

MINUTES OF THE PLAN COMMISSION
March 18, 2013

The regular meeting of the Plan Commission was called to order by Chairman Mark Moore at 7:05 p.m. at the Village Hall.

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

Members absent: Walter Oakley.

A quorum was established.

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

Others present: James Woods, P.E., PTOE, Civiltech Engineering, Inc.

OLD BUSINESS:

PC 13-05 Bridge Development Partners, LLC, Applicant
804 East Park Avenue

Request is for a Special Use Permit for Planned Development in order to construct a warehousing and distribution facility on approximately 21 acres of land for property located in an I-3, General Industrial District.

PC 13-06 Bridge Development Partners, LLC, Applicant
804 East Park Avenue

Request is for a Planned Development Concept Plan in order to construct a warehousing and distribution facility on approximately 21 acres of land for property located in an I-3, General Industrial District.

PC 13-07 Bridge Development Partners, LLC, Applicant
804 East Park Avenue

Request is for a Special Use Permit for Warehousing and Storage in order to construct a warehousing and distribution facility on approximately 21 acres of land for property located in an I-3, General Industrial District.

PC 13-08 Bridge Development Partners, LLC, Applicant
804 East Park Avenue

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Request is for a Preliminary Plat of Subdivision in order to construct a warehousing and distribution facility on approximately 21 acres of land for property located in an I-3, General Industrial District.

Mr. David Smith, Senior Planner, stated that the petitioner, Bridge Development Partners, LLC, appeared before the Plan Commission at their January 28, 2013 meeting requesting a Special Use Permit for Planned Development, a Planned Development Concept Plan, a Special Use Permit for Warehousing and Storage, and a Preliminary Plat of Subdivision in order to construct a warehousing and distribution facility on approximately 21 acres of land for property located at 804 East Park Avenue in an I-3, General Industrial District.

Mr. Smith stated that during the course of the January 28, 2013 Plan Commission public hearing, the Plan Commission heard testimony by the petitioner and members of the public audience and continued the hearings to February 25, 2013 Plan Commission agenda. Mr. Smith stated that prior to the February 25, 2013 meeting, the petitioner contacted the Village and requested another continuance to the March 18, 2013 Plan Commission agenda. He stated that the petitioner has submitted revised plans for Staff and Plan Commission review in preparation for the March 18, 2013 public hearing.

Mr. Mark Christensen, Bridge Development Partners, stated that Hanna Cylinders has a lease with an option to renew and may stay between one to two years longer. He stated that they may or may not choose to move into the Phase I building. He stated that the disposition with Hanna Cylinders has an impact as to when Phase II would be constructed. He stated that they intend to renovate the front entry sign only. He stated that they have changed the primary color of the proposed west facade wall of the west building from white to gray in response to concerns that it would be too bright. He stated that the west fence line and berm will be extended to the north.

Mr. Christensen stated that they would rather not install parking lot screening along the north property line as the subject site is abutting the bike path and other commercial property to the north, and the requested parking lot screening does not serve a practical purpose. Mr. Christensen stated they are proposing light poles along the west parking lot curb line in lieu of wall lights on the west facade wall.

Mr. Christensen stated that they have done a number of speculative multi-tenant industrial buildings and most of them are not 100% warehousing. He stated that they object to the Staff recommended 50% cap on warehousing uses for the proposed buildings if it means that they have to re-apply to amend the Special Use Permit.

Ms. Jodi Kristopher, 742 Lincoln Avenue, stated that she is concerned about the potential for noise coming from the development.

Mr. Christensen stated that they will abide by the noise ordinance. He stated that the proposed buildings will be constructed with 12 inches of pre-cast concrete walls which will subdue noise.

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Ms. Kristopher stated that she is concerned about the workers congregating outside on late night work shifts and making noise. She asked the petitioner why they chose the subject site for their proposed development. Mr. Christensen stated that the proposed site is ideal as it is close to the interstate.

Ms. Kristopher stated that she is concerned about the increase in traffic along Route 176.

Mr. Christensen stated that Route 176 is currently impacted by the on-going construction at Route 137. He stated that they have met with IDOT and they have said that they are okay with the proposed development.

Ms. Kristopher asked about the truck dock location. Mr. Christensen stated that there will be a truck dock court yard area between the two buildings.

Mr. Dale Sherman, 766 Meadow Lane, stated that he is speaking for a number of the neighboring residents. He stated that they are in favor of a development at the site in principal. He asked if the developer, Bridge Development, is the Lessor. Mr. Christensen stated that Bridge Development will be the Lessor and will manage the property.

Mr. Sherman stated that they are concerned about the potential for noise that will come from the development and recognizes that there will be late shift employees that will take breaks and congregate outside. He stated that the petitioner should consider designating smoking areas further away from the west side of the building. He stated that consideration should be given to making the entrances on the west side of the building as emergency exits only and making the north side of the building as the main entrance into the building. He stated that consideration should be given to installing sound attenuation fence walls.

