

**MINUTES**  
**SPECIAL COMMITTEE OF THE WHOLE MEETING**  
**Wednesday, July 28, 2010**

Present:	Trustee Saltiel	Trustee Servi
	Mayor Blomberg	Village Manager Irvin
	Dir. of Community Development McNellis	Planner Robles
	ARB Chairman McCall	Planner Zozulya
	Deputy Village Clerk Marshall	

Representatives from the Business Community in attendance:

Mr. Steve Gripper - Community Christian Church  
 Mr. Chuck Lamphere, Van Vlissingen & Company  
 Representative from Kobuta  
 Cheryl Julcher, Spectrum Office Centre  
 Pete Mulé, Riverside Foundation  
 Ross Buter, Wildfire Restaurant  
 Robyn Sprauer, Relax the Back

Location: Village Hall, Community Room, One Olde Half Day Road, Lincolnshire, Illinois 60069

Mayor Blomberg opened the meeting at 7:10 p.m. and announced that there was not a quorum of Village Board Members, but there were no plans for a vote this evening anyway.

Planner Robles updated those present about the Sign Code and its history per his memo (attached).

Trustee Saltiel advised that this was one of the hardest Code revisions the Board went through and it took at least 18 months. The Board members looked at properties to see what worked and what didn't work with the existing properties, and now, sadly, we are learning about the impact this is having on businesses, especially in this economy. The Board made these changes because there was a proliferation of temporary signs. Good residents in town did a great job with the signage and there were others that didn't. The Board wanted to make sure that the signage was aesthetically pleasing and it could convey the message to customers.

Mr. Steve Gripper, representative from the Community Christian Church, said the issue with the church is that it has been here for a long time. Mr. Gripper asked why wasn't church signage grandfathered in. Trustee Saltiel said that if you have an ordinance that you think is correct and that it sets a tone for the community, the notion

of not making everyone comply to it means you will have an inconsistency that may not look good or be appropriate, depending what the new standards are. They were given seven years from June, 2009 to comply. Mr. Gripper was concerned about the financial obligations as he is talking about a church.

Director of Community Development McNellis advised the group that City Park, Lincolnshire Commons, and Village Green all are unique because they are in areas of special sign control so those signs are all compliant.

Mr. Chuck Lamphere said a large number of the signs in the Corporate Center and in the Business Center are not compliant with the Code, and that a non-compliant sign should be grandfathered in and brought into compliance upon the change of building occupancy. Director of Community Development McNellis discussed amortization and said some communities do two years, some five, some seven and some ten years. Seven years was agreed upon by the Board because it is known that there are a number of businesses, over the course of seven years, that are going to change their name or move out-of-town (and a new business comes into town). It was felt that by giving businesses seven years, it would not be difficult to comply.

Trustee Saltiel said that when the Board drove through the Lincolnshire Corporate Center prior to the new Sign Code adoption, it liked the signs. The reality is that those signs looked really good.

Director of Community Development McNellis said he thinks the Board tried to make one fairly consistent Code with a vision for the Village and to have that vision come to fruition. Trustee Saltiel said if an owner has a problem with the fact that his sign has to be changed, he can come in and seek a variance from the Sign Code. Architectural Review Board Chairman McCall said he has been on the Architectural Review Board for 13 years, and he felt the Board was realistic when it received variance requests. The Architectural Review Board is just a recommending body, but he felt that the Village Board treats these requests fairly.

A representative from Kobuta spoke and stated that it is concerned about the need to bring their new sign into compliance. The sign now exceeds the maximum size requirements, although it met Code when it was built. Trustee Saltiel said the reality is, boards do tend to amend sign codes over time.

Cheryl Julcher, of Spectrum Office Centre, said that by the time they went through the process to replace their monument sign the price went from \$5,000 to \$30,000, mainly due to the sign materials and lighting requirements. She cannot afford a \$30,000 sign. Her tenants need signage, but she can't afford a \$30,000 sign. She also feels that some plastic signs look good, such as those in Village Green, and she could save money if she could use those elements.

Director of Community Development McNellis stated that Spectrum has the option of returning to the Village with a different sign design that they feel they can afford, while meeting Code requirements for sign design.

Mr. Peter Mulé advised that where his sign needs to be located, it would have to be raised five feet to get the height he needs for the sign to be seen. He showed photographs to prove his point. He does not see any value to Riverside Foundation in having to change its sign.

