

VILLAGE OF ORLAND PARK

*14700 Ravinia Avenue
Orland Park, IL 60462
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Meeting Minutes

Monday, October 21, 2013

6:00 PM

Village Hall

Development Services & Planning Committee

*Chairman Kathleen M. Fenton
Trustees Edward G. Schussler and Carole Griffin Ruzich
Village Clerk John C. Mehalek*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:30 PM.

Present: 3 - Chairman Fenton; Trustee Schussler and Trustee Griffin Ruzich

APPROVAL OF MINUTES

2013-0611 Approval of the September 16, 2013 Development Services and Planning Committee Minutes

I move to approve the Minutes of the Regular Meeting of the Development Services and Planning Committee of September 16, 2013.

APPROVED

Aye: 3 - Chairman Fenton, Trustee Schussler, and Trustee Griffin Ruzich

Nay: 0

ITEMS FOR SEPARATE ACTION

2013-0551 AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE VILLAGE OF ORLAND PARK TO ADD THE 2040 STRATEGIC TRANSPORTATION PLAN AS AN APPENDIX

Transportation and Engineering Manager Kurt Korrigan reported that on August 6, 2012 the Village Board approved Gewalt Hamilton Associates (GHA) to evaluate and prepare a Village wide strategic transportation plan. Over the last year GHA has collected information, met with staff and prepared the draft transportation plan recently distributed to the Village Board for review.

The intent of the plan is for it to be used as a working document. It will serve as an appendix to the recently adopted Comprehensive Plan. The plan highlights transportation issues throughout the Village, provides strategies to address a wide range of issues and recommends an implementation strategy to help guide the Village in the upcoming years.

On September 16, 2013, this item was continued by the Development Services & Planning Committee. The Committee requested that several items be reviewed and included in the draft plan. Those additions have been made

Chairman Fenton noted that the plan document was prepared very well and thanked those who put all the hard work into creating it.

Trustee Schussler stated that it is great to have Kurt Korrigan as the Transportation and Engineering Manager. He added that the plan gives the Village a road map for the future as far as what should be done with the roads in the community.

Trustee Ruzich noted that she was excited for some of the components outlined in the plan to start happening.

I move to recommend to the Village Board approval of adopting the Strategic Transportation Plan, prepared by Gewalt Hamilton Associates, as an appendix to the Comprehensive Plan.

RECOMMENDED FOR PASSAGE

Aye: 3 - Chairman Fenton, Trustee Schussler, and Trustee Griffin Ruzich

Nay: 0

2010-0045 Electronic Sign - Discussion

Director of Development Services Karie Friling reported that the Land Development Code currently prohibits electronic signs except for those that statically display date, time and/or temperature. The Committee has discussed amending the Code to allow electronic signs in the past, in 2010, and last month. Electronic signs are becoming more common, especially for certain uses, such as the display of gasoline pricing. This report includes a review of electronic signs and draft code revisions to permit electronic signs.

This item was discussed at the September 16 Development Services and Planning Committee meeting and at the October 2 Village Board meeting. The Village Board referred the item back to the Committee for further discussion.

ELECTRONIC SIGNS

Regulation of electronic signs ranges from full prohibition (similar to Orland Park's current code) to encouragement (used in some municipalities' entertainment areas). There are numerous regulatory aspects to consider when reviewing electronic sign proposals including sign type, location, placement and spacing, area, copy permitted, brightness, animation and more.

NEIGHBORING COMMUNITIES

The following summaries highlight how neighboring communities regulate electronic signs.

Flossmoor: Limited permissions. Electronic signs are permitted on larger size commercial lots on regional/ arterial roadways (Governor's Highway, Vollmer etc.) but not in the older parts of town. There are regulations on size (60 square feet) and brightness (NITS). There are no time prescriptions for changing copy.

Frankfort: Prohibited.

Homer Glen: Electronic signs appear integrated into the existing Code. The electronic sign is permitted, but it must fit within existing Code regulations,

specifications and requirements with special consideration given only to the fact that it is electronic.