Mr. Christensen stated that that it would be inappropriate to install a sound attenuation wall as it would be too costly. He stated that the noise concern is overstated.

Mr. Sherman stated that they are concerned about the increase in traffic and safety where the petitioner's driveway entrance crosses the bike path. He stated that stop signs should be installed at the intersection of the bike path and the driveway entrance.

Mr. Christensen stated that it is not necessary to put in stop signs at that intersection.

Mr. Sherman stated that consideration should be given to installing more landscaping along the west side of the property. He asked if the petitioner gave any consideration to the potential impact from additional pollution that would be created from the development and if they would consider doing a pollution study. Mr. Christensen stated that they do not intend to do a pollution study.

Mr. John Christianson, 400 Hampton Terrace, asked for clarification as to the proposed number of truck docks the petitioner is proposing. Mr. Christensen, Bridge Development, stated there are a total of 82 truck docks proposed for both buildings. He stated that he does not anticipate that all of the docks will be full at the same time.

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Mr. Christianson, Hampton Terrace, asked for the anticipated truck trips on a routine basis. Mr. Christensen, Bridge Development, stated that the predicted trip generation counts are in the Traffic Impact Study, but does not know the exact numbers offhand.

Mr. Ken Goldberg, 657 East Sunnyside Avenue, stated that the developer should consider installing a sound wall.

Mr. Christensen, Bridge Development, stated that he has never seen a sound wall installed as part of an industrial development before.

Mr. Goldberg asked if the developer has ever constructed an industrial development as close to a residential area as the current proposal will be. Mr. Christensen stated that they have industrial developments in Woodridge and Bloomingdale of which were developed with extensive berms and landscaping, but without fences. He stated that both were in close proximity to residential areas.

Mr. Goldberg stated that he is concerned about safety and cut through traffic as traffic routes itself from Old Rockland to Seventh Avenue to Sunnyside to avoid the congestion on Route 176. He stated that the area that he lives in has many children and it is a walking district to Copeland school.

Ms. Robin Sherman, 766 Meadow Lane, asked for clarification between the current amount of parking provided for the subject site relative to the proposed amount of parking for the subject site. Mr. Christensen stated that the current parking lot is not striped very well. He stated that the new development is planned for 540 parking spaces, many of which will be landbanked so that initially approximately 400 spaces will be constructed.

Ms. Sherman stated that she is concerned about the late work shift noise.

Mr. Christensen stated that the fence and berm will mitigate the noise. He stated that he does not know of any 24 hour industrial operations.

Mr. Jeff Hanlon, 408 South Seventh Avenue, asked for clarification regarding the line of sight from his back yard to the proposed truck dock court yard area. He stated that he is concerned about the vibration impact upon his home once the demolition begins on the subject site due to the thickness of the existing floor and foundation of the subject site's buildings. He stated that he anticipates that the drywall will crack in his home caused by the stress from the demolition activity.

Ms. Susan Hanlon, 408 South Seventh Avenue, stated that they should revise the layout of the buildings so that the west building is further south than the east building so that the west building provides more of a screening buffer to hide the truck dock court area from view by the residents to the west. She stated that she is concerned that the noise and fumes from the trucks and the forklifts will be a nuisance and disturb the residents in the evening. She stated that she can't sleep with even one truck running.

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Ms. Kristopher stated that she is concerned about the impact from the demolition and the cut through traffic. She stated that the Milwaukee Avenue and Route 176 are major entry corridors into the Village and that whatever development occurs should have a positive impact upon the aesthetics along those gateways into the community.

Commissioner Schultz stated that he supports the change in the west wall facade color from white to gray as proposed. He asked about the status of the cross access easements. He stated that he could not identify how the amount of the green space changed from the existing to the proposed. He stated that the petitioner should do a sound study and that simply planning to install a berm and fence is not proof that the noise will be mitigated. He stated that the petitioner should obtain the services of an acoustical engineer to do a noise study.

Mr. Christensen stated that he does not anticipate that there will be a noise nuisance from the development.

Commissioner Schultz stated that a noise study should be done and that the worst case scenario should be incorporated into the study.

Mr. Christensen stated that the neighboring residential area is more sensitive to noise due to the existing users on the subject site.

Commissioner Cotey asked Staff to explain why they are proposing the 50% cap on warehouse uses for the proposed development. Mr. John Spoden, Director of Community Development, stated that the Comprehensive Plan, the Economic Development Strategy, and the Economic Development Commission are all pointing to a policy to address the uses on the subject site to generate jobs. He stated that Staff understands the petitioner's request for warehousing. He stated that there was a Special Use Permit granted a number of years ago to permit 100% warehousing. He stated that that decision was based upon the existing buildings and the difficulty there was at that time to fill them with tenants. He stated that as Staff reviewed the new proposal that there should be a balance of land uses. He stated that if the majority of the site was warehousing then the goals of the Comprehensive Plan would not be met so then as a Staff, the recommendation was to cap the warehousing use at 50% for each of the buildings with the ability to allow the petitioner to come back to the Plan Commission to request to amend the Special Use if they wanted to exceed 50% of the building space with warehousing uses.

