MEMORANDUM

TO: DuPage County Board
FROM: DuPage County Development Committee
DATE: November 19, 2019
RE: Z19-077 Lamar Advertising (Milton/ District 4)

DuPage County Board: November 26, 2019:

Development Committee: November 19, 2019: The DuPage County Development Committee recommended to approve the following zoning relief:

1. A Variation is sought to increase the overall height of the new relocated off-premise advertising sign from the permitted 20 feet overall height (OAH) to approximately 55 feet OAH;
2. A Variation is sought to increase the sign square footage from the permitted 50 square feet to approximately 378 square feet per face (756 square feet total); and
3. A Conditional Use to permit the installation of a back-to-back 10.5’ x 36’ LED digital display panels (electronic message signs) on each side of the newly relocated sign structure.

Subject to the following conditions:
1. That the property be developed in accordance with the petitioner’s site plan made part of Zoning Petition #Z19-077 Lamar Advertising dated November 6, 2019.
2. That the Conditional Use zoning relief shall expire after fifteen (15) years from the date of approval of the subject zoning relief by the DuPage County Board or upon one of the following circumstances, whichever shall come first:
   a. The structure or use is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration for the above ground portion of the building, structure, or use to the condition it was prior to the destruction or damage exceeds fifty percent (50%) or more of its replacement value.
   b. The structure is voluntarily removed.
3. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation relative to development on the property.

4. That the property be developed in accordance with all other codes and Ordinances of DuPage County.

**Development Committee VOTE (to Approve): 4 Ayes, 0 Nays, 2 Absent**

**Zoning Hearing Officer: November 6, 2019:** The Zoning Hearing Officer recommended to approve following zoning relief:

1. A Variation is sought to increase the overall height of the new relocated off-premise advertising sign from the permitted 20 feet overall height (OAH) to approximately 55 feet OAH;
2. A Variation is sought to increase the sign square footage from the permitted 50 square feet to approximately 378 square feet per face (756 square feet total); and
3. A Conditional Use to permit the installation of a back-to-back 10.5’ x 36’ LED digital display panels (electronic message signs) on each side of the newly relocated sign structure.

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   b. The structure is voluntarily removed.

3. That the owner/developer is to apply for and receive a Building Permit for all construction and/or excavation relative to development on the property.

4. That the property be developed in accordance with all other codes and Ordinances of DuPage County.
FINDINGS OF FACT:

A. That Hearing Officer finds that petitioner has demonstrated evidence for a Variation is sought to increase the overall height of the new relocated off-premise advertising sign from the permitted 20 feet overall height (OAH) to approximately 55 feet OAH; a Variation is sought to increase the sign square footage from the permitted 50 square feet to approximately 378 square feet per face (756 square feet total); and a Conditional Use to permit the installation of a back-to-back 10.5’ x 36’ LED digital display panels (electronic message signs) on each side of the newly relocated sign structure.

• Furthermore, that petitioner testified that he originally applied for a Variation to locate the front edge of the billboard sign to be located approximately 10 feet off the front lot line (Roosevelt Road ROW) from the permitted 15 feet setback, but has since withdrawn this Variation as it is not required.

B. That petitioner testified that he seeks the subject zoning relief to change out an existing static sign (billboard) to a dual-paneled LED/electronic message center sign on the subject property located on the southside of Roosevelt Road, approximately 780 feet east of I-355.

• That petitioner testified that the proposed billboard will be smaller in copy area and height compared to the existing billboard, which is 672 sq. ft./ per face and approximately 92 feet tall. Additionally, petitioner has proposed to remove an additional existing billboard located approximately 325 feet east of the subject sign location.

C. That petitioner testified that due to two (2) existing cell towers on the subject property and current OSHA Halo requirements regarding cell towers, they are unable to operate on the existing billboard, requiring petitioner to remove the existing billboard, and replace with the proposed billboard, which requires a Variation in order to be built pursuant to all codes and Ordinances of DuPage County.

