

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

X Resolution or Ordinance (Blue) _____ Waiver of First Requested
_____ Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE : August 30, 2017

(BOT) Date: September 7, 2017

SUBJECT: PC 17-23: Text Amendments to the Sign Ordinance (Off-Premise Interstate Signs)

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development *WJH*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petitions. The petitioner, the Village of Lombard and Lamar Companies, are seeking approval of text amendments to the Sign Ordinance to establish regulations for Off-Premise Interstate Signs.

The Plan Commission voted 4-1 to recommend that the Village Board approve the petition associated with PC 17-23.

Fiscal Impact/Funding Source:

Review (as necessary):


Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development 

MEETING DATE: September 7, 2017

SUBJECT: **PC 17-23: Text Amendments to the Sign Ordinance (Off-Premise Interstate Signs)**

Please find the following items for Village Board consideration as part of the September 7, 2017 Board meeting:

1. Plan Commission referral letter (this is a joint referral letter for PC17-23 through PC 17-26 as the petitions were also heard jointly);
2. IDRC report for PC 17-23;
3. An Ordinance granting approval of text amendments to the Sign Ordinance pertaining to Off-Premise Interstate Signs.

The Plan Commission recommended approval of this petition by a vote of 4-1. As all four petitions did not receive recommendations for approval, please place this item on the September 7, 2017 Board of Trustees agenda under Items for Separate Action.



VILLAGE OF LOMBARD

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September 7, 2017

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Bill T. Johnston, Dist. 4
Robyn Pike, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
Scott R. Niehaus

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Mr. Keith T. Giagnorio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 17-23 through 17-26: Text Amendments to the Sign Ordinance, Zoning Ordinance and Zoning Actions for Off – Premise Interstate Signs

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petitions. The petitioner, the Village of Lombard and Lamar Companies, are seeking approval of text amendments to the Sign Ordinance and the Zoning Ordinance to establish regulations for Off-Premise Interstate Signs as well as map amendments and a conditional uses for such signs at 630 Crescent Boulevard and 625 W. Glen Oak Road (Glenbard Wastewater Authority (GWA) facility).

Prior to the start of the public hearing testimony, Chairperson Ryan noted that the four zoning requests would be heard together and that at the end of the public hearing process, the Plan Commission would vote on each matter separately.

William Heniff, Community Development Director, presented the petition noting that the Village of Lombard and Lamar Companies are joint petitioners. The Village will be considering this matter from two perspectives, as the Village is the property owner of the land in which the proposed signs are proposed to be located. He referenced the four staff IDRC report and summary memorandum which were to be submitted into the public record in their entirety. He also referenced and utilized a companion PowerPoint presentation.

He offered an initial background regarding the petitions. In December, 2013, the Village was approached by Lamar Companies to explore opportunities to construct and operate automatic changeable copy (ACC) off-premises billboard signs on selected Village owned properties. They are seeking approvals for one such sign on a tract north of Crescent and up to two additional signs on the south side of Glen Oak Road/Hill Avenue where GWA has an operating treatment plant. He noted that per the proposed text amendments, the signs are intended to be deemed and described as “off-premise interstate signs.”

Lamar intends on constructing one ACC board on each of the three proposed off-premise interstate signs. The opposite side of the respective ACC sign board component is intended to have a static copy sign face at the time of initial installation. However, they would like the legal ability to change the static copy sign face to an ACC one at some point during the life of the lease, when or if market conditions dictate. As such the petition is being set up to address both options and scenarios.

He then offered the past timeline between the Village and Lamar. In August, 2014, the Village Board entered into an agreement with Lamar Companies to compensate the Village for any legal review costs associated with any lease proposal reviews. Staff been engaged with Lamar Companies and the Village and have been working on the framework of any such agreement. The extensive time period for discussion and review included and related to determining the operating parameters of the agreement and financial considerations. Lamar was also undertaking engineering studies of the subject properties in 2016 as part of their due diligence process. In early 2017 the framework of lease agreements was completed. In March, 2017 DuPage County Stormwater submittal was made. In June, 2017, Glenbard Wastewater Authority EOC review and consent was conducted.

Staff also brought the concept before the Village Board in 2015 for initial discussion. The Plan Commission expressed concerns about the proposal and Lamar has been trying to address the concerns within their request. He noted that the draft agreements would require all requisite hearings be held and all approvals be in place prior to adoption of the lease agreements.

While not directly related to the requested zoning actions being considered as part of this petition, Lamar Companies will be obligated to remove two legal non-conforming static billboard signs located at 330 and 920 E. Roosevelt Road prior to or concurrent with the installation of any new signs approved as part of these petitions – this would be a condition of the proposed lease agreement.

Mr. Heniff discussed the actions required for PC Cases 17-23, 17-24, 17-25, and 17-26. PC 17-23. For PC 17-23, definitions for Federal Interstate Highway, Nit, and Off-Premise Interstate Sign needed to be added to provide clarity to future users on the code regulations. He then discussed regulations for Off-Premise Interstate Signs. He noted that they would be limited to the I Limited Industrial Zoning District and must abut a Federal Interstate Highway. They shall not be placed further than 100 feet from a Federal Interstate Highway. The highest point shall not exceed eighty-five (85) feet from grade. They must be placed at least five hundred (500) feet from another off-premise interstate sign. They shall be a back to back of less than 30 degree V-

shape design, to minimize impact on neighboring properties. There shall be no projection over buildings. They shall not be stacked, tiered, or decked signs. There shall only be two opposite-direction sign faces. Non-conforming signs must go through conditional use process.

He then discussed off-premise interstate signs with an ACC component. Signs are permitted to change with intervals of ten seconds or longer. Signs shall freeze if a malfunction occurs. Signs shall adjust intensity in response to ambient lighting conditions. The maximum brightness during the day is 5,000 Nits; the maximum brightness at night is 300 Nits.

Mr. Heniff then discussed the proposed text amendments to the Zoning Ordinance for PC 17-24. Add definitions for Federal Interstate Highway and Off-Premise Interstate Sign. Off-Premise Interstate Signs shall be considered a principal structure and a conditional use. Off-Premise Interstate Signs shall only be located abutting a Federal Interstate Highway. The setback requirements along the Interstate will be waived, in order to encourage such signs to be as close to the interstate and away from other properties as possible.

Mr. Shawn Pettit from Lamar Companies then discussed how this project is 3.5 years in the making. In 1959 the subject properties were zoned M1. Therefore, billboards were allowable, but you needed to apply with the state for permit approval. There will be three leases for the signs and he discussed the three proposed sign locations.

He referenced the proposed initial ACC sign face directions as noted in the map in of the PowerPoint presentation. The billboard near the Prairie Path will be amended so that the electronic portion faces north, away from the vegetation and path.

He discussed the existing zoning and the Comprehensive Plan land use and the stormwater regulations. The petition will seek approval of a map amendment/rezoning and conditional use approval to rezone the subject property at 630 Crescent Blvd. from Conservation/Recreational C/R to I Limited Industrial and to grant a conditional use to allow for Off-Premise Interstate Signs on the subject property. He noted the existing conditions of 630 Crescent Blvd. as noted by the picture in the PowerPoint presentation and the proposed sign visibility conditions along I-355 and IL Route 53.