Mr. Spoden stated that Staff has interpreted a use to be assembly even if more floor area was devoted to warehousing than the product being assembled. He stated that it is Staff's concern that an entire tenant space being devoted to products coming in and out in a warehouse distribution style of operation where there is no generation of jobs on site.

Commissioner Cotey asked how Staff's recommendation fits into the Village's Comprehensive Plan. Mr. Spoden stated that the Comprehensive Plan is a little more general than the Economic Development Strategy. He stated that the Comprehensive Plan basically has a goal of job creation and retention in the subject area.

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Commissioner Cotey state that he is not too keen on the recommendation to cap the warehousing use as Bridge Development has come in with a plan to construct a speculative warehouse development.

Commissioner Cotey asked the developer what his opinion is on the Staff recommendation to occupy the buildings with 50% manufacturing. Mr. Christensen stated that the 50% requirement as recommended by Staff is potentially crippling. He stated that in the industrial real estate market, the manufacturing is not as evident as it once was. He stated that a lot of manufacturing is migrating to a lot of the non-union states. He stated that Illinois is losing manufacturing jobs to Indiana. He stated that the Chicago area still has a strong demographic. He stated that warehousing and distribution is part and parcel of a strong industrial market in the Chicago area.

Mr. Christensen stated that he was surprised to learn the warehousing is not a permitted use in an I-3, General Industrial District. He stated that he does not expect to get a heavy manufacturing use that would make a lot of noise at the subject site. He stated that they are seeing more warehousing and less manufacturing.

Mr. Christensen stated that he does not want to have a warehouse type user who may be ready to occupy 90% of the proposed building, but then made to go back through the public hearing review process to amend the Special Use Permit. He stated that he does not anticipate that the site will be an all out warehouse distribution facility. He stated that the location might be more conducive for a type of high end land use that is often seen up and down along I-94 like a facility with a lab. He stated that it is better for them to cater to the higher end type of land use in order to create more value for the property and they pay the higher rents and tend to sign longer leases. He stated that they have to be flexible and they cannot live with the recommended cap on warehousing as proposed by Staff.

Commissioner Cotey stated that he does not know how the types of tenants would be monitored.

Mr. Spoden stated that the Village would track and monitor the tenants by issuing Certificates of Occupancies. He stated that if the warehousing tenants exceed 50% of the building space they would have to come back before the Plan Commission to amend the Special Use Permit.

Commissioner Cotey stated that the Staff recommendation would add another step in the developer's leasing process. He stated that he isn't supportive of this propose requirement.

Mr. Spoden stated that the proposed Staff recommendation to cap the warehouse use is an attempt to address the existing codes and policies of the Village.

Commissioner Cotey stated that relative to the concerns from the residents, manufacturing uses would be louder than warehousing uses.

Mr. Spoden stated that warehousing would have more trucks. He stated that ideally a balance should be sought.

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Commissioner Cotey stated that he would be concerned with a 24 hour operation for the subject site. He stated that consideration should be given to restricting the hours of operation and truck deliveries after a certain time in the evening. He stated that such restrictions could be obtained either through the lease agreements for the tenants or with conditions that are part of the ordinances adopted by the Village approving the project.

Mr. Christensen stated that he is willing to look at some restrictions, but that he would need an opportunity to think about it. He stated that it is rare that facilities start operation before 6:00 a.m. or 6:30 a.m. in the morning. He stated that they could restrict trucks from idling with a certain distance of residential districts.

Commissioner Cotey stated that by incorporating a certain number of appropriate restrictions into the approval would empower the residents as they then could report violations of the restrictions to the Village for enforcement. He stated that there should be four way stop signs at the intersection of the bike path and the driveway entrance. He stated that he is concerned there will be children riding bicycles traveling east and west along the bike path and truck drivers who will not be familiar with the bike path.

Mr. Christensen stated that the bike path is administered by Lake County.

Mr. Angelo Zografos, Pearson Brown and Associates, engineering firm for the petitioner, stated that they were in correspondence with the Lake County department that regulates the trails. He stated that Lake County would allow stop signs on the bike path itself. He stated that they also communicated with IDOT and they got the impression that it was not a major concern for IDOT.

Commissioner Cotey stated that he wants stop signs installed for the north/south vehicular movement at that intersection as well as for the bike path.

Commissioner Cotey stated that he does not want to burden the developer with the 50% cap on warehousing. He stated that by adding another layer to the approval process puts the developer at risk. He stated that by requiring a warehousing tenant who exceeds the 50% cap to apply for an amendment to the Special Use Permit is burdensome to the tenant and burdensome to the Plan Commission.

