

MINUTES OF THE PLAN COMMISSION
September 12, 2016

The regular meeting of the Plan Commission was called to order by Chairman Mark Moore at 7:00 p.m. at the Village Hall.

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

Members absent: Kurt Schultz.

A quorum was established.

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 Oakley, to approve the August 8, 2016, Plan Commission meeting minutes, amended as follows:

Page 6, Paragraph 3, under the voting section, “*Moore*” should be placed under *Ayes*, and *Nays* should read *None*.

Page 6, Paragraph 4, under the voting section, “*Moore*” should be placed under *Ayes*, and *Nays* should read *None*.

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 Semmelman moved, seconded by Commissioner Flores, to continue this item to the October 10, 2016, Plan Commission meeting.

Motion carried 6 - 0.

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

Minutes of the September 12, 2016, Plan Commission Meeting
Page 2 of 8

NEW BUSINESS:

PC 16-06 DRH Cambridge Homes, Inc., Applicant
127, 131, and 201 S. Stewart Avenue

Request is for a Preliminary Plat of Resubdivision in order to resubdivide three (3) residential lots into two (2) residential lots for property located in an R-7, Single Family Attached Residential District.

Mr. David Smith, Senior Planner, introduced the request for the Preliminary Plat of Resubdivision. He that the petitioner was before the Plan Commission at their April 25, 2016 and again on June 13, 2016, meetings requesting for approval of a Preliminary Plat of Resubdivision in order to resubdivide three (3) residential lots into two (2) residential lots in order construct six (6) single family attached dwelling units, three (3) per lot, for property located in an R-7, Single Family Attached Residential District at 127, 131, and 201 S. Stewart Avenue.

Mr. Smith stated that their June 13, 2016 meeting, the Plan Commission recommended approval to the Village Board. He stated that at the August 9, 2016 meeting, the Village Board referred this item back to the Plan Commission due to a significant change in the Site Plan. He stated that the change shows the proposed driveway relocated to the east. He stated that there is now a separation between the new driveway location and the western property line of approximately 27 feet.

Mr. David Munaretto, petitioner, stated that the new proposed driveway configuration improves the on-site vehicular circulation. He stated that the future H.O.A. will maintain the new driveway and green space. He presented revisions made to the proposed townhomes. He stated that they are adding stone siding to the Florence Court side of the structure. He stated that will comply with the storm water management regulations. He stated that they will work with Staff to determine the best location of the refuse containers. He stated that they will grant an access easement to the neighbors to the west.

Ms. Beth Miller, attorney representing the neighboring property to the west, stated that no one has contacted them about the driveway change. She stated that it is outrageous that the petitioner would grant them an easement. She stated that any future H.O.A. covenants and restrictions should be recorded and run with the land. She stated that she is concerned that once the development is complete that DR Horton/Cambridge will be out of the picture and not responsible for any problems created by the development and left behind. She stated that there needs to be specific subdivision covenants. She stated that rain gardens need maintenance and the covenants need to set aside money for that maintenance. She stated that she is concerned about the increase in lot coverage. She stated that she is concerned about the changes being brought to the neighborhood.

Ms. Deb Galvin passed out a letter to the Plan Commission. She stated that she is very concerned about the creation of impervious lot coverage.

Minutes of the September 12, 2016, Plan Commission Meeting
Page 3 of 8

Mr. Jack Lance stated that he is in favor of the development. He stated that the current owner has not taken care of the property. He stated that the alley is not an alley but a private drive. He stated that he does not want trash cans lining up along Florence Court.

Mr. John Spoden, Director of Community Development, stated that the current policy with the Village's agreement with Groot, the waste removal company, is that trash is curbside pick-up. He stated that the petitioner can re-negotiate with Groot for a different trash pick-up location.

Commissioner Krummick asked if the petitioner has had a neighborhood meeting. Mr. Munaretto stated that they have reached out to a few individuals but have not had a formal neighborhood meeting.

Commissioner Krummick asked the petitioner if they met with the neighbors to the west. Mr. Munaretto stated that they have not been able to contact them as of yet.

Commissioner Krummick asked for clarification of how the topographical grade conditions affect the proposed height of the structures. Mr. Munaretto stated that the proposed height will not exceed 32 feet as measured from the existing grade conditions.

Commissioner Krummick stated that he has concerns as to how vehicles might stack when there are visitors to the site. Mr. Munaretto stated that the vehicular maneuvering space should be adequate and that they will stipulate that parking will be restricted from the north-south stem of the proposed drive and enforced by the H.O.A. restrictions.

Commissioner Krummick asked why the developer is proposing the 6 unit density. Mr. Munaretto stated that this is a good opportunity to meet an unmet need with this particular housing type. He stated that the R-7 zoning district allows the density and housing type as well.

