

VILLAGE OF ANTIOCH

ORDINANCE NO. 17-10-38

***AN ORDINANCE GRANTING A SPECIAL USE FOR AN ELECTRONIC MESSAGE
BOARD AT GREAT LAKES CREDIT UNION
(PZB 17-13)***

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	President	JERRY JOHNSON	Trustee
LORI K. ROMINE	Clerk	MARY DOMINIAK	Trustee
ROBERT J. LONG	Attorney	TED POULOS	Trustee
		SCOTT A. PIERCE	Trustee
		ED MACEK	Trustee
		JAY JOZWIAK	Trustee

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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, 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 Great Lakes Credit Union located at the property commonly known as 351 E. Route 173, Antioch, Illinois.

WHEREAS, the Combined Planning Commission recommended approval to the Village Board to allow the EMB sign with a height not to exceed 12 feet in height and to comply with any requirements of the Village Engineer with respect to maintaining site lines.

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:

(See attached legal description)

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:
Jay Jozwiak	X		
Scott A. Pierce	X		
Ted Poulos			X
Mary Dominiak	X		
Jerry Johnson	X		
Ed Macek	X		

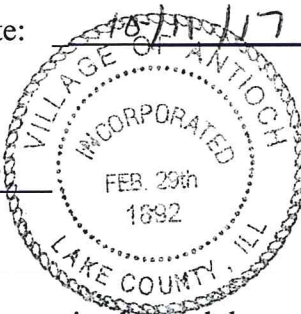
APPROVED:

By: 
Lawrence M. Hanson, Mayor

Date: 10/11/17

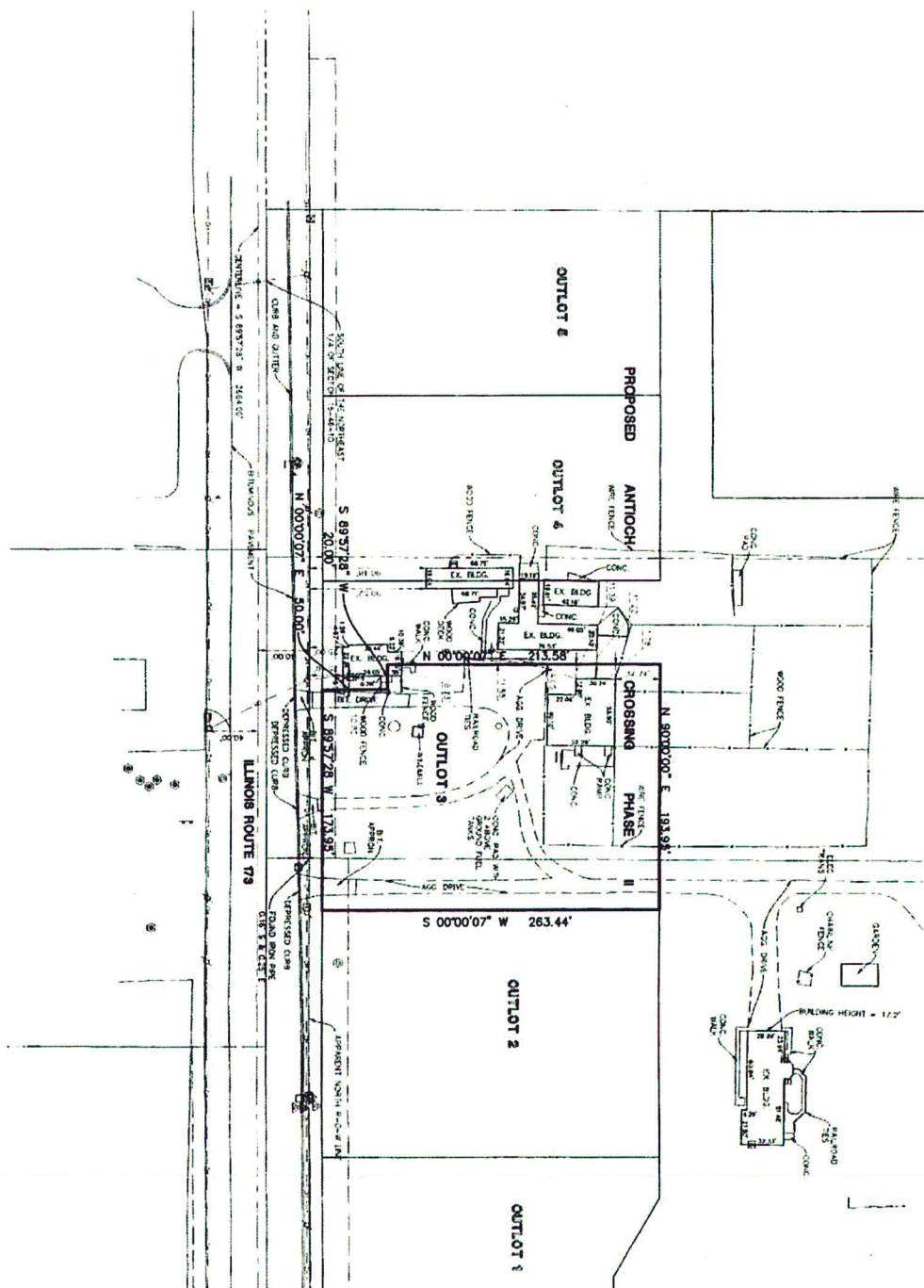
ATTEST:

