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June 27, 2024

Mayor Ken Kolowski,
Peru City Clerk, and
Aldermen of the City of Peru

**RE: Petition of Robinson Outdoor, LLC
1121 Shooting Park Road, Peru, IL**

Gentlemen:

Pursuant to legal notice published in the News Tribune in the manner provided by law, the Planning/Zoning Commission of the City of Peru convened for a public hearing on Wednesday, June 26, 2024, at 5:00 p.m. in the City Municipal Building, 1901 Fourth Street, Peru, IL, to consider the Petition of the Robinson Outdoor, LLC (“Petitioner”) concerning certain property commonly known as 1121 Shooting Park Road in the City of Peru, legally described as follows:

Lot Two (2) in Trilikis Subdivision, being a resubdivision of Lot Four (4) of the resubdivision of Lots Thirteen (13) and Fourteen (14) of Part of Lots One (1) and Two (2) in Marquette Manor, Second Addition, Peru, Illinois, according to the plat thereof, dated August 17, 2007 and recorded September 19, 2007 as Doc. #2007-22926, except coal and minerals and the right to mine and remove the same, all situated in the County of LaSalle and State of Illinois.

PIN: 17-09-332-017 (“Subject Property”).

Petitioner, with permission of the owners of the Subject Property, desires to install a 32’ tall, double-sided, v-type, digital billboard upon the Subject Property with display areas on each side of approximately 20’ x 10’. Petitioner seeks the following relief under the City’s Zoning Ordinance, to wit:

- (1) A special use permit for the proposed off-premises sign;
- (2) A waiver from Section 8.03(n)(7) prohibiting billboard signs;
- (3) A waiver from Section 8.05(b)(1)b. to allow for off-premises display;
- (4) A waiver from Section 8.08(a) to allow for off-premises signage in Sign Zone “B”;
- (5) A variance from Section 8.08(b)(2) to increase the maximum sign area for off-premises signage from not more than 150 sq. ft., to not more than 200 sq. ft.; and to increase the maximum length from not more than 15’, to not more than 20’;

- (6) A variance from Section 8.09 to increase the maximum sign area for an electronic multiple message sign display panel in Sign Zone "B" from not more than 32 sq. ft., to not more than 200 sq. ft.; and
- (7) For such other and further relief deemed necessary or appropriate.

The Property is zoned B-2 Community Shopping District.

Planning/Zoning Commission Members Miller, Jones, Grabowski, Brady, and Becker were present at the hearing. Members Lucas and Kalsto were absent.

Danny Marler appeared on behalf of the Petitioner. Chris Duffy, one of the Subject Property owners, also appeared. Mr. Marler and Mr. Duffy were duly sworn.

Mr. Marler said there was a small discrepancy on the notice, noting the proposed billboard sign itself would be 10' tall and 20' wide. Mr. Marler testified that Petitioner designs digital billboard systems. He said people are going away from the old painted bulletins and these types of signs are the wave of the future. From a marketing aspect, digital signs are nice because it can be changed to display things like weather updates or sporting events.

Mr. Marler stated Petitioner provides local municipalities with a benefits package. Each of their billboards is connected to the National Weather Service Center. If there are tornadoes or adverse weather events, the National Weather Service can turn off advertising and utilize the billboard as an advanced warning system for the community until the threat has passed.

Petitioner can control the billboard and they work with the local municipality to display important information. The digital billboards are also connected to the amber alert system and can display a photo of the missing or abducted child, or that of a fugitive at large. They can advertise fundraisers for local police and fire departments, or provide information about boil orders, road closures, etc. That service is free of charge and the City need only call them.

Mr. Marler testified further Petitioner does not build these signs on the interstate. They focus advertising efforts on local businesses in town. Petitioner is currently working on putting signs up in Mendota, Streator, and Washington, Illinois. They recently built signs in Freeport, Rock Falls, Galesburg, and Silvis. Marler said Petitioner is developing in the northern Illinois area and working towards Indiana.

Mr. Marler stated Petitioner typically submits a blueprint for a similar sign they propose to build, not the exact one. The one submitted with this petition was for a sign built in Keokuk, Iowa. Petitioner usually gets copies of the blueprints about 2 weeks prior to installation, and their engineer won't sign off until it is confirmed that the sign is built to specification.

In response to questioning from Member Brady, Mr. Marler confirmed the sign would be 20' wide and 10' tall. He said they typically leave 15' between the sign and ground for visibility and safety. The proposed billboard will be approximately 27' tall overall. Mr. Duffy added that most of the billboard would hang over the Subject Property, avoiding potential conflict with traffic on Route 251.

Mr. Marler stated he hopes the City will never need to utilize the sign for emergency alerts, but reflected back on a situation in Mayfield, Kentucky in 2021. The community was hit by four tornados that destroyed much of the downtown infrastructure. Petitioner's two billboards were provided to the City of Mayfield for over six months. The City of Mayfield, FEMA, E911, and the Red Cross utilized the billboards to communicate with the community about where they could obtain aid and shelter, and when and where clean-up activities were taking place.