Mokena: Prohibited. There are a number of electronic signs in Mokena, but these are grandfathered through annexation agreements.

Palos Heights: Attempted to contact, code unavailable at this time.

Palos Park: Allows electronic signs in limited capacities. Temporary electronic signs may not have any flashing, scrolling/tracking etc. Permanent electronic signs can have changing copy but must meet NITS. There is no time prescription for changing copy. Electronic signs are not allowed on pole signs, they must be ground signs (no grandfathering). Advertising via electronic signs can only be done via ground signs. Walls signs may be electronic signs but they are only for the business name.

Tinley Park: Allows electronic signs Village-wide. On monument signs, 20% elevation area can be electronic. Issue they are dealing with: electronic signs not uniform in size. Monument signs have specific dimensions (10 feet tall) but some have been allowed to be bigger. As a result, some electronic signs are bigger than others (bigger monument sign means bigger area that makes up 20%). No time prescriptions for message frequency, no light control. Some electronic signs have PSA abilities and share Village information (community festivals etc.). Mandated gas stations to change price displays to electronic (20 square feet) within 3 years of Code change to allow electronic gas price display.

Arlington Heights: Prohibited.

Northbrook: Permitted for:

Public Service Signs

Industrial and Institutional buildings subject to a Special Use Permit and with the following regulations:

May display multi-color images and text but cannot change faster than once every ten seconds.

Must only be on from 7AM to 11PM.

Images must be for products or services provided.

Must have landscaping around the base.

May be no closer than 1,000 lineal feet to any other electronic message board display.

May be no closer than 350 feet to a residential dwelling.

Must comply with IDOT requirements for outdoor advertising.

Oakbrook: Prohibited. Gasoline price signs could be electronic if approved through a Special Use process.

Oakbrook Terrace: Highly Limited. Permitted only for time/temperature/date and for highway advertising signs. Highway advertising signs are only permitted along Route 83.

Glenview: Prohibited except for gasoline. Gasoline prices only may be electronic to a maximum of 500 nits. Government signs are exempt from sign requirements.

Evanston: Highly Limited. Permitted only for time and temperature. Length of information cycle shall not be shorter than (3) seconds...and not be repeated at intervals that are short enough to cause the effect of a flashing signs. Sign must also be equipped with photosensitive equipment to automatically adjust brightness and contrast to the ambient outdoor illumination. This includes adjusting the sign luminance to sunny and cloudy daylight conditions.

ELECTRONIC SIGN BRIGHTNESS

Several questions regarding 'NIT's' were presented at the October 2 Board of Trustees meeting. The luminance that a sign gives off is measured in 'nits.' A sign that is illuminated via an external source is measured in 'footcandies'.

To provide some comparison, conventional daylight projects between 5,000 and 7,000 NITs while conventional lit billboards typically measure in around 100 NITs at night.

Two industry groups that provide recommendations on acceptable nits for outdoors signs are the Illuminating Engineering Society of North America (IESNA) and the Outdoor Advertising Association of America (OAAA).

The following excerpt from the American Planning Associations PAS report on Electronic Signs & Billboards provides some additional explanation:

Proposed limits on sign brightness have caused much debate. Research provided by the Illuminating Engineering Society of North America (IESNA) states that drivers should be subjected to points of brightness no greater than 40 times the average brightness level of their general surroundings; this proportion is known as the contrast ratio. "As roadway lighting and automobile headlights provide ambient nighttime lighting levels of about one nit, this implies signage should appear no brighter than about 40 nits" (Luginbuhl, 2010, p.1). Surprisingly, the IESNA's own recommendations for signage luminance suggest limits between 250-1400 nits---greatly exceeding their stated maximum contrast ratio of 40:1.

