

MINUTES OF THE PLAN COMMISSION
July 11, 2016

The regular meeting of the Plan Commission was called to order by Chairman Mark Moore at 7:01 p.m. at the Village Hall.

Members present: Chairman Mark Moore, William Cotey, Amy Flores, Walter Oakley, Kurt Schultz, and David Semmelman.

Members absent: Matthew Krummick.

Village Staff present: John Spoden, Director of Community Development; David Smith, Senior Planner, and Fred Chung, Senior Project Engineer.

Commissioner Cotey moved, seconded by Commissioner Schultz, to approve the May 23, 2016, Plan Commission meeting minutes.

Motion carried 6 - 0.

Commissioner Cotey moved, seconded by Commissioner Schultz, to approve the June 13, 2016, Plan Commission meeting minutes.

Motion carried 6 - 0.

OLD BUSINESS:

PC 15-25 Village of Libertyville, Applicant

Request is for a Text Amendment to the Libertyville Zoning Code in order to regulate tobacco stores, vape stores, and e-cigarette stores in the Village of Libertyville.

In the matter of PC 15-25, Commissioner Cotey moved, seconded by Commissioner Semmelman, to continue this item to the August 8, 2016, Plan Commission meeting.

Motion carried 6 - 0.

Ayes: Moore, Cotey, Oakley, Flores, Schultz, Semmelman

Nays: None

Absent: Krummick

NEW BUSINESS:

PC 16-18 David Luaces, DVM, Applicant
1214 W. Park Avenue

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Request is for a Text Amendment to the Libertyville Zoning Code in order to include a Veterinary Services (NAICS 541940) as a Special Permitted Use in an O-1, Professional Services Office District.

PC 16-19 David Luaces, DVM, Applicant
1214 W. Park Avenue

Request is for a Special Use Permit for a Veterinary Service establishment for property located in an O-1, Professional Services Office District.

PC 16-20 David Luaces, DVM, Applicant
1214 W. Park Avenue

Request is for a Site Plan Permit for a Veterinary Service establishment for property located in an O-1, Professional Services Office District.

Mr. David Smith, Senior Planner, introduced the requested zoning actions to the Plan Commission and Zoning Board of Appeals. He stated that the petitioner is requesting a Text Amendment to the Libertyville Zoning Code in order to include a Veterinary Services (NAICS 541940) as a Special Permitted Use in an O-1, Professional Services Office District, a Special Use Permit for a Veterinary Service establishment, a Site Plan Permit, and variations to reduce the minimum required number of parking spaces, parking setback and to reduce the minimum width of perimeter landscaped open space order to construct a Veterinary Service establishment for property located in an O-1, Professional Services Office District at 1214 W. Park Avenue.

Dr. David Luaces, petitioner, stated that he currently has two veterinary service practices that he is hoping to merge into one at the subject location.

Mr. Mike Matthys, architect and agent for the petitioner, presented the plans and requested zoning actions to the Plan Commission and Zoning Board of Appeals. He introduced the proposed floor plan of 5,900 square feet for the first floor and 1,000 square feet for the attic space. He requested approval for the Zoning Code text amendment and stated that one of the current locations of the applicant's vet services is across the street on the south side of West Park Avenue and was grandfathered as a non-conforming use. He stated that the current location has parking up close to the street. He stated that they are able to maximize the lot for their proposed parking lot making one of the requested variations an encroachment into required corner side yard. He stated that IDOT has requested that they maintain access onto Harding Avenue if they are seeking access onto Park Avenue. He stated that the low number of employees and the animal containment areas that maximize the floor area will not trigger a large number of parking spaces and this is why they are requesting the variation to reduce the minimum number of parking spaces.

Dr. Luaces stated that the two existing vet service facilities do not use more than 12 parking spaces combined.

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Mr. Matthys stated that the extended hours of operation from 8:00 a.m. to 8:00 p.m. will help to distribute the parking needs throughout a longer day. He stated that the fenced in area is not a dog run and that animals will be taken out one at a time and be on a leash. Mr. Matthys stated that the architecture of the building provides a residential feel to the building. He stated that there will be a walkway and bike rack on site. He stated that they have decided to be compliant with the sign ordinance, revised the plans, and are withdrawing the previously requested sign variation. He stated that the proposed development should have minimal impact on existing traffic.

Mr. Vijay Kumar, 124 Harding Avenue, stated that he lives directly to the north of the site. He stated that he has lived there for 32 years and has enjoyed his privacy. He stated that he is concerned that the proposed animal hospital may have a negative impact and is concerned that his property value will decrease.

Mr. Dan Amos, 319 Harding Avenue, stated that he is against the proposal and is worried about the traffic conflict that will be created by this development. He is concerned about additional traffic that will cut through the neighborhood.

