

Village of Lemont
Planning and Zoning Commission
Regular Meeting of October 17, 2012

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, October 17, 2012, at the Lemont Police Department, 14600 127th Street, Lemont, Illinois.

I. CALL TO ORDER

A. Pledge of Allegiance

Commissioner Spinelli called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

B. Verify Quorum

Upon roll call the following were:

Present: Kwasneski, Maher, Messer, Sanderson, Spinelli

Absent: Murphy and Schubert

Village Planner Charity Jones and Village Trustee Ron Stapleton were also present.

C. Approval of Minutes

Commissioner Kwasneski made a motion, seconded by Commissioner Maher to approve the minutes from September 19, 2012 with one correction:

1. Under Public Hearing, Item A, Case 12-16 – 423 Holmes Street Variation, the case number needs to be changed to Case 12-17, and all four references to the case also need to be changed.

A voice vote was taken:

Ayes: All

Nays: None

Motion passed

II. CHAIRMAN'S COMMENTS None

III. PUBLIC HEARINGS

A. Case 12-18 – Magnolia House, 1 Povalish Court.

A public hearing for a special use for group living, not otherwise defined.

Commissioner Spinelli, who was acting Chairman for the meeting, asked everyone to stand and raise his/her right hand. He then administered the oath. He then called for a motion to open the public hearing.

Commissioner Messer made a motion, seconded by Commissioner Maher to open the public hearing for Case 12-18. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Mrs. Jones stated in 2007 Timberline Knolls applied for a special use for group living for One Povalish Court, Magnolia House. She said it is a six bed supported living environment for women who have gone through the Timberline Knolls residential treatment program. She stated as part of the special use there were a few conditions:

1. The structure had to meet all the applicable Fire District standards.
2. That designated parking had to be provided on the main Timberline Knolls property for visitors and staff.
3. The group living had certain rules that were attached as part of the special use approval.
4. The special use was only granted to Timberline Knolls, LLC and was not transferable.

Mrs. Jones stated Timberline Knolls was recently purchased by Acadia Healthcare. She said they want to renew the special use approval for the new ownership. She stated there are no changes in the operations. Mrs. Jones said there are new resident rules which are generally more stringent than the ones that were including in the original special use. She stated the applicant has a copy of those rules for the Board to view.

Mrs. Jones stated there are standards for special uses. These are not the standards that the original special use was evaluated under because the original special use was evaluated in 2007 and the zoning ordinance was completely redone in 2008. She said the first standard is that the special use is necessary for the public convenience. She stated Magnolia House provides a service for women who are struggling with mental health issues and acts as an extension to the Timberline Knolls facility. Mrs. Jones said they feel there is such a need for this service in the community; people within the community who need these sorts of services would have to go outside the community if not available here.

The second standard is that the special use is located and proposed to be operated that the public health, safety and welfare will be protected. She said staff checked with the code enforcement officer, fire district and police department and none had any record of significant problems since the use has been in operation. She stated it should be evidence that the public health safety and welfare have been maintained during that time. Mrs. Jones stated there will be no changes to the structure or any physical improvements on the site.

Mrs. Jones said the next standard is the use will not cause substantial injury to the value of property in the neighborhood. She stated again it is already there and there are no changes being proposed.

Lastly, it will not create excessive demands on Village services or impair the ability to protect health, safety and welfare. She said again with the reports that staff got back from fire, police and code enforcement there hasn't been excessive demand for Village services.

Mrs. Jones stated staff is recommending approval. She said staff recommends the rules of conduct be included as part of the special use approval so that they become part of the special use. She stated if at some point in the future the facility was being operated in such a way that those rules were not being adhered to then that would be a violation to the special use. Mrs. Jones said that parking should be provided in designated areas in Timberline Knolls for visitors and staff. She stated staff recommends the special use be limited again to current ownership. She said the applicant is asking that not be just limited to Timberline Knolls but for it read Timberline Knolls, LLC or their parent company Acadia Healthcare, Inc or any subsidiary of Acadia Healthcare. Mrs. Jones stated that this will allow them to be able to transfer any legal entities within their company, but not let them transfer the special use to an entirely different company or corporation.

