

VILLAGE OF ANTIOCH

ORDINANCE NO. 17-10-37

***AN ORDINANCE GRANTING A SPECIAL USE FOR AN ELECTRONIC MESSAGE
BOARD AT ANTIOCH VFW
(PZB 17-06)***

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

OCTOBER 9, 2017

**Published in pamphlet form by authority of the Village Board
of the Village of Antioch, Lake County, Illinois,
this 11th day of October, 2017**

LAWRENCE M. HANSON

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MARY DOMINIAK

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Trustee**

LORI K. ROMINE

Clerk

TED POULOS
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Trustee**

ROBERT J. LONG

Attorney

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JAY JOZWIAK

**Trustee
Trustee**

ORDINANCE NO. 17-10-37

***AN ORDINANCE GRANTING A SPECIAL USE FOR AN ELECTRONIC MESSAGE
BOARD AT ANTIOCH VFW
(PZB 17-06 SU)***

WHEREAS, pursuant to Chapter 15 of Title 10 of the Antioch Village Code, a public hearing was commenced by the Combined Planning Commission and Zoning Board on September 14, 2017 after it was continued from a previous PZB meeting in August 2017, following notification as required by State Law and Village Ordinance to consider a petition for a Special Use allowing for an Electronic Message Board at VFW (Veterans for Foreign Wars) located at the property commonly known as 75 North Avenue, Antioch, Illinois.

WHEREAS, the Combined Planning Commission recommended approval to the Village Board to allow the EMB sign with a height of eight (8) feet and to be constructed out of aluminum in lieu of the required brick or stone.

WHEREAS, the Corporate Authorities have concluded and found that the Special Use, subject to and in conformance with the terms and conditions of this Ordinance, conform to a majority of the required standards as required by ordinance, including; a) The compatibility of the proposed use with the existing and planned uses on abutting properties; b) Any increase in density or intensity of the proposed use that will affect the compatibility of the use with existing and planned uses in surrounding area; c) The proposed use will not change the predominant character of the surrounding area; d) The ability to mitigate adverse and understandable impact to the surrounding area, including, but not limited to the individual impacts, air emissions, noise, vibrations, glare, heat, odors, water pollution, electromagnetic interference and other nuisance effects; e) Amount of traffic generated and capacity and design of roadways and available parking facilities to handle anticipated traffic; f) The effect on infrastructure including water, wastewater, stormwater, utilities, and streets; g) The incorporation and integration of architectural and landscape features to mitigate impacts from the proposed use.

WHEREAS, the Corporate Authorities have concluded and found that the Special Use will further enhance economic development within the Village and promote the general welfare of the Village and the health, safety and welfare of the residents of the Village.

***NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD
OF TRUSTEES OF THE VILLAGE OF ANTIOCH, LAKE COUNTY, ILLINOIS, AS
FOLLOWS:***

SECTION I: The representations, recitations and findings set forth in the foregoing recitals are material to this Ordinance and such recitals are hereby incorporated into and made a part of this Ordinance as though they were fully set forth herein. This Ordinance shall be liberally construed so that the purpose and intent represented by the recitals shall be accomplished to the greatest extent permitted by law.

SECTION II: That the real estate which is the subject of this ordinance (Subject Property) is legally described as follows:

Lot 1 in Herman Behm's Antioch Subdivision (except the East 33 feet thereof) and also (except that part described as follows; commencing at the southwest corner of said lot 1; thence north along the west line of said lot 1, 173.10 feet, thence east of 33.90 feet to a point 28.95 feet south of the north line of said Lot 1; thence North to the North line of Lot 1, 28.5 feet thence East along the North line of said Lot 1, 66.10 feet to a point thence south 201.43 feet more or less to a point on the South line of lot 1 and 103 feet east of the point of beginning, thence west 103 feet to the point of beginning; all in Lake County, Illinois.

SECTION III: That, subject to the conditions stated below, the Special Use shall be and is hereby approved and shall be binding upon the Village, Petitioner and Owner, and their respective owners successors, and assigns when a true execution copy of this Ordinance is tendered to the Village fully executed by the Petitioner and Owner, and when the Mayor has affixed his signature upon the Ordinance"

SECTION IV: The following exhibits shall be attached to and made a part of this Special Use Ordinance and, except as expressly modified by this Ordinance, compliance with all standards, requirements, designs or specifications in such exhibits shall be a condition of the grant of this Special Use Ordinance:

- A. PZB Staff Reports, attached as Exhibit A;
- B. Copy of proposed EMG sign.

