

MINUTES OF THE PLAN COMMISSION
February 25, 2008

The regular meeting of the Plan Commission was called to order by Chairman Kurt Hezner at 8:12 p.m. at the Village Hall.

Members present: Chairman Kurt Hezner, William Cotey, Terry Howard, Walter Oakley, and Andy Robinson.

Members absent: Howard Jaffe and Mark Moore.

A quorum was established.

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

Commissioner Cotey moved, seconded by Commissioner Howard, to approve the January 28, 2008, Plan Commission meeting minutes, as amended.

Motion carried 5 - 0.

OLD BUSINESS:

PC 07-33 TSG Investments LLC, Applicant
801 E. Park Avenue

Request is for an Amendment to the Planned Development Final Plan in order to modify the existing building and parking lot to accommodate additional commercial tenants located in a C-3 General Commercial District.

The applicant requested that this item be continued to the March 17, 2007, Plan Commission meeting.

In the matter of PC 07-33, Commissioner Cotey moved, seconded by Commissioner Howard, to continue this item to the March 17, 2008, Plan Commission meeting.

Motion carried 5 - 0.

NEW BUSINESS:

PC 08-04 Medline Industries and McShane Corporation, Applicant
1400, 1500, and 1501 Harris Road

Request is for a Special Use Permit for a Communications Antenna to not exceed 30 feet from the roof of the building located in an O-2, Office, Manufacturing and Distribution Park District.

PC 08-05 Medline Industries and McShane Corporation, Applicant
1400, 1500, and 1501 Harris Road

Request is for a Major Adjustment to the Planned Development Final Plan in order to: 1) permit an antenna that exceeds the height limitations as set forth in Section 12-12.2 of the Libertyville Zoning Code; and 2) incorporate a unified sign criteria for the Planned Development not previously reviewed and approved for property in an O-2, Office, Manufacturing and Distribution Park District.

Mr. David Smith, Senior Planner, stated that the petitioners, Medline Industries and McShane Corporation, are requesting approval of a Special Use Permit for an antenna that exceeds the height limitations as set forth in Section 12-12.2 of the Libertyville Zoning Code for property in an O-2 Office, Manufacturing and Distribution Park District. He stated that in addition, the petitioner's are requesting approval of a Major Adjustment to the Planned Development Final Plan in order to incorporate a unified sign criteria for the Planned Development not previously reviewed and approved, and to permit an proposed antenna for property in an O-2, Office, Manufacturing and Distribution Park District located at 1400, 1500, and 1501 Harris Road.

Mr. Smith stated that the subject property was granted a Special Use Permit for a Planned Development by the Village Board in August of 2006 in order to construct an office industrial park on approximately 63 acres of land in the O-2, Office, Manufacturing, and Distribution Park District. Mr. Smith stated that construction of three buildings, one of which is the 600,000 square foot Medline owned facility, is near completion and currently accepting tenant occupations.

Mr. Smith stated that the Liberty Point Commerce Center site is bounded by Peterson Road on the north, Midlothian Road on the west, Franklin Blvd on the east, and the Lincoln Commerce Center office-industrial park on the south. Mr. Smith stated that Harris Road has been extended through the site to connect Commerce Road to Peterson Road as part of the project.

Mr. Terry Weppler, authorized agent for the petitioner, stated that the Medline facility is the only location that ships out medical surgical tools in the Midwest. He stated that the proposed communications tower would reach 83 feet in height from its top to grade. He stated that the 160 square foot wall sign sounds large but would not look large on the façade of the Medline building because of the large building size. He stated that the tower does not rely on the regular phone system. He stated that the tower is approximately 30 feet above the roof of the building. He stated that Medline is in need of communication redundancy.

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Commissioner Oakley asked for clarification of the system being redundant. He asked if there are any health risks. Mr. Wepler stated that the communications tower is part of the primary system that has other backup communication systems.

Mr. David Pardys, Village Attorney, stated that current legislation indicates that the Plan Commission cannot base their recommendation for the antenna on emission issues.

Commissioner Cotey asked if the antenna tower falls, will it fall within the building roof line. Mr. Wepler responded affirmatively.