Mr. Bruce Iehl, a Des Plaines resident, stated that the requested variations are overly promoted. He stated that there should be a concern over the proposed parking and traffic impact.

Mr. Mike Zacker, 306 Kenloch Avenue, stated that Willow is his shortcut to get to Butterfield Road and he is concerned about the additional traffic cutting through the neighborhood that the proposed development will create. He stated that a prior proposal for this site was from a CVS store, but it never came to be. He stated that there is a family who lives on the west end of Willow who often parks on the street increasing the risk of traffic movement conflict once this new development is up and running.

Commissioner Oakley stated that he is concerned about the IDOT requirement to have access onto Harding.

Mr. Matthys stated this site needs the additional access points. He stated that they cannot control the IDOT requirement. He stated that this development will benefit the Village as a tax revenue generating establishment.

Mr. Bill Zalewski, engineer for the petitioner, stated that the parking lot layout will accommodate fire truck turning radii and this will be demonstrated with the requested Auto Turn exhibit that will be provided.

Commissioner Flores asked about the disposition of the Hair Salon and its driveway accessing Route 176. Mr. Fred Chung, Village Senior Project Engineer, stated that the Hair Salon has been there for many years and its driveway accessing Route 176 is grandfathered in.

Commissioner Flores stated that she is concerned about the traffic impact that the proposed development will have on the neighborhood and is concerned that they are not providing enough parking.

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Commissioner Semmelman stated that he is concerned about the impact on traffic flow, but is not concerned about the proposed number of parking spaces.

Commissioner Schultz asked about the how the two existing vet service locations are utilized. Dr. Luaces stated that about two-thirds of their business is done out of the Park Avenue location and about one-third of their business is done out of their Peterson Road location. He stated that the Park Avenue location has longer operating hours. He stated that the Park Avenue location utilizes two examination rooms and that they have never had an issue with parking as a veterinarian facility is a highly specialized service.

Commissioner Schultz stated that he does not have an issue with the parking count, the architecture design is good. He stated that he is concerned about how the left turn issue gets resolved especially if IDOT does not approve of their access onto Route 176. He asked for clarification of the attic space. Dr. Luaces stated that the attic space will be utilized as an employee break room and storage.

Chairman Moore stated that he is concerned about the impact on the traffic flow. He asked for clarification of the proposed right in/right out driveway configuration. Mr. Zalewski stated that the curbed pork chop is designed within the property and does not encroach into the right of way.

Chairman Moore asked the petitioner why they are choosing this site. Dr. Luaces stated that this site is close to their existing location and that they wanted to remain in Libertyville. He stated that their site choices are limited and that they prefer the exposure to Butterfield Road.

Chairman Moore stated that the proposed plan seems to be pushing the envelope in terms of fitting everything in on the site. He asked about the anticipated noise level. Dr. Luaces stated that there will not be any detectable noise coming from the site.

Chairman Moore asked about the disposition of the existing trees. Mr. Matthys stated that many of the trees on site are not valuable. He stated they will be removed but new trees will be planed and the site will have a manicured landscaped look.

Commissioner Cotey stated that there seems to be several unanswered questions and that a continuance seems to be the most appropriate.

Mr. Brian R. DeSalle, CivilTech Engineering, traffic engineer consultant for the Village, stated that they were concerned that the queuing of east bound traffic along Route 176 waiting at the traffic signal at the intersection of Route 176 and Butterfield Road would block accessing the site entrance for west bound traffic. He stated that IDOT will want to see traffic capacity data. He stated that it is important that traffic trip data generated by other veterinarian services located in Lake County.

Chairman Moore stated that a continuance is necessary in order to allow the petitioner the opportunity to respond to some of the unanswered questions.

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In the matters of PC 16-18, PC 16-19, and PC 16-20, Commissioner Flores moved, seconded by Commissioner Schultz, to continue these items to the August 8, 2016, Plan Commission meeting.

Motion carried 6 - 0.

Ayes: Moore, Cotey, Oakley, Flores, Schultz, Semmelman
Nays: None
Absent: Krummick

PC 16-21 Maple & Stewart, LLC, Applicant
127 and 133 W. Maple Avenue and 202 N. Stewart Avenue

Request is for a Zoning Map Amendment in order to rezone property from R-8, Multiple Family Residential District to R-7, Single Family Attached Residential District for property currently located in both an R-7 Single Family Attached Residential District and R-8, Multiple Family Residential District.

PC 16-22 Maple & Stewart, LLC, Applicant
127 and 133 W. Maple Avenue and 202 N. Stewart Avenue

Request is for a Preliminary Plat of Subdivision in order to resubdivide three (3) residential lots into four (4) residential lots in order to construct single family detached or attached dwelling units for property currently located in both an R-7 Single Family Attached Residential District and R-8, Multiple Family Residential District.

