

APPROVED

MINUTES OF
THE VILLAGE OF ARLINGTON HEIGHTS
DESIGN COMMISSION
VIRTUAL MEETING
JULY 28, 2020

Chair Fitzgerald called the meeting to order at 6:30 p.m.

Members Present: John Fitzgerald, Chair
Jonathan Kubow
Ted Eckhardt
Kirsten Kingsley
Scott Seyer

Members Absent: None

Also Present: Tom Budzik, Thomas Architects for *129 S. Highland Ave.*
Tracey Diehl, Expedite the Diehl for *Verizon Wireless*
Steve Hautzinger, Staff Liaison

Chair Fitzgerald read the following statement as requested by the Village: I find that the public health concerns related to the coronavirus pandemic render in-person attendance at the regular meeting location not practical or prudent.

REVIEW OF MEETING MINUTES FOR JUNE 23, 2020

A MOTION WAS MADE BY COMMISSIONER KUBOW, SECONDED BY COMMISSIONER ECKHARDT, TO APPROVE THE MEETING MINUTES OF JUNE 23, 2020.

ECKHARDT, AYE; KUBOW, AYE; KINGSLEY, AYE; FITZGERALD, AYE.
ALL WERE IN FAVOR. MOTION CARRIED.

ITEM 2. SIGN VARIATION REVIEW

DC#20-041 – Verizon Wireless – 375 E. Palatine Rd.

Tracey Diehl, representing *Expedite the Diehl*, was present on behalf of the project.

Mr. Hautzinger presented Staff comments. Verizon Wireless is located in a free-standing outlot building facing Palatine Road within the Town and Country Shopping Center. The building currently has three wall signs, with one sign located on each side of the building facing north, west, and south, as well as one ground sign facing Palatine Road. At this time, the petitioner is seeking a sign variation to allow a fourth wall sign to be located on the east wall of the building as follows:

1. A variation from Chapter 30, Section 30-402, Number, to allow four wall signs where only one sign is allowed.
2. A variation from Chapter 30, Section 30-403, Dimensions, to allow a total of 109.2 sf of wall signs where only 81 sf is allowed.

Per Chapter 30 Sign Code, one wall sign is allowed per street frontage. Therefore, per code, Verizon Wireless is only allowed one wall sign on the north wall facing Palatine Road at a maximum size of 81 sf. However, in 2009, sign variations were approved to allow three "Verizon Wireless" wall signs on the building for a total combined size of 152 sf. In 2018, Verizon rebranded and omitted "wireless" from their signs, resulting in a reduced total combined size of 81.9 sf. At this time, the petitioner is seeking a sign variation to allow a fourth "Verizon" wall sign to be located on the east wall of the building for a total combined size of 109.2 sf.

In addition to the wall signs, there is one existing Verizon ground sign facing Palatine Road that will remain. The ground sign was approved in 1981 per Ordinance 81-114. The existing ground sign complies with the requirements of the Ordinance, so a variation is not required.

Mr. Hautzinger presented the previous sign variation history for this location. In 1981, Wag's restaurant was approved for 3 wall sign variations through Ordinance 81-114, with the square footages shown in the table in the Staff report. A free-standing ground was authorized by the Ordinance 81-114 with the following stipulations: 4'-4" high by 9'-2" wide, total area of 40 square feet, on a base of one and one-half feet high.

In 1992, Shoney's restaurant replaced the Wag's restaurant. Shoney's wall signage followed the regulations of Ordinance 81-114, and was less than permitted by the ordinance. Shoney's restaurant used the same ground sign, same square footage and altered only the name.

In 1994, Boston Market was issued permits for 3 larger wall signs. The Boston Market sign permits were issued in error, and no variations were granted for the additional square footage of the wall signs. The Boston Market signs were therefore illegal non-conforming and the Village does not allow perpetuation and continuance of illegal non-conforming signs. The wall signs were issued in violation of Ordinance 81-114 as they were larger than was previously approved. The Boston Market signs were non-compliant. Boston Market ground sign height was 5'-0" high by 8'-0" wide, total area of 40 square feet, on a base of one and one-half feet high, and therefore exceeded the Ordinance 81-114 requirements.

