

MINUTES OF THE PLAN COMMISSION
December 14, 2015

The regular meeting of the Plan Commission was called to order by Chairman Mark Moore at 7:01 p.m. at the Village Hall.

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

Members absent: None.

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

OLD BUSINESS:

**PC 15-23 Libertyville Little League, Applicant
815 Lake Street, Butler Lake Park**

Request is for a Site Plan Permit in order to install lighting for recreational purposes at Butler Lake Park in an OS Open Space District.

Mr. David Smith, Senior Planner, introduced the requested variation and Site Plan Permit. He stated that the petitioner is requesting approval of a Site Plan Permit and variation in order to install lighting for recreational purposes in an OS, Open Space District located at Flood Baseball Field at Butler Lake Park located at 815 West Lake Street. He stated that the light poles proposed are at a height of approximately 60 feet and will require a variation from the Zoning Code to allow an increase in the maximum permitted height from 25 feet to 60 feet. Mr. Smith stated that the Libertyville Little League was approved for a similar variation for Flood Field, also located in Butler Lake Park in 2006.

Mr. Bill Bennett, representative of the Libertyville Little League, stated that night games are necessary in order to manage the capacity of Little League baseball activity at Butler Lake Park. He stated that the lighting product is from MUSCO Lighting and that the fixtures are provided with shields in order to protect the neighboring residential properties from glare nuisance.

Commissioner Oakley asked if the subject site is within the flood plain. Mr. Fred Chung, Senior Project Engineer, stated that the area is within the flood plain and flood way. He stated that the petitioner will be required to obtain a Water Shed Permit.

Chairman Moore asked how tall the existing light standards are located in Flood Field. Mr. Bennett stated that the other lights are 60 feet in height.

Mr. David Miller, MUSCO Lighting, stated that the practice football field lights are 70 feet tall.

Minutes of the December 14, 2015, Plan Commission Meeting
Page 2 of 6

Mr. Bennett stated that he agrees to address the Staff review comments in the DRC Staff report.

Chairman Moore asked the petitioner what he would like for the Plan Commission to do this evening. Mr. Bennett stated that he would like for the Plan Commission to give their recommendation to the Village Board regarding their request.

In the matter of PC 15-23, Commissioner Schultz moved, seconded by Commissioner Oakley, to recommend the Village Board of Trustees approve a Site Plan Permit in order to install lighting for recreational purposes at Butler Lake Park in an OS Open Space District, subject to the following condition: 1) All recreational lighting shall be turned off not later than 10:00 p.m.

Motion carried 7 - 0.

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

NEW BUSINESS:

PC 15-26 Eugene Maher, Applicant
318 Elm Court

Request is for a Plat of Resubdivision for Lots 10 and 11 located in the J. Eli Triggs Subdivision in an R-6, Single Family Residential District.

Mr. David Smith, Senior Planner, introduced the requests by the petitioner. He stated that the petitioner is requesting approval for a Plat of Resubdivision for Lots 10 and 11 located in the J. Eli Triggs Subdivision at 318 Elm Court and a variation to reduce the minimum required lot width as part of the same resubdivision request. He stated that the subject two lots are located in an R-6, Single Family Residential District.

Mr. Smith stated that the variation request is to allow for a reduction of the minimum required lot width from 60 feet to 57.33 as a consequence to the resubdivision for the subject property. He stated that the newly created vacant lot would have the 57.3 feet width as measured at the building setback line and the single family residence at 318 Elm Court, on the other lot, will remain preserved as is, with a lot width of 75.7 feet.

Mr. Adam Lyons, architect representing the petitioner, stated the requested actions are intended to preserve the existing historical residence while creating a buildable lot next to it. He stated that the variation of lot width is not inconsistent with many other lots in the area as they are only 50 feet in width. He stated that they will relocate the existing fire pit behind the residence so that it remains conforming in its setback after the re-platting of the property line is complete. He stated that any new development on the proposed vacant lot shall comply with Storm Water Management Commission requirements.

Minutes of the December 14, 2015, Plan Commission Meeting
Page 3 of 6

Mr. David Amidei, 326 Elm Court, stated that the land area is not flat. He stated that their house has had water problems. He stated that storm water drainage comes from the homes located to the rear of his home. He stated that he is concerned about water runoff and what the architectural character will be with any new development on the newly created vacant lot.

Mr. Fred Chung, Senior Project Engineer, stated that the storm water utility infrastructure is designed to be based on 10 year rain events. He stated that all storm water management systems have a finite capacity. He stated that the new storm water management ordinance that incorporates a detention requirement is intended to reduce the impact of flooding.

Commissioner Oakley asked what options are available for storm water detention for single family properties. Mr. Chung stated that any new residential development needs to be engineered in order to reduce the run-off onto the neighbor's property.

Mr. John Spoden, Director of Community Development, stated that review by the Appearance Review Commission is not required by the Village. He stated that the Historic Preservation Commission is still in its infancy and not ready to review applications for preservation of structures in the Village as of yet.

Mr. Amidei stated that the storm water runs off of the properties on Laurel Avenue towards them. He stated that he is concerned about how water run-off is calculated.

Mr. Chung stated that storm water run-off and detention calculations need to be engineered.

Ms. Virginia Renfroe, 312 Elm Court, stated that she is concerned that the development of the newly created vacant lot will be detrimental to the neighborhood and will reduce the natural sun light.

Mr. Scott Renfroe, 312 Elm Court, stated he is concerned that any new development on the proposed vacant lot will end up being too large. He stated that Elm Court is already a very busy street and that the new development will increase the congestion.

Mr. Steve Novak, 329 Elm Court, stated that he is concerned about the scale and impact that any new development will bring on the proposed new lot. He is concerned about the increase in density. He stated that the School Street development is a good development, but that the Heritage Area is not an appropriate area for higher density.