Mr. Pettit then presented the map amendment/rezoning and conditional use approval for PC 17-26, which would rezone the subject property at 625 W. Glen Oak Rd. from C/R to I Limited Industrial and grant a conditional use to allow for up to two Off-Premise Interstate Signs on the subject property.

He then referenced the existing conditions of 625 W Glen Oak Rd as noted by the pictures in the presentation as well as along I-355 and IL Route 53. He noted the Commonwealth Edison wires are taller and showed views from homes on IL Route 53. He did note that the pictures were taken from grade and that if there was a residence with a second story, they could be a larger sign component.

Mr. Pettit discussed other items in the leases. Each respective lease would be negotiated and approved separately. Two static off-premise signs located along Roosevelt Road would be

eliminated as a condition of approval. There is a co-location option for wireless facilities and an ability for community messaging.

Mr. Heniff also noted several other items for reference. Glenbard Wastewater Authority has given their approval. The signs should not affect the Village use of Crescent Ave. station. He then referenced the letters submitted to the file from the Forest Preserve District of DuPage County that was passed out to the Plan commissioners and made a part of the record.

He closed by noting that the sites are removed from residences, unlike Roosevelt Road. The full scope of the agreement between the Village and Lamar Companies is still subject to finalizing an agreement. Zoning approval is just one piece of the lease considerations that will be concurrently under review by the Village Board. Upon receiving a recommendation from the Plan Commission, staff will forward its recommendation to the Village Board for consideration prior to final approval of any leases.

The following questions were then offered by the Plan Commissioners. Commissioner Olbrysh asked if the Village will have any control over the type of advertisements on the proposed signs. Mr. Heniff responded that there have been some discussions regarding this matter with Lamar and it is possible to memorialize the types of advertisements in the lease agreement.

Commissioner Olbrysh asked how the Village would respond to the environmental concerns brought up by the Forest Preserve. Mr. Heniff responded that the memorandum discusses lighting and its impact. The signs will also be directed towards the streets and away from the Forest Preserve, also referencing that I-355 is a lighted tollway.

Commissioner Burke stated that during the workshop he noted this was not a desirable situation, and that they've been trying to remove billboards from Roosevelt Road and North Avenue for years. The billboard on Roosevelt Road is less noticeable than on I-355 because there's more of them and more noise (street lights, traffic signals, buildings) on Roosevelt Road. Mr. Burke is unsure if it is appropriate for Lombard to be the leader in this category. This is not a positive thing. It's not positive if it's on private property. The Forest Preserve asked about access. Mr. Burke asked for examples of Nits, and noted the picture from the shoulder, stating that Finley Road residents are further away and higher. Therefore the signs would be more visible. He also asked how is the sign can be a principal use on the wastewater site.

Chairperson Ryan opened the meeting for public comments. Speaking in opposition of the petition was Tom Savage, resident at 21W340 Hill Avenue, Glen Ellyn. He stated he is against the rezoning and the proposed billboards. He thinks the proposed signs will have a negative impact on the area. The point of the conservation zoning is to conserve land and it makes sense to limit the signs to industrial zoning. The sites are not industrial parks. There are residences to the east and west. Residents use Hill Avenue and the Prairie Path daily.

Mr. Heniff responded that consideration of this site was not an arbitrary or capricious decision. The property is bounded by a Commonwealth Edison high voltage transmission line, an interstate tollway and railroad tracks. The sewage treatment plant has an 8-foot barbed wire fence with no public access. There are a number of industrial properties west of the subject

property with several businesses having monopoles. There is a screening wall along Columbine acting as a noise barrier. There are no other properties along I-355 or I-88 zoned Industrial in the Village.

Commissioner Burke asked about the principal use issue. Mr. Heniff responded that it is possible to have more than one principal use on a property. The idea of making it a conditional use makes it a higher standard for approval. Mr. Burke stated that the sign would not be the principal use of the treatment plant property. Mr. Heniff responded that the property would have two principal uses.

Commissioner Burke asked for the Nit intensity explanation. Mr. Heniff responded that Nits can be measured and they would ask for code compliance as part of the approval and operation of the signage. Without a standard in the code, there is only the photometric code for parking lots. Mr. Heniff used the in Oakbrook Terrace as an example for needing to have a standard. The Oakbrook Terrace regulation is a similar regulation for an illuminated sign along Route 83 at Roosevelt Road. Mr. Burke stated he was not comfortable with the Nit explanation.

Mr. Savage asked for an explanation of the economic benefit to the village for the three signs and if there will be lost revenue from the billboards on Roosevelt Road. Mr. Heniff responded that the revenue from the Roosevelt signs goes to the property owners not the Village. There will be future discussions with the Village Board regarding the billboard leases.

Commissioner Oblrysh asked if the leases and approvals will apply to both properties. Mr. Heniff responded the revenue from the signs on the Glenbard Wastewater property goes to them. Glenbard Wastewater is a combined entity between the Villages of Glen Ellyn and Lombard. The Village owns the property to the north. The access drive from Crescent Blvd. is going across land owned by the Forest Preserve which would require future lease agreements or arrangements in order to resolve any issues.

Commissioner Mrofcza asked about the leases and potential dollar amounts. Mr. Heniff responded that yes they could. Each sign would have their own agreement with individual dollar amounts attached. There will be a 20 year lease.

Commissioner Mrofcza asked what kind of control the Village would have over the content displayed on the signs. The content could have a bad reflection on the Village. Mr. Heniff referenced that there would be provisions to address this issue in the lease. Mr. Pettit responded that it is a corporate policy to not have sexually oriented businesses on display face. They can have further discussions with the Village Board.

The Plan Commission then voted on each of the petitions.

On a motion by Commissioner Flint, and a second by Commissioner Olbrysh, the Plan Commission voted 4-1 to recommend that the Village Board approve the petition associated with PC 17-23.

On a motion by Commissioner Olbrysh, and a second by Commissioner Flint, the Plan Commission voted 4-1 to recommend that the Village Board approve the petition associated with PC 17-24.

On a motion by Commissioner Flint, and a second by Commissioner Olbrysh, the Plan Commission voted 3-2 to recommend that the Village Board approve the petition associated with PC 17-25. As there were not 4 votes in favor in opposition to the petition, the petition will move forward for Village Board consideration with no recommendation.

On a motion by Commissioner Mrofcza, and a second by Commissioner Olbrysh, the Plan Commission voted 4-1 to recommend that the Village Board approve the petition associated with PC 17-26, subject to the conditions represented in the IDRC Report..

Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Lombard Plan Commission



MEMORANDUM

TO: LOMBARD PLAN COMMISSION
Donald Ryan, Plan Commission Chairperson

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

DATE: July 31, 2017

SUBJECT: **Plan Commission Overview PC 17-23 through PC 17-26 - Lamar Companies Off-Premise Interstate Signs**

In December, 2013, the Village was approached by Lamar Companies to explore opportunities to construct and operate automatic changeable copy (ACC) off-premises billboard signs on selected Village owned properties. They are seeking permission and approvals to one such sign on a tract north of Crescent and up to two additional signs on the south side of Glen Oak Road/Hill Avenue where Glenbard Wastewater Authority (GWA) has an operating treatment plant (jointly referenced as the subject properties). For purposes of this and future petitions, such signs are intended to be deemed and described as "off-premise interstate signs."

