign variation which doesn't really work currently. The petitioner needs to show a hardship – not monetary - for the variation. Mr. Goss said the petitioner could meet with staff to determine if there is a hardship and he would like to see that included in the staff report. Mr. Hayden asked if the State sets the requirement for showing a hardship for a variation or if that is City driven. Ms. Rentzsch said the State Statutes spell out the criterion for a zoning variation.

Mr. Hayden asked what would be preventing a business to have an EMC sign on a smaller scale inside the windows of the business. Ms. Bhide said there is a new window sign criteria that was established in the UDO which includes the amount of coverage allowed and the sign being affixed to the window. Mr. Hayden said he doesn't want to see a huge LED screen facing outward from a business.

Mr. Greenman said it is important for the PZC to address possible variations and it is important for the minutes to reflect the feelings of the Commission so Staff can show that to potential petitioners regarding EMC signs.

Mr. Greenman asked about the color to be used as being either amber or white. He said there are a number of signs that currently use red. Ms. Bhide said those few signs that use red would be grandfathered in as non-conforming signs.

Mr. Goss asked if the sign is to be removed if the business changes. Ms. Bhide said it would go with the property and not the business.

Mr. Greenman asked if a sunset clause could be added. Ms. Bhide said the signs are so expensive that staff was not recommending a sunset clause. Mr. Greenman asked if the City was going to contact the businesses along Routes 14 and 31 to let them know about the changes to the ordinance. Ms. Bhide said the map included in the report is for easy reference and it was not Staff's intention to notify businesses of the change.

Mr. Jouron asked about the light from the EMC sign and how it is measured. He asked what is a nits and how does it compare to lumens. Ms. Bhide explained. Mr. Paulson said they have received complaints about the brightness of some lights from the EMC and they have talked with the owners and the brightness has been reduced. Mr. Jouron said he does not want a video sign such as the one on Virginia Street. Ms. Bhide said the Lion's Club sign on the Chamber property is a video sign and the variation was approved by Council.

Mr. Jouron said he doesn't care for the smaller EMC signs with the text that scrolls. Ms. Bhide said they would not be allowed showing out of a window because they move.

Mr. Hayden asked about overriding the sign for public emergencies but for only 48 hours maximum. Ms. Bhide said that would assure the businesses that their signs are not constantly used for emergencies.

Mr. Goss added that the car dealership and the tire business on Route 14 both have EMC signs that are video signs. Both of them have restrictions on how they can be used and that function is not permitted.

Mr. Hayden asked about the gas station pricing signs. Ms. Bhide said they are allowed through the Special Use Permit for gas stations since it is for pricing only and no other advertising.

Mr. Goss said he agrees with the Special Use Permit fee since it will cost money for the City to enforce it.

Mr. Hayden said the Crystal Lake Plaza sign in the report shows an open area and he would assume that they want an EMC. Ms. Bhide said yes. Mr. Esposito said that portion of the sign would be 77 square feet while the Lions Club sign on the Chamber property is only 44 square feet. He feels that is too big.

Mr. Hayden and Mr. Goss agree that this should be a Special Use Permit. Ms. Bhide said that would allow the City to look at each sign request individually and look at the surrounding area.

Mr. Paulson said they are looking for consistent criteria and would prefer the criteria not vary so enforcement would be easier.

Mr. Hayden asked the City would be able to remotely access the signs in case of an emergency such as an Amber Alert. Mr. Paulson said he doesn't think the City wants that type of liability to access the signs.