Commissioner Spinelli stated this is so it will still remain part of that group but it might be under a different entity.

Mrs. Jones stated that is correct and it will still be owned by Acadia Healthcare.

Commissioner Spinelli asked if the applicant would like to make a presentation.

Fred Agustin, 161 N. Clark, Chicago, attorney for Acadia Healthcare stated he had nothing more to add to what Mrs. Jones stated. He said he would like to pass out at this time the new rules and regulation for Magnolia House. He then gave each Commissioner a listing of those rules and also for the people who attended the meeting who requested them. Mr. Agustin stated they are here only because of the change of ownership. He said they will continue operating the same way and nothing will be changing to the structure. He stated they are here to answer any of their questions.

Commissioner Sanderson stated he wanted to clarify that nothing is changing and they are here tonight to change the special use because Timberline Knolls got bought out by Acadia Healthcare.

Mr. Datallo, Administrator for Timberline Knolls, stated he was correct. He stated that he has been with Timberline Knolls for four to five years. The operations are the same and staff is the same. He said it is for legal ownership and the only change is to the rules and regulations.

Commissioner Messer asked if the residents live inside or outside the white fence.

Mr. Datallo said they live outside the white fence and attend programs inside the white fence. He stated the only ones allowed in the program are the ones who graduate through the Timberline Knolls program not anyone outside.

Commissioner Spinelli stated it is an extension to what Timberline Knolls already provides.

Mr. Datallo stated he was correct.

Mrs. Jones reminded the audience that if they want to speak they will have to be sworn in.

Commissioner Spinelli asked for anyone who would like to speak in regards to this case to please stand and raise his/her right hand. He then administered the oath again.

Nancy Jackson, 15964 New Avenue, Lemont asked what kind of difference does this extension treatment make in the residents' lives.

Mr. Datallo stated that they are sleeping on their own and it is out of the 24 hour monitoring. He said they have to make some decisions and more self-responsibility, but the program is still for them. He stated if they are successful there then they go back to their area or home and continue with that support.

Ms. Jackson asked if they go out to work.

Mr. Datallo stated some do.

Dorothy Rosier, 15952 New Avenue, Lemont asked why it was necessary to have a building physically outside of the fence. She stated why can't it be inside the fence but used in the same manner. She said she lives behind Timberline Knolls and has been a resident here for eight years. Ms Rosier stated there have been many times that she has witnessed women who do not want to stay there running down the street. She said a couple of times they had to call police and a couple of times the security from the building had caught them to bring them back. She stated two weeks ago she heard a woman screaming, "Don't touch me" coming from Timberline Knolls. Ms. Rosier said her fear is that one day a woman wanting to get away will end up at her house. She asked why it has to be outside the fence when there are issues inside the fence. She stated she realizes it is a step down process but couldn't it be performed inside the fence.

Mr. Datallo stated there are a couple of levels of care. He said he will address the Magnolia house, but he will not address what they do inside the fence. He stated everyone that they service is voluntarily admitted and they are not an in-patient

psychiatric facility. Nobody is held against their will unless it is clinically determined that they may harm themselves. Mr. Datallo said the ones that are living in the Magnolia House have been through their residential program, which is a little more secure and more supportive program. He stated when they get to a level, based on a licensed physician; they then are ready for the next level. He said the women have to be engaged in treatment. Their program is a 12 step program with the first three levels being honesty, engagement, and treatment. He stated the women are starting to develop community resources for themselves for their ongoing recovery and they obtain sponsors to help with their treatment. Mr. Datallo said they need that level where they are able to live on their own and still have their treatment team for support. He stated it is a different level and they would have been at Timberline Knolls for at least 30 days of treatment before this next step of going to the Magnolia House. Mr. Datallo stated he is not a clinician or a doctor, but he has been observing behavioral health for about 30 to 34 years.

Ms. Rosier asked if there was any surrounding security.

Mr. Datallo stated all of the women voluntarily want to stay at the Magnolia House. He said there have been 150 women since they opened the program and not one from the Magnolia House has left without letting them know.

Ms. Rosier asked then who were the women that were running up and down the alley.