SECTION V: Any person violating the terms and conditions of this Ordinance shall be subject to a penalty not exceeding Five Hundred Dollars (\$500.00) with each and every day that the violation of the Ordinance is allowed to remain in effect being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees. This section shall not apply to the Village of Antioch, its officials, agents or employees.

SECTION VI: If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not be included.

SECTION VII: That the Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form as provided by law.

SECTION IX: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed this 9th day of October 2017.

	Ayes:	Nays:	Absent/Abstain:
Scott A. Pierce	X		
Jay Jozwiak	X		
Ted Poulos			X
Ed Macek	X		
Mary Dominiak	X		
Jerry Johnson	X		

APPROVED:

By: _____

Lawerence M. Hanson, Mayor

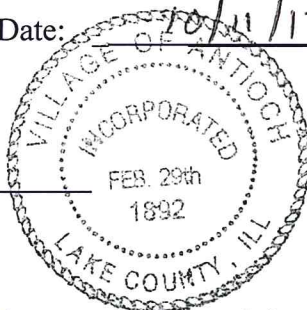
Date: _____

10/11/17

ATTEST:

By: _____

Lori K. Romine, Village Clerk



Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on October 9, 2017.

STATE OF ILLINOIS)
COUNTY OF LAKE)

CERTIFICATE

I, Lori K. Romine, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on October 9, 2017, the Corporate Authorities of such municipality passed and approved Ordinance 17-10-37, entitled ***“AN ORDINANCE GRANTING A SPECIAL USE FOR AN ELECTRONIC MESSAGE BOARD AT ANTIOCH VFW (PZB 17-06)”*** which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 17-10-37 including the Ordinance and cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building, commencing on October 11, 2017 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 11th day of October 2017.

Lori K. Romine
Lori K. Romine, Village Clerk





REPORT TO: VILLAGE PRESIDENT and BOARD OF TRUSTEES
FROM: MICHAEL S. GARRIGAN, Esq, AICP, CNU-A, Community Development Director
DATE: September 7, 2017
SUBJECT: REPORT TO VILLAGE BOARD

CASE: VFW Post 4551
17-06 SU

REQUEST: Special Use

LOCATION: 75 North Avenue

APPLICANT: VFW Post 4551

ZONING: B-3

Background

The applicant is proposing to construct an EMG (Electronic Message Graphic) on their site along North Avenue. Currently, The VFW have a manual message pylon sign and they would like to replace it with an electronic message board. The applicant is seeking relief from the Village's sign ordinance so they can install a metal sign that would match the same material as their existing building which is metal.

The applicant is proposing to locate this EMG sign in their existing landscape area east of the current drive that is located at the eastern edge of the VFW property. The existing pylon sign which is located to the west of the existing drive will be removed once this new EMG sign is approved.

Special Use

When reviewing any proposed Special Use, it is important to look at the surrounding uses and determine whether what is being proposed is consistent with the character of the area. Therefore, it is necessary to look at the site's context, the nature of the surrounding uses and potential impact that the Special Use will have.

Below is a summary of the surrounding uses:

North:	R-1 (Residential)
East:	B-3 (Commercial)
South:	R-1 (Residential)
West:	R-1 (Commercial)

In accordance with Section 10-15-5, any proposed Special Use must comply with certain findings of facts that are outlined in this section of the Zoning Ordinance. The required findings of facts are as follows:

ANALYSIS

a) The compatibility of the proposed use with the existing and planned uses on abutting properties:

The revised sign design is now an eight (8) foot aluminum design with a series of decorative quoins. The new sign design attempts to provide a more decorative sign using aluminum material. The VFW building is metal and there is a real question whether a brick monument sign would integrate with the existing building.

b) Any increase in density or intensity of the proposed use that will affect the compatibility of the use with existing and planned uses in the surrounding area.

The PZB determined that this proposed EMG sign would have no negative impact on the character of the surrounding area.

c) The proposed use will not change the predominant character of the surrounding area.

The PZB determined contrary to Staff's analysis, that this proposed EMG sign would have no negative impact on the character of the area or impact on any of the adjacent residential uses.

d) The ability to mitigate adverse and understandable impact to the surrounding area, including, but not limited to individual impacts, air emissions, noise, vibrations, glare, heat, odors, water pollution, electromagnetic interference and other nuisance effects.