Ross Buter, Wildfire Restaurant, asked how did this start? Trustee Saltiel explained the process. He said that when the Board did the bus tour they wanted to identify the signs that were offensive, why they were offensive and create a standard across the Village. He did not think there was ever an intention to require 80% of the signage to change but it became clear that some of the signs were problematic. The idea was to raise the bar and set a standard that was appropriate through new technologies and new materials, etc. The Board talked about landscaping and what should be the next level. He said the timing could not have been worse.

Mr. Lamphere said there are some things that should be done, such as grandfathering, allow two species of plantings and consistent enforcement, allow a 1:1 landscaping to sign area ratio, eliminate the evergreen requirement for ground signs as they die due to the salt spray, accommodate narrow planting areas and allow interior sign illumination. If these were put in place, it would send a positive message to the business community.

Mayor Blomberg said that the board will take a look at some of the concerns that the businesses have. Nothing needs to be done by property owners for another six years. The Village Board requested that staff prepare a matrix that details non-compliant sign scenarios for further discussion. The Village can review these issues, make modifications and come back with a rough draft of modifications.

Robyn Sprauer, of Relax the Back, said the Village should make it easier for businesses to get temporary signs and reduce approval time. There was a discussion regarding permit application forms. Director of Community Development McNellis advised that the businesses can get the forms on line. Mayor Blomberg asked why don't we have the forms on line where they can fill them out and send them back to us. Planner Robles and Planner Zozulya noted that staff is in the process of revising permit applications to make them more user friendly.

Village Manager Irvin said that we should explore various landscaping options, provide a list of salt-tolerant plants, and put in place a moratorium. There would be no landscaping enforcement until next Spring.

The meeting was closed at 8:10 p.m.

Respectfully submitted,

**VILLAGE OF LINCOLNSHIRE**



Carol S. Marshall  
Deputy Village Clerk

**Memorandum**

**To:** Mayor and Village Board of Trustees **Date:** June 24, 2010

**From:** Stephen Robles, Planner  
Tonya Zozulya, Planner  
Department of Community Development

**Subject:** **MODIFICATIONS TO TITLE 12 – SIGN CONTROL**  
Referral of Temporary Sign Modifications and Appeal of Landscape Standards

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At the May 24<sup>th</sup> Committee of the Whole meeting, Staff presented a number of Business Task Force recommendations related to the Village's signage regulations. At the conclusion of the Board's discussion regarding these recommendations, there was an interest in considering modifications to the current Temporary Sign regulations. Despite the Task Force's recommendation to reconsider the current landscape requirements for ground signs, the Board concluded at that time, that such landscaping standards should remain.

After hearing the results of the May 24<sup>th</sup> Village Board meeting, the Task Force felt that the details of their position were not clearly articulated by Staff and they expressed a strong desire at their June 7<sup>th</sup> meeting to address the Board in person at the next available meeting. Mr. Chuck Lamphere of Van Vlissingen & Co., a Task Force member, has been designated by the Task Force to attend Monday night's meeting to make a presentation to the Board on behalf of the Task Force.

**Temporary Sign Modifications:**

Based on the recommendations provided by the Task Force, there was interest expressed by the Board for Staff to explore extending the maximum time limit on temporary signs from 36 days to 60 days per year, as a compromise to 90 days requested by the Task Force. Along with the increase, a limit for the duration of each sign display event was also recommended. Additionally, the Board directed Staff to conduct further research into the appropriateness of establishing a "cooling-off" period between sign display events and limiting the number of signs per each multi-tenant development, in order to prevent proliferation of temporary signs. Staff was also directed to review each of the three large retail center's signage control and policies to ensure that there are no conflicts between their requirements and Village regulations. The Board requested that this matter be brought back for further discussion, prior to this matter being referred to the ARB for a Public Hearing.

In reviewing the existing Areas of Special Sign Control for CityPark, Lincolnshire Commons, and Village Green, Staff noted that each sign control is silent on temporary signage and therefore, defaults to the Village's Sign Code. Staff recently contacted General Growth Properties (the owner and manager of the Lincolnshire Commons Retail Center), and were informed that GGP does permit free-standing temporary signage at Lincolnshire Commons, which is contrary to our original understanding conveyed by several Lincolnshire Commons tenants. The GGP management also indicated their strong preference that there be no more than one temporary sign permitted per street frontage at any given time, with a maximum display period of 30 days.