Commissioner Adams stated that he is concerned about the aesthetics for the community and the safety for the children. He stated that the noise issue is relative to how noise travels. He stated that he lives adjacent to the Libertyville High School football field and during a football game he cannot hear the noise coming from the football field, but his neighbors two blocks away are impacted by the football game noise because the noise travels at a higher elevation and goes above his house. He stated that although his home abuts the school property, he is not impacted the same way that another home might be impacted which is a little further way due to how noise travels. He stated that the proposed development may produce noise closer to the ground level and may impact the residents who are located close to the development. He stated that he hopes that the proposed berming and landscaping will help to mitigate the noise produced from the development. He stated that he agrees that there should be noise study to verify that the noise will be mitigated.

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Commissioner Adams asked for clarification that all of the warehousing activity will be self contained indoors including any forklift operation.

Mr. Christensen asked if outdoor storage is allowed in the subject zoning district. Mr. Spoden stated that outdoor storage is allowed under a certain percentage of the lot.

Mr. Christensen stated that unless there is a tenant need to utilize any outdoor storage he cannot foresee any traffic between the buildings with fork-trucks. He stated that trucks will back into the truck dock doors to unload and the unloading activity will typically be conducted indoors.

Commissioner Adams stated that he would like to see that the southwest corner of the site receive ample landscape and berm buffering.

Chairman Moore asked the petitioner to explain more about their sign plan. Mr. Christensen presented the internal directional and wall sign plan proposal. He stated that they do not have any plans for the existing Aldridge Business Park entry sign other than renovating it eventually. He stated that the Aldridge Business Park sign is shared with Mungo with tenants on that sign that would not be part of the Bridge Development proposal.

Chairman Moore stated that he is concerned that vehicles crossing the bike path may not know that there is a bike path at its location.

Mr. Christensen stated that they could install a sign for vehicles crossing the bike path that warns vehicles that there is a bike path.

Chairman Moore asked how the developer will manage refuse on the property. Mr. Christensen stated that it may depend upon each tenant as to how they will manage their own refuse. He stated that they may locate refuse containers next to their dock area.

Chairman Moore stated that he is concerned about trash dumpsters not screened if located in the truck dock court yard area, especially along the southwest corner of the subject site.

Mr. Christensen stated that typically all of the trash enclosures would be in the dock area.

Chairman Moore stated the proposed development should provide outdoor amenities for the employees of the site such as walking paths or picnic tables.

Mr. Christensen stated that they have put some thought into picnic areas for the site employees but not for walking paths.

Chairman Moore stated that he would like to have more information from the developer as to why placing a 50% cap on warehousing would be crippling to the developer. He stated that the Village has invested a lot of time with the Comprehensive Plan and in accordance with the Staff report 100% warehousing was not contemplated for the subject parcel. He stated that when an opportunity presents itself to provide mix of uses in lieu of at development that is 100% warehousing, it is desirable to not give that opportunity away.

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Mr. Christensen stated that the manufacturing companies will seek to occupy tenant spaces any place where opportunities present themselves including the State of Wisconsin. He stated that both Wisconsin and Indiana are doing better than Illinois in attracting the manufacturing establishments. He stated that the State of Wisconsin offers very attractive incentives to manufacturing establishments making it very competitive. He stated that the competitive nature found in both Wisconsin and Indiana can make it crippling for their proposed development. He stated that if warehouse users want to occupy the subject site but they exceed the proposed 50% cap on warehousing, it could discourage them from seeking occupancy if they have to seek to amend the Special Use Permit.

Mr. Christensen stated that they have been successful by leasing to the smaller tenants. He stated that many of the tenants have a higher level of employee counts. He stated that he anticipates that much of the proposed parking spaces will be utilized. He stated that they were careful not to under-park the site in order to accommodate possible manufacturing tenants. He stated that they cannot anticipate manufacturing tenants, but does not want to be in position that they cannot lease tenant space because they have their hands tied.

Chairman Moore stated that there is a development across the street that has undergone multiple amendments due to the fluctuation in the economy and the owners attempt to acquire tenants that weren't initially permitted by code.

Mr. Christensen stated that flexibility is important and sensitivity as to what type of tenant user is seeking occupancy is also important.

