

MINUTES OF THE PLAN COMMISSION
November 24, 2008

The regular meeting of the Plan Commission was called to order by Chairman Kurt Hezner at 7:03 p.m. at the Village Hall.

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

Members absent: None.

A quorum was established.

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

Commissioner Robinson moved, seconded by Commissioner Howard, to approve the October 27, 2008, Plan Commission meeting minutes, as amended.

Motion carried 7 - 0.

OLD BUSINESS:

PC 08-24 DRP Investments, LLC, Applicant
844 E. Rockland Road

Request is for a Text Amendment to the Libertyville Zoning Code to include Electric Power Generation Facilities, but limited to Wind Power, as a Special Permitted Use in the O-2 Office, Manufacturing and Distribution Park District.

NEW BUSINESS:

PC 08-25 DRP Investments, LLC, Applicant
844 E. Rockland Road

Request is for a Special Use Permit for an Electric Power Generation Facility but Limited to Wind Power in order to install a Business Wind Turbine in order to generate electricity for property located in an O-2 Office, Manufacturing and Distribution Park District.

PC 08-26 DRP Investments, LLC, Applicant
844 E. Rockland Road

Request is for a Site Plan Permit in order to install a Business Wind Turbine in order to generate electricity for property located in an O-2 Office, Manufacturing and Distribution Park District.

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Mr. David Smith, Senior Planner, stated that the petitioner, Aldridge Electric Company, located at 844 E. Rockland Road, seeks approval to install an electric wind turbine on its property. Mr. Smith stated that this would be the first installation of this kind in the Village of Libertyville and the fact that the Zoning Code does not list wind turbines as a permitted or special permitted use anywhere in the Village, it is necessary to amend the Zoning Code.

Mr. Smith stated that the petitioner is therefore requesting a Text Amendment to the Libertyville Zoning Code to include Electric Power Generation Facilities, but limited to Wind Power as a Special Permitted Use in the O-2 Office, Manufacturing and Distribution Park District. Mr. Smith stated that the petitioner is also requesting a Special Use Permit and Site Plan Permit for an Electric Power Generation Facility, but limited to wind power in order to install a Business Wind Turbine in order to generate electricity for property located in an O-2 Office, Manufacturing and Distribution Park District at 844 E. Rockland Road.

Mr. Smith stated that Aldridge Electric Company, located within the O-2 Office, Manufacturing and Distribution Park district, totals less than 12 acres and is located within the southerly portion of what was formerly known as the Mungo Industrial Center, now known as the Aldridge Business Park. Mr. Smith stated that the northerly larger portion of the Aldridge Business Park campus is zoned I-3 General Industrial District. Mr. Smith stated that the Aldridge Business Park facility includes existing metal frame buildings that house various industrial tenants and some office space for Condell Medical Center. Mr. Smith stated that the O-2 and I-3 District portions of the entire Aldridge Business Park campus comprise approximately 55 acres. Mr. Smith stated that access to the Aldridge Electric Company facility is from Rockland Road on the south side of the Aldridge Business Park and through an easement to Route 176.

Mr. Tim Morgan, architect for the petitioner, stated that the proposed wind turbine is a single monopole structure to be 120 high as measured from grade to the hub and 146 feet high as measured from grade to the tip of blade. He stated that the location of the proposed turbine is approximately 275 feet from the Rockland Road entrance.

Mr. William O'Donnell, Boulder Colorado, petitioner's consultant, stated that the proposed wind turbine would be considered a 'Business' scale in accordance to the proposed text amendment language. Mr. O'Donnell stated that this will be the first wind turbine to be installed in suburban Illinois. He stated that wind data is used to identify the ideal location for the wind turbine. He stated that birds aren't likely to be killed by the wind turbine, it seldom happens.

Mr. David Bates, 911 E. Rockland Road, stated that there was, at one time, a wind mill near Condell Medical Center. He asked if guide wires would be used to support the wind turbine. He asked if the turbine would be installed on top of a building.

Mr. O'Donnell stated that this proposal would not require guide wires to support turbine.

Mr. Morgan stated that the proposed turbine is constructed at grade and not on top of a building.