Commissioner Semmelman stated that he would like to see the easement put in place with the controlling condo covenants.

Chairman Moore stated that he is concerned about the ability of vehicles maneuvering on site especially for the center dwelling unit of the north building when all other parking spaces in front of the garages are occupied.

Mr. Jon Vana, Civiltech Engineering and the Village's consultant, stated that there are still some aspects of vehicle maneuvering that need verified with additional auto-turn exhibits.

Mr. Munaretto stated that they can also incorporate parking restrictions in front of the neighbor's garage.

Chairman Moore asked if the petitioner has spoken to the neighbor yet. Mr. Munaretto stated they have not been able to as of yet.

Commissioner Cotey asked if it is appropriate that a property management company be engaged to maintain the common elements of the site. Mr. David Pardys, Village Attorney, stated that

Minutes of the September 12, 2016, Plan Commission Meeting
Page 4 of 8

they could use a property management company, but wasn't certain about how practical that would be due to the small size of the subject site.

Commissioner Cotey stated that he would like to see a landscape plan.

Chairman Moore stated that he would like for the petitioner to get an agreement with the neighbor regarding the access. Mr. Munaretto stated that it is his intent to obtain an agreement with the neighbor at Final Plat of Resubdivision submittal. He stated that they are not asking anything from the neighbor.

Chairman Moore stated that this item should be continued until an agreement is reached that aligns with the DRC Staff comments relative to access easement and the provisions associated with the access.

In the matter of PC 16-06, Commissioner Semmelman moved, seconded by Commissioner Flores, to continue this item to the October 10, 2016, Plan Commission meeting.

Motion carried 6 - 0.

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

Nays: None

Absent: Schultz

PC 16-27 Conventual Franciscan Friars of Marytown, Applicant
1600 W. Park Avenue

Request is for an Amendment to Section 11, Figure 11-5 of the Libertyville Zoning Code in order to expand the Overlay District for Electronic Message Board Signs for property located in an IB, Institutional Buildings District.

PC 16-28 Conventual Franciscan Friars of Marytown, Applicant
1600 W. Park Avenue

Request is for a Special Use Permit for an Electronic Message Board Sign for property located in an IB, Institutional Buildings District.

Mr. David Smith, Senior Planner, that the petitioner, the Conventual Franciscan Friars of Marytown, has applied for an Amendment to the Zoning Code Section 11, Figure 11-5 in order to expand the Overlay District for Electronic Message Board Signs, a Special Use Permit for an Electronic Message Board Sign, and approval for certain variations for signage for property located in an IB, Institutional Buildings District at 1600 W. Park Avenue. He stated that this proposal includes the removal of the existing Chapel and Gift Shop signs and replacing them with two new signs along West Park Avenue.

Mr. Frank Klepitsch, architect for the petitioner, stated that they are proposing to replace signs at Marytown. He discussed the background and architecture of the 1929 chapel. He stated that the

Minutes of the September 12, 2016, Plan Commission Meeting
Page 5 of 8

site layout is reminiscent of the Beaux Art Master Planning methodology. He stated that the existing sign is outdated, poorly lit, and has no relationship to the architecture of the facility. He stated that the placement of the signs will respect the row of the existing evergreen trees on the site along Route 176, except for the removal of a few specially selected trees in close proximity to the signs.

Mr. Klepitsch presented the proposed chapel monument sign, its materials, and dimensions. He presented the proposed Gift Shop/Conference Center signs, its materials, and dimensions. He stated that both will have a red brick base. He stated that the new Gift Shop/Conference Center sign will reuse the existing Marytown blue sign cabinet and will be incorporated into the overall new brick base. He stated that the existing Marytown Gift Shop/Conference Center sign stands at 15 feet in height and that the existing Chapel sign stands at 19 feet in height. He stated that the new gift shop sign will stand at 18.75 feet in height.

Mr. Klepitsch stated that there is approximately 720 feet of Marytown property linear frontage along Route 176. He stated that their plan will enable them to keep many trees due to the proposed sign locations. He stated that the combined sign area of the two new signs will be a reduction of 25% from the combined sign area of the existing signs.

Mr. Klepitsch stated that Marytown is a non-profit facility that provides many services 24 hours per day, 7 days per week. He stated that there are three entrances with over 600 feet separating two of the entrances.

Mr. Klepitsch stated that the proposed Electronic Message Board sign (EMB) will provide emergency alert messages as required. He stated that they are upgrading the site's landscaping as part of the scope of work.

Father John Grigus, representative of Marytown, stated that Marytown is a religious community, a National Shrine, and they bring clientele to their facility on a regular basis. He stated they are not supported by the Archdiocese. He stated that the gift shop and the chapel and their other services are one in the same entity and that their gift shop sales help to support their services. He stated that the two signs are important as their facility is huge and that the signs are a necessity to the people who are seeking out their services. He stated that they have invested a lot of funds into this project and that this is their one and only chance.