The PZB found that the applicant's proposed EMG sign would have no negative impact on the property values of the adjacent parcels and is generally consistent with the character of the area. In addition, the PZB was generally comfortable with the applicant's request for the following relief from the Village's existing sign ordinance:

- 1) The property must have one hundred (100) feet of frontage on Route 173, Route 59, or Route 83. North Avenue is not identified in the ordinance as being appropriate for LED signs.
 - 2) All EMB shall comply with the Village's monument sign requirements and shall be constructed in a monument style design and incorporate a brick or stone base, side columns of brick or stone on both sides of the sign.
- e. Amount of traffic generated and capacity and design of roadways and available parking facilities to handle anticipated traffic.*

The proposed LED sign will have no direct impact on the amount of traffic in the area.

- f. The effect on infrastructure including water, wastewater, stormwater, utilities, and streets;*

The proposed LED sign will have no impact on stormwater, or the Village's utility capacity.

- g. The incorporation and integration of architectural and landscape features to mitigate impacts from the proposed use.*

The PZB was generally comfortable with the proposed design of this EMG sign and did not believe that it would have any detrimental impact on any of the surrounding properties.

RECOMMENDATION

While Staff had some concerns about the potential proliferation of EMG signs along North Avenue if this sign is approved, the PZB was generally comfortable with granting the VFW approval of their EMG sign.

Based on the foregoing analysis, the PZB recommended by a vote of 4-1 approval of the applicants proposed EMG sign.

We move that Village Board authorize the Village Attorney to draft a Special Use Ordinance for an EMG sign of the VFW Post 4551.



REPORT TO: PLANNING and ZONING COMMISSION
FROM: MICHAEL S. GARRIGAN, Esq, AICP, CNU-A, Community Development Director
DATE: August 8, 2017
SUBJECT: REPORT TO PZB

CASE: VFW Post 4551
17-06 SU

REQUEST: Special Use

LOCATION: 75 North Avenue

APPLICANT: VFW Post 4551

ZONING: B-3

Background

This matter was continued from the PZB meeting in June. The applicant has submitted a revised plan for their proposed EMG sign. The applicant is proposing to construct an EMG (Electronic Message Graphic) on their site along North Avenue. Currently, The VFW have a manual message pylon sign and they would like to replace it with an electronic message board. The applicant is seeking relief from the Village's sign ordinance so they can install a metal sign that would match the same material as their existing building which is metal.

Special Use

When reviewing any proposed Special Use, it is important to look at the surrounding uses and determine whether what is being proposed is consistent with the character of the area. Therefore, it is necessary to

look at the site's context, the nature of the surrounding uses and potential impact that the Special Use will have.

Below is a summary of the surrounding uses:

North:	R-1 (Residential)
East:	B-3 (commercial)
South:	R-1 (Residential)
West:	R-1 (commercial)

In accordance with Section 10-15-5, any proposed Special Use must comply with certain findings of facts that are outlined in this section of the Zoning Ordinance. The required findings of facts are as follows:

ANALYSIS

a) The compatibility of the proposed use with the existing and planned uses on abutting properties:

The revised sign design is now an eight (8) foot aluminum design with a series of decorative quoins. The new sign design attempts to provide a more decorative sign using aluminum material. The VFW building is metal and there is a real question whether a brick monument sign would integrate with the existing building.

b) Any increase in density or intensity of the proposed use that will affect the compatibility of the use with existing and planned uses in the surrounding area.

The subject site is generally surrounded by residential subdivisions. The general character of the area has been compromised due to the rural character of the existing VFW Post which is largely an unimproved metal structure. The building does incorporate a wainscot of veneer brick, but is predominantly metal.

c) The proposed use will not change the predominant character of the surrounding area.

The proposed EMG sign will be located along North Avenue which continues to be predominantly a residential area and is residential in character. Based on the residential character, there continues to be a policy issue of whether EMG signs are appropriate in residential neighborhoods.

Staff has concerns that the glare of this message board could produce some light and glare issues with the adjacent single family homes located to the south and west of the subject site. Message Boards can produce a glare which can have a negative impact on adjacent residential areas based on Staff's past experience.

d) The ability to mitigate adverse and understandable impact to the surrounding area, including, but not limited to individual impacts, air emissions, noise, vibrations, glare, heat, odors, water pollution, electromagnetic interference and other nuisance effects.

As highlighted above, staff has some concerns about the potential negative impact that this proposed EMG sign might have on the single-family homes located to the south and west of the subject site. The

applicant is not proposing anything specifically that would minimize the potential of glare or light over-spilling on adjacent residential homes to the south and west of the subject site.