Mr. Datallo stated that they do have in-house security that do rounds by vehicle or foot patrol to check on the Magnolia House. He said they do not go in the house but they make sure everything is okay there.

Ms. Rosier said so it is possible that the women she has witnessed leaving the facility and needing someone on staff to come and bring them back were probably the ones that are there because they are going to harm themselves and needed to come back.

Mr. Datallo said that she would be correct and it was not anybody from the Magnolia House.

Melissa Rocchi, Program Development Coordinator for Timberline Knolls, stated there are about 120 people that could possibly have a bed at Magnolia House, but only six are allowed. She said they are going to select the people that would succeed there and that are ready. She stated these people have met the guidelines and are ready to re-integrate but want to do it in a slow gentle way rather than going from intensive care to back home.

Ms. Rosier stated if they ever felt that their safety was in jeopardy then they should call the police.

Ms. Rocchi stated yes. She said that is what they tell the woman that live in the house to do also.

Ms. Rosier asked what is the limit for the number calls made to police on the Magnolia House, before they would have to revisit and look at this special use.

Mrs. Jones stated from the Village's perspective in the last four years there have not been any calls in regards to the Magnolia House. She said if they were getting calls, it would depend upon the nature of the calls. Mrs. Jones said if it was something that was inconsistent to the rules or guidelines then it would be a violation to the special use. She stated it would then depend upon the response from Timberline Knolls. She said if they responded quickly and appropriately and the behavior ceased then it might be seen as a one time occurrence. Mrs. Jones stated if it became something that Timberline Knolls or Acadia Health was not responding to, then the Village can revoke the special use.

Ms. Rosier asked the only change is the name as of right now.

Mr. Agustin stated yes just the change of ownership.

Mrs. Jones said they are changing the rules which are becoming more stringent.

Commissioner Spinelli asked if anyone else would like to speak in regards to this case.

Al Funkhouser, 21 Povalish Court, Lemont, asked if any of the women they bring in there are violent.

Ms. Rocchi said they are not a locked facility so they are not going to take anyone who needs that. She said it is all voluntary.

Mr. Datallo said not clinically speaking, they see women for substance abuse, eating disorders, mood disorders, depression, or combination of co-occurring. He stated when they work with the residential component they try to move them to a point with the physicians, medications, therapy and change of life attitude so they can start living on their own again. He said then they move them back into their homes.

Mr. Funkhouser stated he wanted to make sure that no violent types of women would be allowed in there.

Mr. Datallo said anybody who needs a higher level of care they transfer them to other in-patient facilities.

Mr. Funkhouser asked if someone had a criminal background would they be allowed to stay there.

Ms. Rocchi stated it would be hard to answer because they do not do background checks on people. She said it is a volunteer program, so it is people who want help.

Pat Bracken, 15940 New Avenue, Lemont, said she was a registered nurse and worked in an emergency room. She asked how often are the women evaluated and what are their criteria for evaluation to determine the different levels.

Ms. Rocchi stated they are seen twice a week by their primary licensed therapist, they are seen once a week by their licensed family therapist, once a week by their psychiatrist, and five days a week by a registered nurse. She said then they go to groups by a certified or licensed clinician everyday.

Ms. Bracken asked what the length of stay was at the Magnolia House.

Ms. Rocchi stated it was a minimum of 30 days.

Ms. Bracken asked what the maximum was.

Ms. Rocchi stated it would depend. She said they are not going to keep someone if it wasn't necessary. She stated they want them to be able to go home and succeed.

Commissioner Spinelli asked if anyone else wanted to speak in regard to this case. None responded. He then asked if any of the Commissioners had any questions or comments. None responded. He then called for a motion to close the public hearing.

Commissioner Sanderson made a motion, seconded by Commissioner Maher to close the public hearing for Case #12-18. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Commissioner Messer made a motion, seconded by Commissioner Kwasneski to recommend approval of Case #12-18.

Commissioner Sanderson asked about including the conditions.

Mrs. Jones stated they would have to be part of the motion.