Commissioner Donahue asked what are the permitted uses listed in the Zoning Code for the I-3 General Industrial District. Mr. Smith read from the Zoning Code the following permitted uses:

- a. Construction, but limited to:
 - 1) General Building Contractors
 - 2) Heavy Construction Contractors
 - 3) Special Trade Contractors

- b. Manufacturing, Fabrication, Processing, Assembly and Alteration, Limited, but limited to:
 - 1) Apparel and Other Finished Products Made from Fabrics and Similar Materials
 - 2) Bakery Products
 - 3) Boots and Shoes
 - 4) Bottled and Canned Soft Drinks and Carbonated Waters
 - 5) Computer and Office Equipment
 - 6) Electronic and Other Electric Equipment except Electrical Transmission and Distribution Equipment and Electrical Industrial Apparatus
 - 7) Farm and Garden Machinery and Equipment
 - 8) Food Preparation and Kindred Products, Miscellaneous
 - 9) Furniture and Fixtures
 - 10) Glass Products made of Purchased Glass
 - 11) Instruments and Related Products

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- 12) Millwork, Veneer, Plywood, and Structural Wood Members
 - 13) Miscellaneous Manufacturing Industries
 - 14) Motorcycles, Bicycles, and Parts
 - 15) Plastic Molding Products
 - 16) Pottery and Related Products
 - 17) Printing, Publishing, and Allied Industries
 - 18) Sugar and Confectionery Products
 - 19) Textile Mill Products
 - 20) Tobacco Products
 - 21) Wood Containers
- c. Manufacturing, Fabrication, Processing, Assembly and Alteration, General, but limited to:
- 1) Fabricated Metal Products
 - 2) Petroleum and Coal Products, Miscellaneous
 - 3) Railroad Equipment
 - 4) Structural Clay Products
- d. Outdoor Storage, but only when accessory to a permitted or special permit use, not to exceed fifteen percent (15%) of the lot
- e. Personal Wireless Services Antennas
- f. Retail Trade
- 1) Fuel Dealers
 - 2) Garden Machinery and Equipment, including outdoor display and sales
 - 3) Vehicle Sales/Leasing of New Vehicles, with or without accessory used vehicle sales/leasing, vehicle repair, and outdoor display and sales, but limited to:
 - i) Automobiles
 - ii) Light Trucks
 - iii) Motorcycles
 - iv) Recreation Vehicles
- g. Services, but limited to:
- 1) Business Services
 - 2) Car Washes, Automatic and Self-Serve, including related outdoor services
 - 3) Gasoline Service Stations/Mini-Marts, including outdoor service islands and vehicle repair
 - 4) Vehicle Repair Shops, Minor and Major
- h. Wholesale Trade, but limited to:
- 1) Furniture and Home Furnishings
 - 2) Hardware, Plumbing and Heating Equipment
 - 3) Lumber and Construction Materials
 - 4) Machinery, Equipment, and Supplies
 - 5) Motor Vehicle Parts and Supplies

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Commissioner Donahue asked if the I-3 District is intended for heavy manufacturing. Mr. Smith stated that of all the Industrial Districts in the Village, the I-3 is intended for the more intense and heavier manufacturing uses.

Mr. Larry Dziurdzik, Allen L. Kracower & Associates, landscape architect for the petitioner, stated that they have provided the best landscape plan possible for the western buffer in light of the existing conditions. He stated that the existing berm along the western property line ranges from 6 to 8 feet in height. He stated that there is an existing board-on-board fence. He stated that there are a significant number of trees that may have been planted in the last five or six years. He stated that they have further inspected the site and have identified four or five non-desirable tree species, namely the Ash, that they are proposing to remove and replace with evergreen trees. He stated that they have increased their proposed number of evergreen trees by over 70. He stated that the increase in evergreen trees will require them to remove several Ash and Juniper trees currently existing on site. He said that the proposed Spruce and Fir trees will be 8 to ten 10 in height. He stated that they will plant them as high up on the berm as possible and alternate them on either side of the fence.

Mr. Dziurdzik stated that there are some problems with eroding planting beds at the site near the existing berm. He stated that to address this erosion problem is to heavily plant these areas with evergreen plantings. He stated that there may be a reduction in color, but an increase in density for the landscaping. He stated that this will be the typical approach along the western buffer.

Mr. Dziurdzik stated that the existing berm stops along its south end where there exists large deciduous trees that are worth preserving and begins again south of the existing trees. He stated that to the north of the existing berm, the property line jogs to the east thereby decreasing the width of the property along the western property line giving less space to extend the berm to the north. He stated that they can extend the berm, but the berm height may have to be limited to between 5 to 7 feet due to having less land area to install a berm with the proper 3 to 1 slope. He stated that the proposed evergreens will be scattered on both sides of the fence and berm.

Mr. Dziurdzik stated that they further studied the southwest corner of the site. He stated that there is an existing fence at that location that is 10 feet tall and they are proposing to keep it. He stated that they will install a berm with additional evergreen trees on the north side of the fence to provide additional buffering. He stated that in response to one of the neighbors having a line of sight from her property to the truck dock court yard area they can add additional evergreen trees extended further to the east to supplement their proposed buffering.

Mr. Dziurdzik stated that there are certain areas in the parking lot that will have landbanked parking stalls along the northern end of the site. He stated that the northwest corner of the site is being proposed as an area to locate picnic tables. He stated that at this time they are not proposing any walking paths on the site. He stated that there are a few large existing canopy trees along the southwest corner.