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.

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REPORT TO: VILLAGE PRESIDENT and BOARD OF TRUSTEES
FROM: MICHAEL S. GARRIGAN, Esq, AICP, CNU-A, Community Development Director
DATE: October 3, 2017
SUBJECT: REPORT TO VILLAGE BOARD

CASE: Great Lakes Credit Union
17-13

REQUEST: Special Use

LOCATION: 351 E. Route 173

APPLICANT: Great Lakes Credit Union

ZONING: B-2

Background

The applicant is proposing a Special Use for an EMG sign to be added to their existing monument sign which is located along Route 173 adjacent to their credit union. The applicant previously requested approval of an EMG sign years ago, but it was denied due to the previous ordinance.

All LED signs in the Village require a Special Use based on the current sign ordinance.

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:	Commercial	B-2
East:	Commercial	B-2
South:	Commercial	B-3
West:	Commercial	B-2

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 applicant's proposed EMG sign would generally be compatible with the commercial character of Route 173 and the existing nature of signage that is located within the GLP Planned Unit Development. There is an existing EMG sign located at "Culvers" in addition to a small EMG sign located on Culvers northern elevation. The location of this proposed EMG sign is appropriate based on the location of the existing sign.

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.

There will be no impact on the general commercial character of the area as a consequence of this proposed EMG sign. The existing sign is approximately ten (10) feet and the applicant is proposing to increase the height of the sign to 11 feet 7 inches. This higher height would allow the applicant to locate the EMG sign below the applicant's existing monument sign face. Because there is a grade change, the southern pier to this sign would incorporate a height of approximately thirteen (13) feet. Staff does not believe that this variation in height from the Village's current limitation of eight (8) feet for all monument signs would have any substantial impact on the character of this area.

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

The revised sign design by the applicant would not have any negative impact on the character of this unified commercial development. The overall design of the sign would largely remain the same. The new EMG sign face would incorporate a square footage of approximately 20 square feet.

One of the challenges of the subject site is the existing grade change and the existing landscaping that is currently located around the sign. The proposed height of the sign would allow the applicant the required visibility for their proposed EMG sign face.

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.

There is nothing to indicate that the proposed LED sign would have any direct impact on the neighboring properties as it relates to emissions, noise, heat, odor, water pollution, or electromagnetic interference.

In addition, the applicant is not meeting any of the following sign requirements outlined in Section 10-14-9 (D) as outlined below:

- The proposed height of the sign would exceed what is permitted by the newly adopted sign ordinance.
- The proposed EMG sign exceeds the 25% limit of total sign area based on new sign ordinance.