D. That Hearing Officer finds that petitioner has demonstrated evidence for a practical difficulty and unique circumstance in carrying out the strict letter of regulations of the Zoning Ordinance, as the existing billboard sign does not meet current zoning regulations and OSHA requirements in relation to cell towers, and that to remove and replace the existing billboard would require the proposed zoning relief.
<table>
<thead>
<tr>
<th>GENERAL ZONING CASE INFORMATION</th>
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<tbody>
<tr>
<td><strong>CASE#/PETITIONER</strong></td>
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<tr>
<td><strong>ZONING REQUEST</strong></td>
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<td><strong>OWNER</strong></td>
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<td><strong>ADDRESS/LOCATION</strong></td>
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<td><strong>PIN</strong></td>
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<td><strong>TWSP./CTY. BD. DIST.</strong></td>
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<td><strong>ZONING/LUP</strong></td>
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<td><strong>AREA</strong></td>
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<td><strong>UTILITIES</strong></td>
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<td><strong>PUBLICATION DATE</strong></td>
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<td><strong>PUBLIC HEARING</strong></td>
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<td><strong>ADDITIONAL INFORMATION:</strong></td>
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<td>Building:</td>
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<td>EXTERNAL:</td>
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<td>Village of Glen Ellyn:</td>
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<td>Village of Lombard:</td>
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<td>Milton Township:</td>
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<td>Township Highway:</td>
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<td>Glenbard Fire Dist.:</td>
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<td>Sch. Dist. 89:</td>
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<td>Forest Preserve:</td>
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GENE RAL BULK REQUIREMENTS:

<table>
<thead>
<tr>
<th>REQUIREMENTS:</th>
<th>REQUIRED</th>
<th>EXISTING</th>
<th>PROPOSED</th>
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<tbody>
<tr>
<td>Front Yard:</td>
<td>15 FT</td>
<td>APPROX. 50 FT</td>
<td>APPROX. 10 FT.</td>
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<tr>
<td>Height:</td>
<td>20 FT</td>
<td>APPROX. 92 FT</td>
<td>55 FT</td>
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<tr>
<td>Area:</td>
<td>50 SQ. FT./ FACE</td>
<td>672 SQ. FT/ FACE</td>
<td>378 SQ. FT./ FACE 726 SQ. FT TOTAL</td>
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LAND USE

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<thead>
<tr>
<th>Location</th>
<th>Zoning</th>
<th>Existing Use</th>
<th>LUP</th>
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<tbody>
<tr>
<td>Subject</td>
<td>B-2 GENERAL BUS.</td>
<td>Billboard</td>
<td>Local Commercial</td>
</tr>
<tr>
<td>North</td>
<td>Roosevelt Road and beyond Village of Glen Ellyn</td>
<td>Commercial</td>
<td>Multi-Family 5-15 DU AC</td>
</tr>
<tr>
<td>South</td>
<td>R-4 SF RES</td>
<td>Place of Assembly</td>
<td>Local Commercial</td>
</tr>
<tr>
<td>East</td>
<td>B-2 General Business</td>
<td>Vacant</td>
<td>Local Commercial</td>
</tr>
<tr>
<td>West</td>
<td>ROW</td>
<td>ROW / Vacant</td>
<td>ROW</td>
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Lamar Advertising would like to upgrade the existing 14’ x 48’ static billboard located on the south side of Roosevelt Road (IL-38) in unincorporated DuPage County. Lamar needs to re-build and re-locate the sign structure due to its proximity to a cell tower that was constructed after the billboard was built in 1985. Lamar personnel cannot work on the sign unless the cell tower operator shuts the cell tower down for a period of time. To remedy this situation, Lamar would like to lower the sign from a height of 92 feet overall height to a new height of 55 feet overall. Lamar would also like to move the sign structure closer to Roosevelt Road with a new setback of 10 feet from the Roosevelt Road right-of-way line. Finally, Lamar would like to install LED digital display panels (electronic message boards) on the new sign structure.