Mr. Dziurdzik showed a rendering from the perspective of looking east towards the subject development from Sunnyside Avenue in order to show the increase in the evergreen tree density and how it helps to buffer the proposed building along the west side of the property. He stated

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that this particular exhibit illustrates the proposed landscaping after about two to three years of growth time. He stated that the ability to expand the berm height any further is limited to the width of the land as measured between the property line and the proposed curb of the western parking lot.

Mr. Dziurdzik stated that they area also proposing foundation plantings up close to the building including several different types of ornamental trees that could achieve a height between 15 to 20 feet. He stated that the proposed landscaping up close to the building wall will enhance the office entrances.

Mr. Dziurdzik stated that they do meet the 10% Planned Development Open Space requirement and they also exceed the Staff recommended 10% interior parking lot landscaping. He stated that regarding any proposed enhancements along Route 176 that Culver's Restaurant has already planted a substantial amount of landscaping near the driveway entrance and some of that landscape material is on the petitioner's property. He stated that Culver's maintains it well and there is no proposal to change that existing landscaping. He stated that they are proposing some new plantings around the existing sign.

Mr. Scott Hutchens, 668 Sunnyside Avenue, stated he is concerned workers can walk across the western property line near Sunnyside Avenue and wanted to make sure that the proposed buffer enhancements, including the fence, will prohibit that.

Mr. Dziurdzik stated that the proposed landscape and fence improvements will be substantial.

Mr. Dale Sherman, 766 Meadow Lane, asked the petitioner why they couldn't landbank parking spaces along the western property line. Mr. Christensen stated that the main office entrances will be along the western side of the Phase One building and most of the parking will be associated with the office use. He stated that due to the proposed landbanking along the north end of the buildings, actual parking spaces that are to be installed have been reduced from 540 to 440 spaces.

Commissioner Schultz stated that he likes the landscape plan. He stated that he wants to encourage the petitioner to add more evergreens along the southwest corner. He stated that if the proposed berm, fence, and landscaping is not enough to mitigate any noise nuisance due to site constraints, that there should be consideration to implement other sound mitigating alternatives such as a sound attenuation wall.

Commissioner Schultz stated that there should be a landscape maintenance program included as part of the development.

Mr. Dziurdzik stated that a maintenance program can be drafted and implemented.

Mr. Christensen stated that this project will be owned by institutional investors.

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Commissioner Donahue asked how the landscape architect will address the neighbors' concern for the southwest corner of the site where it may lack enough landscape screening of the truck dock area. Mr. Dziurdzik stated that he intends to add more landscaping to the plan for the southwest corner of the site and to meet with the neighbors at the site in order to determine an adequate amount of landscaping that will be installed in that area.

Commissioner Semmelman stated that it would not be practical to force all of the parking to the north end of the building thereby causing employees to walk down a corridor to a south tenant space.

Chairman Moore stated that it may not work well due to the potential for noise to locate picnic tables at the southwest corner of the site as previously discussed.

Mr. Christensen stated that his traffic engineer is not present tonight, but that most of the concerns have been addressed. He stated that they can continue to work with Staff in terms of addressing concerns regarding the entrance into the site and the crossing of the bike path. He stated that it is a work in progress. He stated that he would like to work out any lingering concerns regarding noise with Staff. He stated that before asking for the Plan Commission to render their recommendation for the petition requests, he would like to get the opinion for the members of the Plan Commission regarding the Staff recommendation to cap the warehouse use to 50% of the buildings.

Commissioner Schultz stated that he is not opposed to warehouse tenants in the buildings to exceed 50% of the building space.

Commissioner Donahue stated that he is not opposed to warehouse tenants in the buildings to exceed 50% of the building space.

Commissioner Semmelman stated that he is not opposed to warehouse tenants in the buildings to exceed 50% of the space provided that there are certain limitations incorporated into the approval to regulate delivery times and idling trucks.

Commissioner Adams stated that he is not opposed to warehouse tenants in the buildings to exceed 50% of the space, but is still concerned that a resolution about impending noise issues has not been agreed to as of yet.

Chairman Moore stated that he is not familiar enough with the manufacturing sector versus the warehousing sector regarding the impact of truck traffic, but tends to believe that warehousing will cause more truck traffic. He stated that he is inclined to bend on the restriction to warehousing as recommended by Staff provided that certain use limitations be implemented such as delivery times and so on.

Chairman Moore asked the petitioner if they have seen the Staff review comments in the Development Review Committee staff report and if they can address them tonight.

Response to Staff Comments:

Mr. Christensen stated that regarding the Economic Development Division review comments they have responded to land use issues. He stated that they have met with IDOT and he thinks they are good with them. Mr. Christensen stated that regarding the Economic Development Division Review Comment No. 3 regarding the Economic Development Commission preference towards high employment generating uses for the subject site, he stated that they have already talked about that. Mr. Christensen stated that regarding Economic Development Division Review Comment No. 4, they have already talked about that.