The OAAA, has deemed 300-350 nits an acceptable level of night brightness. However, their guidance is based on the use of the IEEE standard for light trespass (IESNA-TM-11-00), when, for reasons of traffic safety and glare in drivers' eyes, it should have been based on IEEE's standard for roadway sign lighting (IESNA RP-19-01). Traditionally floodlit static billboards rarely exceed 100

nits; experts on both driver distraction and light pollution recommended that, as a means of compromise, the new technologies should not exceed this value. In many areas, including Philadelphia, brightness levels are currently unregulated, and many manufacturers publicize their signs' capabilities to reach up to 11,000 nits.

Regulating the maximum number of NITs is important to ensure that the electronic sign blends in with conventional signs and does not appear overly bright or glaring. Draft sign code amendments presented to the Committee in 2010 included NIT limits of 350 at night and 1000 during the day. After a review of the literature, those limits were reduced to 200 at night and 1000 during the day, as included in the 2013 Committee and Board staff reports. The Illinois Coalition for Responsible Outdoor Lighting recommends NIT limits of 150 at night and 5000 during sunny days. Most conventionally lit existing billboards measure in at approximately 100 NITs. The NIT levels can be adjusted in any draft code changes in order to meet the policy goals set forth by the Village Board.

EXISTING MESSAGE BOARD

Since the Board meeting, Village staff have inventoried existing signs on Harlem Avenue, Wolf Road, 159th Street, 143rd Street and LaGrange Road. There are approximately 56 existing manual message boards along these corridors. Some of them are on existing non-conforming signs.

DRAFT CODE AMENDMENTS

If the Land Development Code were to be revised to allow electronic signs where message boards are currently permitted, the following regulations would apply. Some of the regulations below have been strengthened based on comments made by the Village Board. Areas of revision are noted in 'red.'

1. Two violations within a twelve month period will result in a thirty day suspension from using the electronic message board. If a third violation in a twelve month period is issued, the sign owner must remove the electronic message board and restore the sign or replace the electronic message board with a manual message board. The electronic message board must be removed and restored within 30 days of the third violation or owner will be fined \$500/day. A citation will be issued for the first violation, followed by a fine of \$500 for each subsequent offense within the twelve month period.
2. Electronic message board only allowed on the area of commercial signs currently permitted for manual message boards, which is 25% of the sign face. The sign face area permitted for each property is based on lineal square feet, up to the following maximums:
3. Buildings under 350,000 square feet
40 square feet sign face permitted. 10 square feet permitted for electronic

message board.

4. Buildings between 350,000-500,000 square feet (Lakeview Plaza).
100 square feet sign face permitted. Per existing code, 25 square feet is permitted for electronic message board (unless a multi-tenant sign is used - then no electronic message board is permitted).

5. Buildings over 500,000 square feet (Orland Park Place Mall and Orland Square Mall).
150 square feet sign face permitted. Per existing code, 37.5 square feet permitted for electronic message board (unless a multi-tenant sign is used - then no electronic message board is permitted). The code would be revised to limit the total area of an electronic message board to 25 feet.

6. Electronic message boards would not be permitted for multi-tenant signs or office signs. Essentially, electronic message boards would only be allowed for retail/commercial buildings. It is important to note that Orland Park's zoning districts often permit commercial retail and office in the same building, so there may be some occasions where an office occupies a previous commercial space that already has an electronic sign.

7. Electronic message boards will not be permitted on existing nonconforming signs. A new sign must be constructed to current Codes in order to install an electronic message board.

8. If a property installs an electronic message board, no window electronic message board will be permitted. The Code currently does not regulate interior electronic signage that is located behind the window.

9. The message board cannot be above the primary sign.

10. Sign copy may only be changed once every 24 hours. The message change must be instantaneous-no fading, flashing, or running script.