Lamar would also propose to remove another existing sign structure approximately 325 feet to the east of this location. This sign is a single face 14’ x 48’ i-beam structure. By removing this sign structure, not only will Lamar reduce the number of off-premise billboard signs in unincorporated DuPage County, but it will allow Lamar to maintain the Illinois Department of Transportation’s (IDOT) spacing requirement for off-premise advertising signs of 500 feet.
November 4, 2019
DuPage County Zoning Board of Appeals
c/o Jessica Infurno, DuPage County Building and Zoning Department
421 N. County Farm Rd
Wheaton, IL 60187

Via EMAIL ONLY

Re: Zoning Petition Z19-077 Lamar Advertising
1053-75 E. Roosevelt Rd. Glen Ellyn, IL 60137

To the DuPage County Zoning Board of Appeals:

The Village of Glen Ellyn is writing in regard to the above mentioned Zoning Petition, for which we received a Zoning Notification of the public hearing via email on October 17, 2019 describing the request and date of the hearing. The Notification received by the Village stated that the petitioners are requesting approval of the following forms of zoning relief from the DuPage County Zoning Ordinance:

1. Variation to allow an off-premise advertising sign to have an overall height of 55 feet, where an overall height of 20 feet is permitted.
2. Variation to allow an off-premise advertising sign to have a total square footage of 378.85, where a total square footage of 50 feet is permitted.
3. Variation to allow an off-premise advertising sign to be 10 feet from the front property line, where a distance of 15 feet from the front property line is permitted.
4. Conditional use to allow the installation of two, back-to-back 378 ft² LED digital display panels, otherwise known as electronic message signs or boards.

The above requests for zoning relief are to allow the replacement of an existing static off-premise advertising sign, which has an overall height of 92 feet and two, back-to-back 672 ft² static sign faces. The applicant also noted that as part of this request, they will remove another existing off-premise advertising sign located approximately 325 feet to the east at 21W304 Roosevelt Road, which also has two, back-to-back 672 ft² static sign faces.

From the plans and materials that were received, we were able to conclude the following:

1. The north property line of the subject property is contiguous with the Village’s corporate boundary. The properties across Roosevelt Road to the north are zoned C3 Service Commercial District at the Village of Glen Ellyn.
2. The subject property is within approximately 450 feet of 1125 E. Roosevelt Road, a property which was annexed into the Village on December 11, 2017, and is also zoned C3 Service Commercial District.
3. The proposed off-premises advertising sign is considered a prohibited sign in the Village of Glen Ellyn (Section 4-3-5, Prohibited Signs, Sign Code).
4. In the Village of Glen Ellyn’s C3 Service Commercial District, which generally follows the Roosevelt Road corridor, freestanding signs are limited to 50 ft in area and 15 feet in height.

LED digital display panels, or electronic message signs, are only permitted on freestanding, on-premise signs in the Village and are limited to a maximum area of 15 ft² (Section 4-3-15, Message Boards, Sign Code).
With regard to height and area of this proposed off-premise advertising sign, which consists of two back-to-back electronic message signs, the Village does not find that it promotes the public health, safety, and welfare of the residents of Glen Ellyn. Specifically, the Village finds that it is in direct conflict with the following provisions within the Statement of Purpose of the Glen Ellyn Sign Code (Section 4-5-2, Statement of Purpose, Sign Code):

- Subparagraph B.4, which states that the Village’s Sign Code shall serve to reduce distractions, obstructions, and hazards to pedestrians and automobile traffic caused by the indiscriminate placement and use of signs and to protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, unsightly, distracting signage.

The excessive size and height of the proposed electronic message signs will cause undue distraction to motorists. Motorists will be blinded by the changing images of the displays and the bright and constant light which may serve to further impair them while driving on the regional corridors and state highways, Roosevelt Road/L-15. The proposed location of the electronic message signs may also distract motorists on L-15, which happens to be at the apex of a substantial westward curve of this highway.

- Subparagraph B.6, which states that the Village’s Sign Code shall serve to promote the use of graphics which are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscaping, in order to meet the community’s expressed desire for quality development.

