

MINUTES OF THE SPECIAL JOINT MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES AND THE PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK HELD ON WEDNESDAY, MAY 20, 2009, AT THE WILLOWBROOK HOLIDAY INN, 7800 SOUTH KINGERY HIGHWAY, IN THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

The meeting was called to order at the hour of 7:30 p.m. by Village President Robert Napoli.

2. ROLL CALL

Those present at roll call were Trustees Dennis Baker, Terrence Kelly, Michael Mistele, Sandra O'Connor, Timothy McMahon, Plan Commissioners John Wagner, Robert DelSarto, William Remkus, James Soukup, Joseph Heery, James Baker, Plan Commission Chairman Daniel Kopp and President Napoli. ABSENT: Trustee Paul Schoenbeck. Also present were Village Clerk Leroy Hansen, Village Attorney William Hennessy, Village Administrator Phil Modaff, Director of Municipal Services Timothy Halik, Planner Sara Hage and Plan Commission Secretary Joanne Prible.

A QUORUM WAS DECLARED

3. DISCUSSION – TITLE 9 TEXT AMENDMENTS RELATED TO SIGNAGE

President Napoli noted the meeting this evening was to discuss the sign package that we are trying to work on for the Village. He indicated that the Village Board and Plan Commission would not take any vote or make any prime decision this evening but he would like to get a consensus with regard to signage in the Village.

Administrator Modaff gave a brief overview of the meeting program for this evening. He then introduced Planner Hage.

Planner Hage informed the Village Board and Plan Commission that as the Village moves forward with the comprehensive update to the Zoning Ordinance, signage has emerged as the most pressing concern. She further advised that much of the Sign Code remains unchanged; however, other portions of the Sign Code are either outdated or unclear and are no longer able to respond to and meet the needs of the changing community and commercial landscape. The amendments had been crafted to address two specific purposes: 1) add clarity and structure the Sign Code so that it is easily interpreted and applied by both staff and the community; 2) encourage economic development and create a pro-business atmosphere.

Planner Hage provided a highlight of the current sign allowances and practices in Willowbrook, identifying what is currently permitted for the sign surface area (SSA), business site frontage and number of signs, along with appropriate examples. In preparing the draft language for the Sign Code, Staff conducted a survey of local communities to determine how Willowbrook compared in allotting signage to its business community.

In general, the Staff found that Willowbrook's allowance of 1 SF of SSA for each 1 LF of unit width, façade length or lot frontage was on the low end of the surveyed communities. The

average allowance for SSA was 1.5375 SF per 1 LF of unit width, façade length or lot frontage and the median allowance was 1.5 SF per 1 LF, which is 50% more than Willowbrook allows. The majority of the surveyed communities also cap the maximum SSA for a business establishment with a median maximum SSA of 300 SF.

Trustee McMahon and Commissioner Heery inquired of the number of communities surveyed and were any communities left out. Planner Hage responded that ten communities were surveyed. In addition, Planner Hage had also contacted these same communities with regard to neon signs.

Planner Hage advised that neon signs and illuminated window signs are currently prohibited in the Village; however, Village policy has been to allow neon signs placed in the windows of businesses to indicate whether a business is open or closed. Staff proposed amending the current code to formally allow illuminated window signs provided that a maximum of one illuminated sign be installed with a maximum sign size of 4 SF.

President Napoli informed the Board that he had talked to a few people who want those signs. They say at night when driving by they can see the “open” sign and know what store it is. Also, these people say it is too dark and they cannot see some of the building signs that are up but had something in the window that said “Jimmy Johns Open” then they would know what is at that location. There are a lot of senior citizens in the community; there were a lot of comments regarding this. President Napoli suggested looking at that and maybe to consider going a little bigger than the 4 SF in size.

Commissioner Wagner asked how you come up with the four square feet on the open sign. Planner Hage responded that Staff measures the area by drawing a bounding rectangle for all signs. If there is an add on, we would use a larger bounding rectangle.