11. A default mechanism is required to freeze the sign in one position if a malfunction occurs.

12. Sign copy must be static and may not be scrolling, flashing or in any way animated.

13. Only text and numbers are permitted. Illustrations, graphics and images are prohibited.

14. The maximum number of lines for copy is three.

15. Background is required to be black and copy may be white or yellow only.

16. Luminance

Night NIT: 50-150

Daylight NIT: 1,000 (in sunny conditions)

All signs required to have a sensor that automatically lowers light output in accordance with atmospheric conditions, including sunny versus cloudy daylight conditions.

17. Only one electronic message board will be permitted per property. Under current Code, some properties are able to have more than one message board based on lineal feet of property.

ADDITIONAL REGULATORY OPTIONS

In addition to the above regulations, the below items offer additional levels of regulation that may be written into the Code depending on the policy direction set by the Board of Trustees.

A. Minimum required spacing between signs. Some communities set minimum distances between electronic signs in order to prevent a clustered appearance. Distance limitations will also limit, by default, the number of properties eligible for an electronic sign.

B. Requirement of solar operated sign. Electronic signs, by nature, use more electricity than conventional signs. Requiring solar powered signs helps contribute to a greener environment.

C. Aesthetic improvements including but not limited to, masonry based signs (ie enclosed by brick) and/or additional landscaping.

D. Standards for the height of lettering based on the speed limit of the road to ensure consistent visibility.

E. Limited to geographic areas, like Lagrange Road, Harlem, and 159th Street, for example, rather than on all commercial properties. Permitting electronic signs along only major commercial corridors would maintain the more residential character of other, more localized, neighborhood centers.

F. Limit or prohibit electronic signs near residential areas or for properties that abut residential areas. Language that emphasizes that electronic signs must obey current light trespass regulations.

G. Limit the time of day that the sign can be operational. Some communities require both electronic and conventional sign lighting to be turned off between 11PM and 7AM.

COMPARABLES

The attached photographs show other electronic signs and compare them to the proposed code amendments.

Any changes to the sign section of the Land Development Code will have to be brought through the public hearing process. On September 16, 2013, the Development Services & Planning Committee recommended that this item be brought to the Village Board of Trustees for discussion by a vote of 2-0-1 with Trustee Fenton abstaining. On October 2, 2013, the Village Board voted to send this item back to Committee in order to address comments made by the Board of Trustees.

Director Friling stated that staff did reach out to other similar communities to Orland Park and as indicated in the staff feedback that was received, almost all of them do not allow electronic signs. She added that if they do allow electronic signs it is with restricted use. She went on to say that based upon additional research that was done, it is being recommended that the Board does decided to move forward with the electronic signs that went down to as low as 50 to 150 nits at night and leave the day time illuminants at 1000 nits. She reported that there are 56 existing manual message boards along the major commercial corridors in the Village and for purposes of the Board to decide what policy direction to move forward with, she suggested that it would be safe to assume that overtime those signs would be replaced with an electronic message. She added that it is also recommended that those who acquire 3 violations within a twelve month period be required to remove the electronic sign. Other changes included those business with interior electronic window signage no longer being allowed to if they had an electronic sign outdoors, and also only allowing one electronic sign per property. She added that additional options were added that the Board could review including minimal spacing, solo operated, aesthetic improvements, masonry requirements, limited geographic areas, time of day that signs could be operational, etc.

Chairman Fenton noted that she was surprised to find out how many other communities do not allow or have very limited use of the electronic signs. She also asked what would be done for someone that has an opened or closed electronic sign inside of their store if they are not allowed to have it because they have an electronic sign outdoors.

Director Friling said it would be up to the discretion of the Board. They could either allow it, or not allow it at all.

Chairman Fenton noted that she is not personally convinced that it is the right direction to go in for the Village.

Keloryn Putnam, Executive Director of the Orland Park Chamber of Commerce stated that one of her concerns is that a decision be made in a timely fashion because of the fact that a lot of people are deciding at this time which direction they are going to go in regarding the electronic signs. She also commented that she believed that even with the restrictions that would be in place, there could still be attractive electronic signs.

