

**Meeting of the Village of Beecher
PLANNING AND ZONING COMMISSION
Washington Township Center
August 1, 2012**

At 7:02 p.m., Phil Serviss called the meeting to order. Members present: Phil Serviss, Kim Koutsky, George Schuitema, and Denis Tatgenhorst. Members Tardy: Althea Machtemes. Absent: Lance Saller and Kevin Bouchard. Staff present: Robert Barber and Don Thomas.

AGENDA ITEM III: CONSIDER APPROVAL OF THE MINUTES OF THE MAY 31, 2012 MEETING. A motion was entered by Schuitema and seconded by Tatgenhorst to approve the minutes as presented. Roll call: 4 Ayes (Koutsky, Serviss, Tatgenhorst and Schuitema). 0 Nays. Motion carried.

AGENDA ITEM IV: PUBLIC HEARING: CONSIDER AMENDMENTS TO THE BEECHER ZONING ORDINANCE PERTAINING TO SPECIAL USE PERMITS FOR DIGITAL DISPLAY (LED) SIGNS AND OFF-PREMISE TEMPORARY RETAIL SIGNS. Tatgenhorst entered a motion to open the public hearing. Schuitema seconded. Roll call: 4 Ayes (Koutsky, Serviss, Tatgenhorst and Schuitema). 0 Nays. Motion carried.

Ernie Bleicher of Ernie's Barber Shop at 757 Penfield St. opened the testimony by noting that since up until recently his was the only off premise temporary sign on Route One, he felt that the rewriting of the zoning code was directed at him personally. He wanted to know if there had been complaints about his sign and that he checked with the Sallers last year who said they didn't mind the sign on their property. Recently three total signs appeared on the same spot and they disappeared after they had been placed. His sign is on private property, not public right of way. He wanted to know if the Village had removed those signs and also wanted to know if this new temporary sign restriction would apply to real estate signs. Bob Barber answered that the Village had not removed the signs and that the Village is unable to regulate real estate signs per state law. (Althea Machtemes arrived at the public hearing at 7:10pm)

Phil Serviss asked if the downtown businesses were listed on the new Village sign as had been suggested in a prior PZC meeting. Barber answered that they were not since the Village has no right to spend taxpayer money to advertise private businesses.

Serviss asked if the Chamber of Commerce can put up a sign for those businesses and Barber answered that they could but it would have to conform to zoning ordinance.

Bleicher said the Village told him last year they want to encourage downtown businesses and what can they do to help him? No one visits the downtown area and if he is forced to close, then his customers will also no longer visit Beecher since they come in just to see him. He was told by Greg Szymanski last year that the rules applying to temporary signs have a loophole and he should be able to put up his sign for 27 days, take it down for 3, then put it up again.

Barber said his sign has already been up for a year and real estate developers want to put up signs too and we don't want to set a precedent for off-premise signs up and down Route One.

Kim Koutsky said there are two issues that must be decided: defining temporary signs, and dealing with Bleicher's situation in some permanent way. Do we want to allow anyone in town to put up temporary signs anywhere they wish? We don't want to confuse issues between temporary and permanent signs.

Bleicher stated that he doesn't have \$750 to spend on a variance to put up a permanent sign.

Serviss said he was all for helping the downtown businesses by perhaps giving them a spot for a sign advertising the downtown area. Blue Island has an example of this. The Village should allow

businesses to get together to create a sign – a tasteful monument sign following the ordinances – and just allow a place for it.

Discussion followed on where a sign could be placed. Dennis Tatgenhorst wanted to know if a sign could be placed on the east side of Route One at the corner of Penfield. It was related that a sign would have to be large enough to be seen but must be approximately 50 feet off the pavement to keep it out of the right of way. The sign the Village recently erected cost \$2,500.

Bleicher testified that he believed the Chamber of Commerce has an illegal sign that stays up all year in that area. All he needs is a directional sign since customers frequently can't find him once they arrive in town, and wanted to know who he should address for help with this. Barber told him he had to approach the Village Board.

George Schuitema wanted to know if there was a legal difference between a directional sign and an advertising sign. Barber responded there wasn't.

Bleicher asked him if his barber pole was considered to be animated and would he be able to hang a shingle sign on his business. He further asked about dimensions and placement and was told a barber pole is not animated and he would be able to hang a sign as long as it was high enough to not obstruct walking traffic and snow plows that come close to the curb. His sign could be backlit.

Bleicher admitted it was his choice to open a business downtown since the price was lower than on Route One and there was availability that made it a better opportunity for him.

Tatgenhorst asked if his temporary signs could be "grandfathered" in until a decision could be made about providing room for a permanent sign.

Bleicher asked if an exception could be made for him.

Don Thomas responded that an exception cannot be made for an individual.

General discussion about applying standards fairly between all businesses in all districts continued.

Serviss asked if we could table this portion of the ordinance until everyone could reach an agreement.