The petitioner intends on constructing one ACC board on each of the three proposed off-premise interstate signs. The opposite side of the respective ACC sign board component is intended to have a static copy sign face at the time of initial installation. However, they would like the legal ability to change the static copy sign face to an ACC one at some point during the life of the lease, when or if market conditions dictate. As such the petition is being set up to address both options and scenarios.

The Village will be considering this matter from two perspectives. The first aspect is as a property owner and co-petitioner. In August, 2014, the Village Board entered into an agreement with Lamar Companies to compensate the Village for any legal review costs associated with any lease proposal reviews. Such costs would be reimbursed regardless of whether they secure all require approvals from the Village or other approval entities.

Since passage of the reimbursement agreement, staff has been engaged with Lamar Companies and the Village Board throughout the review process. The Village and Lamar have been working on the framework of any such agreement and that discussion has been finalized in concept. The extensive time period for discussion and review included and related to determining the operating parameters of the agreement and financial considerations. Separately, Lamar was also undertaking engineering studies of the subject properties as part of their due diligence process.

The other perspective for which this matter is being brought to the Plan Commission for public hearings pertains to the zoning approval steps that must be undertaken. The draft agreements require that all requisite hearings be held and all approvals be in place prior to adoption of the lease agreements. This requirement also mandates four public hearings pertaining to this requested action, which include:

PC17-23: Text Amendments to the Sign Ordinance

PC17-24: Text Amendments to the Zoning Ordinance

PC17-25: Map Amendments and Conditional Use Approval for a billboard at 630 Crescent Blvd.

PC17-26: Map Amendments and Conditional Use Approval for a billboard at the GWA
Treatment Facility at 625 Glen Oak Road

While not directly related to the actions above, Lamar Companies, will be obligated to remove two legal non-conforming static billboard signs located at 330 and 920 E. Roosevelt Road prior to or concurrent with the installation of any new signs approved as part of these petitions.

For reference purposes, the sign proposal being brought forward was also shared with the GWA Executive Oversight Committee (EOC) and the EOC supported the proposal for the signage that is being contemplated at the GWA site. Should the Plan Commission offer its recommendation on the zoning matters, it will be then forward to the Village Board for final consideration of the four zoning petitions followed immediately by approval of the three companion lease agreements.

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

TEXT AMENDMENTS TO THE SIGN ORDINANCE – OFF-PREMISE INTERSTATE SIGNS

July 31, 2017

Title

PC 17-23

Petitioner

Village of Lombard
255 E Wilson St
Lombard, IL 60148
Lamar Advertising Company
1770 W 41st Ave
Gary, IN 46408

Property Location

Village-wide

Approval Sought

Text amendments to the Sign Ordinance (and any other relevant sections for clarity) adding Off-Premise Interstate Signs to the ordinance.

Submittals

1. Petition for a public hearing; and
2. Response to Standards for a Text Amendment.

Prepared By

William J. Heniff, AICP
Director of Community
Development

DESCRIPTION

The joint petitioners, the Village of Lombard and Lamar Advertising Company, have submitted this request along with companion requests for off-premise interstate signs approvals (if PC 17-23 and PC 17-24 are approved) at 630 Crescent Boulevard (Case No. PC 17-25) and 625 W. Glen Oak Road (Case No. PC 17-26).

This petition is to provide for text amendments to the Sign Ordinance (Chapter 153 of the Code of Ordinances) in order to facilitate Off-Premise Interstate Signs.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments regarding the proposed text amendments to the Sign Ordinance.

Fire Department:

The Fire Department has no issues or concerns regarding the proposed text amendments to the Sign Ordinance.

Private Engineering Services:

Private Engineering Services has no comments regarding the proposed text amendments to the Sign Ordinance.

Public Works:

The Department of Public Works has no comments regarding the proposed text amendments to the Sign Ordinance.

Planning Services Division:

The proposed text amendments will add three definitions (Federal Interstate Highway, Nit, and Off-Premise Interstate Sign) that help provide guidance to ordinance users. The text amendments will also allow for off-premise interstate signs to be regulated as a conditional use. These signs will only be allowed in an I Limited Industrial Zoning District next to Federal Interstate Highways.

The proposed new section will limit the size of the sign structure. The maximum height of the structure shall not exceed eighty-five (85) feet. The maximum area of one sign face shall not exceed six hundred seventy-five (675) square feet. No sign shall have a greater sign face ratio of height to width than 1 to 3.5. Finally, additional regulations are in place for automatic changeable copy (ACC) signs.

In order for this petition to be considered, the proposed Sign Ordinance amendments are offered below. The proposed amendments are in black italicized text, while staff commentary is offered in red text.

PROPOSED REGULATIONS

Staff proposes the following text amendments to the Sign Ordinance:

For PC 17-23, approve Text Amendments to the Sign Ordinance, as follows:

A. *Add the following definitions to Section 153.602: Definitions:*

FEDERAL INTERSTATE HIGHWAY. For purposes of this Ordinance, Federal Interstate Highway shall be exclusively and solely be interpreted to mean Interstate 88 (Ronald Reagan Memorial Tollway) and Interstate 355 (Veterans Memorial Tollway).

This definition is offered to clearly note that any such references to Federal Interstate Highways are specifically limited to these two roadways and not any other roadways, regardless of whether the roadways are funded by or otherwise regulated by federal or state entities.

NIT. A unit of measurement to determine visible-light intensity or luminesce, commonly used to specify the brightness of a cathode ray tube (CRT) or liquid crystal display (LCD) lighting display. One nit is equivalent to one candela per square meter.

The term "nit" is a term used to help address light emissions associated with the perceived brightness of light emanating from an internally illuminated LCD sign. This term is needed in order to establishing permissible restrictions regarding such lighting.

SIGN, OFF-PREMISE INTERSTATE. An off-premise sign which includes either an automatic changeable copy board or a static copy board and which is primarily intended to communicate messages to motorists utilizing Federal Interstate Highways within the Village.

Rather than generically calling the proposed sign types generic off-premise or billboard signs, which could cause other significant conflicts within code, the intent of this definitional amendment is to define the proposed signs as a separate and distinct signage element and land use.

B. Add a new Section 153.244 OFF-PREMISE INTERSTATE SIGNS, with renumbering of existing Sections 153.244 accordingly.

C. Add the following text to the new Section 153.244: Off-Premise Interstate Signs.

It is unlawful to construct, erect or maintain any Off-Premise Interstate Signs without complying with the following provisions:

(A) *Off-Premise Interstate Signs*

1) *Off-Premise Interstate Signs shall be deemed to be a principal structure on a lot and would constitute a conditional use, pursuant to Sections 155.103(F) and 155.208(C) of the Zoning Ordinance.*

This amendment would memorialize and subject any such off-premise interstate signage to the Village's public hearing process for conditional uses. This approach would both provide the opportunity for the Village to review each proposed sign more closely and determine whether such signage is appropriate on a case by case basis, taking into account, location, proximity to other land uses and activities and any other external impacts. Given that such signage will be deemed as a type of principal use, through the companion zoning ordinance amendments, the amendment would create consistency within overall Village Code.