Mr. Christensen stated that regarding the Planning Division Comment No. 1 under the Land Use category, they have already addressed that. He stated that regarding Comment No. 2 under the Land Use category, he stated that Hanna Cylinder is likely to stay at least a year. He stated that Hanna has an option to renew their lease.

Mr. Christensen stated that regarding the Planning Division comments under the Traffic category, they have already addressed these issues. He stated that they have talked to IDOT about repainting the center median on Route 176. He stated that it depends upon working with Libertyville regarding the lengthening the left turn lane, but IDOT is conceptually okay with it. He stated that they will work with the channelization inside the project area as vehicles come in from the entry drive.

Mr. Smith asked for clarification from the petitioner as to their position regarding the Civiltech recommendation to increase the turn radii at the main access drive. Mr. Christensen stated that the purpose to increase the turn radii is to soften the entrance. He stated that they have discussed with IDOT to widen the turn radius in order to make the turn in more gradual in order to help the trucks to not jump the curb as they are doing now.

Mr. Christensen stated that regarding the Planning Division comments under the Screening category, there is no further screening needed due to how the site plan layout is proposed, except for the further enhancement at the southwest corner of the site that the landscape architect has offered to do. He stated that they have talked about the parking lot screening.

Mr. Christensen stated that regarding the Planning Division comments under the Site Plan category, they have forwarded the relative easements to Staff. He stated that there might be a Nicor easement. He stated that the big one is a cross access easement that has been forwarded to Staff.

Mr. Christensen stated that regarding Planning Division Comment No. 2 under the Site Plan category, the existing parking lot striping for the existing facility is difficult to see, it is not very visible, but should accommodate up to 600 parking spaces easily. He stated that in terms of the total amount of parking, this was already discussed. He stated that they have already discussed parking space landbanking.

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Mr. Christensen stated that they would renovate the existing sign located at the driveway entrance at the appropriate time and so they have not prepared any updated plan for that existing sign at this time.

Mr. Christensen stated that regarding the Planning Division comments under the Architectural Plans section of the DRC Staff Report that they have talked about the color, the height of the parapet wall, and the location of the roof top mechanical units and how they would be off set in order to minimize as much as possible any views of them.

Mr. Christensen stated that regarding the Planning Division comments under the Preliminary Plat of Subdivision section of the DRC Staff Report that the Preliminary Plat indicates the cross access easements.

Mr. Christensen stated that regarding the Planning Division comments under the Photometric Plans section of the DRC Staff Report that there is a requirement per the Zoning Code that light pole standards not exceed ten (10) feet in height. He stated that they are proposing light pole standards to be twenty-five (25) feet in height. He stated that it is not necessary to lower the poles to ten (10) feet in height. He stated that they will do everything they can to camp the fixtures away from the residential area so as to not cause light spillage towards that area.

Mr. Christensen stated that they have addressed the Building Division, Fire Department and Engineering Division comments previously.

After Addressing Staff Comments:

Chairman Moore asked Fred Chung, Village Engineering Staff, if the petitioner has addressed the Engineering Division Comments. Mr. Chung stated that the petitioner has not yet provided the proper documentation. He stated that the petitioner will have to comply with the WDO (Lake County Watershed Development Ordinance) when submitting final engineering as a condition for approval.

Commissioner Cotey stated that he is concerned about the thickness of the existing floor. He asked the petitioner for clarification as to the thickness of the existing floor. Mr. Christensen stated that he would not be surprised if there are some very thick floors in the existing facility. He stated that they did do some core borings and found floors between 6 to 8 inches thick in some places.

Commissioner Cotey stated that consideration should be given to working with the Engineering Division and draft a demolition plan in light of the potential impact that the demolition may have on the residential neighbors. He stated that this is a unique situation for the removal of a structural floor.

Mr. Christensen stated that they will prepare a demolition plan.

Commissioner Cotey stated that every precaution should be exercised to minimize the vibration caused by the demolition.

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Mr. Christensen stated that demolition does not last forever as the existing facility targeted for the demolition should be taken down quickly. He stated that they will be as careful as possible and follow a plan that minimizes impact.

Chairman Moore asked the petitioner how they would like to proceed knowing that the Staff recommendation is to continue the public hearing.

Mr. Christensen stated that he was not certain how to address the noise issue conditionally. He stated that he could pursue an acoustical engineer, but did not know what the noise is being compared to. He asked if sound measurements could be taken at another project. He stated that a truck might idle at the back of a building. He stated that he does not anticipate that there will be some kind of ongoing operation. He stated that he can go to a couple of their other developments and take sound readings in a parking lot in front of a building similar to what they are proposing here at the subject site, but one would not hear anything except when a car drives by. He stated that there will be sound when someone parks and opens their car door, but that this is normal activity like one would find in their neighborhood.

Mr. Christensen stated that an acoustical engineer won't discover anything other than what everyone intuitively already knows. He stated that car doors will be opened and closed and that will be the extent of the noise that will be heard. He stated that if a truck parks at the south end of the east building and idles its engine that would be a rare occasion. He questioned what he should measure.