Commissioner Oakley stated that it seems like a good project.

Commissioner Flores stated that the gift shop logo seems small on the sign.

Mr. Klepitsch stated that the EMB will serve additional purposes.

Father Grigus stated that the EMB will add information such as what items are being sold in the gift shop and upcoming conferences more effectively. He stated that visitors come from all over the U.S. for conferences.

Minutes of the September 12, 2016, Plan Commission Meeting
Page 6 of 8

Commissioner Flores stated that she has concern as to whether there is a need for an EMB when there are other mediums for advertising such as the web, emails, Facebook, etc.

Father Grigus stated that other avenues for notice may be sufficient for their members, but the EMB can reach other non-member patrons.

Father John Clote stated that there is an entire parking lot behind the facility and that the EMB would help to alleviate traffic congestion and improve safety. He stated that Carmel High School also uses their parking lot for their larger events.

Commissioner Cotey asked for clarification of the requested sign variation. He asked if the petitioner would be willing to reduce the Chapel monument sign height to 7 feet as noted in the DRC Staff report. Mr. Klepitsch stated that due to the site conditions and the trees that it is imperative to have the height of the sign as proposed. He stated that Marytown is a non-profit quasi-public facility and that people do not know what is going on behind closed doors.

Commissioner Cotey asked that the petitioner should fine tune their plan in response to the feedback that they have received thus far. He stated that he supports two freestanding signs. He stated that the traffic does move fast along Route 176.

Chairman Moore stated that he likes the monument sign, but questioned the justification for the setback variation request. Mr. Klepitsch stated that if the Gift Shop/Convention sign were to be interpreted as a quasi-public sign and not a business sign, then the 5 foot setback would have been permitted.

Chairman Moore stated that he does not like the taller sign. He stated that an EMB is not conducive for the area, it does not fit in. He stated that the sign is too close to the Route 176 right-of-way.

Mr. Klepitsch stated that the trees influence the proposed location of the signs. He stated that the property's front is over 760 feet wide.

Chairman Moore stated that he is concerned about a precedent being set.

Father Grigus stated that this facility is unique as it is a National Shrine and will periodically have conferences that invite attendees from all over the U.S.

Commissioner Semmelman stated that he is not supportive of the size of the signs.

Commissioner Krummick stated that he is concerned about the potential for a proliferation of EMB's. He stated that the land use is particularly benign with massive frontage. He stated that he likes the architectural unification of the sign design, but that he does not like the EMB.

Mr. Spoden stated that the intent of the Overlay District established for EMB's was intended for the commercial uses along Route 45 and Route 137 for larger parcels of land. He stated that they studied the Route 176 corridor and determined that it was not appropriate for EMB's.

Minutes of the September 12, 2016, Plan Commission Meeting
Page 7 of 8

Chairman Moore stated that they are a recommending body and that it will be up to the Village Board of Trustees to approve the requests.

Mr. Klepitsch asked if they can poll the Plan Commission members.

Commissioner Oakley stated that he supports the proposal.

Commissioner Flores stated that she supports the two signs, but not the EMB or the proposed size.

Commissioner Cotey stated that he is supportive of the requests generally speaking, but is uncertain about the EMB.

Chairman Moore stated that he is supportive of the request for two signs, but does not support the EMB sign at this location or the expansion of the EMB Overlay District.

Commissioner Semmelman stated that he supports the request two signs, but does not support the EMB sign.

Commissioner Krummick stated that he supports the request two signs, but does not support the EMB sign.

Father Clote stated that the EMB is not a commercial sign, but is event-oriented.

Father Grigus stated that they no longer want to physically change the sign letters on their message board sign.

Mr. Klepitsch requested that the zoning requests be deferred to next month.

In the matters of PC 16-27 and PC 16-28, Commissioner Oakley moved, seconded by Commissioner Schultz, to continue these items to the October 10, 2016, Plan Commission meeting.

Motion carried 6 - 0.

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

PC 16-29 Valent BioSciences Corporation, Applicant
600 N. US Highway 45

Request is for an Amendment to the Site Plan Permit in order to construct a building addition, parking lot improvements, and landscape improvements for property in an O-2 Office, Manufacturing and Distribution Park District.

Minutes of the September 12, 2016, Plan Commission Meeting
Page 8 of 8

In the matter of PC 16-29, Commissioner Semmelman moved, seconded by Commissioner Oakley, to continue this item to the October 10, 2016, Plan Commission meeting.

Motion carried 6 - 0.

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

COMMUNICATIONS AND DISCUSSION:

Commissioner Semmelman moved, seconded by Commissioner Oakley, to adjourn the Plan Commission meeting.

Motion carried 6 - 0.

Meeting adjourned at 10:30 p.m.