Commissioner DelSarto inquired if these are going to be static signs and no flashing. Planner Hage responded yes, the Code has a specific provision that limits any illuminated sign from moving or flashing.

Trustee McMahon stated that his personal view is not to support enlarging the current size for neon signs.

Planner Hage informed the Board that the Staff proposed changes to the code to allow for more reasonable promotion of large developments, both during construction and during the leasing phase, on sites greater than 10 acres.

Trustee Kelly asked how many sites are greater than 10 acres that would be covered by both the construction and real estates signs. Planner Hage responded there were approximately four (4) sites, Town Center, Hinsdale Lake Commons, K-Mart and potentially the Arabian Knights Horse Farm.

With regard to construction signs in all district, Planner Hage indicated that sites greater than 10 acres would be permitted one construction sign per lot frontage with a total combined SSA not to exceed 64 SF. Sites having less than 10 acres would be allowed 32 SF.

Real estate sale or lease signs in nonresidential districts on sites 10 acres or greater would be permitted one sign per lot frontage with a total combined SSA not to exceed 32 SF. Shopping centers would not be permitted to erect such a sign unless 10% of their gross floor area is vacant.

Trustee McMahon asked why only a 10% vacancy to qualify for the signage and if 10% is a good number. Planner Hage responded that the average vacancy is 14% indicating that some centers are well over the average and some are less than the average. The average vacancy rate when times are good is 7-8%.

Trustee McMahon asked the Board if they would consider Sunset Laws for this since this is a different time. The advantage of a Sunset Law is that it automatically disappears as opposed to a code which requires an amendment.

Commissioner Heery suggested the Staff look at the history of the percentage of vacancies. Planner Hage responded that the Staff could do a historical analysis of the general market. The Staff has not been tracking Willowbrook retail vacancies for more than two years.

Commissioner Wagner observed that the Hinsdale Lake Commons Shopping Center located at Route 83 and 63rd Street has always had a development sign out front because there is always an empty space in that shopping center. Another point is if he was a businessman looking for an open store front in a shopping center, it would seem he would be calling a commercial broker for them to tell him what is available and then he would go and drive there. He asked who is this sign for, the small percentage of people who happen to drive by a shopping center looking to see if space is open there or is it to advertise to a commercial broker who happens to be driving by and sees there is an empty space in that shopping center. It just seems to be a very small percentage of people that are looking at this sign, and it is a large sign, and it continues to be there for a long time.

Planner Hage responded that the bread and butter of the shopping centers are the small tenant, who pay a higher rent but do not generate the traffic. The larger tenant brings in the traffic, pays a lower rate and is partly subsidized by the smaller tenant. The smaller tenant may not have a broker and may be doing more leg work themselves.

Trustee O'Connor asked if the Village can impose a duration on the length of time a vacancy sign can be up, whatever the percentage is, so we do not have permanent construction signs.

Director Halik noted that the current language in the Code requires the removal of vacancy/lease sign seven days after closing.

President Napoli suggested that, as an example, at the bottom of the sign for the Town Center there could be the leasing information with a phone number, not counted in the sign's square footage, which would eliminate the freestanding signs that are on the road.

Commissioner Heery noted that the 10 percent vacancy needs to go either up or down. He asked if it can be tied to some kind of stable index.

Administrator Modaff felt that one of the things that may benefit this discussion so we can respond to owners and developers who are working in other communities is to do a survey with this specific question. If we do a survey and find out that they cannot complain if it is only 10% or 20% in Willowbrook because we will then know that is the average of any place they would go.

Planner Hage advised that the Willowbrook retail inventory indicates that the vacancy rate for the ten retail centers in town, which includes the Target, range from 7% to 50%.