Mr. David Smith, Senior Planner, introduced the requested zoning actions. Mr. Smith stated that the petitioner is requesting approval of a Preliminary Plat of Resubdivision in order to resubdivide three (3) residential lots into four (4) residential lots in order to construct either single family detached or single family attached residential units for property located in an R-7, Single Family Attached Residential District at 127 and 133 W. Maple Avenue and on 202 N. Stewart Avenue.

Mr. Smith stated that the three lots are contiguous to each other and comprise a total land area of approximately 41,897 square feet. He stated that two lots fronting Maple Avenue are zoned R-8 and the remaining lot to the south fronting Stewart Avenue is zoned R-7. He stated that the second request by the applicant is to rezone the R-8 portion of the subject site to R-7 in order to unify the zoning district for all three parcels. An R-7 Zoning District permits Single Family Detached, Single Family Attached and Two-Family dwelling units. At this point in time, the applicant has not indicated which housing type they intend to construct at the subject site.

Mr. Mark Kurensky, architect for the petitioner, presented the Site Plan to the Plan Commission. He stated that they are requesting the down zoning from R-8 to R-7 because the higher density is not appropriate for this area. He stated that the proposed Site Plan contemplates a shared access driveway for the rear-loaded garages. He stated that the project envisions a low impact development. He stated that they are not asking for variations. He stated that the Staff requested

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24 foot wide access driveway is problematic and that a narrower drive would be more conducive for their proposal. He stated that the drive would serve only four lots which may be between four dwelling units or eight dwelling units.

Dr. Vince Arpino, 109 W. Maple Avenue, stated that he has a storm water management concern. He stated that he is not opposed to the development, but he believes that the applicant's plan for storm water management is not enough. He stated that the existing storm sewers cannot handle any additional development in this area. He stated that he is concerned about the height of the proposed structures.

Mr. Bob Walker, petitioner representative, stated that they have over-compensated for the storm water management.

Ms. Monica Hawk, engineer for the petitioner, stated that they have planned the storm water management for the entire site. She stated that it currently drains inward and to the East. She stated that they will install curb and gutter in the shared driveway. She stated that they will construct a storm water management system that will direct storm water into the proposed new detention system which will eventually release storm water into the Village's storm water sewer system.

Dr. Arpino stated that the applicant's proposal will not be enough.

Commissioner Schultz stated that he supports the rezoning to R-7 District. He stated that it makes sense to widen the shared drive way to between 18 to 20 feet wide.

Mr. Walker stated that the proposed width of the access driveway is mostly driven by the storm water calculations and the proposed location of the underground utilities.

Ms. Hawk stated that the detention calculations are based on the size and topography of the land area. She stated that the site will be graded in order to accommodate the proposed detention pond's overflow.

Commissioner Schultz asked if the access drive is sloped. Ms. Hawk stated that it is not a straight slope and that it has two inlets for its storm water management system. She stated that they will also take a closer look at erosion control as needed.

Chairman Moore asked what are the intended housing types. Mr. Kurensky stated that they can accommodate 48 feet by 70 foot building envelopes for duplex type structures at a height not to exceed 2½ stories, but they are not settled on doing duplexes yet.

Chairman Moore asked what will be the number of dwelling units. Mr. Kurensky stated that the number of dwelling units will be between 4 and 8.

Chairman Moore stated that it appears that the width for the access driveway is still an unanswered question at this point.

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Mr. Kurensky stated that they like 18 feet, but can live with 20 feet wide for the driveway.

Chairman Moore asked how snow removal will be managed. Mr. Kurensky stated that the H.O.A. will manage snow removal. He stated that snow will most likely be pushed into the detention area.

Mr. John Spoden, Director of Community Development, stated that the Department of Public Works is asking for a 24 foot wide access drive.

Mr. Kurensky stated that the Cambridge at the Glen residential development constructed a similar layout with 20 foot wide alleys and it functions very well.

Commissioner Schultz stated that 24 feet wide does seem a little excessive.

Commissioner Cotey stated that he would support a 20 foot wide access driveway.

Commissioner Flores stated that she would support an 18 to 20 foot wide driveway.

Commissioner Oakley stated that he would support a 20 foot wide driveway.

Commissioner Cotey asked if the drive will have a shared access easement. Ms. Hawk stated that there will be a dedicated access easement for the driveway.

Mr. Rick Turk, petitioner, stated that there will also be an environmental report submitted to the Village for the site.

Commissioner Flores asked about the setbacks for the existing structures. Mr. Kurensky stated that the existing house to the south has a setback of 20 feet from the front property line.

Chairman Moore stated that there appears to be a downstream overland stormwater flow concern by the neighbors.

Mr. Fred Chung, Village Senior Project Engineer, stated that the petitioner is proposing an emergency route for the overland flow that will help to mitigate storm water impact downstream.