Paul Lohmann arrived at the public hearing and Serviss asked about what the Village could do to help the downtown businesses with a sign. Lohmann asked how many businesses wished to be included from the downtown area. Perhaps three? Koutsky explained that we had begun the discussion trying to limit temporary signs but if we do this the downtown businesses will lose the ability to advertise and the PZC had been trying to figure out a way to allow space for signage that wouldn't cost money for the Village.

Barber noted that Ernie's temporary sign is in a perfect location due to its small size. A larger sign would have to be in a different spot.

Serviss asked again about a sign that would be 3 ft. wide, 6 or 7 ft. tall and had placards. Barber reminded him that the Village just installed such a sign at a cost of \$2,500. Lohmann asked if the businesses were willing to contribute to the cost. Schuitema suggested the businesses could be assessed a fee to pay for the sign. Barber reminded everyone that an effective sign would have to be large enough to be seen, would have to be far enough off the right of way to be legal and would have to be approved by Ron Lyon of Cardinal Creek since it would be on their property.

Discussion continued about how downtown-type signs were addressed by other communities. Don Thomas stated that most downtown directional signs didn't advertise specific businesses. Barber responded that the ones who advertise businesses are generally funded by either the Chamber of Commerce or a downtown business group. Bleicher responded that he is not a Chamber of Commerce member and that he couldn't afford membership – that his money was spent on signage not on the monthly dinners provided by the Chamber.

Serviss asked Lohmann if he was willing to work with the businesses and Lohmann responded that he was willing as long as it didn't involve taxpayer money. It was suggested that members of the Plan Commission address the Village Board with their suggestions for downtown. This portion of the ordinance revision was tabled pending further discussion.

Testimony was requested for the section of the sign ordinance relating to LED signs. No members of the public were present and no testimony followed.

Machtemes entered a motion to close the public hearing. Koutsky seconded. Roll call: 5 Ayes (Koutsky, Serviss, Tatgenhorst, Machtemes and Schuitema). 0 Nays. Motion carried.

AGENDA ITEM V: CONSIDER A RECOMMENDATION TO THE VILLAGE BOARD AMENDING THE ZONING CODE TO INCLUDE GENERAL STANDARDS FOR SPECIAL USE PERMITS FOR DIGITAL DISPLAY SIGNS. Discussion began about revisions to the portion of the ordinance relating to digital display signs. Koutsky suggested they clarify the language relating to non-permitted signs so readers don't have to page to another section to understand the qualifications. Further discussion centered on whether it would be considered fair to current businesses to prevent them from upgrading or making any changes to pole signs which are a legal non-conforming use. Barber suggested a consensus of the PZC members be taken and Koutsky, Machtemes, Serviss and Tatgenhorst agreed that upgrading these signs should be prohibited. Schuitema disagreed and felt it presented undue hardship on current businesses to force them to put up a new sign if they wished to change their sign.

Koutsky entered a motion to send a positive recommendation to the Village Board to adopt the amended zoning code including general standards for special use permits for digital display signs as present and amended. Machtemes seconded. Roll call: 4 Ayes (Koutsky, Serviss, Tatgenhorst and Machtemes). 1 Nay (Schuitema). Motion carried. Schuitema clarified that the reason for his "No" vote had to do with Section 11.05, 1.m.4 where no special use would be granted for legal non-conforming signs. He felt it would inflict hardship on existing businesses with pole signs who may want to upgrade them to electronic in the future.

AGENDA ITEM VI: CONSIDER A RECOMMENDATION TO THE VILLAGE BOARD AMENDING THE ZONING CODE PERTAINING TO THE INSTALLATION OF OFF-PREMISE RETAIL TRADE SIGNS. Per discussion during the public hearing, it was agreed to table this portion of the recommendation until suitable alternatives to abolishing directional signs for downtown merchants could be discussed by Plan Commission members and the Village Board.

AGENDA ITEM VII: LAND USE PLAN UPDATE. There has been no response on the IKE Grant application except that a decision won't be made until mid-August. After the final route is chosen for the Illiana Corridor the land use plan will need updating. According to the most recent information, it is likely there will be a decision made on the route by October. The consultants who have been researching the routes concurred that Route B3 (the southern route) is the most cost-effective and environmentally sound. However, route AS32 has recently appeared and been taken under consideration, which would move the corridor further north. Beecher is considering sending a letter favoring the southern route that has already been selected by the paid consultants who have gone on record with their recommendation.

AGENDA ITEM VIII: PROPOSED SCHEDULE FOR FUTURE PZC MEETINGS. Since the Chairman would prefer to continue to use the fourth Thursday of each month for PZC meetings, the next regularly-scheduled meeting will be held on Thursday, September 27 at 7:15pm.

With no new business, Machtemes entered a motion and Schuitema seconded that the meeting stand adjourned. Serviss called the motion to a vote and it carried unanimously. The meeting stood adjourned at 9:23pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Marcy Meyer".

Marcy Meyer
Secretary