Mr. Spoden stated that it would be to the benefit of the petitioner to use an acoustical engineer because they can provide the examples that the petitioner should have. He stated that the Village required an acoustical engineer report when Advocate Condell Medical Center developed its bed tower addition. He stated that an acoustical engineer will be able to list the proper examples and tell the Plan Commission and the neighbors what the anticipated noise ranges would be and how well the proposed development would be in compliance with the State of Illinois sound regulation. He stated that the Plan Commission should see documentation as part of the petition and response to the noise concerns.

Commissioner Schultz stated that adhering to the State noise regulations is appropriate and the Plan Commission should see the petitioner demonstrate that they meet those State standards.

Ms. Kristopher stated that she is not as concerned about the noise produced in the daytime as she is during the night time. She stated that the sound study should include covering the onsite night time activity. She stated that she supports certain night time restrictions such as the truck idling and limitations on delivery times to minimize impact.

Mr. Sherman stated that consideration should be given to including a restrictive covenant. He stated that a comparison can be made with the industrial/warehouse facility located at the southwest corner of Peterson Road and Butterfield Road. He stated that at that other location there is a park along the south border of that development, but north of the residential area adjacent to that facility. He stated that in the current case before the Plan Commission, the proposal by Bridge Development is much closer to the residential neighborhood which bears a

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stronger argument for a restrictive covenant because there is no buffer. He stated that noise from the proposed development is much more likely to have an impact on the neighboring residential area. He stated that the potential for day to day or night to night noise occurrences can be addressed with a restrictive covenant on the property's use. He stated that if the Village is willing to show some leniency on its proposed warehousing restrictions then perhaps the developer can show some willingness to agree to a restrictive covenant.

Chairman Moore asked the petitioner what he would like for the Plan Commission to do tonight. Mr. Christensen asked if there can be conditions to include an agreement that they can work with Staff regarding the acoustical study and meet all the requirements of the ordinance.

Chairman Moore stated that because of the sensitivity of the issue, it would be better to give it the proper time to get it right rather than to try to throw together conditions in an ordinance tonight.

Commissioner Semmelman stated that noise is not the only outstanding issue that needs more attention. He stated that the petitioner's traffic consultant was not in attendance at tonight's meeting and that he is still not fully satisfied regarding the traffic issue and would like to hear additional testimony regarding traffic on Route 176. He stated that a continuance of the public hearing is appropriate.

Commissioner Cotey stated that he would also like to hear more from the petitioner's traffic consultant.

Mr. Christensen stated that he agreed to continue the public hearing. He asked how much time he has before he has to submit revised plans or additional information. Mr. Spoden stated that Staff has proposed that the public hearing be continued to April 22, 2013. He stated that the Zoning Code requires that revised plans be submitted three weeks prior to the scheduled Plan Commission public hearing date which would be around April 1, 2013.

Commissioner Schultz stated that the petitioner should consider installing some type of auto-dimming feature on the proposed lighting so that during the late night hours the lights dim in order to minimize any potential impact upon the adjacent residential properties in order for the proposed development to be a good neighbor as well.

Chairman Moore stated that after further review of the DRC Staff Report and listening to testimony, he is in agreement with the Staff recommendation to cap the warehousing in the development without coming back to amend the Special Use Permit. He stated that the Staff recommendation is in agreement with the Comprehensive Plan. He stated that there is one Plan Commission member who is not in attendance tonight that may be at the next meeting and that he does not know what his position will be on the Bridge Development proposal.

In the matters of PC 13-05 thru PC 13-08, Commissioner Cotey moved, seconded by Commissioner Adams, to continue these items to the April 22, 2013, Plan Commission meeting.

Motion carried 6 - 0.

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

NEW BUSINESS:

**PC 13-09 Robert Bleck, Applicant
345 North Milwaukee Avenue**

Request is for a Special Use Permit for a Microbrewery, but only accessory to an eating or drinking place, for property located in the C-1, Downtown Core Commercial District.

**PC 13-10 Robert Bleck, Applicant
345 North Milwaukee Avenue**

Request is for a Special Use Permit for an occupancy of more than 10,000 square feet of floor area in a building located in the C-1, Downtown Core Commercial District.

**PC 13-11 Robert Bleck, Applicant
345 North Milwaukee Avenue**

Request is for a Site Plan Permit for a Microbrewery that is accessory to an eating or drinking place, for property located in the C-1, Downtown Core Commercial District.

In the matters of PC 13-09 thru PC 13-11, Commissioner Cotey moved, seconded by Commissioner Schultz, to continue these items to the April 8, 2013, Plan Commission meeting.

Motion carried 6 - 0.

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

COMMUNICATIONS AND DISCUSSION: None.

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

Motion carried 6 - 0.

Meeting adjourned at 10:20 p.m.