As part of the Special Use application, the applicant is seeking relief from the current height limitation of eight (8) feet and they are also seeking to exceed the twenty five (25) percent limit of the EMG sign for the total signage face. The existing Great lakes Credit sign is approximately 32 square feet and the applicant is seeking an approximate twenty (20) square foot EMG 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 EMG 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 revised sign design and the slightly higher height of the proposed sign would generally have no substantial negative impact on the character of this large commercial center. The existing landscaping will remain the same. The additional height of this sign and the incorporation of an EMG sign is consistent with other existing signs within the GLP development (i.e. Menards, Wal Mart Commercial center).

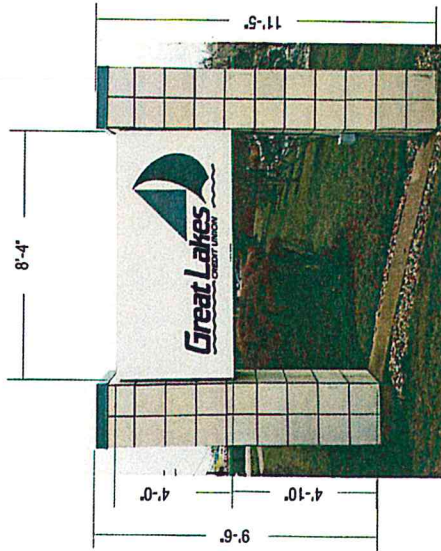
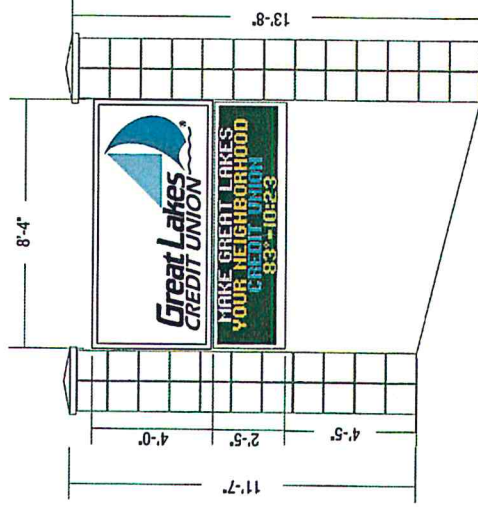
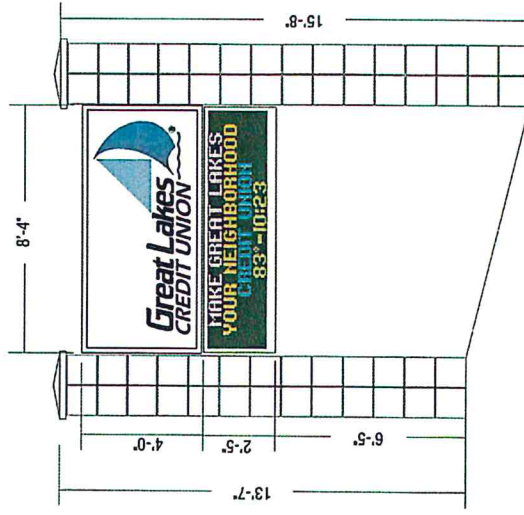
Staff generally supports the relief that the applicant is requesting based on the unique circumstances. The applicant's site incorporates an elevation grade that requires some variance from the Village's current sign ordinance.

RECOMMENDATION

The subject matter was reviewed by the Plan Commission at the September 14, 2017 PZB meeting and there was general support for the applicant's request for additional height to their sign and the incorporation of the EMG sign. Several members of the PZB expressed their concern that the existing "Great Lakes Credit Sign" could not be seen from Route 173. Based on the location of the existing sign, there was general support for the applicant's requested EMG sign.

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

We move that the Village Board waive the second reading and approve the herewith attached Special Use Ordinance for an EMG sign at Great lakes Credit Union not to exceed 12 feet in height.



SCALE 1/4" = 1'-0"