President Napoli asked why we are making it so difficult on ourselves. We can go to the Town Center and on the bottom of the two signs put the lease information and a phone number; we do not have to worry about 10%, doing a survey, 20%. Then it does not count in the sign's square footage. This would eliminate all the temporary signs or the dealing with 10% and maybe 20% with a fluctuating space. President Napoli wanted to make it easy on the business man. Otherwise, the Board and Plan Commission would have to spend time on this and there will probably be requests for variations.

Planner Hage noted that although searchlights are currently prohibited in the Village, the policy has been to permit searchlights for special events at businesses like Ashton Place. Staff recommended that the code be updated to officially adopt the past policy and place specified restrictions on such promotional lighting. Searchlights would be permitted within the B-1, B-2, B-3 and B-4 districts limited to a maximum of two per year and per property. Only one searchlight would be permitted to be in use on any given day.

Trustee Kelly asked for a clarification of what a property is. Planner Hage responded that as an example the Town Center would be considered one property.

Planner Hage advised that a proposed addition to the Code was sandwich board signs. These signs would allow businesses in shopping centers to be able to attract foot traffic and call attention to their store entrances. Sandwich board signs would be permitted on a daily basis and would be considered separate from temporary promotional signs. Businesses would be limited to a maximum of one non-illuminated sandwich board sign with an SSA no greater than 10 SF and a maximum height of 4 feet, which generally equates to a 1.25' by 4' double sided sign.

Trustee Mistele asked if the title would be changed to sidewalk signs and would not be as specific as the sandwich board.

Trustee O'Connor noted that she would like to see consistency in all the signs in a plaza.

Commissioner Wagner noted that if you say it is a sidewalk sign, then there is the other method of creating a triangle and now you have this sign and that sign. If you are going to allow these signs, there needs to be a drawing that denotes the size of the rails, the size area of where the name of the store can be, the size of the area that they can write on. Otherwise, there would be eighty-eight different kinds of signs with different configurations.

Trustee Napoli asked if Commissioner Wagner wanted standardization.

Commissioner Wagner responded absolutely. He felt it would make it simpler for Staff; now there is no question that it is that size and that is okay.

Planner Hage advised that Staff is proposing a significant increase in SSA and the number of permitted signs across all nonresidential districts. It was determined that Willowbrook's sign allowances are much more restrictive than surrounding communities. The majority of local communities allow for signage at a rate of 1.5 SF per 1 LF of business site frontage, Willowbrook has a rate of 1 SF per 1 LF of business site frontage. Local businesses have requested greater signage allowances. In order to create a more equalized playing field and make Willowbrook's sign allowances more comparable to other local communities, Staff proposed an increase in the overall SSA rate to 1.5 SF per 1 LF. The maximum total SSA would be raised allowing smaller businesses up to 350 SF of signage if their site/building warrants it and the largest buildings (those over 90,000 SF) would be allowed a maximum of 550 SF.

Further, all businesses would be allowed to have one sign for each of their facades that have business site frontage. These signs could be distributed provided that no more than 3 signs are located on any one façade and as long as they do not exceed the maximum SSA. Staff also suggested offering one additional "bonus" sign for businesses with multiple facades with business site frontage, which would be conditioned upon the business reducing their maximum permitted sign surface area by 5%.

Planner Hage presented the proposed amendments to shopping center ground sign allowances. She divided the centers into two categories: sites less than 10 acres, sites larger than 10 acres. Staff proposed a 25% increase in sign height and a 10% increase in the SSA in both categories.

For sites less than 10 acres, allowable sign height would go from 12 feet to 15 feet and SSA would be increased from 90 SF to 100 SF.

For sites greater than 10 acres, allowable sign height would go from 16 feet to 20 feet and SSA would be increased from 120 SF to 132 SF. Staff recommended that panels indicating the name of the shopping center be exempt from the total SSA if they do not exceed 15% of the total SSA (example: 10 SF on each side of a 132 SF sign).