2) *Off-Premise Interstate Signs shall be limited to placement on a lot within the I Limited Industrial Zoning District and must abut a Federal Interstate Highway right-of-way. All such signs must also meet the following requirements:*

a) *The outermost extent of any such signs shall be located no further than one hundred (100) feet from a Federal Interstate Highway right-of-way.*

This provision will limit the signs to only be placed abutting a Federal Interstate Highway (as previously defined), ensuring that off-premise interstate signs cannot be placed just anywhere in the Village. This provision also is intended to ensure that such signage is as close as possible to the interstate, as that is the purpose and rationale of the signage. The regulation will also help ensure that external impacts of the signage are reduced.

b) *The highest point of the sign structure shall not exceed eighty-five (85) feet in height from the grade at the base of the sign.*

Although the proposed signs are only seventy-five (75) feet in height, allowing for an additional ten (10) feet in the code provides some leeway in case grading, topography, or some other variable changes the height of the signs to exceed seventy-five (75) feet.

c) *The maximum area for any one face of a sign shall be six hundred seventy-five (675) square feet inclusive of any border and trim, but excluding the base or apron, supports and structural members. However, no sign shall have a greater sign face ratio of height to width than 1 to 3.5.*

This provision will limit the actual size of the sign face. The 675 square foot sign limitation would provide for a standard dimension commonly found for such ACC sign components.

d) *The maximum number of faces per sign structure shall be two (2) constructed back to back or in a V-shaped design, not to exceed 30 degrees, to account for interstate roadway geometrics.*

This provision is set in place to ensure that the design of the sign structure can account for geometric alignments of roadways in such a manner that the sign face is oriented toward the targeted motorists and away from other properties.

- e) *The sign shall not be erected on any building or project over any part of a building.*

This provision limits any potential new signs from being attached onto buildings or too close to buildings within the Village. This provision would help ensure that structure conflicts do not occur.

- f) *Sign faces shall not be installed side by side, stacked, tiered or decked. The display panel of off-premise interstate signs may only be visible from one direction of travel on the main-traveled way of the Federal Interstate Highway.*

This provision is set in place to ensure that the design of the sign structure will not excessively create too much sign square frontage in a single motorist view.

- g) *Only one off-premise interstate sign is permitted on each display panel with a maximum of two off-premise interstate signs facing in opposite directions on a highway advertising sign structure.*

This provision limits how many signs are allowed per display panel. The total number of signs on a single sign structure and would preclude the addition of a third dimension panel face.

- h) *No off-premise interstate sign shall be located closer than 500 feet from any other off-premise interstate sign as measured along the same side of the primary highway.*

This provision ensures that there will be an appropriate distance between such signs. This is also a standard mandated by IDOT as part of their review and approval effort.

- i) *Nonconforming signs or non-conforming sign structures will not be permitted to be retro-fitted with an off-premise interstate sign, unless said sign is approved through the conditional use process and meets Village Code requirements.*

This provision requires that nonconforming signs go through the conditional use process before being retrofitted as an off-premise interstate sign.

- 3) *Off-premise interstate signs that include an automatic changeable copy sign component shall also meet the following operational requirements:*

- a) *The sign shall be permitted to change no more frequently than ten-second intervals and shall be limited to changeable messages and not chasing messages. The change of message on an off-premise interstate sign shall occur sequentially and simultaneously across the entire display panel. The sign shall also not be illuminated by flashing lights, strobe lights, lights resembling emergency vehicles, or moving lights.*

This provision helps to maintain the safety of those driving on the highway by ensuring the display on the sign is not so distracting that drivers cannot focus.

- b) *The signs shall contain a default design that will freeze the display in one still position if a malfunction occurs.*

In the case that the display on the sign malfunctions, this provision will ensure that the display freezes so that drivers are not distracted by the sign.

- c) *The sign shall have the capability to adjust its intensity in response to ambient lighting conditions. No sign shall be erected without a light detector/photocell by which the sign's brightness shall be dimmed when ambient conditions darken so that signs are not unreasonably bright for the safety of the motoring public. The maximum brightness during the day, defined as the time period between one-half hour after sunrise and one-half hour before sunset, shall be 5,000 Nits and at night, defined as the time period between one-half hour before sunset and one-half hour after sunrise shall be 300 Nits. Furthermore, the transmitted illumination spillover from the sign at any property line shall not exceed 0.5 foot-candles.*

Driver safety is ensured by requiring signs with an ACC sign component have a maximum brightness during the day and night. This section also establishes a new standard (nit provisions) which can better account for appropriate lighting of such signage.

- d) *The sign owner shall provide the Village with the name, telephone number and electronic mail address of an on-call contact person for each sign. The contact person must have the authority and ability to make immediate modifications to the displays and lighting levels should the need arise. When a malfunction occurs, the contact person shall, when notified of the malfunction, promptly either cause the malfunction to be corrected or shall power-off the sign.*

This provision ensures that there is a contact person for each proposed sign who can modify the sign or resolve any malfunction issues should the need arise.

D. Include the following regulations in a new Section 153.507(C), as follows:

(C) Permitted Signs through a Conditional Use Approval

Subject to the provisions of Section 155.103(F) of the Zoning Ordinance, the following signage may be allowed:

1. *Off-Premise Interstate Signs, in accordance with the provisions set forth within Section 153.244.*

This amendment will allow for off-premise interstate signs to be permitted after receiving approval as a conditional use. They are also subject to the full provisions of code.

E. Approve any other related amendments to the Sign Ordinance, as it pertains to off-premise interstate signs, for clarity purposes.

STANDARDS FOR TEXT AMENDMENTS

For any change to the Sign Ordinance, the standards for text amendments must be affirmed. The standards are noted below:

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*
The text amendment is applicable to properties zoned Industrial that meet the criteria set forth in the proposed text amendments.
2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*
The proposed text amendment will be consistent with the Ordinance as a whole and provide for regulations on type and location of proposed signs.
3. *The degree to which the proposed amendment would create nonconformity;*
Staff does not believe any nonconformity would be created. Rather, the proposed amendments and approval will provide for the removal of other non-conforming signs along Roosevelt Road in consideration of this request.
4. *The degree to which the proposed amendment would make this ordinance more permissive;*
The proposed amendment will be more permissive as it sets forth new regulations on where the signs may be placed.
5. *The consistency of the proposed amendment with the Comprehensive Plan; and*
Staff finds that the proposed amendments would be consistent with the Comprehensive Plan.
6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*
The Village has a history of amending the Zoning and Sign Ordinance to address edits for clarity. The proposed amendments are consistent with established Village policy in this regard.

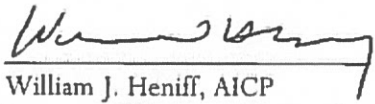
FINDINGS & RECOMMENDATIONS

Staff finds the proposed amendments to be consistent with the objectives of the Sign Ordinance. The proposed amendments are also consistent with the intent of the Comprehensive Plan in general.