Mr. Marler said he drives 65,000 miles a year up and down the highways and sees the traditional painted bulletins becoming dilapidated for lack of maintenance. He said that is not how Petitioner operates with these digital signs. He said they must be replaced every ten years. When that happens, Petitioner refreshes the paint and everything and it's like a brand-new billboard again.

Chairman Miller said there wasn't any doubt about the quality or features presented but noted that the City of Peru has adopted ordinances in place to essential prevent this type of sign in this location. Chairman Miller stated that they have adhered to those regulations and was inclined to continue to do so and not set a precedent.

In response to questioning from Member Grabowski, Mr. Marler said the billboard would be powered by the local utility and have a separate meter.

Mr. Marler noted Illinois Route 251 is a controlled route and things like height and location are subject to rigorous regulations by the Illinois Department of Transportation. Even if the City were to approve a permit, the sign would still need to be approved by IDOT. Marler said it all comes down to whether or not it is a benefit to the community. He is a retired police officer and sees these signs as a tool to help police do a better job. He is also a veteran of the Marine Corps and a lot of Petitioner's signs display the military branches. The new sign in Rock Falls went live last Thursday and they were able to promote a touch a truck event over the weekend.

Marler testified further that digital billboards are monitored 24/7 by cameras. If someone is able to hack their system and display something obscene, they are able to remotely shut it down. In response to Attorney Schweickert, Marler said the sign uses a wireless data connection.

In response to further questioning from Chairman Miller, Mr. Marler said local businesses would be the primary focus of the advertisements – car dealerships, banks, insurance companies, real estate companies. Real estate brokers and car dealerships use the signs frequently because, unlike traditional vinyl, they can be easily changed and updated with listings and special deals. Generally, these companies see an increase of approximately 30% in sales, Marler said. Petitioner has a state-of-the-art design team in-house that can create very customizable ads such as \$X off tires if the Cubs hit a homerun in the 4th inning.

Chairman Miller reiterated that he had no issue with the quality of the sign, just the location. Member Grabowski agreed. Member Brady said he didn't have a problem with the location, but thought it was too big. In response to questioning from Member Brady, Attorney Schweickert noted that the City had amended its sign codes back in approximately 2015 in response to the rising popularity of electronic billboards in the area. At the time, many of those billboards did not have brightness controls or dimmers and were blinding people driving at night. As part of the amendments, the City created sign zones. Off-premises signs such as billboards, which advertise

off-premises businesses, were allowed only in Sign Zone “D”, which generally includes the area adjacent to Interstate 80. Attorney Schweickert noted there are some other billboards around town, but those are legal non-conforming signs that existed prior to adoption of the applicable zoning regulations.

Attorney Schweickert said the most recent billboard matter before the City was back in 2018 with Bridgeview Veterinary Hospital. That involved an old non-conforming billboard along the east side of Route 251, south of Petitioner’s proposed location, that was removed. They sought to permit the construction of a new billboard at that same location but were denied approval in accordance with the City’s regulations. Mr. Marler added that none of the billboards along Route 6 can be replaced now that the State has named Route 6 a scenic byway.

Mr. Marler said all of their signs have auto dimmer systems, noting brightness is also something controlled by IDOT. Marler asked if the Planning/Zoning Commission would consider a smaller digital billboard. While 10’ x 20’ is their standard size, they also have an 8’ x 16’ sign. Chairman Miller said he was still concerned about opening the floodgates if they were to recommend approval. Member Brady said he thought the sign ordinance was too strict and should be revisited by the City Council.

Mr. Marler asked if it were possible to table a vote in order to reach out to IDOT to see if Petitioner could even get permitted through them.

City Director of Engineering and Zoning, Eric Carls, said he does receive a number of requests for billboard signs through his office. The reason why the sign ordinance exists as currently written was due to a flood of requests to get leases for off-premises signs on their properties and the City was concerned about sign pollution. There were also some issues with locations in relation to residential areas, which is why sign zones were created to limit off-premises signage to interstate 80. Engineer Carls noted even if Petitioner received IDOT permit approval, that does not guarantee they would receive City approval. Carls did not offer comment on the current sign ordinance and the revisions that may or may not be needed, but noted this Petition requires several waivers and/or text amendments which, if approved, would open it up and set precedent for future requests.

In response to questioning from Attorney Schweickert, Mr. Marler said that IDOT would be doing a traffic safety study and part of its review. IDOT also requires a survey, which isn’t cheap, but Marler said they would spend the money to see if IDOT would permit it because it is worth it to them to be in this community. Chairman Miller said he was going to recommend denial, and if so denied, Petitioner could seek IDOT’s input or come back with a proposal for a smaller sign.

There were no public comments or objections.

Chairman Miller moved, and Member Grabowski seconded, to recommend that the City Council deny the Petition as prayed for. The motion passed unanimously: 5 aye, 0 nay, and no Members absent.

Respectfully submitted,

CARY MILLER, Chairman of the
Planning/Zoning Commission