Lori Stengren from Darwin furniture commented that the company would really like to see the technology of electric signs embraced for many reasons. She noted that in order to change the current message board, men have to get up on ladders in order to change the message on the board twice a week. She also added that since Darwin's sign is grandfather in, they would be willing to have a new sign that complied with the Village of Orland Park's code regarding electronic signs.

Trustee Schussler asked how a range would be enforced for the amount of nits allowed within an electronic sign.

Director Friling stated that a range would not be enforced, and that based upon research a range between 100 and 150 would be appropriate.

Chairman Fenton asked who would monitor whether businesses were using the right illumination or not.

Director Friling stated that there is equipment that measures the amount of lighting that is being used.

Trustee Schussler commented that the discussion should be regarding electronic message boards and not electronic signs because the term electronic signs has a negative connotation. He noted that a "message board" is what the Village of Orland Park is looking into. He added that he believes that businesses are looking for the new signs because they would not have to keep inventory of letters, it would be easier to change the message on the sign, there would be less labor, etc. He said that the main goal is to avoid the "Las Vegas" look of electronic signs. He commented that this can be done with the restrictions that have recommended because it will avoid the objectionable aspects of electronic messaging. He went on to say that Orland Park is a business friendly community and to deny these signs to businesses would not be business friendly.

Chairman Fenton stated that she believed Trustee Schussler's statement about being business friendly was a strong statement when one looks at all the towns that do not allow electronic signs in the surrounding area.

Trustee Ruzich commented that she does not like to hear that the village's businesses are at a disadvantage, but when you look at the other towns that don't have electronic signs, it seems that Orland Park businesses are not at as big of a

disadvantage as some may think. She stated that the survey results of other communities has changed her decision, as where before she was in favor of the electronic signs.

Chairman Fenton commented that she does not think that any businesses would be putting a sign up before the construction was completed in regards to the time sensitive comment that was brought forth earlier by Keloryn Putnam. She added they would have to wait to see what the new landscape would look like. She noted that the village has two years to make a decision on the matter.

Trustee Schussler stated that signs are being moved on a daily basis and that businesses have the right to do so. He added that the whole point of this matter is to provide an incentive to those that currently have non-conforming signs. He noted that the ordinance is supposed allow businesses that have non-conforming signs to now conform to the ordinance. He added that every day that goes by without making a decision allows businesses to just move their sign and not come into conformance with the ordinance.

Keloryn Putnam added that it is time sensitive issue because decisions need to be made so they can make progress in deciding what they are going to do with their sign and the expenses that could be incurred based upon that decision.

Chairmen Fenton commented that unfortunately as of now there is not a consensus, and it looks to be a negative consensus if any.

Trustee Schussler stated that the communities that were mentioned are all west and north and the one community that was looked over was Tinley Park. He added that Tinley Park is interesting because the Village of Orland Park changed their sign ordinance to allow larger signs along 159th Street because Tinley Park allowed larger signs. He added that Tinley Park allows electronic signs village-wide and that business in Orland Park should compete with the neighboring communities.

Chairman Fenton commented that Palos Heights, Palos Park, and Homer Glen do not allow them and they are neighboring communities.

Trustee Ruzich commented that some of the signs allowed are not attractive .

Trustee Schussler agreed and stated that that is why the village will need to have strict and enforceable regulations, which he believes staff has made a great effort to do so. He also noted that there is a provision that manufactures have, which allows the sings to be locked down. The restrictions can be programmed into the signs and not changed once they are locked to those guidelines.

Keloryn Putnam stated that signage is crucial for all the businesses and they are

already at a disadvantage as a result of the construction that is taking place.

This item is for discussion only.

NO ACTION

ADJOURNMENT: 6:58 PM

ADJOURNED

Aye: 3 - Chairman Fenton, Trustee Schussler, and Trustee Griffin Ruzich

Nay: 0

/AJ

Approved: November 18, 2013

Respectfully Submitted.

John C. Mehalek, Village Clerk

Recording Secretary