

MINUTES OF THE PLAN COMMISSION
May 10, 2021

The regular meeting of the Plan Commission was conducted virtually due to public health concerns and called to order by Chairman Mark Moore at 7:17 p.m.

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

Members absent: None.

A quorum was established.

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

Others present: Brooke Lenneman, Village Attorney.

Commissioner Steffe moved, seconded by Commissioner Pyter, to approve the April 26, 2021, Plan Commission meeting minutes.

Motion carried 6 - 0.

OLD BUSINESS:

**PC 20-28 Village of Libertyville, Applicant
1800, 1850, and 1950 N. US Highway 45**

Request is for Final Approval for an Amendment to the Village of Libertyville Comprehensive Plan Future Land Use Map, located at 1800, 1850 and 1950 N. US Highway 45 in an O-2 Office, Manufacturing and Distribution Park District.

**PC 20-29 Village of Libertyville, Applicant
1800, 1850, and 1950 N. US Highway 45**

Request is for Final Approval for an Amendment to the Special Use Permit for a Planned Development in order to reduce the land area for the Village of Libertyville Sports Complex and for the removal of the Golf Learning Center and Family Entertainment Center, and to add industrial and commercial land uses for property located at 1800, 1850 and 1950 N. US Highway 45 in an O-2, Office, Manufacturing and Distribution Park District.

**PC 20-30 Village of Libertyville, Applicant
1800, 1850, and 1950 N. US Highway 45**

Request is for Final Approval for an Amendment to the Planned Development Final Plan in order to reduce the land area and add additional parking spaces for the

Village of Libertyville Sports Complex, removal of the Golf Learning Center (GLC) and Family Entertainment Center (FEC), and to add industrial and commercial land uses for property at 1800, 1850 and 1950 N. US Highway 45 located in an O-2, Office, Manufacturing and Distribution Park District.

PC 20-31 Village of Libertyville, Applicant
1800, 1850, and 1950 N. US Highway 45

Request is for Final Approval for an Amendment to the Special Use Permit for a Sports and Entertainment Complex in order to reduce the land area for the Village of Libertyville Sports Complex, removal of the Golf Learning Center (GLC) and Family Entertainment Center (FEC), and to add industrial and commercial land uses for property located at 1800, 1850 and 1950 N. US Highway 45 in an O-2, Office, Manufacturing and Distribution Park District.

PC 20-32 Village of Libertyville, Applicant
1800, 1850, and 1950 N. US Highway 45

Request is for Final Approval for an Amendment to the Site Plan Permit for a Sports and Entertainment Complex in order to reduce the land area for the Village of Libertyville Sports Complex, removal of the Golf Learning Center (GLC) and Family Entertainment Center (FEC), and to add industrial and commercial land uses for property located at 1800, 1850 and 1950 N. US Highway 45 in an O-2, Office, Manufacturing and Distribution Park District.

PC 20-33 Village of Libertyville, Applicant
1800, 1850, and 1950 N. US Highway 45

Request is for a Final Plat of Subdivision in order to develop industrial and commercial land uses for property located at 1800, 1850 and 1950 N. US Highway 45 in an O-2, Office, Manufacturing and Distribution Park District.

PC 20-34 Midwest Industrial Funds, Applicant
1800, 1850, and 1950 N. US Highway 45

Request is for Final Approval for an Amendment to the Village of Libertyville Comprehensive Plan Future Land Use Map, located at 1800, 1850 and 1950 N. US Highway 45 in an O-2 Office, Manufacturing and Distribution Park District.

PC 20-35 Midwest Industrial Funds, Applicant
1800, 1850, and 1950 N. US Highway 45

Request is for Final Approval for an Amendment to the Planned Development Final Plan in order to develop industrial land uses for property located in an O-2, Office, Manufacturing and Distribution Park District at 1800, 1850 and 1950 N. US Highway 45.

Minutes of the May 10, 2021, Plan Commission Meeting
Page 3 of 8

PC 20-36 Midwest Industrial Funds, Applicant
1800, 1850, and 1950 N. US Highway 45

Request is for a Final Plat of Subdivision in order to develop industrial and commercial land uses for property located at 1800, 1850 and 1950 N. US Highway 45 in an O-2, Office, Manufacturing and Distribution Park District.

