

MINUTES OF THE PLAN COMMISSION
January 14, 2013

The regular meeting of the Plan Commission was called to order by Acting Chairman William Cotey at 7:21 p.m. at the Village Hall.

Members present: Acting Chairman William Cotey, Scott Adams, Dan Donahue, Walter Oakley, Kurt Schultz, and David Semmelman.

Members absent: Chairman Mark Moore.

A quorum was established.

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

Commissioner Donahue moved, seconded by Commissioner Schultz, to approve the December 10, 2012, Plan Commission meeting minutes.

Motion carried 6 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

**PC 13-01 Goodwill Retail Services, Applicant
1312 S. Milwaukee Avenue**

Request is for an Amendment to the Special Use Permit for a Planned Development in order to permit a Goodwill Donation Center in the Red Top Plaza Shopping Center in a C-4, Shopping Center Commercial District.

**PC 13-02 Goodwill Retail Services, Applicant
1312 S. Milwaukee Avenue**

Request is for an Amendment to the Planned Development Final Plan in order to permit a Goodwill Donation Center in the Red Top Plaza Shopping Center in a C-4, Shopping Center Commercial District.

Mr. David Smith, Senior Planner, introduce the request to amend the Planned Development Final Plan located at the Red Top Plaza Shopping Center. He stated that the petitioner, Goodwill Retail Services, is requesting approval for an Amendment to the Special Use Permit for a Planned Development and an Amendment to the Planned Development Final Plan in order to permit a Goodwill Donation Center in the Red Top Plaza Shopping Center in a C-4, Shopping Center Commercial District. He stated that Goodwill is planning to lease approximately 1,200 square feet in the Red Top Plaza Shopping Center in the 1312 tenant space. He stated that the

Minutes of the January 14, 2013, Plan Commission Meeting
Page 2 of 6

center is anchored by the Jewel-Osco grocery store. He stated that Goodwill plans to operate the space as a donation collection location without a re-sale retail component. He stated that donors can bring their used clothing, housewares, computers and other electronics, and other household goods to this location.

Ms. Renee Bowerman, Goodwill representative, stated that Goodwill currently has 28 stores in the Chicagoland area. She stated that a drop-off location within shopping centers without a retail component is part of an emerging facility operations model by Goodwill. She stated that no sorting will take place within the proposed Red Top Plaza location. She stated that items will simply be collected and trucked away to be sorted and sold elsewhere. She stated that the operation is similar to other uses in the area. She stated that over 210 public notices went out to surrounding property owners. She stated that the proposed facility will be staffed seven (7) days a week with between two to four employees. She stated that the hours of operation are intended to accommodate the general public's schedule. She stated that the holidays are typically the busiest days. She stated that the tenant space that they are seeking occupancy for is approximately 1,200 square feet in floor area.

Ms. Bowerman stated that Goodwill has made a concerted effort to re-brand their image in order to not appear like a thrift store but to have a more upscale appearance. She stated that Goodwill agrees to the conditions for approval that Village Staff recommended in their DRC Staff report. She stated that they intend to install outdoor security cameras. She stated that the proposed hours of operation are Monday through Friday from 8:00 a.m. to 7:00 p.m., Saturday from 8:00 a.m. to 6:00 p.m. and Sunday from 9:00 a.m. to 6:00 p.m.

Mr. Samuel Frank, 704 Caliente Court, stated that he is concerned that the Goodwill operation will encourage curb side drop off. He stated that he is concerned that the neighboring residential property values will be impacted. He stated that he is concerned about the potential for increase in traffic along the alley behind the shopping center.

Ms. Bowerman stated that the Goodwill staff will be instructed to walk out to the vehicle in the parking lot to assist with large items and that this service will help to minimize the vehicular curb side drop off activity.

Mr. Charles Cimorelli, Inland Real Estate, property manager for Red Top Plaza, 2901 Butterfield, Oakbrook, stated that they did not want to encourage curb service as well.

Commissioner Schultz asked for clarification of the location of the subject tenant space.

Mr. Cimorelli stated that it is two doors south of the Jewel store. He stated that he has spoken to the manager of the Jewel store and reports that they do not object to the Goodwill moving into the Red Top Plaza shopping center.