The square footages and number of signs for each of the previous tenants were provided in the Staff Report. None of the previous tenants were allowed signs on all four sides of the building.

The petitioner has submitted a letter addressing the sign variation criteria, stating that the proposed signage is necessary to help customers find the business within the shopping center since there are multiple points of entry from adjacent roads. Additionally, the petitioner feels the sign is necessary to remain competitive with the adjacent AT&T store that has multiple wall signs. The adjacent AT&T store signage was updated in 2017. Variations were approved in 2011 to allow additional wall signs due to the unique layout and orientation of the building.

In 2009, when Verizon requested a variation for three wall signs, Staff was in support of a variation for only 2 wall signs for Verizon because that is consistent with other outlot buildings in the Village, such as at Olive Garden and Chili's which each have two wall signs and a ground sign. However, the Design Commission and the Village Board felt that this was a unique location with difficult visibility, so all three signs were approved.

At this time, Staff maintains the position that signage on all four sides of the building would be excessive and would contribute to an unfair advantage. Allowing wall signs on all sides of a building would set a bad precedent for other businesses throughout the Village. In the history of this building, none of the previous tenants had signage on all four sides of the building. Code allows one wall sign per street frontage. Each variation request should stand on its own merits and should not refer to prior precedents. However, the adjacent AT&T store has two street frontages, with signage on three sides, where Verizon only has a single street frontage and is requesting signage on four sides of the building, which is excessive. Additionally, the previous AT&T variation approvals were a different situation, largely due to the unique shaped property. It should be noted that AT&T has illegal window signs, covering 100% of the window where only 40% coverage is allowed. The illegal AT&T window signage has been referred to the Building Department for code enforcement.

Staff has suggested to the petitioner to consider other code compliant signage options such as awnings with signage on the east and west elevations. This would enhance the building architecture and give the petitioner additional signage that they are seeking without variations. Additionally, it is encouraged that Verizon enhance the entry feature of the building to create a more prominent appearance and enhance their brand identity, in lieu of adding more signage.

Staff is recommending denial of the following sign variations for *Verizon* at 375 E. Palatine Road:

1. A variation from Chapter 30, Section 30-402, Number, to allow four wall signs where only one sign is allowed.
2. A variation from Chapter 30, Section 30-403, Dimensions, to allow a total of 109.2 sf of wall signs where only 81 sf is allowed.

Ms. Diehl said that she is representing Verizon Wireless. The issue is that when entering the property from east Rand Road into the parking lot, the sign on the south wall (Sign#3) of the Verizon building is not visible, there are some trees that block it. Verizon feels that signage is really necessary on this elevation because there are 2 handicap parking spaces on this elevation, as well as other parking, and something is needed to identify this destination for motorists coming from east Rand Road when entering in through the shopping center. She added that they have reduced their signage substantially to what was previously approved, and adding this fourth wall sign would still be under the square footage of any previous variances. She welcomed any questions at this time.

Chair Fitzgerald asked if there was any public comment on the project and **Mr. Hautzinger** said there were none at this time.

The commissioners gave their comments. **Commissioner Kingsley** understood Staff's hesitation to support a fourth sign because of setting a precedent for other properties, but she also understood the hardship that the petitioner has, and the fact that Verizon's new logo is smaller and more condensed than previous signage. She had no issues with the current sign variation request and preferred not to see awnings as suggested by Staff because there are no other awnings on the building. She was in support of what is being proposed.

Commissioner Kubow agreed with Commissioner Kingsley. Although he felt the hardship was not strong enough at first to warrant the variation request, given the reduced size of the sign being proposed and that it is simplistic and not obnoxious in any way, he was in support of the fourth sign being proposed; however, he wanted to hear comments from the other commissioners.