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Mr. Bates stated that he commends Aldridge Electric as this type of alternative power generation is needed to reduce the emission of carbon pollution. He stated that his property tax increased 29% last year. He stated that Aldridge Electric should consider more research and development of alternative energy sources.

Ms. Mary Ann Clemens, 903 E. Rockland Road, asked about any flicker effect produced by shadow from the turbine blades.

Mr. Morgan stated that they have done a shadow study which shows that any shadow cast by the wind turbine will remain on the Aldridge property.

Mr. O'Donnell stated that the hub and blade portion of the turbine will change directions with the wind direction and may influence how the shadow is cast as well.

Mr. Chris Connelly, 910 E. Rockland Road, stated that he would like to commend Aldridge Electric for proposing the wind turbine. He stated that his property backs up to the Aldridge property. He stated that he is concerned about the sound. He asked if the turbine could be moved further north.

Mr. O'Donnell stated that the sound from the turbine will not exceed 64 decibels at a 100 foot distance, 58 decibels at a 200 foot distance and at the proposed distance of 275 feet from the rear property lines of the residences that face Rockland Road, the decibel level will be in the mid 50's.

Chairman Hezner asked what the proposed Zoning Code amendments stated regarding noise performance standards.

Mr. Spoden stated that the proposal is for maximum of 60 decibels at residential property lines.

Ms. Donna Gates, 429 South Seventh Avenue, stated that she is still concerned about the potential for a noise nuisance. She stated that there may be a pulsating noise nuisance and she is concerned about a shadow flicker nuisance as well.

Mr. Morgan stated the shadow flicker will not reach the Rockland Road residents.

Mr. O'Donnell stated that the turbine is inaudible at 300 feet from inside the home.

Ms. Sue Hanlon, 408 S. Seventh Avenue, stated that she is concerned that she will be able to hear the turbine during the summer.

Mr. O'Donnell described the wind classification system. He stated that the wind has to reach 9 miles per hour for the turbine to run and at 50 miles per hour the turbine will shut off.

Commissioner Cotey stated that he is concerned that sound will travel with the wind.

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Mr. James Janousey, 1237 Ashbury Lane, stated that he is concerned about the visual prominence that the turbine will have.

Mr. O'Donnell stated that his company has constructed wind turbines in 5 to 10 other suburban locations in other parts of the country.

Ms. Chris Geiselhart, 1408 Bull Creek Drive, stated that she is concerned with how the proposed text amendment includes a definition for electric power generation facilities as being too vague and could permit other power generating facilities that are not wind turbines.

Mr. Ed Giordano, 1121 Ashley Lane, asked what the distance is between the proposed wind turbine and Hwy Route 176. Mr. Morgan stated that the distance is approximately 800 feet.

Mr. Giordano asked what happens to the Aldridge Electric business if the power grid goes down. Mr. O'Donnell stated that all power generated by the wind turbine is consumed on site.

Mr. Giordano asked if other locations are being considered in the Village for wind turbines. Mr. John Spoden, Director of Community Development, stated that the proposed text amendment to the Zoning Code indicates that wind turbines are to be Special Permitted Uses in any O-2 District in the Village.

Ms. Rosemary Boortz, 400 S. Seventh Avenue, asked if there will be any signal reception interference with television or computers caused by the wind turbine. Mr. O'Donnell stated that there will be no reception interference caused by the turbine.

Commissioner Oakley stated that the proposed turbine should be moved further towards the center of the Aldridge Business Park.

Commissioner Cotey stated that the property owner should not be permitted to place fairings or other signs on the wind turbine.

Commissioner Moore asked for clarification from Staff regarding the proposed location in close proximity to separately owned parcels of land within the Aldridge Business Park. Mr. Smith stated that the intent of this comment was to ascertain property ownership and to have the other property owners provide documented acceptance of the wind turbines close proximity to their land.

Mr. Rob Guarnaccio, co-applicant for the petition, stated that DPR owned the north 12 acres of the business park, KWA owned the southern 28 acres of the business park, and that Mungo owned the eastern 22 acres of the business park.

Commissioner Jaffe stated that he is concerned that appropriate lightning protection is installed. Commissioner Jaffe asked for clarification of the proposed Zoning Code text amendments related to noise standards. Mr. Spoden stated that noise levels can be taken at adjacent property lines to determine compliance with the new noise regulations.