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Sign Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 17-23.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development

c. Petitioner

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**Forest Preserve District
of DuPage County**

35580 Naperville Road
P.O. Box 5000
Wheaton, IL 60189

630.933.7200
Fax 630.933.7204
TTY 800.526.0857
dupageforest.org

Sent VIA e-mail: ganserj@villageoflombard.org

July 27, 2017

Donald Ryan
Chairperson, Lombard Plan Commission
Village of Lombard
255 E. Wilson Avenue
Lombard, IL 60148

Re: Notice of Public Hearing re: 630 Crescent Blvd. and 625 W. Glen Oak Rd.,
Lombard, IL
PINs: 05-12-209-005 and 05-12-202-029

Dear: Mr. Ryan,

The Forest Preserve District of DuPage County recently received a Notice of Public Hearing regarding the Village of Lombard and Lamar Companies' request for re-zoning, multiple Zoning Ordinance text amendments and additions, and conditional uses for billboards regarding the subject properties. We appreciate receiving timely notification of such projects/requests that may have an impact on our property, and thank you for the opportunity to comment.

The Forest Preserve District owns property known as Churchill Woods Forest Preserve and East Branch Riverway Forest Preserve. The parcel located at 630 Crescent Blvd. is adjacent to Churchill Woods Forest Preserve, part of which is a dedicated Illinois State Nature Preserve and contains critical habitat. The parcel located at 625 W. Glen Oak Rd. is situated between these two preserves. Forest Preserve District staff has reviewed the public hearing notice and the proposed requests and has the following comment.

The Forest Preserve District objects to the requests for the property adjacent to Churchill Woods. We contend that the billboard will negatively impact preserve habitat, detract from the experience of the forest preserve users, and devalue the preserve property – which is owned by the taxpayers of DuPage County.

We encourage the Village to be cognizant of the adverse impacts that visual and light pollution from billboards have on wildlife, ecosystems and preserve users. Numerous studies have documented that artificial light at night has negative and deadly effects on many creatures including amphibians, birds, mammals, insects and plants. We strongly recommend that the Village withdraw the request for a billboard adjacent to Churchill Woods.

Additionally, billboard installation and maintenance at the proposed site adjacent to Churchill Woods will likely require additional access across Forest Preserve property. Currently, rights for such access at this location do not extend to all petitioners.

Please consider this as the Forest Preserve District's request that this letter be read and entered into the public record at the hearing on Monday, July 31st. If you have any questions, please call me at (630) 933-7235.

Sincerely,

A handwritten signature in cursive script that reads "Ed Stevenson". The signature is written in black ink and is positioned above the typed name.

Ed Stevenson, Executive Director

cc: Joseph Cantore, President
Tim Whelan, Commissioner District 4
Dan Zinnen, Director of Resource Management and Development

Public Comments Relative to PC 17-23 through 17-26

Below is a compilation of emails received by the Village subsequent to the requisite public hearings for PC 17-23 through 17-26. Staff noted to the inquirers that their correspondences would be shared with the Village Board as part of the consideration of the petition.

1.

From: Kathleen Savage
Sent: Tuesday, August 01, 2017 11:38 AM
To: Ware, William
Subject: Billboards in Lombard

Hi William,

I am emailing you regarding the upcoming vote on allowing billboards in Lombard that was approved last night by the planning commission. The installation of billboards would be awful for our community, they are unsightly and the lighting on the boards will produce a disturbing amount of light pollution. Allowing billboards will be a mistake that residents of Lombard and Glen Ellyn will be paying for long after we are gone. This has an impact on our communities for years to come. Driving down 294 you can see the billboards littering the toll way, they are total and complete eyesores and it starts with just one. As a representative of the people of Lombard please say no to allowing billboards along 355!

Kathleen Savage

2.

From: Emily Obrecht
Sent: Tuesday, August 01, 2017 1:05 PM
To: Giagnorio, Keith
Subject: Hello

I oppose the construction of electronic billboards along 355.

Thanks,
Emily Obrecht

3.

From: Lindsay Kueking
Sent: Tuesday, August 01, 2017 1:14 PM
To: Bauer, Carol
Subject: I355 billboards

I am emailing in opposition to billboards being put up along I355.

Lindsay kueking

4.

From: Lauren Johnson
Sent: Tuesday, August 01, 2017 1:31 PM
To: Ware, William; Bauer, Carol
Subject: oppose billboard

Hello- Just an email from 2 concerned Lombard Resident who are OPPOSED to the proposed installation of electronic billboards!
Thank you
Lauren and Matt Johnson

5.

From: Kristie Leslie
Date: August 1, 2017 at 1:38:28 PM CDT
To: "whittingtond@villageoflombard.org"
Subject: Electronic billboard rezoning

Hi Mr. Whittington,
As a resident of Lombard and a district 1 resident, I oppose the rezoning of land by 355 for the purposes of an electronic billboard and urge you to vote no on this issue at the august meeting.

Thanks,
Kristie Leslie

6.

From: Karyl Glasser
Sent: Tuesday, August 01, 2017 2:21 PM
To: Johnston, Bill
Subject: No to Electronic Billboards

7.

From: Zabela, Stephanie A.
Sent: Tuesday, August 01, 2017 3:21 PM
To: Johnston, Bill
Subject: Rezoning - Electronic Billboards

Trustee Johnston,

I recently became aware that petitions to re-zone land along I-355 to allow for the installation of electronic billboards have been recommended for approval. Lombard already has severe problems with light pollution. It is never dark in Lombard – only an insomnia-inducing dull glowing orange. We do not need to make this problem worse. I previously thought all surrounding suburbs suffered similarly, but I recently visited a friend in Wheaton and was surprised to learn that, in Wheaton, one can see the stars and sleep at night.

The billboards would negatively impact the quality of life in Lombard, the aesthetics of the Village, housing values, and the nearby nature preserve. As a resident of District 4, I ask you, please, to vote

against the proposed rezoning and the billboards, as well as any similar proposal that might be introduced in the future.

Please note that I am writing this in my personal capacity as a resident of Lombard.

Thank you,

Stephanie Zabela

8.

From: EmilyAEbel0523 .

Sent: Tuesday, August 01, 2017 3:28 PM

To: Giagnorio, Keith

Subject: I-355 BILLBOARDS

Dear Mr. Giagnorio,

I am writing you because it is my understanding that the Village of Lombard Plan Commission recommended approval of petitions by Lamar Company to rezone land along I-355 to allow for the installation of 3 double-sided electronic billboards. I am opposed to allowing the rezoning from conservation and recreation use to industrial use. The electronic billboards will be HUGE and Lombard would be the first to allow such billboards. They will be a visibility eye sore for motorists, residents, bikers and joggers and those who use the Churchill Prairie Nature Preserve.

I am also concerned about the lack of input received by the public. It is my understanding that the Plan Commission was only required to notify the neighboring properties within 250 feet of the subject properties. This DOES NOT include so many Lombard residents that will be affected by these billboards. I would hate for Lombard to make a decision without hearing from ALL constituents that are affected. Please know, that we are spreading the word and I hope you listen to those of us that are reaching out in opposition to this plan.

Sincerely,

Emily A. Ebel (Shultz), Esq.

9.