Commissioner Oakley asked if this property is in the flood plain. Mr. Chung stated that it is not in the flood plain.

Commissioner Flores stated that it is difficult to support this request without knowing more about the cause of the area's flooding issues.

Chairman Moore asked what the new lot coverage will be on the lot with the existing house. Commissioner Cotey stated that the plans indicate that the lot coverage will be 42.3%.

Minutes of the December 14, 2015, Plan Commission Meeting
Page 4 of 6

Commissioner Semmelman stated that it might be easier to support if there was an engineering plan in place to address storm water management.

Mr. Lyons stated that the plan will be to manage the storm water in accordance to the ordinances that are in place.

Commissioner Krummick stated that he is concerned that any new development may not be consistent with the small lot character of the neighborhood.

Commissioner Schultz asked Mr. Lyons who he is working with on this project. Mr. Lyons stated that he is working with the owner of the property and with the contractor, Mr. Richter, but the plans for the new house are not drawn yet. He stated that if their requests are not approved then they may consider remodeling the existing house in order to plat two conforming lots relative to the minimum required width.

Mr. Gene Maher, 318 Elm Court, owner of the subject site and petitioner, stated that he is highly sensitive to the Heritage District. He stated that he wants to be friendly and sensitive to his neighbors. He stated that he is sensitive of the water issues.

Commissioner Schultz asked the owner if he will continue to reside in his home. Mr. Maher stated that it is his intent to remain in his home for the time being.

Commissioner Schultz stated that he is supportive of the subdivision provided that they are compliant with adequate storm water management and detention standards regulated by the Village. He asked Mr. Lyons if he would be willing to re-work the proposed platted property line in order to meet the minimum required lot width. Mr. Lyons stated that they studied alternative line configurations and consulted with Village Staff. He stated that in the end the current proposal seemed to be the best alternative.

Chairman Moore stated that the utility infrastructure was designed for lots that are 50 feet in width and may not be able to accommodate larger lots. He stated that this may be an unknown with further study.

Mr. Lyons stated that the intent of the zoning requests is to preserve a 1910 residence. He asked if he could poll the Zoning Board of Appeals before they take formal action of making a recommendation to the Village Board.

Commissioner Cotey stated that without an actual plan for the vacant lot it is difficult to make a recommendation.

Commissioner Oakley stated that he is okay with the requests.

Commissioner Flores stated that she is okay with the requests.

Chairman Moore stated that he does not support the requests as he is concerned about setting precedence and with the water issues.

Minutes of the December 14, 2015, Plan Commission Meeting
Page 5 of 6

Commissioner Semmelman stated that he is okay with the requests.

Commissioner Krummick stated that does not support the requests as he feels that this difficulty in being compliant with the Zoning Code is a self-created hardship and that he is concerned with the capacity and condition of the existing infrastructure of the utilities.

Commissioner Shultz stated that he is okay with the requests.

In the matter of PC 15-26, Commissioner Semmelman moved, seconded by Commissioner Cotey, to recommend the Village Board of Trustees approve a Plat of Resubdivision for Lots 10 and 11 located in the J. Eli Triggs Subdivision in an R-6, Single Family Residential District, in accordance with the plans submitted.

Motion carried 5 - 2.

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

PC 15-27 Village of Libertyville, Applicant

Request is for a Text Amendment to the Libertyville Zoning Code in order to further regulate lot coverage in residential zoning districts.

Mr. John Spoden, Director of Community Development, introduced the proposed text amendment to the Zoning Code. Mr. Spoden stated that Staff is proposing a Text Amendment to the Libertyville Zoning Code in order to further regulate lot coverage in Residential Zoning Districts. Mr. Spoden stated that in order to protect the integrity and aesthetics of the front yards of single family residences, driveway coverage should be regulated in terms of scope and size. Mr. Spoden stated that the secondary benefit will also come in the form of supporting proper storm water drainage in the yard area where it can infiltrate into the sod and soil of the front yard instead of sheeting off excessive driveway surfaces into storm sewer systems that are sometimes overwhelmed in heavier storm events.

Mr. Spoden stated that Staff would like to discuss possible changes to the ordinance to include the following for any single family dwelling, single family attached dwelling, and any two family dwelling.

- The maximum lot coverage by a driveway between the front building line and the front property line shall not exceed 1/3 of that area.
- In those cases where the driveway crosses the corner side yard and accesses the street through the corner side property line, the maximum lot coverage by a driveway between the corner side building line and the corner side property line shall not 1/3 of that area.
- Determine a minimum lot width to allow two curb cuts.

Minutes of the December 14, 2015, Plan Commission Meeting
Page 6 of 6

Commissioner Schultz asked if other communities were surveyed in order to see how they addressed this issue. Mr. Spoden stated that they have not yet surveyed other communities as of yet, but they can do that.

Chairman Moore stated that he supports the idea of limiting the number of curb cuts for driveways.

Commissioner Flores stated that she supports the idea of limiting the number of curb cuts for driveways.

Commissioner Krummick stated that over-paving front yards looks bad.

Mr. Spoden stated that the intent tonight was to start the conversation on this issue, but can come back with a more definitive proposal and requested a continuance to February 2016.

In the matter of PC 15-27, Commissioner Semmelman moved, seconded by Commissioner Schultz, to continue this item to the February 22, 2016, Plan Commission meeting.

Motion carried 7 - 0.

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

COMMUNICATIONS AND DISCUSSION:

Mr. John Spoden, Director of Community Development, stated that bids to contractors will go out this week in regards to the development of the new parking garage.

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

Motion carried 7 - 0.

Meeting adjourned at 9:50 p.m.