Commissioner Cotey asked what the tower's wind resistance capability is. Mr. Scott Snopek, Scientel Co., stated that the tower's wind resistance is up to 90 miles per hours.

Commissioner Howard asked if there are other options that Medline has looked at. Mr. Jeff Lynn, Medline Industries, stated that they must have a tower at a minimum to be at the proposed height so that it has a line of site with two other tower locations which include an antenna approximately 65 feet in height in Waukegan and an antenna in Mundelein that is 145 feet in height.

Commissioner Howard asked if there will be any interference caused by the proposed antenna tower. Mr. Snopek stated that there should be no interference to the existing adjacent land uses.

Commissioner Howard asked if 30 feet is the maximum height for the proposed antenna. Mr. Wepler stated that he cannot guarantee that Medline won't need a taller antenna tower at a later date.

Mr. Bill Abington, Medline Industries, stated that the proposed antenna tower is for their primary communication system. He stated that they have already raised the existing tower height in Waukegan in order to have the lower height in Libertyville.

Commissioner Robinson asked if the communication system is only for Medline. Mr. Steve Naslund, Medline Industries, stated that the antenna tower serves Medline's customer service facility data network. He stated that the communication is done within Medline's personnel network only.

Chairman Hezner asked if there are or will be any obstructions within the line of site between the communication facilities. He stated that a new tower will have to come back through the Plan Commission public hearing process.

In the matter of PC 08-04, Commissioner Oakley moved, seconded by Commissioner Cotey, to recommend the Village Board of Trustees approve a Special Use Permit for a Communications Antenna to not exceed 30 feet from the roof of the building located in an O-2, Office, Manufacturing and Distribution Park District, in accordance with the plans submitted.

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Motion carried 5 - 0.

In the matter of PC 08-05.1), Commissioner Howard moved, seconded by Commissioner Cotey, to recommend the Village Board of Trustees approve a Major Adjustment to the Planned Development Final Plan in order to permit an antenna that exceeds the height limitations as set forth in Section 12-12.2 of the Libertyville Zoning Code for property in an O-2, Office, Manufacturing and Distribution Park District, in accordance with the plans submitted.

Motion carried 5 - 0.

Mr. Duane Laska, North Shore Sign Co., introduced the proposed Unified Sign Criteria that is intended for both Liberty Point and Liberty Point North Planned Developments. He stated that the proposed unified sign criteria is a guideline for future signs for the subject properties. He stated that McShane wants sign criteria for both north and south Liberty Point Planned Development properties. He stated that the challenge is the size and scale of developments. He stated that the intent is to create a criteria that will help property owners to avoid amending the Planned Development in the future and to design a criteria that helps to coordinate both north and south Liberty Point properties together. He stated that there are two types of individual letters that include illuminated or not illuminated. He stated that Medline can have one freestanding sign.

Chairman Hezner stated that he was uncertain as to where which signs were going where based upon the submittal materials. He stated that he agrees with the proposed larger size wall signs. He stated that the elevation of the building should be shown with proposed wall sign. He stated that the petitioner should demonstrate the bases for increasing the sign size.

Mr. John Spoden, Director of Community Development, stated that McShane has applied for a Planned Development for the property on the north side of Peterson Road.

Mr. Abington stated he is concerned that the trucks will miss the building without their signs.

Chairman Hezner stated that he is not ready to vote. He requested that the petitioner make the sign plan and criteria more clear.

In the matter of PC 08.05.2), Commissioner Oakley moved, seconded by Commissioner Cotey, to continue this item to the March 17, 2008, Plan Commission meeting.

Motion carried 5 - 0.

OLD BUSINESS:

PC 07-04 Village of Libertyville, Applicant
118 W. Cook Avenue

Request is for amendments to Chapter 26 of the Libertyville Municipal Code.

