

MINUTES OF THE ZONING BOARD OF APPEALS
February 26, 2018

The regular meeting of the Zoning Board of Appeals was called to order by Chairman Kurt Schultz at 7:00 p.m. at the Village Hall.

Members present: Chairman Kurt Schultz, Amy Flores, Matthew Krummick, Mark Moore, Walter Oakley, Richard Pyter, and Eric Steffe.

Members absent: None.

A quorum was established.

Village Staff present: John Spoden, Director of Community Development; David Smith, Senior Planner, and Jeff Cooper, Village Engineer.

Others present: James Woods, P.E., PTOE, Civiltech Engineering, Inc.

Board Member Oakley moved, seconded by Board Member Flores, to approve the February 12, 2018, Zoning Board of Appeals minutes.

Motion carried 7 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 18-01 Keller Williams, Applicant
325 N. Milwaukee Avenue

Request is for variations to: 1) increase the maximum number of permitted freestanding business signs from one (1) to two (2) in order to allow the proposed 24 square foot KW North Shore West Keller Williams freestanding sign; and 2) increase the maximum permitted height for a freestanding business sign from 6 feet to approximately 9.3 feet in height in order to allow the proposed 24 square foot KW North Shore West Keller Williams freestanding sign located in a C-2 Downtown Community Commercial District.

Mr. David Smith, Senior Planner, introduced the sign variation request. Mr. Smith stated that the petitioner, Keller Williams North Pointe, is requesting approval of sign variations in order to install a freestanding business sign for property located in a C-2, Downtown Community Commercial District at 325 N. Milwaukee Avenue.

Mr. Smith stated that the proposed sign will stand approximately nine (9) feet in height from the adjacent finished grade and will be approximately 24 square feet. He stated that there is an existing freestanding PNC Bank pole sign located at the southeast corner of the property.

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Mr. Smith stated that the proposal will require two variations which are a variation to increase the maximum number of permitted freestanding business signs from one (1) to two (2), and a variation to increase the maximum permitted height for a freestanding business sign from 6 feet to approximately 9.3' feet in height in order to allow the proposed 24 square foot KW North Shore West Keller Williams freestanding sign at 325 N. Milwaukee Avenue.

Ms. Lisa Wolf, 325 N. Milwaukee Avenue, petitioner, stated that she is proposing a freestanding sign on the property where they are located which is also occupied by the PNC Bank. She stated that PNC already has a freestanding pylon sign at the southeast corner at this site. She stated that they are requesting approval to install a sign on the brick wall monument located along Milwaukee Avenue in front of the building. She stated that there are two reasons for the sign variation requests. She stated that PNC had to acquire a variation for the height of their sign. She stated that she had initially requested approval for a wall sign, but the ARC recommended against that proposal. She stated that the PNC sign is already in place and was very expensive to construct. She stated that Keller Williams is a new tenant in the building with a 6 to 10 year lease. She stated that they are looking for exposure to let others know of their existence in the neighborhood. She stated that the reason for the proposed height of their sign is due to the existing brick wall that they intend to install their sign on top of. She stated that the proposed design and intended location for installation will provide a pleasing aesthetic. She stated that the proposed design reflects the existing PNC sign design and thus offers a certain amount of cohesiveness to the overall signage on site.

Board Member Oakley asked for confirmation that the wall sign proposal is not in the current proposal. Ms. Wolf stated that the wall signs are not being proposed at this time, only the freestanding monument sign. She stated that the wall signs were proposed to be installed on the second story and that the ARC was not supportive of that proposal.

Board Member Oakley asked if the petitioner would consider utilizing a single multi-tenant sign approach to meet their signage needs. Ms. Wolf stated that there already is an existing freestanding pylon sign on the property and to add another multi-tenant sign on the property would still require a variation. She stated that it would also be cost prohibitive so the current proposal is the best solution for them in order to get the exposure that they believe they need. She stated that she does not believe that they can get approval from PNC Bank to combine their sign with theirs for a multi-tenant sign. She stated that their intent is to place their sign on an existing brick base foundation which was approved for a prior sign that is not there now.

Board Member Oakley asked if they share the second floor of the building with a law firm and if they advertise outside of the building anywhere. Ms. Wolf stated that they do share the second floor with a law firm and that the law firm does not have exterior signage on site.

Board Member Oakley asked the petitioner if they consider themselves a destination land use and if a customer could find them using some form of map navigation such as a GPS app on a cell phone. Ms. Wolf stated that they could be found on a GPS app, but that people in general do not know where they are located. She stated that many clients and agents have had trouble finding their location.

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Board Member Oakley asked how many other real estate businesses along Milwaukee Avenue in Libertyville have freestanding signs. Ms. Wolf stated that other agencies have freestanding signs such as Baird and Warner located a short distance down the street. She stated that the @Properties has a freestanding multi-tenant sign.