Commissioner Schultz asked the petitioner if people who drop off items are able to get assistance for large items getting them from the vehicle into the drop off facility. He stated that he also has a concern for traffic movement conflicts.

Minutes of the January 14, 2013, Plan Commission Meeting
Page 3 of 6

Ms. Bowerman stated that employees will advise patrons where they should park when necessary.

Commissioner Schultz stated that some type of directional and parking restriction signage is advisable. He asked for clarification as to how many facility staff will be present.

Ms. Bowerman stated that they intend to start slow with two employees on site and as the drop off activity increases they will employ an additional two staff members on site.

Commissioner Schultz asked for clarification of the anticipated truck size and frequency of pick-up. Ms. Bowerman stated that they foresee the use of regular "Straight" trucks that would come about twice per week on average. She stated that truck pick up times can be arranged to arrive during business hours if requested by the Village to do so.

Commissioner Donahue asked if parking spaces can be identified on site or reserved for Goodwill customers. Mr. Cimorelli stated that it is difficult to reserve parking in the shopping center.

Commissioner Semmelman stated that consideration could be given to striping out curb side parking in order to restrict it.

Commissioner Adams stated that additional signage could be considered in order to restrict curb side parking.

Mr. Spoden stated that small wall signs might be permitted on the brick pillars along the sidewalk but further research by Staff is needed in order to determine what signs are permitted or not.

Acting Chairman Cotey asked if acceptable household items include large electronic appliances such as large TV's. Ms. Bowerman stated that if the item is too big, it will have to be turned away.

Acting Chairman Cotey asked if the alley behind the shopping center can accommodate big trucks. Mr. John Spoden, Director of Community Development, stated that the alley behind the shopping center was designed for large truck deliveries.

Acting Chairman Cotey stated that he is concerned about the busy traffic movement within the parking lot and stated that consideration could be given to another tenant space further away from the Jewel grocery store.

Mr. Cimorelli stated that Goodwill requested a 1,200 square foot tenant space.

Acting Chairman Cotey asked if there was any feedback provided by Jewel regarding the proposed Goodwill occupancy so close to their store. Mr. Cimorelli stated that there has not been any negative response from Jewel.

Minutes of the January 14, 2013, Plan Commission Meeting
Page 4 of 6

Acting Chairman Cotey stated that the "Tuesday Morning" tenant occupant in the Red Top Plaza shopping center may give competition to the Goodwill occupancy.

Ms. Bowerman stated that Tuesday Morning has a resale component and that the Goodwill is only for donation drop-off.

Acting Chairman Cotey asked the petitioner how they would like to proceed. Ms. Bowerman stated that Goodwill would like to move forward with a recommendation from the Plan Commission for their requests.

In the matter of PC 13-01, Commissioner Schultz moved, seconded by Commissioner Semmelman, to recommend the Village Board of Trustees approve an Amendment to the Special Use Permit for a Planned Development in order to permit a Goodwill Donation Center in the Red Top Plaza Shopping Center in a C-4, Shopping Center Commercial District, subject to the following conditions:

- 1. That any outdoor drop-off/storage of goods be prohibited.*
- 2. That donors be required to park in the designated parking lot to bring donated goods to the donation center.*
- 3. That any overnight outdoor stockpiling of goods on the premises be prohibited.*
- 4. That any passenger vehicle doing curb side drop off or rear of building drop off of donated goods be prohibited.*
- 5. No donation drop off be allowed at the rear entrance to the unit.*

Motion carried 6 - 0.

Ayes: Cotey, Adams, Donahue, Oakley, Schultz, Semmelman

Nays: None

Absent: Moore

In the matter of PC 13-02, Commissioner Schultz moved, seconded by Commissioner Oakley, to recommend the Village Board of Trustees approve an Amendment to the Planned Development Final Plan in order to permit a Goodwill Donation Center in the Red Top Plaza Shopping Center in a C-4, Shopping Center Commercial District, subject to the following conditions:

- 1. That any outdoor drop-off/storage of goods be prohibited.*
- 2. That donors be required to park in the designated parking lot to bring donated goods to the donation center.*
- 3. That any overnight outdoor stockpiling of goods on the premises be prohibited.*
- 4. That any passenger vehicle doing curb side drop off or rear of building drop off of donated goods be prohibited.*
- 5. No donation drop off be allowed at the rear entrance to the unit.*

Motion carried 6 - 0.