Commissioner Wagner referenced that he has participated in the re-write of the Village of Hinsdale sign code and every sign has gotten smaller over the years. He related that the businesses have gone to very low key monument signs. Commissioner Wagner questioned the need to know that this is the Hinsdale Lake Commons Shopping Center. If he is going there it is for something specific.

President Napoli noted that there are 50,000 cars a day going down Route 83 and we want the out of town shoppers to bring in revenue into our town. Any sign that is built would have to be reviewed by the Plan Commission and Village Board. He liked the Town Center sign because he can be a block or two away and can see what is there versus driving by and having the sign blocked by a truck or large SUV.

Chairman Kopp personally did not like making property owners put the tenant's names on the signs. He noted that Planner Hage advised that it is a legal right that is negotiated on the lease.

President Napoli responded that the Village would strongly suggest it to them and not force anybody to do anything. However, if they do not do it, the tenants may not stay there.

Commissioner Wagner noted that the shopping centers may just have a bigger sign with a lot of white space.

Trustee McMahon observed that there is something not right when the centers do not have the large tenants on the signs.

Trustee O'Connor suggested that the shopping center owners be told that whatever ground sign they erect has to be 75% covered so we do not have a situation where the sign is blank.

Commissioner Remkus noted in his observation of signage, he thought we could encourage more natural signs, using large stones with accenting landscaping that makes the signage attractive and more eye catching.

Planner Hage presented the provisions for the stand alone business ground signs. A stand alone business can have a unique architecture that makes them more identifiable as a business. A stand alone business can also make full use of the entire width of their property versus a tenant in a shopping center having only their tenant unit width. Staff did not address the stand alone ground signs but rather addressed the overall signs for the business as a whole and their wall signage.

Planner Hage pointed out that in the proposal it is suggested that the smallest businesses are allowed to have up to 350 SF of signage including their ground sign. It is not until a business gets above 35,000 SF that they get the additional ground sign and additional SSA. The businesses such as Whole Foods can have a maximum of 450 SF of signage plus an additional ground sign of 45 SF. The businesses over 90,000 SF get the additional wall signage of up to 550 SF and a ground sign limited at 90 SF and a height of 12 feet. Planner Hage provided examples of conforming and non-conforming signs within the town.

Planner Hage provided several options to the Board and Commission with regard to stand alone business ground signage:

- Option 1 – To allow existing nonconforming business signs to continue as they are but not allow new signs of that size.
- Option 2 – To allow signs similar to those that are nonconforming in height/size and to allow new businesses to have signs of similar size.
- Option 3 – To allow signs similar to the nonconforming signs but only in certain districts.
- Option 4 – To allow the stand alone businesses to have signage similar in size to what is being considered for the shopping centers (15' to 20').

Commissioner Heery preferred Option 1 with general support from the two groups.

Commissioner Wagner asked what would happen to Willowbrook Ford's signage; what would they shrink or lower to be in compliance. Administrator Modaff responded that, as an existing non-conforming sign, with any new code provision related to size they would not be required to shrink what they have now.

Commissioner Wagner requested an example of what the proposed code would do to signage such as Willowbrook Ford.

Planner Hage responded that Willowbrook Ford could lose some directional signage for their property.

The main issue for Commissioner Wagner was the difference between 1 SF versus 1.5 SF with respect to the various business signage.

Trustee McMahon thought that issue was the sign size relative to the SSA. Such examples were the Oriental Taste Restaurant with limited SSA versus Willowbrook Ford with a lot of SSA. The main consideration is the surface area available for a sign. He further noted that the 1.5 SF makes a lot of sense for 75% of the surfaces that were presented and it did not make sense for the other 25%.

Planner Hage indicated that the sign provisions for the non-retail businesses (industrial) is proposed at the rate of 1 SF per 1 LF which is equal to the current rate for retail districts but with a maximum sign surface area of 100 SF. Each business that has frontage on two or more public streets and has a lot width of not less than 250 SF on less than four acres would be permitted to erect one ground sign adjacent to each public street up to a maximum of two ground signs. The total SSA for the ground sign would be a maximum of 45 SF. For each foot of sign height in excess of 8 feet above surrounding grade the SSA would be reduced. The sign could have a maximum height of 12 feet.