Commissioner Messer made a motion to amend his first motion, seconded by Commissioner Kwasneski to recommend approval of Case #12-18 to the Mayor and Board of Trustees with the following conditions:

1. The special use approval is limited to current owner/operator, its parent company and/or any wholly owned subsidiary of the parent company; any new owner/operator would have to reapply for special use approval.
2. The special use shall include the Magnolia House resident rules of conduct.
3. Parking for staff and/or visitors shall continue to be provided in designated areas on the main Timberline Knolls property, located at 40 Timberline Drive.

A roll call vote was taken:

Ayes: Kwasneski, Sanderson, Maher, Messer, Spinelli
Nays: None
Motion passed

Commissioner Maher made a motion, seconded by Commissioner Kwasneski to authorize the Chairman to approve the Findings of Fact as prepared by staff. A voice vote was taken:

Ayes: All
Nays: None
Motion passed

B. Case #12-19 – UDO Amendments.

A public hearing for various text amendments to the Unified Development Ordinance, including residential design standards and landscaping in M zoning districts.

Commissioner Spinelli called for a motion to open the public hearing.

Commissioner Kwasneski made a motion, seconded by Commissioner Sanderson to open the public hearing for Case #12-19. A voice vote was taken:

Ayes: All
Nays: None
Motion passed

Mrs. Jones stated there were a few things that they needed to change in the UDO, most of them being the anti-monotony standards that were approved a few months ago. She said when they started to apply them they realized there were a few things that got left out that need to be in there.

Mrs. Jones said they will go thru the table that was provided in their staff report. The first change will be to change all references in the UDO from “Community Development Director” to “Planning and Economic Development Director”.

Mrs. Jones stated the next change would be to those limited circumstances in which the Planning Director can act as the Zoning Administrator. She said instead of somebody having to come before the Planning Board for a minor variation, there are some limited circumstances where the Planning and Economic Development Director or Village Planner can perform the public hearing. She stated the advantage is not a cost savings, but saves a lot of time. Mrs. Jones stated the Board only meets once a month, where staff is there five days a week. She said the minor variations would be transition yards, off-street parking standards, placement of accessory structures, and errors in the field. She stated these are all just issues that have come up over the years.

Commissioner Spinelli asked on the transition yards is it due to people trying to build bigger than they accommodated for. He said is it their miscalculation.

Mrs. Jones stated it is more for those long narrow commercial lots along 127th Street. She said they are hard to configure a building, get appropriate access and still meet the transition yard if necessary.

Commissioner Spinelli stated he hates reducing anything so that someone can build something bigger.

Mrs. Jones stated it still gets reviewed and it still has to meet the standards for a variation. She said it just goes to staff instead of the Planning Board and the Village Board still has to approve it.

Mrs. Jones stated “Lodge, fraternal and civic assembly” for some reason was listed as not allowed in the DD district. She said staff feels that this was an oversight and it should be allowed. She stated that the VFW is located in the downtown area. Mrs. Jones stated another change would be to allow decks and sheds in the DD or INT districts. She said they are currently not allowed and there are some residential properties in the DD district. She stated they could limit it to just residential uses, but staff feels that some nonresidential uses, for example churches, do need sheds.

None of the Commissioners disagreed.

Mrs. Jones said the next section is on Village event signs. She stated they wanted to put something in the code for when the Village puts up their event signs.

Commissioner Spinelli stated they would not be allowed on the Com Ed poles.

Mrs. Jones said the next section covers landscaping in the M district. She stated they realized they do not have any kind of landscaping standards for the M district to address landscaping along the street to make it look decent. She said they do want to make sure if an M district is abutting a differently zoned property and the side facing the street look okay. Mrs. Jones stated what they are proposing is if it is abutting a B, DD, or INT then it would have to have a wood fence. She said along a public street it would have to have 2 plant units per 100 linear feet or a wood fence plus one plant per 100 linear feet.

Commissioner Spinelli asked if they are allowed greater or is it a six feet fence.

Mrs. Jones stated eight feet is allowed in the M district and they would allow fences in the front yard for M district. She said the properties along the sanitary and ship canal are exempted from these provisions.

Mrs. Jones said the next one, 17.20.070, paragraph A, is just stating that landscape is required for parking lots, She said the Village does want to require some landscaping in parking lots that aren't just public parking spots.