Mr. Walker stated that they understand that this is the Village's Heritage Area and that they will respect the community and that this will be the basis for their architectural design.

Chairman Moore stated that they would like to see more, at least conceptual architecture for the future dwelling units.

Commissioner Cotey stated that more details are better.

Mr. Walker stated that they do not want to limit themselves too soon.

Mr. Turk stated that he has successfully developed 84 townhomes in Lake Forest.

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Chairman Moore stated that it is better for the Plan Commission to know what you are building.

Mr. Walker stated that they will be townhomes.

Mr. Kurensky stated that they have not sketched anything yet, but they will not ask for any zoning relief once they have something more definitive.

Mr. Spoden stated that the concern is with what type of infill development will come in without knowing what the product will be.

Chairman Moore stated the alley width is still an open question.

Mr. Hawk stated that the intent is to design the access driveway in order to accommodate storm water management concerns and this includes the use of a retaining wall.

Commissioner Semmelman stated that it is customary to see the housing type concept at this point. He stated that it seems that the access drive/alley width is still a question.

Commissioner Cotey stated that he wants to see the concept plan.

Commissioner Flores stated that there should be a commitment upfront and that the Plan Commission should have something to look at.

Mr. Walker stated that they do not want to limit themselves too early in the process.

Commissioner Schultz stated that consideration could be given to providing alternative designs.

Mr. Turk stated that they might be able to provide conceptual front elevation renderings.

Commissioner Moore stated that it would be most appropriate to continue these requests by the petitioner to next month in order to give the petitioner the opportunity to address the DRC Staff Report and the concerns given tonight.

In the matters of PC 16-21 and PC 16-22, Commissioner Schultz moved, seconded by Commissioner Semmelman, to continue these items to the August 8, 2016, Plan Commission meeting.

Motion carried 6 - 0.

Ayes: Moore, Cotey, Oakley, Flores, Schultz, Semmelman

Nays: None

Absent: Krummick

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PC 16-23 Rajeev and Sunanda Gokhale, Applicants
119 Appley Avenue

Request is for a Zoning Map Amendment in order to rezone property from C-2, Downtown Community Commercial District to R-6, Single Family Residential District in order to rehab and convert a two-family residential structure into a single family detached residential structure currently located in a C-2, Downtown Community Commercial District.

Due to improper notification, this item will be re-noticed for the July 25, 2016, Plan Commission meeting.

PC 16-24 William Zalewski, Applicant
700-998 E. Park Avenue

Request is for a Final Plat of Resubdivision of the Park Avenue Corporate Center, a Planned Development, in order to create/reconfigure two (2) new retail/commercial lots with the boundaries of existing Lots 6 and 7 of the Park Avenue Corporate Center subdivision for property located in the I-3, General Industrial District.

Mr. David Smith, Senior Planner, introduce the request for approval for Plat of Resubdivision. He stated that the applicant is requesting approval for a Plat of Resubdivision of the Park Avenue Corporate Center, a Planned Development, in order to create/reconfigure two (2) new retail/commercial lots with the boundaries of existing Lots 6 and 7 of the Park Avenue Corporate Center subdivision for property located in the I-3, General Industrial District at 700-998 E. Park Avenue.

Mr. Smith stated that the intent is to create two (2) new retail/commercial lots within the boundaries of existing Lots 6 and 7. He stated that the petitioner is re-numbering existing Lots 6 and 7 to become new Lots 6, 7, and 11.

Mr. William Zalewski, engineer and agent for the petitioner, presented the proposed resubdivision to the Plan Commission.

Commissioner Semmelman stated that there are a lot of Village Engineering Staff comments in the DRC Staff Report.

Mr. Fred Chung, Village Senior Project Engineer, stated that we have to be very careful because this Plat of Resubdivision must work in sync with the re-development of the Park Avenue Corporate Center parking lot and with the Auto Expo development which will located on the new Lot 6 of this property.

Chairman Moore stated that due to the many unanswered Village Staff review comments that this request should be continued to the August Plan Commission meeting in order to give the applicant the opportunity to revise the plat exhibit accordingly.

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In the matter of PC 16-24, Commissioner Oakley moved, seconded by Commissioner Semmelman, to continue this item to the August 8, 2016, Plan Commission meeting.

Motion carried 6 - 0.

Ayes: Moore, Cotey, Oakley, Flores, Schultz, Semmelman
Nays: None
Absent: Krummick

COMMUNICATIONS AND DISCUSSION:

Mr. John Spoden, Director of Community Development, stated that there will be a Committee of the Whole to discuss the proposed restaurant tax. He stated Staff has been asked to further study the parking requirements for the downtown C-1 District.

Commissioner Cotey moved, seconded by Commissioner Schultz, to adjourn the Plan Commission meeting.

Motion carried 6 - 0.

Meeting adjourned at 9:40 p.m.