President Napoli asked if there were any industry standard for the signs for shopping centers with respect to the 1.5 SF versus what the neighbors have done. What has been allowed for shopping centers similar to what Willowbrook has that have been built over the years.

Administrator Modaff responded that even in our own community among similar sized centers on the same road they have vastly different sign packages. He thought it goes back to what does the community want.

President Napoli inquired about digital signs that seem to be coming popular with shopping centers and should we give consideration to those types of signs. He thought the Village should take a look at these types of signs to determine if we need to have some regulations for them.

Administrator Modaff responded that right now digital signs are strictly prohibited.

President Napoli suggested the Staff check with the Village Attorney with regard to whether or not we should have something specific in the code with regard to digital signs.

Trustee McMahon noted that the Town Center seems to have established the bar for most of the general commercial items that are industrial. He thought we should have some form of benchmark that would summarize the code throughout the Village, keeping in mind the notion that Commissioner Wagner brought up of a sign not fitting the surface and the idea of proportionality.

Commissioner Wagner thought that proportionally, he would tend to go to 1.25 SF versus 1.5 SF which would work better in certain situations. Also, he asked if window signage could be addressed. There seems to be a lot of paper signs in business windows. We are talking about signage on a building, but we are not addressing other signage that he felt is being abused. Commissioner Wagener provided as a good example of a digital sign that should not be allowed is the Fire Department digital sign on Plainfield Road just east of Wolf, which is constantly flashing and changing.

Director Halik responded with regard to window signage that businesses are allowed to cover their glazed areas with non-illuminated, non-mechanical signs up to 40% of the glass area.

Commissioner Wagner suggested that window signage be eliminated entirely. The square footage of that signage area is two to three times above what is allowed for signage for the store.

Chairman Kopp noted that the businesses would riot if we got rid of their window signs. It is a very big part of their business.

President Napoli suggested that there be a consensus of what both groups agree to and the grey areas to go over again. He envisioned the proposed amendments going to the Plan Commission and Village Board and eventually meeting with the businesses to let them know what is going on with the signage and to have answers for them.

Trustee McMahon suggested forming a small operation task force to go through this information and then go back to the Plan Commission and then to the Village Board.

Commissioner Wagner thought there seems to be four distinct areas that were presented this evening and that the Plan Commission could tackle one area at a time.

Commissioner Baker inquired if there could be anything brought to the Plan Commission or this group that show what other communities do with their proportion of signs. Planner Hage responded that she could survey different communities and what they use for proportional signage.

Trustee Baker inquired if we could use for proportion the signage from the Town Center for our base.

Administrator Modaff suggested directing Planner Hage to also survey communities with regards to the mechanics of how they practically apply the proportionality and how well or poorly it works.

Page 9
Village Board and Plan Commission Minutes
May 20, 2009

Trustee McMahon commented that the concept of proportionality that he was thinking about was not free range, such as having a large surface area means you have a really big signs, there would be certain restraints or conditions.

Chairman Kopp questioned if it was proportionality or the fact that these store signs bleed into each other because they are so close to each other.

President Napoli summarized the main four areas and suggested that the Plan Commission discuss the four areas in the following order:

- 1) Shopping centers 10 acres or more
- 2) Shopping centers 10 acres or less
- 3) Stand alone retail
- 4) Industrial

In summary, understanding the complexity of the proposed amendments to the Village's sign ordinance, the Village Board and Plan Commission agreed with President Napoli's suggestion.

4. EXECUTIVE SESSION

There was no need for an Executive Session.

5. ADJOURNMENT

The meeting was adjourned at 9:25 p.m.

PRESENTED, READ and APPROVED,

June 22, 2009

Robert A. Napoli
Village President

Minutes transcribed by Mary Partyka.