Commissioner Spinelli asked if they require landscaping islands for every 15 spaces of parking.

Mrs. Jones stated in commercial areas they do, but she thinks it might be every 20 spaces. She said they already have requirements for landscaping in manufacturing zones but the language at the beginning made it sound like they did not have to comply. She stated they are not changing the standards as to how much they have to put in, but just making it clear that it applies to them.

Discussion took place on what is a plant unit.

Mrs. Jones said the next amendment is talking about the residential design standards. She said the way they have it right now new homes have to meet four different criteria to meet the anti-monotony design standards. She stated all of those were aimed to look at the smaller things on the façade of a building to add up to whether it looked similar or different than the one next to it. Mrs. Jones said what none of the standards contain is giving anybody credit for if the massing of the buildings is totally different. She stated the change would be that they are adding a fifth category that addresses the massing or silhouette of the elevation and also only requiring people to meet four out of the five criteria categories. She said adding that the proposed building massing category would give them credit if both height and width differ by 15% or the length of the roofline differs by 33%. She asked if the Board had any questions.

Commissioner Sanderson asked if they are measuring the ridges.

Mrs. Jones stated yes, they wanted to set the percentage to where it is noticeable to someone looking at the two houses without having to look at a plan and get out a ruler. She said they did not want it so big that it is over necessary burdensome. She stated that she did pull two houses and looked around and that is how she got the different percentages. Mrs. Jones said she would like the Board's input on whether the 15% should be both height and width. The way it is written is both and she said she also felt 12% was okay.

Commissioner Spinelli said he thinks they are going to have a hard time with the width especially for reducing lot sizes.

Mrs. Jones stated it was the height that they are a lot more similar. She said she had several that were 12% to 15% different in width on the front elevation

Commissioner Spinelli asked don't they have a maximum height allowance.

Mrs. Jones stated that most don't use the maximum. She said unless one is a one-story and the other is a two-story; you just don't have a lot of difference in the height. She stated it is measured to the highest point of the roof. Mrs. Jones said to keep in

mind that this is an either/or so somebody gets credit for the building mass category if both height and width are different or the ridge of the roofline is different.

Commissioner Maher added it is also a four out of five, so they don't even have to meet this criteria.

Commissioner Spinelli asked if pitch of the roof was being considered.

Mrs. Jones said that is another point for discussion. She stated they don't really see that many really different roof pitches.

Commissioner Spinelli stated that he would take Option C out of there.

All other Commissioners agreed.

Mrs. Jones asked the Board what they thought in regards to height and width should it read either/or instead of and.

All Commissioners agreed that it should be either/or.

Mrs. Jones said in the exterior materials category they had required that one material be 25% different than what it was on the other house. She said it is incredibly difficult to meet that standard once you account for windows and garage doors. She stated most of the subdivisions require first floor brick so right there you are limited. Mrs. Jones said they are requesting to change it to 20%. She stated it can be any type of material.

Discussion continued on what the definition was for the façade on a house.

Mrs. Jones stated another criteria under exterior materials is giving people credit for different color of brick. She said they were adding to the beginning the wording size/type. She stated they are also giving people credit for stone.

Mrs. Jones said the next section, 17.22.020, Para D; they are adding the word stone to the paragraph. She said they are trying to expand that category to give another option besides just brick. She stated they are seeing a lot of stone work on homes.

Commissioner Messer asked what the separation had to be with the lots.

Mrs. Jones stated that the standards apply to all homes within two lots of a new house, so every fourth house could be the same. She said the next category would be stating that they added the fifth category and they have to meet the four out of five.

Mrs. Jones said when they approved these standards back in May the Board approved the exterior materials to include vinyl. However, the Village Board took it out and

now they decided to put it back in. She stated it is restricted to no more than 33% of the total area of the façade can be vinyl.

Trustee Stapleton asked if there were some quality standards on the vinyl.

Mrs. Jones said she was not sure if Mr. Brown was going to add that to the standards. She said she will ask Mr. Brown about that.

Discussion continued as to what the façade would be and how much of the house could be vinyl.

Commissioner Spinelli stated he was glad it was back in. He then called for a motion to close the public hearing.