From: Julie Stephens

Sent: Tuesday, August 01, 2017 5:10 PM

To: Ware, William

Subject: Plan Commission Billboards at Hill and Crescent

Good afternoon Bill,

I am hoping that you will vote against the proposed plan to allow double sided electric billboards at 355 and Hill and 355 and Crescent. I oppose this plan and think it would look awful and the light pollution would be disrupting.

Thank you, Julie Stephens

10.

From: Robin Augustine
Date: August 1, 2017 at 6:24:13 PM CDT
To: <whittingtond@villageoflombard.org>
Subject: Billboards-please vote no.

Please vote against the billboards along 355.

We love Churchill woods nature area and would hate to be enjoying nature and see these signs.

Thank you-
Robin Augustine

11.

From: Sarah
Sent: Wednesday, August 02, 2017 12:56 PM
To: Giagnorio, Keith
Subject: Re-zoning of Lombard property to allow billboards

Dear Village President Giagnorio -

I am writing because I DO NOT want these billboards to be allowed. I live near the one proposed near I-355 and Crescent. Billboards are generally annoying, even when driving. But to allow electronic billboards, which emit light 24-hours a day, to be visible from my house, is more than annoying, it is intrusive. I ask you to vote against this proposal. The benefits of this company making a few bucks off of a billboard is small compared to the decrease in property values and intrusive nature of these electronic signs. Please confirm how you vote on this.

Sincerely,
Sarah Novey

12.

From: Joseph C Beleski
Date: August 2, 2017 at 4:54:25 PM CDT
To: "whittingtond@villageoflombard.org"
Subject: Electronic Billboard at Crescent and I-355

Mr. Whittington,

I live at 309 Cimarron Rd E in your District. I just wanted to take a moment of your time to let you know I oppose the installation of an electronic billboard at Crescent and I-355.

Thank you,

Joe Beleski

13.

From: David Schubert

Date: August 9, 2017 at 11:49:42 AM CDT

To: <whittingtond@villageoflombard.org>

Subject: Lombard District 1 Resident - Opposition to PC 17-23, 17-24, 17-25, 17-26

Mr. Whittington,

My name is David Schubert. My wife and I live at 201 South Brewster Avenue with our newborn daughter. I am reaching out to you as a concerned citizen of Lombard in regards to a petition being taken up by the Village Board of Trustees on September 7th, regarding the proposed installation of illuminated billboards along I-355 at Crescent Boulevard and Glen Oak Road. I respectfully request that you vote **NO** to the illuminated billboards on September 7th.

First and foremost, my wife and I were drawn to Lombard because of its beautiful natural surroundings and rich history. We believe that the installation of illuminated billboards as proposed will not only detract, but will compromise and diminish, from what makes Lombard so special and attractive to young families like our own.

Secondly, as a commercial real estate attorney for a national corporation, I understand the positive economic impact that Lombard may receive from amending the municipal code and permitting the installation of these illuminated billboards. But, I also believe that any economic impact is short-sighted and misguided. Any immediate economic gain will be offset by a reduction in property values and a diminishing of Lombard's character. One of Lombard's defining characteristics is the prairie path, which is an incredible treasure. Anything that potentially impacts its pristine natural condition is not in the best interest of Lombard or its residents.

In addition, the potential negative impact extends far beyond the boundaries of our wonderful town. These billboards will most certainly be visible across I-355 to the residents of Glen Ellyn. As you are aware, the residents of Glen Ellyn do not want anything detracting from the natural environment that surround their homes, especially if it has the potential to decrease their property values. It would not be surprising to see the deep pockets of Glen Ellyn lawyering-up and filing an injunction against the Village of Lombard in an effort to enjoin Lombard from amending its ordinance to permit the illuminated billboards. Lombard's resident's taxes should not be spent defending lawsuits for the benefit of a billboard corporation.

Our main concern is not the billboards themselves, but the illumination thereof. At the very least, this issue should be tabled until the billboard company provides the municipality with a third-party impact study that measures the degree of light pollution and environmental impact on our community. Voting on this proposal without all of the facts and necessary information is doing a disservice to the community that you serve.

Ultimately Dan, my wife and I want Lombard to continue to develop into one of the most desirable suburbs in Dupage County. The downtown revitalization project has shown positive signs of growth and I fully believe that continuing to pour resources into bringing our downtown into the 21st Century is the best way to promote and develop our town.

I would love to introduce myself and speak with you more about this issue and my ideas for the community. Please do not hesitate to give me a call directly on my cell phone at [redacted].

Very Truly Yours,

David Schubert

14.

From: Tomas Novickas

Sent: Friday, August 11, 2017 6:57 PM

To: Ware, William

Subject: Billboards

Mr. Ware:

I am writing to express my concern over a plan to install new billboards in Lombard. I live near Roosevelt Rd and strongly support the removal of all billboards on Roosevelt rd. The signs look trashy, pollute the night sky, and generally are not consistent with a Community I want to be a part of. To that end, I support removing every billboard from Roosevelt rd. I also strongly object to installing new billboards along 355. Your vote in support of this plan is a non-starter for me. I believe that the proposed billboards would cause damage for at least the next generation to the value and image of Lombard among our neighbors, businesses, customers, and prospective home-buyers. I have too much pride in our Community to accept a step backwards with the installation of new billboards. I urge you to consider the aesthetics and value of our Community in your decision and vote against any billboards being installed in Lombard.

Thank you,
Tomas Novickas

15.

From: Kathleen Savage

Sent: Friday, August 18, 2017 11:23 AM

To: Bauer, Carol

Subject: Plan Commission Cases 17-23 through 17-26

Hi Carol,

I wanted to share with the Village Board some articles pertaining to Lamar to be considered for Plan Commission Cases 17-23 through 17-26. I have attached PDF copies as well as links to the articles below.

Also, should communication on these cases go through you? If not what is the best email address if people have questions or comments for the Village Board?

Thanks!

Kathleen Savage

Attachment 1:

<https://www.forbes.com/sites/jeffmcmahon/2012/04/26/billboard-company-in-tree-cutting-scandal/#5856ad6f7a5c>

Tree-Poisoning Case Reignites Billboard Industry Scandal
Jeff McMahon, Contributor

I cover green technology, energy and the environment from Chicago. Opinions expressed by Forbes Contributors are their own.



Trees felled to improve views of billboards. Photo courtesy of Scenic America.

Workers for America's largest outdoor advertising company have confessed to illegally poisoning trees that obscure billboards in Florida, reigniting a long simmering scandal in the industry.

"We always cut trees illegal," Robert Barnhart, a former employee at Lamar Advertising Co. in Tallahassee, told investigators from the Florida Department of Agriculture:

After a while I started actually riding around with my boss and he would show me trees he wanted poisoned. And, uh you know, he would tell me how to do it, you know, call it hit and run, machete at the roots and you pour poison, pesticides—we don't know what is is, uh, you would put it in a plastic container and it would eat its way through the plastic container. I mean, it's pretty gnarly stuff."

Barnhardt is suing Lamar Advertising under the Florida Private Whistleblower's Act, contending he was fired after he refused to continue poisoning trees.

Barnhardt's account was verified in sworn testimony by his former supervisor, Chris Oaks, according to an investigative report by FairWarning, a nonprofit, online investigative news organization focused on public health and safety issues. Fairwarning's report appeared this morning on MSNBC's Open Channel, an open-source investigative reporting site.