Mr. John Spoden, Director of Community Development, stated that it is Staff's intent to have the Zoning Code finished by the end of April, 2008. He stated that it is the intent to keep the mid-month Plan Commission meeting on March 10, 2008 open only for Zoning Code update discussion. He stated that Staff will attempt to have most of the questions answered that the Plan Commission asked during the previous public hearings on the proposed Zoning Code amendments. He stated that Staff will reassemble the amended Zoning Code and distribute it to the Plan Commission prior to the March 10, 2008 meeting. He stated that the current challenge is updating the uses in the Zoning Code. He stated that Staff still needs to finalize the affordable housing component. He stated that the revisions to the I-2 District regarding permitted and special permitted uses still need to be finalized. He stated that Historic Preservation still needs to be addressed. He stated that it may be a separate ordinance, but should be discussed preliminarily with the Plan Commission first. He stated that there should be a full Plan Commission meeting on March 10, 2008 and then another special meeting on April 7, 2008. He stated that this will require three meetings in April that include the 7th, 14th, and the 28th.

Commissioner Oakley stated that Staff should email a list of preferred meeting dates to the Plan Commission members and try to get a consensus from them as to their availability or not.

Mr. David Pardys, Village Attorney, presented proposed land use revisions for the C-1 District. He stated that existing Code is based upon the 1987 Standard Industrial Classification manual. He stated that the Village has recently adopted the North American Industrial Classification System (NAICS) manual as an interpretive guide for land uses. He stated that the NAICS supposedly contains every industrial classification in North America. Mr. Pardys presented the proposed land use updates for the C-1 District in the Zoning Code based upon the NAICS manual. Mr. Pardys stated that that the Zoning Code update to the C-1 land use categories has required an item by item review to determine the appropriateness of each use. He stated that the NAICS assigns numbers to each land use/industry category and that the numbers expand by increasing the digits as the land use or industry becomes more specific.

Commissioner Cotey stated that he is concerned that an establishment may have multiple uses contained within.

Mr. Pardys stated that land uses may have limitations imposed upon them in the Zoning Code in order to separate out other uses in the same general category that may not be appropriate to include.

Mr. Pardys stated that the update to the land use terminology in the Zoning Code to reflect the terms in the NAICS manual will enable Staff to reference the NAICS and identify a particular land use in which a potential applicant seeks occupancy for, and to track back to one of the more broadly based land uses that would also be listed in the Zoning Code.

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Mr. Pardys stated that one of the difficulties being experienced while doing the land use updates is with the “office” listed as a use in the Zoning Code. He stated that the NAICS does not recognize office as a use by itself. He stated that the updates will now include land uses that would typically function in an office environment, but have now removed the term “office” as a land use by itself.

Commissioner Robinson asked if there will now be more discrepancies that will force either Staff or Zoning Board of Appeals members to make an interpretation. Mr. Spoden stated that the incidents of interpretation should be fewer.

Chairman Hezner stated that he is concerned that some land use categories may be too broad and will require interpretation such as Financial Services.

Mr. Pardys stated that the NAICS is very comprehensive and will have a designation for virtually all industries. He stated that Financial Services are listed in the NAICS manual. He stated that the NAICS is intended to be used as an interpretive guide where the Zoning Code may lack the complete information on a particular land use.

Mr. Spoden stated that the intent of the proposed land use updates is not to substantially change what is allowed and what is not allowed in the downtown, but to clarify the land use language for what is permitted and specially permitted.

Commissioner Cotey stated that the proposed land use designation system seems to make sense and it would be better to have more detailed land uses in order to help reduce future text amendments.

Mr. Pardys stated that further clarification and revisions are required to address the prohibition of office and financial services uses from the first floor in the C-1 District.

Chairman Hezner stated that caution should be used in order to not create redundancy when making use of the NAICS terms for the proposed Zoning Code land uses.

In the matter of PC 07-04, Commissioner Robinson moved, seconded by Commissioner Howard, to continue this item to the March 10, 2008, Plan Commission meeting.

Motion carried 5 - 0.

COMMUNICATIONS AND DISCUSSION:

Mr. John Spoden, Director of Community Development, announced that the previous variation application for the property located at 258-260 Florence Court was withdrawn by the petitioner prior to the Village Board taking action on that case. He stated that this will enable the petitioner to re-apply at a time of their choosing and not have to wait a minimum of one year that would have been required had the Village Board taken action and denied that variation requests.

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Commissioner Robinson moved and Commissioner Howard seconded a motion to adjourn.

Motion carried 5 - 0.

Meeting adjourned at 9:45 p.m.