In the matters of PC 20-28 through PC 20-33, Commissioner Steffe moved, seconded by Commissioner Pyter, to continue these items to the June 28, 2021, Plan Commission meeting.

Motion carried 6 - 0.

Ayes: Moore, Flores, Oakley, Pyter, Schultz, Steffe
Nays: None
Absent: None

In the matters of PC 20-34 through PC 20-36, Commissioner Pyter moved, seconded by Commissioner Steffe, to continue these items to the June 28, 2021, Plan Commission meeting.

Motion carried 6 - 0.

Ayes: Moore, Flores, Oakley, Pyter, Schultz, Steffe
Nays: None
Absent: None

NEW BUSINESS:

PC 21-09 A Safe Place, Applicant
1585 N. Milwaukee Avenue, Suites 11, 12, and 13

Request is for a Text Amendment to Section 26-6-2.3 of the Libertyville Zoning Code to include Other Individual and Family Services (624190) as a Special Permit Use in the O-1, Professional Services Office District.

PC 21-10 A Safe Place, Applicant
1585 N. Milwaukee Avenue, Suites 11, 12, and 13

Request is for a Special Use Permit for an Individual and Family Service agency in order to allow for A Safe Place, provider of domestic violence services, to occupy property located in an O-1, Professional Services Office District.

Mr. Peter Kakenmaster, introduced the zoning requests to the Plan Commission. He stated that they are seeking a Zoning Code Text Amendment and a Special Use Permit in order to allow A Safe Place to occupy office tenant space located at 1585 N. Milwaukee Avenue. Mr. Kakenmaster stated that he is the owner of the property located at 1585 N. Milwaukee Avenue. He stated that the building is a one story office building and is approximately 21,000 square feet in floor area

Minutes of the May 10, 2021, Plan Commission Meeting
Page 4 of 8

located at the corner of Finstad and Milwaukee Avenue. He stated that they lost the Ombudsman tenant. He stated that the subject location is centrally located in Lake County and ideal for A Safe Place. He stated that the office tenant spaces that he would like to designate for A Safe Place will have two entrances into the building and that the office space will only need modest renovation. He stated that the physical layout of the designated office space will help to ensure secure and safe arrangement for all.

Attorney Gary L. Schlesinger, 437 McKinley Ave., stated that he is a divorce lawyer and has been involved with many contentious cases. He stated that there is no other service like A Safe Place in Lake County that provides the same type of services. He stated that this current proposal will replace the Safe Place facility currently located in Mundelein. He stated that transferring children between one parent to the other used to happen in Police Department parking lots before a service like A Safe Place existed. He stated that a safe and monitored transfer of a child between parents is one of the more important mechanisms that A Safe Place provides. He stated that the parental visits and child transfers are supervised as needed. He stated that the program charges a sliding scale fee and provides their services to households of all income levels. He stated that clients of A Safe Place are typically court-ordered and that circumstances involving domestic violence requires a service like A Safe Place.

Mr. Carlos Argueta, Director of A Safe Place, stated that they have had the Safe Place family visitation center in Mundelein for the past 10 years. He stated that safety measures are put in place. He stated that the 19th Judicial Circuit Court of Illinois supports the service that A Safe Place provides. He stated that the parent clients arrive at staggered time intervals which helps to alleviate confrontation between divorced or separated parents when children are being transferred from one parent to the other. He stated that they use security cameras and hand panic buttons provided to the staff on site. He stated that their facility is equipped with a burglar alarm for additional site security. He stated that their facility staff have the right to decline service to a client if they determine that there is an elevated chance of risk involved. He stated that the 1585 N. Milwaukee location has everything that they need to operate A Safe Place family visitation center.

Chairman Moore requested that the applicant provide a response to the Standards for a Special Use Permit, especially Standard No. 2 regarding how the proposed use will not have an adverse impact on adjacent property, the character of the area, the public health and general welfare.

Mr. Kakenmaster stated that the A Safe Place visitation center uses a comprehensive screening process for their prospective clients. He stated that the layout of the office tenant space at 1585 N. Milwaukee Avenue is conducive for how the applicant will make use of the space. He stated that he cannot guarantee that there will never be a problem, but the Libertyville Police Department is familiar with the Safe Place family visitation program and is comfortable with it. He stated that this site will be safe and secure.