The revelations come as 20 scenic organizations gather in Washington D.C. this afternoon "to fight for America's beauty," and honor Sen. Lamar Alexander, a longtime watchdog on the issue. While governor of Tennessee in the 1980s, Alexander introduced legislation to prohibit tree cutting, saying, "tourists come to Tennessee to see the scenery, not the billboards."

At the gathering, the scenic organizations find themselves impassioned by the unfolding scandal implicating one of their historic targets.

"Scenic America commends the workers who have had the courage to tell the truth about poisoning of America's landscapes for corporate greed," Mary Tracy, president of Scenic America, told me today. Scenic America has opposed outdoor advertisers for decades on the issue of tree removal. According to the organization's website:

There are no shades of gray here; this is simply an effort by the billboard industry to be allowed to destroy publicly owned trees for their private gain. That's the issue in its entirety. The billboard industry tries to obscure this by calling what they do "vegetation control." However, the truth is that the "vegetation" is not out of "control." What the industry is doing is cutting -- in some cases clear-cutting -- publicly owned trees for their own benefit.

via [Tree Cutting Near Billboards - Scenic.org](http://TreeCuttingNearBillboards-Scenic.org)

Tracy called the latest revelations evidence of "the bastardization of Lady Bird Johnson's Highway Beautification Act."

The outdoor advertising industry, meanwhile, sought to distance itself from the latest revelations: "Our code is clear," Nicole Hayes, spokesman for the Outdoor Advertisers Association of America, told me this morning via email. "We oppose illegal vegetation removal."

OAAA's code argues that "Outdoor advertising signs depend on line of sight," and lists numerous benefits of tree removal, while stating that "The OAAA discourages vegetation control that is not in compliance with state and local laws and regulations."

But during a Government Accounting Office survey in 1983, 24 states reported 253 instances of illegal tree cutting near billboards ([pdf](#)).

Lamar Advertising spokesman Hal Kilshaw could not be reached by Forbes this morning, but he told Fairwarning.org that "cutting of trees or poisoning of trees without the required permits would be contrary to company policy." His statement echoes the company's response to Barnhardt's lawsuit.

According to FairWarning, Lamar has been in trouble before for illegal actions against trees:

- In 2008, the state of Connecticut sued Lamar for removing trees along Interstate 84 when its permit only allowed trimming.
- In 2009, an Ohio couple sued Lamar for cutting down 34 trees on their property that obscured views of a Lamar sign

Attachment 2:

<http://www.4-traders.com/LAMAR-ADVERTISING-CO-18603401/news/Lamar-Advertising-Sex-shop-billboard-roils-North-Tonawanda-officials-24777687/>

Lamar Advertising : Sex shop billboard roils North Tonawanda officials
07/18/2017 | 07:04pm EDT

July 18--The billboard shows a woman wearing black lingerie and describes the business as a "sexy lingerie and adult store." The advertisement for the sex shop in Amherst describes the store as "upscale and unisex," carrying sizes extra-small to 5x.

Atop a pole in downtown North Tonawanda, the billboard for the shop Xsentials is being condemned as offensive and detrimental to the city's image, especially during the ongoing Canal Fest. Two North Tonawanda officials want the advertisement taken down.

"It's really not the kind of thing we want to promote downtown," said Jay Soemann, president of the Downtown Merchants Association of North Tonawanda, in an interview.

North Tonawanda Alderman Jeff Glatz and Niagara County Legislator Richard Andres issued a news release Tuesday calling for the billboard, located near the corner of Webster and Tremont streets, to be removed.

Lamar Advertising, which owns the billboard, is not going to take it down, said Richard Dvorak, Lamar's general manager.

"I felt there was nothing on the board that was that offensive," Dvorak said.

The billboard will remain, he said, until Lamar's contract with Xsentials expires at the end of August.

Lamar has about 1,200 billboards in Western New York, and it receives only two or three complaints per year about the content, Dvorak said.

Glatz and Andres said they want Lamar Advertising to replace the ad with something "more appropriate." North Tonawanda works hard to protect its "family-friendly atmosphere," Glatz said.

Andres pointed to Canal Fest, the weeklong event which opened Sunday in North Tonawanda and the City of Tonawanda and draws thousands of families and visitors. Andres said the billboard isn't something the city wants as a first impression for visitors.

Soemann, who also owns Walker Bros. & Monroe Jewelers on Webster Street, said Webster Street "has come a long way in recent years" with an assortment of businesses, restaurants and cultural organizations.

"It's probably not in the best taste for downtown North Tonawanda," Soemann said. He said he has not personally received complaints about the billboard from customers or anyone else from the public.

In an interview, Glatz said he believes the billboard has been up a few weeks. He said he has spoken with Lamar officials to express his concerns.

Sharon Caleca, Xsentuals' owner, expressed concern about officials calling for her store's advertisement to be taken down, citing it as a possible infringement on her rights.

Caleca called the ad "tasteful." She said it was designed specifically to be less risqué because it would be visible to crowds during Canal Fest. The billboard has been up since the start of June and was intended to generate business during the summer months, which she described as "slow."

"It wasn't a problem before," she said. "We're all adults. Kids go into Spencer's, do they not?" referring to the novelty retailer that sells gag gifts and other products, some of which engage in sexual humor.

Having put up more than 20 billboards in the past, Caleca said she has never experienced this kind of reaction to a billboard for her business. She defended her Transit Road shop, which she has owned for eight years, calling it "upscale." The store prohibits anyone younger than 18 from entering, she said.

"We don't have anything bad or obnoxious or crazy in here," she said.

According to the store's website, it sells a variety of items, including lingerie, sex toys and bachelorette party supplies.

Xsentuals' presence at Canal Fest is not limited to the controversial billboard in North Tonawanda.

She also said she's reserved vendor space for her shop Friday at Canal Fest.

16.

From: Mary T
Sent: Saturday, August 26, 2017 11:44 AM
To: Niehaus, Scott
Subject: Re: billboards on I355

Dear Mr. Niehaus,
As residents of Lombard since 1975, we have lived through the addition of those horribly large and unattractive billboards along Roosevelt Road. I applaud the Village for finally having a plan for removing these eyesores and antiquated means of advertising. PLEASE do NOT allow more billboards to be installed in Lombard! We have a beautiful community and this type of legal for profit graffiti is not necessary for our community.
Thank you,
Mary and Bill Tarnow

17.

From: Madeline
Sent: Monday, August 28, 2017 5:04 PM
To: Group_PW Web Email
Subject: Billboards on 355

So sad to think the the village board is considering allowing billboards to be erected anywhere in Lombard.
We had been trying very hard to eradicate them from our town, so to read that our board is contemplating this is very disheartening to say the least.
Simply stated they are a eyesore on our landscape regardless where they are.
Please give this very serious discussion & vote a resounding NO!

Thank you , Madeline Weinmann

18.

From: John Behrendt
Sent: Wednesday, August 30, 2017 9:44 AM
To: Jennifer Ganser
Subject: Billboard proposal

Hello Community Development Department and Mr. Heniff,

My wife, two college aged sons and I are your constituents and live at 219 South Vance Street in Lombard. I am writing you to today to let you know of our displeasure with the proposal for

billboards to be placed along I-355 north and especially south of Glen Oak Road. We are all opposed to this proposal and strongly urge and request that you oppose it in any shape or form.