Commissioner Messer made a motion, seconded by Commissioner Sanderson to close the public hearing for Case #12-19. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Commissioner Sanderson made a motion, seconded by Commissioner Maher to recommend approval of text amendments to UDO with the following conditions:

1. In Section 17.22.020, the new paragraph 5, under Building Massing, it will list the height and width as an either/or.
2. In Section 17.22.020, the new paragraphs 5, under Building Massing, eliminate "C" (The pitch of the roof).

A voice vote was taken:

Ayes: All

Nays: None

Motion passed

IV. ACTION ITEMS

A. Joint PZC/COW Follow UP.

Presentation of draft UDO amendments regarding electronic message centers and internally illuminated monument signs (materials to be distributed at meeting).

Mrs. Jones stated they will not get into it in too much detail, but she did want to point out some areas where she did not have good notes as to what the Board wanted. She said it could have been something that they didn't discuss but had come up in the meeting. She stated she had to add some definitions because when they were talking about internally illuminated monument signs they had talked about allowing channel letters. Mrs. Jones stated channel letters come in a different varieties and the Village does not want to allow open face channel letters which have an exposed light source. She said they want to limit it to standard channel letters and the reverse channel letters.

Mrs. Jones said they then get into the section where they talk about illuminated signs. She stated there is a general section in the sign ordinance that talks about general illumination standards. In that section, they are changing the reference to say that internally illuminated signs are prohibited except for wall signs in the B-3 and saying they are prohibited except as otherwise specified.

Commissioner Messer asked if there is enforcement for if a sign falls in disrepair.

Mrs. Jones said there is a section in the sign ordinance that says all signs have to be maintained. If a sign is abandoned there is a requirement that you can make them take it down.

Discussion continued on sign maintenance.

Mrs. Jones said as for monument signs in the B and INT districts they added a sentence which basically says it consist of various elements. She stated this sentence was added to make it consistent with the other provisions in the code where they talk about wall signs in the B districts.

Mrs. Jones stated the real important stuff is where it states internally illuminated monument sign in the B-3 shall be limited to: standard channel letters, symbols or graphics; reverse channel letters, symbols, or graphics; cabinet signs with an aluminum sign face where alphanumeric characters and logos are routed into the sign face; and cabinet signs with a plastic, acrylic, or polycarbonate sign face where only the sign copy and/or logo are translucent and where the cabinet is enclosed on a minimum of two sides by the primary sign base material.

Commissioner Kwasneski asked if there was a standard of what the base material had to be.

Mrs. Jones stated that the code requires a limestone base but they can have limestone with another material above, such as brick.

Mrs. Jones said the next part was something she added for discussion, a requirement that the total area of internally illuminated trademarks or logos shall be limited to a maximum of 40% of the maximum sign area. She stated this is consistent with the wall signs. She said internally illuminated wall signs are limited with the logo to 40% of the sign area.

Commissioner Messer stated this wouldn't work for like a McDonald's sign.

Mrs. Jones stated if they have a sign like McDonald's it can be just 40% of the maximum that is allowed. She said they don't have to have that in there; she put it in there because that is what is on the wall signs.

Commissioner Spinelli stated it would be hard for all the chain businesses.

Commissioner Maher stated the “M” symbol was not their whole sign.

Discussion continued about logos being limited to a maximum of 40%.

Commissioner Sanderson stated he thinks it should be removed.

All the Commissioners agreed that it should be removed.

Mrs. Jones stated the next change is to wall signs in the B-3 district and it was just terminology to make it consistent with the other parts of the code. She said it uses a phrase called single-face box sign which is not defined anywhere in the code. She stated they changed the word to pan face signs.

Mrs. Jones said the next change is to monument signs for shopping centers or PUDs. It changes the maximum from 60 square feet to 64 square feet. She stated this was something they given public notice for, but never discussed. Mrs. Jones said 64 square feet is the maximum for monument signs in the “B” districts, but not for shopping centers which are in the “B” districts. This change is to just make it the same.

Mrs. Jones stated the other two changes to monument signs and wall signs are just adding consistency. She said the provisions say they can be internally illuminated, consistent with the requirement for B zoning districts.