Mr. Andy Sabo, 145 Finstad Drive, stated that he agrees that there is a need for this type of service, but disagrees that it should be here at 1585 N. Milwaukee Avenue. He stated that Adler School and Park are located directly to the east, there are more residential homes to the north and west. He stated that although A Safe Place has rules in place for safety and security, not everyone will follow the rules. He stated that the clients that A Safe Place serves can become violent and the

Minutes of the May 10, 2021, Plan Commission Meeting
Page 5 of 8

meetings held there can become volatile. He stated that if this proposal is approved it will affect the surrounding properties.

Mr. Keith Meadors, 143 Finstad Drive, stated that the A Safe Place Mundelein location does not have a residential area near it. He stated that he is concerned about the risks involved. He stated that he supports the service provided by A Safe Place but does not want it located at 1585 N. Milwaukee Avenue.

Mr. Kevin Dixon, 131 Finstad Drive, stated that he has been a Libertyville resident for 43 years. He stated that the standards provided by the applicant are not consistent with the subject site too close to the Finstad Drive townhomes. He stated that the subject site is too secluded and not well lit. He requested that the Plan Commission does not grant the request by the applicant.

Mr. Fred Schroeder, 142 Finstad Drive, stated that he commends the program, but the subject site is not the right location. He stated that this site is too close to Adler Park and Adler School. He stated that he is concerned that the visits are unsupervised and that some of the clients served are sex offenders.

Mr. Argueta stated that the parents are under court order to return the children during their visitation at the agreed upon time. He stated they have not had clients that were listed on the sex offender registry.

Ms. Trish Sabo, 145 Finstad Drive, stated that she agrees with all of the objections mentioned so far. She stated that A Safe Place cannot guarantee safety. She stated that she is opposed to the request by the applicant.

Mr. Mike Sackly, 149 Finstad Drive, stated that he has been a 10 year resident of the Village of Libertyville. He stated that he is opposed to the request by the applicant. He stated that this type of land use would be too close to our subdivision.

Mr. Schlesinger stated that sex offenders do not get parenting time. He stated that no one can guarantee safety. He stated that the Police Department has been consulted with. He stated that safe guards will be put in place.

Ms. Karen Cox, 141 Finstad Drive, stated that there is only one way in and one way out of the Finstad Drive neighborhood. She stated that she is concerned about the clients being served by A Safe Place are involved with drug abuse, alcoholism, and that they may speed out of the parking lot onto Finstad Drive in an emotional state of being creating a traffic hazard.

Mr. Ryan Wells, 15610 Timber Lane, asked the applicant how many other locations have they applied to relocate to. He stated that the proposed facility is intended to serve all of Lake County. He stated that crime is up in the Village of Libertyville. He stated that 333 Peterson Road has vacant tenant spaces and the applicant should consider that location or elsewhere.

Minutes of the May 10, 2021, Plan Commission Meeting
Page 6 of 8

Ms. Carrie Dixon, 131 Finstad Drive, stated that her backyard fence abuts the subject site. She stated that A Safe Place is a great organization, but she will not feel safe when the supervised visits take place. She stated that she is opposed to this application.

Mr. Argueta stated that they have looked at over 20 different locations but it was only this site at 1585 N. Milwaukee that met all of their needs for a suitable location.

Mr. Keith Meadors, 143 Finstad Drive, stated that a safety guarantee is an important concern.

Ms. Dot Weber, 142 Finstad Drive, stated that they are concerned about the impact upon the property values. She asked for clarification as to the zoning request. Mr. John Spoden, Director of Community Development, stated that the current Zoning District of O-1 for the subject site will not change. He stated that the petitioner's request is a Text Amendment to the Zoning Code in order to have their type of land use listed in the O-1 District as a special permitted use and then secondly to request the Special Use Permit.

Mr. Michael Strauss, 150 Aspen Way, Deerfield, IL, stated that everyone who has given testimony has good intentions and are not trying to be malicious. He stated that the current location in Mundelein is adjacent to a residential neighborhood. He stated that the Mundelein facility is located in a strip commercial center with residential apartments above the first floor. He stated that there are several registered sex offenders who live in Libertyville and if the Finstad Drive residents are comfortable with that knowledge then he does not understand what the problem is with A Safe Place family visitation center relocating to 1585 N. Milwaukee Avenue. He stated that there have not been any problems at the Mundelein location. He stated that this is a very necessary service that serves the highest income level households and the lowest income level households.