In addition, the applicant is seeking relief from EMG regulations as follows:

- 1) The property must have one hundred (100) feet of frontage on Route 173, Route 59, or Route 83. North Avenue is not identified in the ordinance as being appropriate for LED signs.
 - 2) All EMB shall comply with the Village's monument sign requirements and shall be constructed in a monument style design and incorporate a brick or stone base, side columns of brick or stone on both sides of the sign.
- e. Amount of traffic generated and capacity and design of roadways and available parking facilities to handle anticipated traffic.*

The proposed LED sign will have no direct impact on the amount of traffic in the area.

f. The effect on infrastructure including water, wastewater, stormwater, utilities, and streets;

The proposed LED sign will have no impact on stormwater, or the Village's utility capacity.

g. The incorporation and integration of architectural and landscape features to mitigate impacts from the proposed use.

The proposed EMG will not mitigate the legally nonconforming metal structure of the VFW Post. The existing building does not conform to the Village's current design standards and damages the residential character of the subject area. Permitting a metal LED sign will only aggravate an existing design challenge of the subject site.

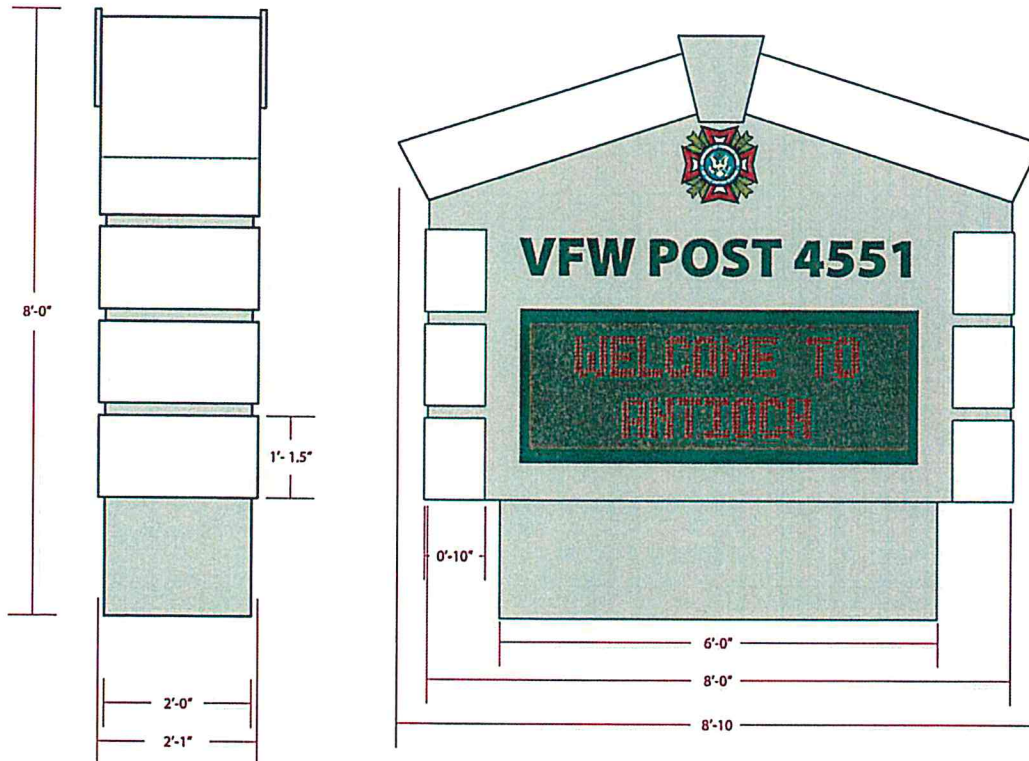
RECOMMENDATION

While Staff continues to wish to find a way to work with the this not-for-profit which does noble work for the veterans, we are not in the position to support the design of their proposed EMG sign when the ordinance clearly states that EMG signs are only appropriate on the major arterials of Route 173, Route 83, and Route 59.

Based on the foregoing analysis, we recommend that the Plan Commission made the following recommendation:

We move that the PZB recommend denial of the proposed EMG sign of the VFW Post 4551.

VFW Post 4551 Antioch, IL



Art Not to Scale

Monument sign
Textured Aluminum color TBD



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(847) 962-5151
andrew@CreativeEdgeChicago.com
WWW.CREATIVEEDGECHICAGO.COM

Client Name: Antioch VFW 4551
Location: Antioch, IL
Proof Date: 08/07/17 Version: v3
Requested By: Greg Loui
Client Approval: _____
Date of Approval: _____

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