Mrs. Jones said next will be electronic message centers. She said the first category is allowable locations. She stated it has to be incorporated into a monument sign which includes a non-EMC sign message. She said the non-EMC sign message is the primary monument sign message; the EMC is subordinate in location and size. The EMC is located adjacent to one of the following arterial roads: Interstate 355, Lemont Road, State Street, 135th Street, McCarthy Road, Bell Road, Archer Avenue, and Route 83.

Commissioner Spinelli asked where would they put a sign on Interstate 355.

Mrs. Jones stated there is a commercial piece of property that is adjacent to I355. She said it was located on the southwest corner.

Commissioner Maher stated he was concerned with New Avenue if you put Interstate 355 as an arterial road. He said they are opening themselves up for someone on New Avenue wanting to get a sign and stating that the only way to get it visible is by going up. He stated why have the risk.

Discussion continued as to whether Interstate 355 should be included as an arterial road and part of the electronic message center.

Commissioner Spinelli stated he can not see having that provision in the code just for two potential properties.

All Commissioners agreed to remove Interstate 355.

Mrs. Jones stated the next addition is that an EMC is at least 400 feet from another EMC. She said the rest of the language is exactly what they have in the code now.

Commissioner Spinelli asked if it was a 400 foot radius.

Mrs. Jones stated that was correct.

Trustee Stapleton stated McDonald's would be eligible now.

Mrs. Jones said the next criteria is the EMC is located on property that is zoned B-3 or INT. The EMC is a least 250 feet from the nearest residentially zoned property that is adjacent to the same street on which the EMC is located. She stated this was her attempt to address the 250 feet, but not on the opposite side of the building, was to say they were on the same street.

Commissioner Spinelli asked they are measuring to the property line and not the structure.

Mrs. Jones stated that is correct.

Mrs. Jones said next is the EMC shall not exceed 33% of the total proposed sign area. She said it wasn't clear when they were discussing whether it was going to be 33% of the maximum allowable or what was actually being proposed. She stated if someone has 64 square feet as their maximum allowable, but they're only proposing a 60 square foot sign which do you calculate the 33% on.

Commissioner Spinelli stated it should be the sign that they want to put up. He asked if they were taking the whole sign envelope and not the actual frame of the sign.

Mrs. Jones said if the background of the sign is like brick masonry then it doesn't get counted. If the sign is mounted onto a particular background with a border that would all get counted.

Commissioner Maher stated it should be the whole 64 square feet. He stated that he would prefer a smaller sign even if it was mostly an EMC.

Mrs. Jones said the 33% was intended to be visually, as the whole of the sign, clearly not the main part of the sign.

After discussion it was decided to leave it like it is.

Mrs. Jones stated the next section was talking about illumination of the EMC, how they are going to measure it, and what the standards are going to be. She said the language came almost word for word from the International Sign Association. She stated the International Sign Association is actually a little more moderate than the US Time Council. Mrs. Jones said the US Time Council seems to prefer everything huge and as bright as can be. The International Sign Association appears more in favor of being able to see it, but not so bright that it is glaring. Mrs. Jones said she is going to see if she can test it out with Dawn Banks from the Lemont Park District using their sign before it all gets approved by the Village Board next month.

Mrs. Jones said the next section is other display features. She stated this is the seven second minimum and the no flashing, scrolling, blinking, animation, chasing or other similar effects which are prohibited. She said the EMC may only display up to two colors at any given time. The background of the EMC must remain black at all times and the black background does not constitute a color toward the two-color limit. Mrs. Jones said this should be everything that was discussed. She stated that properties that are INT they either meet the standards of an EMC or they don't get any internally illuminated signs. She said there are no internally illuminated signs in residential areas and changeable copy signs are not to be internally illuminated.

All the Commissioners agreed.

V. GENERAL DISCUSSION

Mrs. Jones stated that next month if there is a meeting for the Planning and Zoning Board then it would be meeting one week earlier due to Thanksgiving.

VI. ADJOURNMENT

Commissioner Maher made a motion, seconded by Commissioner Kwasneski to adjourn the meeting. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper