



Planning and Zoning Commission Minutes
Thursday, March 3, 2022
7:00 PM, Village Hall Board Room
200 N. River Street, Montgomery, IL, 60538

- I. Call to Order- Chairman Hammond called the meeting to order at 7:00 pm
- II. Pledge of Allegiance- All present gave the Pledge of Allegiance.
- III. Roll Call

Absent: Mildred McNeal James, Patrick Kelsey, Tom Yakaitis

Present: Marion Bond, Mike Hammond, Ben Brzoska, and Joe Yen

Also present: Village Attorney Laura Julien, Director of Community Development Sonya Abt, Director of Economic Development Charlene Coulombe, and members of the audience

- IV. Approval of the Minutes of the Planning and Zoning Commission Meeting of February 3, 2022.

Motion: Motion was made by Commissioner Brzoska to approve the minutes of the Planning and Zoning Commission Meeting of February 3, 2022.

Commissioner Bond Seconded the motion.

Ayes: Bond, Hammond, Brzoska, and Yen.

Nays: None

Abstain: None

- V. Public Comment Period- There were no comments from the public.
- VI. Items for Planning and Zoning Commission Action

- a. 2022-001 Sign Variance Request for 2000 Orchard Road - Walmart

- i. Public Hearing and Consideration of a variation from Section 12.05.B.11 (Wall Signs) to allow new wall signs to exceed the maximum number of wall signs on a principal structure

Director Abt introduced the item and stated the Petitioner, Walmart, is proposing remove and replace existing wall signs on their primary building at 2000 Orchard Road. Under the current UDO, only one (1) wall sign is permitted on the front or corner **façade and one (1) on the interior or rear facade**. While the current proposal would have been acceptable under the prior zoning ordinance, the new wall signs

will exceed the maximum number of **signs allowed per building façade**. Therefore, the Petitioner is requesting a variance from Section 12.05.B of the Unified Development Ordinance (UDO). The existing wall signs were installed before the current UDO was adopted. The six (6) wall signs on the **front façade and six (6) wall signs on the north elevation** are considered legal nonconforming with the latest UDO adoption. The Petitioner is proposing to remove, replace, and add wall signs as part of the broader building remodel. The sign plans include 14 wall signs to help direct customers to different areas of the store. Since the number of wall signs will exceed the UDO's maximum wall sign limitations, a variance is required.

Chairman Hammond opened the public hearing. There were no comments from the public.

Chairman Hammond opened the floor to questions or comments from the Commissioners.

Commissioner. Bond stated that it is important for customers to know where the various services are located and she has no problem with the requested variations.

Chairman Hammond read through the findings of fact.

1. The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Petitioner: It is the Petitioner's opinion that the proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public. The signage is being installed to help customers find their way to the correct location to meet their shopping needs.

Staff Comments: Staff agrees with the Petitioner and is of the opinion that the replacement of the existing signage will not have a negative impact on the public and is not increasing a nonconformity.

2. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Petitioner: It is the Petitioner's opinion that the proposed exterior improvements including the signs will improve the overall appearance of the neighborhood.

Staff Comments: It is staff's opinion that the proposed signage is compatible with the character of adjacent properties which are also commercial. Additionally the store is located on a major arterial street and the proposed signage is compatible with that character of development.

3. The proposed variation alleviates an undue hardship created by the literal enforcement of this Ordinance.

Petitioner: It is the Petitioner's opinion that the proposed variation would alleviate undue hardship created by the changes to the ordinance making their existing signage nonconforming and requiring a variation in order to replace it. Additionally, one wall sign is not adequate to efficiently direct customers when entering the site or approaching the store given the size and number of entrances.

Staff Comments: Staff agrees with the Petitioner that the proposed variation would alleviate undue hardship caused by the revisions to the sign regulations.

4. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Petitioner: It is the Petitioner's opinion that the proposed variation is necessary due to the existing conditions and nonconformity of the current signage caused by the UDO adoption.

Staff Comments: Staff agrees with the Petitioner that the variation is necessary due to code revisions. The existing condition of **having long façade** with several major entrances and entrances for specific uses is unique to this property.

5. The proposed variation represents the minimum deviation from the regulations of this Ordinance necessary to accomplish the desired improvement of the subject property.

Petitioner: It is the Petitioner's belief that the variation represents the minimum deviation from the regulation of the UDO.