Commissioner Seyer acknowledged the unique location and the circulation and traffic at this site. He could see the point of having a fourth sign and he was in support of the variation request as proposed. He also felt that awnings would be more distracting than just the simplicity of the fourth wall sign. He understood the precedent that would be set with a fourth wall sign, but in this specific case, he felt it was warranted because the fourth sign would help define the building's use in a nice way. He was in support of the variation.

Commissioner Eckhardt agreed with the comments made by the other commissioners and was in support of the variation request.

Chair Fitzgerald agreed as well; these buildings are unique in their location and they need help for people coming in through all the various entrances to the parking lot.

Chair Fitzgerald again asked if there was any public comment on the project and Mr. Hautzinger said there were none.

A MOTION WAS MADE BY COMMISSIONER KUBOW, SECONDED BY COMMISSIONER SEYER, TO RECOMMEND APPROVAL TO THE VILLAGE BOARD OF TRUSTEES OF THE FOLLOWING SIGN VARIATION REQUEST FOR VERIZON WIRELESS LOCATED AT 375 E. PALATINE ROAD:

1. A VARIATION FROM CHAPTER 30, SECTION 30-402, NUMBER, TO ALLOW FOUR WALL SIGNS WHERE ONLY ONE WALL SIGN IS ALLOWED.
2. A VARIATION FROM CHAPTER 30, SECTION 30-403, DIMENSIONS, TO ALLOW A TOTAL OF 109.2 SF OF WALL SIGNS WHERE ONLY 81 SF IS ALLOWED.

THIS RECOMMENDATION IS SUBJECT TO COMPLIANCE WITH THE PLANS DATED 6/2/20, COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND VILLAGE CODES, REGULATIONS, AND POLICIES, THE ISSUANCE OF ALL REQUIRED PERMITS, AND THE FOLLOWING CONDITION:

1. THIS REVIEW DEALS WITH ARCHITECTURAL DESIGN ONLY AND SHOULD NOT BE CONSTRUED TO BE AN APPROVAL OF, OR TO HAVE ANY OTHER IMPACT ON, NOR REPRESENT ANY TACIT APPROVAL OR SUPPORT FOR THE PROPOSED LAND USE OR ANY OTHER ZONING AND/OR LAND USE ISSUES OR DECISIONS THAT STEM FROM ZONING, BUILDING, SIGNAGE OR ANY OTHER REVIEWS. IN ADDITION TO THE NORMAL TECHNICAL REVIEW, PERMIT DRAWINGS WILL BE REVIEWED FOR CONSISTENCY WITH THE DESIGN COMMISSION AND ANY OTHER COMMISSION OR BOARD APPROVAL CONDITIONS. IT IS THE PETITIONER'S RESPONSIBILITY TO INCORPORATE ALL REQUIREMENTS LISTED ON THE CERTIFICATE OF APPROPRIATENESS INTO THE PERMIT DRAWINGS, AND TO ENSURE THAT BUILDING PERMIT PLANS AND SIGN PERMIT PLANS COMPLY WITH ALL ZONING CODE, BUILDING CODE AND SIGN CODE REQUIREMENTS.

Mr. Hautzinger clarified for the petitioner that the Design Commission is recommending approval to the Village Board, and that the Village Board has final approval for sign variations. Ms. Diehl understood and wanted to go on record to state that the reason why Verizon did not respond to Staff's suggestion to consider code compliant awnings with signage instead of the fourth wall sign, is because they felt an awning would require a consistent amount of maintenance that is not necessarily readily available, and an awning would be black in nature and need constant cleaning. An awning would not remain as attractive on that elevation as a wall sign would.

**ECKHARDT, AYE; KINGSLEY, AYE; KUBOW, AYE; SEYER, AYE; FITZGERALD, AYE.
ALL WERE IN FAVOR. MOTION CARRIED.**