Based on the direction provided by the Board, Staff reviewed the current Temporary Sign Code regulations of Sections 12-13-1-A and B to determine the most appropriate amendments. Throughout this analysis, we also heeded what changes would improve the temporary signage needs for the community at-large. During Staff's discussions of potential code changes, we developed two options that we feel would satisfy the desire to increase flexibility of temporary sign usage.

#### **"Option A"**

In addition to reviewing the general temporary sign regulations, Staff also reviewed Section 12-13-1-B-9, Temporary Promotional Signs, as this section provides specific regulations and establishes what temporary signage is available for use by our local business community. As stated and continued from the previous Sign Code, Temporary Promotional Signs are *"promotional signs of a temporary nature for grand openings and other special events, as approved by the Village, [and] must be located on the premises of the event. Sales of individual products or services may not be advertised through this medium"*. In scrutinizing this statement, we determined that regardless of the amount of days provided to a business (30, 60 or 365 days), this statement only permits a business to use temporary signage for a "grand opening or special event". For all existing business, the grand opening clause is not an available option, unless a significant remodel or change in the business occurs. This leaves special events, which Staff has historically enforced as any temporary/one-time/seasonal event that is unique or beyond the standard products or services offered by a business. As a result, a business could be allowed an entire year of temporary signage, but if never offers/conducts a special event as determined by the Village, such amount of time would be of no use.

Therefore, in order to provide more promotional opportunities for businesses, Staff is proposing to remove such stipulation. By removing the grand openings and special events stipulation, businesses will not be tied down to such and will be able to conduct more general promotions. However, the prohibition on sales of individual products or services being advertised through this medium would remain. The continuation of this prohibition will require that businesses remain more general in their promotions.

Since this modification would reduce the current restrictions, in order to off-set this reduction, we are proposing only a slight increase in the total amount of days per calendar year to 45. While this slight increase (36 days to 45 days) is neither the 60 days nor the 90 days requested by the Board and Business Task Force respectively, Staff believes that this is a suitable compromise given the elimination of the grand openings and special events restriction. Following is proposed code language of suggested temporary sign modifications, with a redline copy of the changes attached to this memorandum:

- **Temporary signs shall be displayed for a maximum of forty-five (45) calendar days and not more than five (5) times per calendar year, with a minimum fifteen (15) calendar day period between the issuance of a subsequent temporary sign permit.**

As explained above, the 45-day maximum per calendar year is a result of removing the restriction on grand openings and special events for promotional signs. The overall 45-days is further limited to no more than 5 times within the year. A 15-day "cooling-off" period would prevent a back-to-back event display and allow other tenants within a center equal opportunity for temporary signage.

- **Temporary signs shall be limited to a maximum of two (2) establishments per developed property/unified center at any one time and shall be placed a minimum of fifty (50) feet from any other temporary sign.**

To address the Board's concern about limiting the number of tenants that may display temporary signage per development, Staff has set the maximum limitation to 2 establishments/tenants. Since this would be a general temporary sign regulation, this limitation would not only apply to commercial business but also to multiple uses associated with religious institutions and community groups. Along with establishing a maximum number of establishments permitted to display signage at one time, a 50-foot separation would be required between each sign on the same property.

- **Temporary Promotional Signs**

- a. **All promotional signs of a temporary nature must be located on the premises of the event.**

**Sales of individual and/or specific products or services may not be advertised through this medium.**

This standard remains unmodified, with the exception of the proposed inserting of "specific" within the sentence. It should be noted that this standard is a continuation from the previous Sign Code.

- b. **Each permit holder shall be limited to one (1) temporary sign per street frontage per advertised event.**

While a maximum of 2 tenants within the same development may be permitted to display temporary signage at one time, they would be further limited to not more than one sign per street frontage, which is in keeping with the existing code requirements. Therefore, a maximum of two temporary signs (one for each of the two separate establishments) would be allowed per street frontage of a development at the same time.