Staff Comments: Staff agrees with the Petitioner. The total proposed new signage will be less than the existing wall signage.

6. The proposed variation is consistent with the intent of the Comprehensive Plan, this Ordinance, and the other land use policies of the Village.

Petitioner: It is the Petitioner's belief that the variation is consistent with the intent of the Comprehensive Plan and the UDO.

Staff Comments: It is staff's opinion that the proposed signage is consistent with the intent of the Comprehensive Plan and the UDO.

Motion: Motion was made by Commissioner Bond to approve PZC 2022-001 Sign Variation Request for 2000 Orchard Rd. - Walmart to allow 14 wall signs on the building., **the following condition(s) should be applied:**

1. The total number of wall signs on the building will not exceed 14 signs.
2. The total wall sign areas will not exceed the maximum allowed by the UDO.
3. Sign plans must be approved by Village staff before sign permits are issued.

Commissioner Yen seconded the motion.

Ayes: Bond, Hammond, Brzoska, and Yen.

Nays: None

Abstain: None

- b. 2022-003 Sign Variance Request for 1149 S. Lake Street - Coffman Truck Sales
 - i. Public Hearing and Consideration of the following variations:
 1. Section 6.04 (Nonconforming Sign Elements) to allow an existing nonconforming pole sign to be modified
 2. Section 12.05.B.6 (Electronic Message Signs) to allow an electronic message sign on an existing nonconforming poles sign.

Director Abt introduced the item and stated the Petitioner, Municipal Resources on behalf of Coffman Truck Sales, is proposing remove the existing manual changeable copy sign from their nonconforming pole sign and replace it with an electronic message sign at their property located at 1149 S. Lake Street ("Property"). Pole signs are prohibited and electronic message signs are only permitted as an element of a monument or marquee sign. Therefore, the proposed changes to the nonconforming sign will require two separate variances; one from Section 6.04 (Nonconforming Site Elements) and Section 12.05.B.6 (Electronic Message Signs) of the UDO.

Chairman Hammond opened the public hearing. There were no comments from the public.

Chairman Hammond opened the floor to questions or comments from the Commissioners.

Commissioner. Brzoska asked if the existing sign is illuminated. Director Abt confirmed that it is illuminated.

Chairman Hammond read through the findings of fact for item 1.

1. The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Petitioner: It is the Petitioner's opinion that the proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public. The sign is existing and the new electronic message sign is being installed in the same location as the existing changeable copy sign.

Staff Comments: Staff agrees with the Petitioner and is of the opinion that the replacement of the existing changeable copy sign panel will not have a negative impact on the public and is not significantly increasing a nonconformity.

2. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Petitioner: It is the Petitioner's opinion that the sign is compatible with the area. There are several other nonconforming pole signs located on Route 31.

Staff Comments: It is staff's opinion that the proposed change to the legal nonconforming site element (sign) is compatible with the character of adjacent properties which are also commercial.

3. The proposed variation alleviates an undue hardship created by the literal enforcement of this Ordinance.

Petitioner: It is the Petitioner's opinion that the proposed variation would alleviate undue hardship created by the changes to the ordinance making their existing signage nonconforming and requiring a variation to replace it.

Staff Comments: Staff agrees with the Petitioner that the proposed variation would alleviate undue hardship caused by the revisions to the sign regulations.

4. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Petitioner: It is the Petitioner's opinion that the proposed variation is necessary due to the existing conditions and nonconformity of the current signage caused by the code changes.

Staff Comments: Staff agrees with the Petitioner that the variation is necessary due to code revisions.

5. The proposed variation represents the minimum deviation from the regulations of this Ordinance necessary to accomplish the desired improvement of the subject property.

Petitioner: It is the Petitioner's belief that the variation represents the minimum deviation from the regulation of the UDO replacing the existing changeable copy panel and replacing it with a slightly larger modern electronic message center.

Staff Comments: Staff agrees with the Petitioner. The new sign panel will be only slightly larger than the existing one.

6. The proposed variation is consistent with the intent of the Comprehensive Plan, this Ordinance, and the other land use policies of the Village.

Petitioner: It is the Petitioner's belief that the variation is consistent with the intent of the Comprehensive Plan and the UDO.

Staff Comments: It is staff's opinion that the proposed signage is consistent with the intent of the Comprehensive Plan and the UDO.