Ayes: Cotey, Adams, Donahue, Oakley, Schultz, Semmelman

Nays: None

Absent: Moore

Minutes of the January 14, 2013, Plan Commission Meeting
Page 5 of 6

PC 13-03 David Pawlowski, Applicant
1840 Industrial Drive

Request is for a Text Amendment to Section 7-2 of the Libertyville Zoning Code relating to Other Personal Services, but limited to Personal Fitness Trainers as a Special Permitted Use in the I-1, Limited Industrial District.

PC 13-04 David Pawlowski, Applicant
1840 Industrial Drive

Request is for a Special Use Permit for Other Personal Services, but limited to Personal Fitness Trainers in the I-1, Limited Industrial District.

Mr. David Smith, Senior Planner, introduced the request for the Text Amendment and Special Use Permit. Mr. Smith stated that the petitioner, David Pawlowski, is requesting a Text Amendment to Section 7-2 of the Libertyville Zoning Code and a Special Use Permit in order to occupy his Personal Fitness Trainer service, CrossFit Kilter, in the I-1, Limited Industrial District located at 1840 Industrial Drive.

Mr. Smith stated that the proposal by the petitioner will provide services to include personal training, weightlifting for men and women, and CrossFit classes for teenagers. Mr. Smith stated that CrossFit Kilter offers classes on a limited schedule whose members are only able to participate in workouts during these times and under the supervision of the coaching staff.

Mr. David Pawlowski, petitioner, stated that this proposed location is approximately five (5) miles away from an existing CrossFit establishment that is currently located on East Park Avenue in Libertyville within the Park Avenue Corporate Center. He stated that his class sizes shall be limited and hours of operation are not typical business hours in order to meet the needs of the clientele. He stated that he does not anticipate a negative impact on the current parking arrangement.

Mr. Dan Wagener, property owner, stated that he has several small manufacturing, industrial laboratories, and warehouse uses in this building at 1840 Industrial Drive. He stated that the tenant space in his building that CrossFit is seeking occupancy for is the largest space. He stated that the building is 89% occupied now and after CrossFit takes occupancy, it will be 93% occupied. He stated that there are 32 parking spaces which are more than enough for his building. He stated that the building is comprised of small businesses with a common corridor within. He stated that there are no heavy industrial uses in the building and no vehicular traffic movement conflicts with trucks.

Commissioner Donahue asked if the petitioner had considered moving into a retail space. Mr. Pawlowski stated that a retail space would not be a good fit for how he operates the business.

Commissioner Schultz asked if any of the CrossFit activities would be done outdoors. Mr. Pawlowski stated that all activities would remain indoors.

Minutes of the January 14, 2013, Plan Commission Meeting
Page 6 of 6

Acting Chairman Cotey asked the petitioner what he would like for the Plan Commission to do this evening. Mr. Pawlowski stated that he would like for the Plan Commission to forward their recommendation for approval to the Village Board of Trustees.

In the matter of PC 13-03, Commissioner Semmelman moved, seconded by Commissioner Schultz, to recommend the Village Board of Trustees approve a Text Amendment to Section 7-2 of the Libertyville Zoning Code relating to Other Personal Services, but limited to Personal Fitness Trainers as a Special Permitted Use in the I-1, Limited Industrial District, in accordance with the plans submitted.

Motion carried 6 - 0.

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

In the matter of PC 13-04, Commissioner Oakley moved, seconded by Commissioner Donahue, to recommend the Village Board of Trustees approve a Special Use Permit for Other Personal Services, but limited to Personal Fitness Trainers in the I-1, Limited Industrial District, in accordance with the plans submitted.

Motion carried 6 - 0.

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

COMMUNICATIONS AND DISCUSSION:

Mr. John Spoden, Director of Community Development, stated that the Village Board adopted the Zoning Code update and the Adult Use ordinance at their last meeting.

Mr. Spoden stated that the Village Attorney has drafted an ordinance that authorizes the Village Board to request that the Plan Commission to study how to regulate medicinal marijuana.

Mr. Spoden stated that Bridge Development has applied for a Planned Development in order to develop a warehouse and distribution facility at 804 East Park Avenue, previously known as the Mungo Industrial Center.

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

Motion carried 6 - 0.

Meeting adjourned at 8:22 p.m.