### **"Option B"**

In keeping with the Board's input, "Option B" is more reflective of the direction provided at the May 24<sup>th</sup> meeting. This most notable difference from "Option A" (above) is the continued restriction of only permitting a business to use temporary promotional signage for "grand openings or other special events" and the maximum number of days has been increased to 60 per calendar year. Following is proposed code language of suggested temporary sign modifications, with a redline copy of the changes attached to this memorandum:

- **Temporary signs shall be displayed for a maximum of sixty (60) days per calendar year, and not more than thirty (30) calendar days per event, with a minimum fifteen (15) calendar day period between the issuance of a subsequent temporary sign permit.**

The maximum number of days permitted for all temporary signs would be increased to 60 per calendar year, with a 30-day limit per event. In this option, a total of 60 days would be available for each establishment permitted temporary signage, however, the use would be limited to a maximum of 30 days per event (at one time). A 15-day “cooling-off” period would prevent a back-to-back event display and allow other tenants within a center equal opportunity for temporary signage.

- **Temporary signs shall be limited to a maximum of two (2) establishments per developed property/unified center at any one time and shall be placed a minimum of fifty (50) feet from any other temporary sign.**

As stated in Option A, this is to address the Board’s concern about limiting the number of tenants that may display temporary signage per development. Staff has set the maximum limitation to 2 establishments/tenants. Since this would be a general temporary sign regulation, this limitation would not only apply to commercial business but also to multiple uses associated with religious institutions and community groups. Along with establishing a maximum number of establishments permitted to display signage at one time, a 50-foot separation would be required between each sign on the same property.

- **Temporary Promotional Signs**

- a. **All promotional signs of a temporary nature for grand openings and other special events, as approved by the Village, must be located on the premises of the event. Sales of individual products or services may not be advertised through this medium. For the purposes of this Chapter, a special event shall be deemed a temporary event held by an establishment that is unique to and beyond standard daily operations.**

This standard would remain unchanged from the current (and previous) version of the Sign Code. Unlike Option A, the temporary promotional sign limitation to grand openings and other special events would remain. Additionally, the prohibition on individual products or services being advertised through this medium continues. In order to offer clarification of a “special event”, Staff proposes to include a description of a special event within this requirement.

- b. **Each permit holder shall be limited to one (1) temporary sign per street frontage per advertised event.**

While a maximum of 2 tenants within the same development may be permitted to display temporary signage at one time, they would be further limited to not more than one sign per street frontage, which is in keeping with the existing code requirements. Therefore, a maximum of two temporary signs (one for each of the

two separate establishments) would be allowed per street frontage of a development at the same time.

## **REQUESTED**

**ACTION:** Staff is seeking feedback and direction from the Board regarding the additional information on the proposed Temporary Sign Code revisions, as presented. This will be forwarded for a Public Hearing with the ARB for their review and recommendation of any potential text amendments.

### **Ground Sign Landscaping:**

As the Board may recall, the second part of the Task Force original request pertained to ground sign landscaping, which was discussed at the May 24<sup>th</sup> Board meeting. Based on the Task Force's request at their June meeting, for further information regarding other municipal code requirements for sign landscaping and enforcement, Staff recently surveyed over 50 local communities, through the services of the Northwest Municipal Conference.

We received responses (please see attached) from 16 communities, including three surrounding communities (Buffalo Grove, Deerfield and Northbrook). As shown in the attached survey response sheet, 10 municipalities (63% of all respondents) indicated that their Municipal Codes establish landscaping regulations and standards for permanent ground signs, including commercial and industrial properties. These communities are Antioch, Arlington Heights, Barrington, Buffalo Grove, Carpentersville, Cary, Des Plaines, Schaumburg, Streamwood and Wheeling (please note that Northbrook indicated that they do not have any sign landscape requirements). Prospect Heights requires sign landscaping for PUD and new construction projects only. Deerfield stated that although it is not regulated by Code, the Village generally requires sign landscaping at the direction of the Plan Commission or Appearance Review Commission, on a case-by-case basis.

Only one of the 16 communities (Wheeling) requires specific types of plant material within a sign landscape bed, by Code. They require evergreens, with perennials and annuals being considered optional plantings.

44% of communities regulate the size of the planting bed adjacent to the sign base (Antioch, Arlington Heights, Barrington, Cary, Des Plaines, Streamwood and Wheeling). Regulations include either a sign to landscape area ratio (1:1 or 1:2) or a minimum landscaping area, regardless of the sign area. Two communities (Prospect Heights and Palatine) review landscaping for PUD and new construction projects only. Only one community (Schaumburg) has specific requirements for height variation and all-season color interest. Three communities (Buffalo Grove, Schaumburg and Wheeling) stated that they exempt certain categories of signs from landscape requirements, including small directional signs, real estate signs and signs with locational issues.

