

MINUTES OF THE ZONING BOARD OF APPEALS
May 21, 2012

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

Members present: Chairman William Cotey, Scott Adams, Dan Donahue, Mark Moore, Walter Oakley, and Kurt Schultz.

Members absent: David Semmelman.

A quorum was established.

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

Board Member Oakley moved, seconded by Board Member Adams, to approve the April 23, 2012, Zoning Board of Appeals meeting minutes.

Motion carried 6 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 12-11 1742 Milwaukee LV, LLC, Applicant
1742-1768 N. Milwaukee Avenue

Request is for a variation to reduce the minimum required setback for parking from 10 feet to approximately 4.36 feet in order to reconfigure a commercial parking lot in a C-3, General Commercial District.

ZBA 12-11 1742 Milwaukee LV, LLC, Applicant
1742-1768 N. Milwaukee Avenue

Request is for a variation to reduce the minimum required width for Perimeter Landscape Open Space from 10 feet to approximately 4.36 feet in order to reconfigure a commercial parking lot in a C-3, General Commercial District.

Mr. David Smith, Senior Planner, stated that the petitioner, 1742 Milwaukee LV, LLC, is the owner of the Adler Square Shopping Center and requests approval for variations to reduce the minimum required setback for parking and the minimum required width for Perimeter Landscape Open Space in order to reconfigure a commercial parking lot in a C-3, General Commercial District located at 1742-1768 N. Milwaukee Avenue. Mr. Smith stated that as part of the parking lot reconfiguration, the existing freestanding Adler Square Shopping Center multi tenant sign located along Milwaukee

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Avenue will be relocated and set back further from Milwaukee Avenue. Mr. Smith stated that the parking lot reconfiguration and the movement of the multi-tenant sign is requested as a result of Illinois Department of Transportation (IDOT) road widening project.

Mr. Smith stated that the IDOT improvements currently underway at the intersection of Milwaukee Avenue and Route 137 include a required dedication of additional right-of-way of approximately twenty-five (25) feet at the south end where the Adler Square site fronts Milwaukee Avenue, it widens to approximately thirty-five (35) feet at the north end where the Adler Square site fronts Milwaukee Avenue.

Mr. John Spoden, Director of Community Development, stated that because of the IDOT taking, the Village has considered the setback from the Milwaukee Avenue right-of-way line a legal, non-conforming situation.

Mr. James Babowice, agent representing the petitioner, stated that it is a taking by IDOT. He stated that the existing monument sign will be moved further into the lot. He stated that handicap parking spaces are being relocated towards the rear of the lot closer to the Café Pyrenees restaurant.

Mr. George Dreger, engineer for the petitioner, stated he agrees with the Village Staff Planning and Building Division comments. He stated that he does not believe that an IDOT permit will be required. He stated that there will not be enough space for a sidewalk along Milwaukee Avenue after the IDOT improvements and widening. He stated that they will provide a turning radius exhibit to demonstrate that vehicles can maneuver on site. He stated that on site traffic direction is driven by the improvements done by IDOT.

Board Member Oakley stated that he is concerned that the Milwaukee Avenue sidewalk is being removed and not replaced.

Mr. Dreger stated that the IDOT improvements will prohibit the replacement of the sidewalk due to the grade changes.

Board Member Adams asked if the drive behind the building is marked as a service lane. Mr. Spoden stated that the Village required the lane behind the building to be identified as a service lane.

Board Member Adams stated that he is concerned that the Milwaukee Avenue sidewalk is being removed and not replaced.

Mr. Babowice stated that consideration should be given to allowing IDOT and the Village of Libertyville to negotiate the placement of a sidewalk.

Mr. Fred Chung, Senior Project Engineer, stated consideration could be given to installing a carriage walk behind the curb of the parking lot.

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Mr. Dreger stated that the carriage walk would require substantial cost due to the installation of a retaining wall.

Board Member Moore stated that that he does not understand how the new design of the entrance drive is better.

Mr. Dreger stated that the current single entrance requires the driver to make a sudden decision as to which way to turn once they enter the site which is potentially hazardous. He stated that the current entrance points directly at the building and that the current slope of the entrance is steep at 6%.

Board Member Moore stated that the entrance seems to allow very little maneuvering area for vehicles.

Mr. Babowice stated that the creation of the two curb cuts was a result of negotiating with IDOT during the condemnation process.

Mr. Dreger stated that the service drive as an inbound only is necessary as it serves the rear of the building. He stated that it was IDOT's opinion that without creating two access points it would be dangerous.

Board Member Moore stated that the traffic patterns going through the site in general is a concern.

Mr. Dreger stated that by creating the two access drives helps to alleviate dangerous traffic movements.

Mr. Spoden stated that IDOT has been in the driver's seat in terms of impact on site traffic movement/parking lot design.

Board Member Donahue stated that he is concerned about the designated traffic direction within the parking lot.

Mr. Spoden stated that the parking lot traffic direction is an existing situation. He stated that the parking lot aisles were not developed with wide enough widths to permit two way traffic movements.

Board Member Schultz stated that consideration should be given to moving the northern access drive further to the north to align with the parking lot aisle.

Mr. Dreger stated that IDOT has restricted the curb cut location of the access drives.

Chairman Cotey stated that consideration should be given to designing the traffic pattern so that traffic would be encouraged to use the Walgreens' driveway. He stated that consideration should be given to making the parking lot more pedestrian user friendly.

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Mr. Babowice stated that the petitioner can work with Village Staff to bring more pedestrian user design to the site.

Board Member Adams stated that the lane additions to Milwaukee Avenue at the intersection will be more hazardous.

Chairman Cotey asked the petitioner what they would like for the Zoning Board of Appeals to do tonight.

Mr. Babowice stated that they are ready for the Zoning Board of Appeals to make their recommendation to the Village Board tonight.

In the matter of ZBA 12-11, Board Member Oakley moved, seconded by Board Member Schultz, to recommend the Village Board of Trustees approve a variation to reduce the minimum required setback for parking from 10 feet to approximately 4.36 feet in order to reconfigure a commercial parking lot in a C-3, General Commercial District, subject to the following conditions: 1) That the petitioner re-evaluate the Private Traffic Direction signs and on-site pedestrian walkways with Village Staff.

Motion carried 6 - 0.

Ayes: Cotey, Adams, Donahue, Moore, Oakley, Schultz
Nays: None
Absent: Semmelman

In the matter of ZBA 12-13, Board Member Schultz moved, seconded by Board Member Moore, to recommend the Village Board of Trustees approve a variation to reduce the minimum required width for Perimeter Landscape Open Space from 10 feet to approximately 4.36 feet in order to reconfigure a commercial parking lot in a C-3, General Commercial District, subject to the following conditions: 1) That the petitioner re-evaluate the Private Traffic Direction signs and on-site pedestrian walkways with Village Staff.

Motion carried 6 - 0.

Ayes: Cotey, Adams, Donahue, Moore, Oakley, Schultz
Nays: None
Absent: Semmelman

COMMUNICATIONS AND DISCUSSION:

Board Member Moore moved, seconded by Board Member Adams, to adjourn the Zoning Board of Appeals meeting.

Motion carried 6 - 0.

Meeting adjourned at 7:53 p.m.