Mr. Goss moved to approve the Amendment to Article 4-1000 Signs and Article 10, Definitions, of the Unified Development Ordinance regarding Electronic Message Center (EMC) signs as a Special Use Permit as follows:

Article 2, Land Use

Electronic Message Center (EMC) Signs must comply with the following criteria:

- a. Number Permitted: One EMC Sign may be incorporated into any freestanding business sign on a property, provided that such freestanding sign would otherwise be permitted within the underlying Zoning District and subject to the following restrictions:

- (i) Minimum Width: The zoning lot upon which an EMC may be permitted must have a minimum of two hundred (200) contiguous linear feet of frontage that must be located on ~~Northwest Highway (Virginia Street)~~ **Route 14** or Route 31.
- (ii) Minimum Area: The zoning lot upon which an EMC may be permitted must have a minimum of two (2) acres of total lot area.
- (iii) Maximum Gross Surface Area: The maximum gross surface area of the EMC portion of any sign shall not exceed thirty two (32) square feet or 40% of the sign's total area; whichever is smaller. The EMC portion must occupy the bottom half of the sign. The maximum gross area of any sign within which an EMC sign is incorporated shall comply with the requirements for maximum gross surface area based on the underlying Zoning District and shall include the surface area of the EMC. **The sign must be outside of the required setback and locate on the middle third of the property.**
- (iv) Maximum Height: The EMC sign, including any sign in which the EMC is incorporated, shall comply with the maximum height permitted for any sign based on the underlying Zoning District to which the property is located.
- (v) Pre-existing nonconforming signs: An EMC sign cannot be incorporated into a pre-existing non-conforming sign.
- (vi) Minimum Design Standards: The EMC sign shall meet all the following design conditions:
 - A. The EMC unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level;
 - B. All EMCs located on properties adjacent to residential uses must be extinguished from 11:00 p.m. to until 7:00 a.m. This restriction shall apply regardless of the location of the EMC on the Property;
 - C. The message area of an electronic message center may be illuminated by white or amber incandescent lamps, LED (light-emitting diode) or magnetic discs;
 - D. The EMC unit must have the "flash" feature disabled and messages shall have a 5-minute "hold" time except for time and temperature messaging which may have a shorter duration, but no less than 1 minute **or separate the sign into two areas – one for the message/ad and the other for the time and temperature;**
 - E. The messages displayed on the EMC may only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages;

- F. Except as otherwise provided herein, all messages displayed on the EMC must be static and may not reflect movement, flashing, scrolling or changes in shape or size of images or portions of images. Streaming and/or live-time video may not be displayed and this function of the EMC must be disabled;
 - G. The EMC unit must be equipped to override commercial messages for emergency situations such as an “Amber Alert” or other such acute public emergencies, but such “override” authority for public emergencies shall not exceed 48 total hours within any two week period. The owner of the EMC unit is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority; and
 - H. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.
- (vi) No sign shall have more than one (1) sign face except only a free-standing sign or a marquee sign, which may have not more than two (2) sign faces. Freestanding signs with more than one sign face must be designed to have the sign faces attached back to back to the support structure. No V-shape freestanding EMC signs shall be permitted within the City of Crystal Lake.
- (vii) The EMC unit shall otherwise comply with all other provisions of Article 4-1000 of the Crystal Lake Unified Development Ordinance (“Signs”), including, but not limited to, the prohibition against Off-Premise Signs.
- (viii) The EMC sign shall be considered only if there are no current sign variations on the property and none will be requested in the future.**

Article 10 Definitions

Electronic Message Center Sign - A sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means. Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.

Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

Ms. Rentzsch thanked the Commissioners for attending this special meeting. She said there have been many inquiries regarding EMC signs.

REPORT FROM PLANNING

- BP-McDonalds – 7615 Route 176 – Annexation, Rezone, Special Use Permit
- Chick-fil-a – 4812 Northwest Hwy. – Final PUD Amendment, SUP
- Cal Elite Kids – 825 Munshaw Unit B – Use Variation
- Alexander Leigh Center for Autism – 620 N. Route 31 – Use Variation

PLANNING AND ZONING COMMISSION
SPECIAL MEETING
JUNE 22, 2011
PAGE 7

Ms. Rentzsch reviewed the items that are scheduled for the next PZC meeting.

COMMENTS FROM THE COMMISSION

There were no comments from the Commissioners.

The meeting was adjourned at 8:40 p.m.