

**MINUTES OF THE SPECIAL PLAN COMMISSION**  
**April 7, 2008**

The special meeting of the Plan Commission was called to order by Chairman Kurt Hezner at 7:05 p.m. at the North Fire Station.

Members present: Chairman Kurt Hezner, William Cotey, Mark Moore, Walter Oakley, and Andy Robinson.

Members absent: Terry Howard and Howard Jaffe.

A quorum was established.

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

**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. David Pardys, Village Attorney, presented Zoning Code changes to the Industrial and Office Districts.

Mr. John Spoden, Director of Community Development, stated that Licensed Sexually Oriented businesses shall be categorized as a Special Permitted Use in the I-1 District.

Commissioner Cotey asked if by making Sexually Oriented Businesses a Special Use Permit, will it lessen legal challenges. Mr. Pardys stated that Places of Worship are listed as Special Permitted Uses mostly due to parking concerns. He stated that Sexually Oriented Businesses should have constitutional rights protected and be zoned for certain zoning districts in the Village.

Chairman Hezner stated that he is concerned about allowing Sexually Oriented Businesses to occupy facilities in the southeast area of the I-1 District.

Commissioner Moore stated that as long as Sexually Oriented Businesses are a Special Permitted Use, they will have an opportunity to review each application for compliance with the standards.

Mr. Spoden stated that further Zoning Code changes to the Industrial Districts is to reduce the minimum required area for Planned Developments to 60,000 square feet.

Chairman Hezner recommended that Zoning Code Section 7-2.4.b be removed regarding the requirement for seven (7') feet of masonry on Industrial buildings.

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Mr. Pardys stated that Massage Parlors are an Adult Use that are proposed to be legitimately zoned in the I-1 District.

Mr. Spoden stated that if the massage use is considered therapeutic and ancillary to a doctor's office or chiropractor's office, it may be permitted in other districts.

Commissioner Robinson asked for clarification of the proposed changes to the I-2 District. Mr. Spoden stated that the Comprehensive Plan has identified the current I-2 District as being located between existing residential area and the east industrial area and would function much better as a transitional zoning district. He stated that any future industrial type use in the newly classified I-2 District will require a Special Use Permit.

Chairman Hezner stated that the I-2 District should have smaller minimum required Planned Development areas. He stated that 40,000 square feet should be considered.

Mr. Spoden stated that Staff will study further the minimum required Planned Development areas for the I-2 District. He stated that they are also proposing that the minimum required area for Planned Developments in the O-2 District be reduced to 120,000 square feet.

Mr. David Smith, Senior Planner, presented the Affordable Housing Plan and Inclusionary Housing Ordinance to the Plan Commission.

Commissioner Robinson stated that consideration should be given to requiring home builders who construct one single family home at a time to building the fifth one an affordable rate.

Chairman Hezner stated that the tracking can be done by keeping records of contractors' licenses.

Mr. Pardys stated the intent of the ordinance is to not allow the clustering of affordable units together in one area.

Mr. Spoden stated that the intent is for the Village Board to create a new Housing Commission to administrate the Inclusionary Housing Ordinance.

Commissioner Moore stated that tax credits and other subsidies will be needed to help fund developments that are required to provide affordable housing units.

Chairman Hezner stated that it may be necessary to establish a Housing Commission and hire additional Staff to support the Affordable Housing Regulations.

Mr. Pardys stated that consideration could be given to not requiring a minimum percentage of affordable housing units per residential development, but to make it voluntary with incentives.

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Mr. Spoden stated that the direction from the Mayor is to make it mandatory.

Commissioner Moore stated that consideration could be given to eliminating the maximum of affordable units in a covered development.

Mr. Pardys stated that Crystal Lakes' Draft Affordable Housing Ordinance is 30% per development.

*In the matter of PC 07-04, Commissioner Robinson moved, seconded by Commissioner Cotey, to continue this item to the April 14, 2008, Plan Commission meeting.*

*Motion carried 5 - 0.*

**NEW BUSINESS:** None.

**COMMUNICATIONS AND DISCUSSION:**

Commissioner Moore moved and Commissioner Cotey seconded a motion to adjourn.

Motion carried 5 - 0.

Meeting adjourned at 9:00 p.m.