Board Member Flores asked what the Zoning Code would allow for this site at 325 N. Milwaukee Avenue that would not need a variation. Mr. Smith stated that they could propose a single freestanding multi-tenant sign, but the existing PNC freestanding sign would have to be removed.

Board Member Flores asked if the petitioner has approached the PNC Bank tenant to see if they would be interested in sharing a multi-tenant sign. Ms. Wolf stated that PNC is not interested in having their existing freestanding sign removed in order to share a multi-tenant sign with Keller Williams. She stated that if their sign variation request did not get approved then they would have to relocate.

Board Member Flores asked if the petitioner discussed their sign options when they negotiated their lease for their tenant space at 325 N. Milwaukee Avenue. Ms. Wolf stated that they just closed on the lease 20 days ago. She stated that they cannot operate a real estate business without proper signage.

Board Member Flores stated as a general practice the Village tries to stay away from allowing multiple freestanding signs on one property.

Board Member Pyter asked if the petitioner just moved into the subject tenant space. Ms. Wolf stated that they took occupancy recently.

Board Member Pyter asked if the PNC Bank has signage on the front entrance door. Ms. Wolf stated that there is not wall signage at all. She stated there is some directional signage at the entrance and PNC does have the freestanding sign at the corner of the site which required a variation for PNC. She stated that the building owner would let Keller Williams vacate before they would ask their PNC Bank tenant change or remove their existing sign.

Board Member Pyter stated that he does not support the sign variation request as proposed.

Ms. Wolf stated that the subject site is in a unique location with a larger building and a longer setback. She stated that their building is not conducive for wall signage according the ARC, but it was their preference to install their sign on the wall.

Board Member Pyter stated that it seems difficult to justify the Standards for Variations requested and is concerned about the precedent setting nature of the proposed sign plan.

Ms. Wolf suggested that they would consider making the proposed sign shorter.

Board Member Pyter stated that he would still have a problem with the site having two monument signs.

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Board Member Krummick stated that he does not have an issue with the proposed height of the applicant sign. He stated that he is concerned about the potential for proliferation of signs in the future. He stated that he did not understand how the signs were permitted at the old Baird and Warner site including the wall signs on the second story.

Mr. John Spoden, Director of Community Development, stated that there had been a Zoning Code change to the sign section. The Zoning Code currently restricts second story wall signage and the Baird and Warner signs were grandfathered in.

Board Member Krummick stated that he could not support a variation to allow two monument signs on the same property.

Board Member Steffe asked the petitioner if PNC Bank has an exclusive right to the freestanding sign they currently have their sign installed on that is written into their lease with the property owner.

Ms. Wolf stated that she understands it to be true that PNC Bank does have an exclusive right to their freestanding sign.

Board Member Steffe stated that consideration could be given by the petitioner to review the lease agreement with the property owner, especially if Keller Williams anticipates an eventual staff growth of 150 agents. He stated that a tenant of that anticipated size may have a better chance at getting a name on a multi-tenant sign along with the other tenants of the building.

Ms. Wolf stated that they would still need a variation in order to share sign space with the other tenants on a multi-tenant sign.

Board Member Steffe stated that he would prefer to see a single monument sign instead of the two monument signs. He stated that a new freestanding sign should be designed to be compliant with the Code and takes into consideration both Keller Williams' and PNC Bank's desire for signage.

Board Member Moore stated that it appears that the property owner is looking to make this a multi-tenant building without allowing for multi-tenant signage. He stated that it seems as though that the issue is really with the landlord. He stated that this site should be able to utilize a multi-tenant sign and it should conform to the Zoning Code.

Chairman Schultz asked how many tenants are in the building. He asked how much space does Keller Williams occupy. Ms. Wolf stated that there are three (3) tenants in the building. She stated that their tenant space is approximately 6,900 square feet in floor area. She stated that PNC occupies the entire first floor, the second floor is split between Keller Williams and the Dudley and Lake law firm, and the third floor is occupied by PNC Bank.

Chairman Schultz asked the petitioner how she would like the Zoning Board of Appeals to proceed tonight. Ms. Wolf stated that she would like for their sign variation request to be

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continued. She stated that she will investigate whether or not a multi-tenant sign is an available opportunity or not.

In the matter of ZBA 18-01, Board Member Moore moved, seconded by Board Member Flores, to continue this item to the April 9, 2018, Zoning Board of Appeals meeting.

Motion carried 7 - 0.

Ayes: Schultz, Flores, Krummick, Moore, Oakley, Pyter, Steffe

Nays: None

Absent: None

STAFF COMMUNICATIONS AND DISCUSSION: None.

Board Member Pyter moved, seconded by Board Member Flores, to adjourn the Zoning Board of Appeals.

Motion carried 7 - 0.

Meeting adjourned at 7:26 p.m.