Mr. Clayton Voegtler, office address is 14047 Petronella Drive, Libertyville, stated that he is a Buffalo Grove resident. He stated that the Safe Place program requires that the first parent with the child arrives 10 minutes early and the second parent arrives 10 minutes later to pick up the child and they both enter different entrances. He stated that the parents are not there to get into a confrontation. He stated that any parent convicted of drug offences or sex offences are not allowed to enter the premises. He stated that victims of sex trafficking get housing assistance. He stated that the Village of Libertyville is centrally located in Lake County and ideal for this type of service. He stated that the transfer of children from one parent to the other are supported by A Safe Place mediator.

Mr. Sabo stated that not everyone will follow the rules. He stated that he is concerned about volatile situations occurring and this will not be good for the neighborhood. He stated that he is concerned about the impact upon the neighboring property values.

Mr. Michael Sackley, 149 Finstad Drive, stated that the A Safe Place program puts a bulls eye on our neighborhood and is concerned that it will be conducive to settling issues violently.

Mr. Voegtler stated that individuals with a criminal record cannot enter the A Safe Place facility and it should not affect real estate values.

Minutes of the May 10, 2021, Plan Commission Meeting
Page 7 of 8

Ms. Trish Sabo stated that she believes that property values will be negatively impacted. She stated that she is concerned about the client's background.

Mr. Argueta stated that the prior tenant at 1585 N. Milwaukee Avenue provided services to clients who experienced a variety of needs.

Mr. Kakenmaster stated that the prior tenant moved out in 2012, but had been their many years providing family counseling.

Commissioner Pyter asked for clarification about the tenant space entrances. Mr. Kakenmaster described the tenant space entrance locations.

Commissioner Pyter stated that he is not certain that the petitioner has adequately addressed the Standards for the Special Use Permit including the use and enjoyment of adjacent properties.

Commissioner Schultz stated that A Safe Place is a worthy cause but questions if this is the right location. He stated that he is concerned if Finstad Drive provides adequate vehicular access to the site. He stated that upgrading the lighting and security in order to maximize protection needs to be demonstrated.

Mr. Kevin Dixon stated that the prior tenant was the Ombudsman which provided vocational services. He stated that a counseling service should not be compared to a facility that accepts court ordered clients.

Mr. Argueta stated that therapy is used to deal with a variety of trauma often caused by bad decision making. He stated that clients in therapy can and do commit crimes.

Mr. Dixon stated that the family visitation center will bring a high potential for volatile situations.

Commissioner Steffe stated that he recognizes the need for a service like A Safe Place provides. He stated that he appreciates the public participation in this public hearing.

Commissioner Oakley stated that he is concerned about this particular location. He stated that the petitioner could give consideration to using the services of realtor to help finding a suitable location.

Mr. Kakenmaster stated that they did use a real estate agent who proposed several locations but they did not work out.

Commissioner Flores stated that A Safe Place is a wonderful service. She stated that she has a concern about the traffic flow. She stated that the townhomes look directly into the parking lot of 1585 N. Milwaukee Avenue. She stated that it does not seem like there is adequate separation between the residents and the office building site. She stated that she is concerned if there will be adequate security.

Minutes of the May 10, 2021, Plan Commission Meeting
Page 8 of 8

Chairman Moore asked if the petitioner reached out to the neighbors prior to submitting the application to the Village.

Mr. Argueta stated that this site is the best match the service that A Safe Place provides. He stated that they did not expect this kind of reaction from the neighboring residents. He stated that they did contact the Libertyville Police Department early on.

Chairman Moore questioned the thought process of contacting the Police Department first. He stated that the applicant should provide additional information that will demonstrate how the proposed use at this location will not adversely affect the adjacent properties. He recommended that the petitioner agree to have this matter continued to the next Plan Commission meeting.

Mr. Argueta stated that he agrees with the continuation.

In the matters of PC 21-09 and PC 21-10, Commissioner Pyter moved, seconded by Commissioner Schultz, to continue these items to the June 14, 2021, Plan Commission meeting.

Motion carried 6 - 0.

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

Nays: None

Absent: None

STAFF COMMUNICATIONS AND DISCUSSION: None.

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

Motion carried 6 - 0.

Meeting adjourned at 9:20 p.m.