Chairman Hammond read through the findings of fact for item 2.

1. The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Petitioner: It is the Petitioner's opinion that the proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public. The sign is existing and the new electronic message sign is being installed in the same location as the existing changeable copy sign.

Staff Comments: Staff agrees with the Petitioner and is of the opinion that the replacement of the existing changeable copy sign panel will not have a negative impact on the public.

2. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Petitioner: It is the Petitioner's opinion that the sign is compatible with the area. There are several other nonconforming pole signs located on Route 31.

Staff Comments: It is staff's opinion that the proposed change from a manual copy sign to an electronic message sign is compatible with the character of adjacent properties which are also commercial. Additionally electronic message signs are permitted in the B-2 district and this property is zoned B-2.

3. The proposed variation alleviates an undue hardship created by the literal enforcement of this Ordinance.

Petitioner: It is the Petitioner's opinion that the proposed variation would alleviate undue hardship created by the changes to the ordinance making their existing signage nonconforming and requiring either a variation to replace it or installation of a new monument sign which would be less visible than their existing pole sign.

Staff Comments: Staff agrees with the Petitioner that the proposed variation would alleviate undue hardship caused by the revisions to the sign regulations. The proposed electronic message sign is approximately the same size as the existing manual changeable copy sign.

4. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Petitioner: It is the Petitioner's opinion that the proposed variation is necessary due to the existing conditions and nonconformity of the current signage caused by the code changes. Additionally updates in technology have made it necessary to upgrade the existing sign in order to provide clearer and up to date information in a timely fashion.

Staff Comments: Staff agrees with the Petitioner that the variation is necessary due to code revisions. The existing sign cannot be modified in any way per our nonconforming ordinance.

5. The proposed variation represents the minimum deviation from the regulations of this Ordinance necessary to accomplish the desired improvement of the subject property.

Petitioner: It is the Petitioner's belief that the variation represents the minimum deviation from the regulation of the UDO. The proposed electronic message sign will replace the existing manual copy sign.

Staff Comments: Staff agrees with the Petitioner. The proposed electronic message center is 6 sq. ft. larger than the existing manual copy sign and meets the other restrictions for electronic message signs.

6. The proposed variation is consistent with the intent of the Comprehensive Plan, this Ordinance, and the other land use policies of the Village.

Petitioner: It is the Petitioner's belief that the variation is consistent with the intent of the Comprehensive Plan and the UDO.

Staff Comments: It is staff's opinion that the proposed signage is consistent with the intent of the Comprehensive Plan and the UDO.

Motion: Motion was made by Commissioner Yen to approve PZC 2022-003 Coffman Sign Variation Requests for 1149 S. Lake St. to allow an existing manual copy sign panel on an existing nonconforming pole sign to be replaced with an electronic message sign with the following conditions:

1. The new electronic message center must be located in the same general location as the existing manual copy sign panel.
2. The electronic message sign must not exceed the proposed 32 sq. ft. in area
3. Sign plans must be approved by Village staff before sign permits are issued.

Commissioner Brzoska Seconded the motion.

Ayes: Bond, Hammond, Brzoska, and Yen.

Nays: None

Abstain: None

- c. 2021-024 Special Use - Duplex for the property located at the southeast corner of Railroad Street and Clinton Street - Solomon Strickland
- i. Public Hearing and Consideration of a special use for a duplex in the MD District

Chairman Hammond open the public hearing

Director Abt stated the petitioner is requesting this item be continued to the April 7, 2022 PZC meeting in order to address parking issues.

Motion: Motion was made by Commissioner Bond to continue the public hearing for PZC 2021-024 Special Use for duplex located at the southeast corner of Railroad and Clinton Streets to April 7, 2022. Commissioner Brzoska Seconded the motion.

Ayes: Bond, Hammond, Brzoska, and Yen.

Nays: None

Abstain: None

Note: The agenda items will be forwarded to the Village Board Meeting on Monday, March 14, 2022.

VII. Community Development Update/New Business

Village Attorney Julien introduced their new associate, Fidel Chavez.

Director Abt informed the Commissioners that the variations for the truck terminal from last month's meeting were approved by the Village Board

VIII. Next Meeting: April 7, 2022

IX. Adjournment: With no further business, Chairman Hammond adjourned the meeting at 7:29 PM.

Respectfully Submitted,

Jill Hoover
Secretary