The excessive size and height of the proposed electronic message signs are not proportional to any related building or other development, given in relation, they will not be associated with a principal building on the property. Electronic message signs do not integrate nor contribute to the surrounding development or landscaping with the excessively bright light and colors they produce. Should either Lombard or Glen Ellyn assess the subject property or any property within its immediate vicinity, the proposed sign would not serve to meet either community’s desire for quality development in the area.

- Subparagraph B.8, which states that the Village’s Sign Code shall serve to assure that the public benefits derived from expenditures of public funds for the improvement and beautification of streets in accordance with the downtown Roosevelt Road and historic Stanley Steamer streetcard plan, and other public parks and spaces, are protected by exercising reasonable controls over the character and design of graphic structures.

The public benefits derived from the Village’s investment in the Roosevelt Road streetcard will be harmed with the installation of the proposed sign. The proposed sign does not adhere to the County’s or the Village’s reasonable controls as defined within their respective sign codes, hence the need for such large variations in the design, size, and area for the proposed off-premise advertising sign.

The proposed off-premise advertising sign is greater than seven times the maximum permitted area of freestanding signs in the contiguous C3 Service Commercial District within the Village. Additionally, the proposed off-premise advertising sign is nearly three times the maximum permitted height of freestanding signs within said zoning district in the Village. The proposed sign, which is defined as an electronic message board or sign by the Village, is 21 times the maximum area permitted for electronic message boards or signs when they are integrated into a freestanding sign in Glen Ellyn. Considering the exorbitant degree by which the proposed off-premise advertising sign exceeds the Village’s requirements that would apply should the property be unoccupied, the Village does not find that allowing the proposed sign would be of benefit to the Village as a whole or to the immediately surrounding unoccupied and unoccupied properties.
RE: Zoning Petition Z19-077 Lamar Advertising
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The Village does not permit such signs as a standalone principal or special use in any of its zoning districts, nor as a temporary use under any circumstance. Further, the Village cannot prohibit off-premises advertising signs, or billboards, in its Sign Code.

For these reasons, Village staff would suggest that the zoning relief requested does not meet the standards for the issuance of any of the requested variations or the conditional use. However, if the Zoning Board of Appeals chooses to recommend approval of the requests, we would suggest it be contingent upon certain land use restrictions, including the following:

1. That within a time period of five years, or other time period deemed reasonable by the Zoning Board of Appeals, the applicant or owner/operator of the electronic message sign is required to request a renewal of the conditional use;
2. That in the event of a change of ownership of the property, tenant, or electronic message sign, the new applicant or owner/operator of the electronic message sign is required to request a renewal of the conditional use;
3. That the electronic message sign be equipped with photographic equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination;
4. That the electronic message sign is visible to an adjacent residential use, the electronic message sign operates only between the hours of 6:00 a.m. and 10:00 p.m. and shall be turned off when not in operation;
5. That the messages displayed on either electronic message sign be static and not be changed more than once every 15 seconds;
6. That the messages displayed not consist of flashing, scintillating, pulsing or animated lights or animated graphics or video;
7. That the focus of each electronic message sign be oriented away from any adjacent residential properties to the extent possible and not cast illumination in excess of 0.05 foot-candle at any residential property line abutting or across the street from the electronic message signs;
8. That messages must change instantaneously and shall not fade out or dissolve, and
9. That single messages shall not be divided between two or more screens.

The Village appreciates your consideration of our input. If you have any questions or concerns please contact Katie Ashbaugh, Planner, at (630) 547-5249.

Sincerely,

Katie Ashbaugh
Planner
Village of Glen Ellyn
535 Diarje Street, Glen Ellyn, IL 60137
P: (630) 547-5249 | F: 630.547.5370

CC: Bill Henaff, Director of Community Development, Village of Lombard
Stan Spagnuoli, Director of Community Development, Village of Glen Ellyn
Stephen E. Watt, Building and Zoning Officer, Village of Glen Ellyn
Kelly Prevoo, Planner, Village of Glen Ellyn
Paul Hess, Planning & Zoning Administration Coordinator, DuPage County