We have lived in our home for 23 years and love this neighborhood for its large wooded lots and remote feel. I grew up, and my Mom still lives, just four doors away and around the corner on Maple Street. The installation and especially night lighting of any billboards will distract and devalue the character of our homes and neighborhood. I am sure that most people would not be in favor of a 75-85 foot tall lit advertising structure within eye sight of their home. Yesterday, I hand delivered a letter and a copy of the Lombardian article to nearly twenty neighbors' homes informing them of this proposal with the hopes that they reach out to you as well. As you probably know, not too many people like to get involved, but I can assure you that of all the people that I have spoken to in my neighborhood, not a single one is in favor of this proposal. I am planning on attending the Village Board meeting on September 7 to reiterate my thoughts.

I applaud and appreciate you, your service and all of the many great things that this Village does to make us proud to call Lombard our home and I thank you in advance for your consideration of my request.

Thank you,
John

ORDINANCE _____

**AN ORDINANCE APPROVING TEXT AMENDMENTS
TO THE LOMBARD SIGN ORDINANCE
TITLE 15, CHAPTER 153 OF THE LOMBARD CODE OF ORDINANCES**

PC 17-23: Text Amendments to the Sign Ordinance (Off-Premise Interstate Signs)

WHEREAS, the Village of Lombard maintains a Sign Ordinance which is found in Title 15, Chapter 153 of the Lombard Code; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Zoning Ordinance and make necessary changes; and,

WHEREAS, a public hearing to consider text amendments to the Sign Ordinance has been conducted by the Village of Lombard Plan Commission on July 31, 2017 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title 15, Chapter 153, Section 153.602 of the Lombard Village Code is hereby amended to include the following additional definitions to the Sign Ordinance, as follows:

FEDERAL INTERSTATE HIGHWAY. For purposes of this Ordinance, Federal Interstate Highway shall be exclusively and solely be interpreted to mean Interstate 88 (Ronald Reagan Memorial Tollway) and Interstate 355 (Veterans Memorial Tollway).

NIT. A unit of measurement to determine visible-light intensity or luminescence, commonly used to specify the brightness of a cathode ray tube (CRT) or liquid crystal display (LCD) lighting display. One nit is equivalent to one candela per square meter.

SIGN, OFF-PREMISE INTERSTATE. An off-premise sign which includes either an automatic changeable copy board or a static copy board and which is primarily intended to communicate messages to motorists utilizing Federal Interstate Highways within the Village.

SECTION 2: That Title 15, Chapter 153, Section 153.244 of the Lombard Village Code is hereby amended as follows to include a new Section 153.244: Off-Premise Interstate Signs, with a subsequent renumbering of existing and subsequent Sections accordingly.

SECTION 3: That the newly amended Title 15, Chapter 153, Section 153.244 of the Lombard Village Code is hereby amended to add the following text to the new Section 153.244: Off-Premise Interstate Signs.

Section 153.244 Off-Premise Interstate Signs

It is unlawful to construct, erect or maintain an Off-Premise Interstate Sign without complying with the following provisions:

(A) Off-Premise Interstate Signs

- 1) Off-Premise Interstate Signs shall be deemed to be a principal structure on a lot and would constitute a conditional use, pursuant to Sections 155.103(F) and 155.208(C) of the Zoning Ordinance.
- 2) Off-Premise Interstate Signs shall be limited to placement on a lot within the I Limited Industrial Zoning District and must abut a Federal Interstate Highway right-of-way. All such signs must also meet the following requirements:
 - a) The outermost extent of any such signs shall be located no further than one hundred (100) feet from a Federal Interstate Highway right-of-way.
 - b) The highest point of the sign structure shall not exceed eighty-five (85) feet in height from the grade at the base of the sign.
 - c) The maximum area for any one face of a sign shall be six hundred seventy-five (675) square feet inclusive of any border and trim, but excluding the base or apron, supports

and structural members. However, no sign shall have a greater sign face ratio of height to width than 1 to 3.5.

- d) The maximum number of faces per sign structure shall be two (2) constructed back to back or in a V-shaped design, not to exceed 30 degrees, to account for interstate roadway geometrics.
 - e) The sign shall not be erected on any building or project over any part of a building.
 - f) Sign faces shall not be installed side by side, stacked, tiered or decked. The display panel of off-premise interstate signs may only be visible from one direction of travel on the main-traveled way of the Federal Interstate Highway.
 - g) Only one off-premise interstate sign is permitted on each display panel with a maximum of two off-premise interstate signs facing in opposite directions on a highway advertising sign structure.
 - h) No off-premise interstate sign shall be located closer than 500 feet from any other off-premise interstate sign as measured along the same side of the primary highway.
 - i) Nonconforming signs or non-conforming sign structures will not be permitted to be retro-fitted with an off-premise interstate sign, unless said sign is approved through the conditional use process and meets Village Code requirements.
- 3) Off-premise interstate signs that include an automatic changeable copy sign component shall also meet the following operational requirements:
- a) The sign shall be permitted to change no more frequently than ten-second intervals and shall be limited to changeable messages and not chasing messages. The change of message on an off-premise interstate sign shall occur sequentially and simultaneously across the entire display panel. The sign shall also not be illuminated by flashing lights, strobe lights, lights resembling emergency vehicles, or moving lights.
 - b) The signs shall contain a default design that will freeze the display in one still position if a malfunction occurs.

- c) The sign shall have the capability to adjust its intensity in response to ambient lighting conditions. No sign shall be erected without a light detector/photocell by which the sign's brightness shall be dimmed when ambient conditions darken so that signs are not unreasonably bright for the safety of the motoring public. The maximum brightness during the day, defined as the time period between one-half hour after sunrise and one-half hour before sunset, shall be 5,000 Nits and at night, defined as the time period between one-half hour before sunset and one-half hour after sunrise shall be 300 Nits. Furthermore, the transmitted illumination spillover from the sign at any property line shall not exceed 0.5 foot-candles.

- d) The sign owner shall provide the Village with the name, telephone number and electronic mail address of an on-call contact person for each sign. The contact person must have the authority and ability to make immediate modifications to the displays and lighting levels should the need arise. When a malfunction occurs, the contact person shall, when notified of the malfunction, promptly either cause the malfunction to be corrected or shall power-off the sign.

SECTION 4: That Title 15, Chapter 153, Section 153.507 of the Lombard Village Code is hereby amended to add a new Subsection (C), which shall read as follows:

(C) Permitted Signs through a Conditional Use Approval

Subject to the provisions of Section 155.103(F) of the Zoning Ordinance, the following signage may be allowed:

1. Off-Premise Interstate Signs, in accordance with the provisions set forth within Section 153.244.

SECTION 5: That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2017.

First reading waived by action of the Board of Trustees this ____ day of _____, 2017.

Ordinance No. _____
Re: PC 17-23
Page 5

Passed on second reading this ____ day of _____, 2017.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2017.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this ____ day of _____, 2017.

Sharon Kuderna, Village Clerk