Three communities (19% of responders, including Antioch, Carpentersville and Streamwood) address legally non-conforming signs in their Codes. Deerfield stated that they amortize non-conforming signs when a site is redeveloped or modified.

The survey demonstrated that the majority (63%) of the responders review and approve sign landscaping during site development or building permit application review. With regard to enforcement, inspection frequency ranges from one time (upon landscaping installation) to

annual and as-needed/complaint based inspections (with the lesser enforcement being more prevalent).

Please note that Staff has forwarded the survey responses to Mr. Lamphere, who had specifically requested this information prior to attending the Monday night Board meeting.

### **Survey of Surrounding Communities**

In order to determine whether other surrounding communities (besides Buffalo Grove, Deerfield and Northbrook who responded to our Northwest Municipal Conference survey described above) have sign landscaping regulations or standards, we contacted the Planning Staff of Highland Park, Lake Forest, Libertyville, Vernon Hills and Winnetka, in addition to reviewing their Codes and design guidelines online.

Staff verified that two of the five communities (Highland Park and Libertyville) have Code requirements for sign landscaping in commercial and industrial areas (please see attached). Both the Libertyville and Highland Park Municipal Codes require 1 square foot of landscaped area per every 1 square foot of sign area and further stipulate that a landscape bed shall consist of a variety of plantings, including ground covers, evergreens and flowering plants. These two communities conduct inspections upon final landscaping installation and in response to complaints. Libertyville informed us that they are in the process of revising their Sign Code. During Sign Code revisions both communities solicit input from their appointed boards that are comprised of representatives of the local business community, rather than reaching out to the business community as a whole.

In speaking with Lake Forest's Planning Staff, we learned that Lake Forest relies on its Building Review Board to conduct sign landscaping reviews and determine the appropriateness of landscaping, which is not a Code requirement. Vernon Hills Staff informed us that they only require landscaping as part of the overall site approval for new developments. Please note that Staff did not locate any sign landscaping requirements within Winnetka's Code and design guidelines, and is still awaiting confirmation from their Staff, as of the writing of this memo.

To facilitate the Board's visualization of the impact of landscaping on the appearance of signs and overall site aesthetics, Staff has prepared the attached compilation of photographs that provide examples of existing commercial and industrial ground signs in the Village. These photographs illustrate four different levels of sign landscaping: (1) three species landscaping (in compliance with the current Code); (2) two species landscaping (in compliance with the previous Code); (3) one species landscaping (not in compliance with either Code), and (4) no landscaping at the sign base (not in compliance with either Code).

**Based upon information received from other communities, while also considering Lincolnshire's long-standing position of requiring design standards that are greater than the "minimum", and taking into account the effect of financial burdens on businesses, Staff believes that returning to the previous Code standard of two species may be appropriate. In our opinion, one species is the bare minimum, and two species (with year-round interest) is a reasonable upgrade. The recently-approved three-species requirement could be considered unreasonable to some, given requirements in other communities. In addition, a further extension of the time-frame required for compliance, by one year (to November, 2011) may also be appropriate, given the current economic climate.**

**REQUESTED**

**ACTION:** The Business Task Force is requesting that the Village Board consider amending the existing Sign Code, to reduce sign landscaping requirements. If the Board wishes to consider such a request, then a referral to the ARB for a Public Hearing and review would be appropriate.

Staff will be available at Monday's meeting to address any questions the Village Board may have.

- ATTACHMENTS:**
1. Option A - Proposed Modifications to Section 12-13-1-A and B of the Sign Control, as prepared by Staff.
  2. Option B - Proposed Modifications to Section 12-13-1-A and B of the Sign Control, as prepared by Staff.
  3. Northwest Municipal Conference survey responses, prepared by NWMC Staff, dated June 2010.
  4. Summary of NWMC survey questions and answers, prepared by Staff, dated June 19, 2010.
  5. Photographs of existing commercial and industrial ground signs, compiled by Staff.
  6. Excerpts from the Highland Park and Libertyville Municipal Codes pertaining to ground sign landscaping requirements.