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Commissioner Jaffe asked if field tests can be done of other EW50 turbines prior to the Village Board meeting. Mr. O'Donnell stated that these tests have already been done.

Chairman Hezner stated that parking lot light poles need to be free and clear of the turbine blades. He stated that a maintenance program should be established for the wind turbine.

In the matter of PC 08-24, Commissioner Robinson moved, seconded by Commissioner Howard, to recommend the Village Board of Trustees approve a Text Amendment to the Libertyville Zoning Code to include Electric Power Generation Facilities, but limited to Wind Power, as a Special Permitted Use in the O-2 Office, Manufacturing and Distribution Park District.

Motion carried 7 - 0.

In the matter of PC 08-25, Commissioner Jaffe moved, seconded by Commissioner Robinson, to recommend the Village Board of Trustees approve a Special Use Permit for an Electric Power Generation Facility but Limited to Wind Power in order to install a Business Wind Turbine in order to generate electricity for property located in an O-2 Office, Manufacturing and Distribution Park District, in accordance with the plans submitted.

Motion carried 7 - 0.

In the matter of PC 08-26, Commissioner Moore moved, seconded by Commissioner Cotey, to recommend the Village Board of Trustees approve a Site Plan Permit in order to install a Business Wind Turbine in order to generate electricity for property located in an O-2 Office, Manufacturing and Distribution Park District, in accordance with the plans submitted.

Motion carried 7 - 0.

OLD BUSINESS:

PC 08-29 Life Storage Centers, Applicant
100 Solar Drive

Request is for a Special Use Permit for a Planned Development in order to develop a 17.3 acre parcel of land that will incorporate self storage, warehousing, and office uses for property located in an I-3, General Industrial District.

PC 08-30 Life Storage Centers, Applicant
100 Solar Drive

Request is for a Planned Development with Concept Plan in order to develop Phase One (1), Phase Two (2), and Phase Three (3) of a 17.3 acres parcel of land that will incorporate self storage, warehousing, and office uses for property located in an I-3 General Industrial District.

PC 08-31 Life Storage Centers, Applicant
100 Solar Drive

Request is for a Planned Development with Final Plan in order to develop Phase One (1) of a 17.3 acre parcel of land that will incorporate self storage, warehousing, and office uses property located in an I-3, General Industrial District.

PC 08-32 Life Storage Centers, Applicant
100 Solar Drive

Request is for a Special Use Permit for Warehousing and Storage in order to develop a 17.3 acre parcel of land that will incorporate self storage, warehousing, and office uses for property located in an I-3, General Industrial District.

PC 08-33 Life Storage Centers, Applicant
100 Solar Drive

Request is for a Special Use Permit for Offices in order to develop a 17.3 acre parcel of land that will incorporate self storage, warehousing, and office uses for property located in an I-3, General Industrial District.

Chairman Kurt Hezner recused himself from these items due to a conflict of interest.

Mr. David Smith, Senior Planner, stated that the petitioner, Life Storage Centers, was before them at their October 27, 2008, meeting requesting approval for a Special Use Permit for a Planned Development in order to develop a 17.3 acre parcel of land that will incorporate self-storage, warehousing, and office uses for property located in an I-3 General Industrial District at 100 Solar Drive. Mr. Smith stated that the petitioner is proposing to develop the subject property in three (3) phases, all of which are submitted as a Concept Plan, with the first of the three phases being a Final Plan as part of the over-all Planned Development request.

Mr. Smith stated that during the course of the October 27, 2008 meeting, the Plan Commission heard testimony, asked questions, deliberated, and made a motion to continue the requested items to the November 24, 2008 meeting in order to provide the petitioner an opportunity to revise plans in response to Staff and Plan Commission comments and concerns.

Mr. Scott Hezner, architect for the petitioner, presented revised plans to the Plan Commission.

Mr. David McCallum, landscape architect for the petitioner, described the Phase One landscape plan.

Mr. Hezner stated that Life Storage has a series of storage facilities in the Chicagoland area that include a business storage component. He stated that they often have a shipping and receiving area with at least two personnel on site with security cameras. He stated that the storage spaces are environmentally controlled and that they do not accept perishable or dangerous items for storage. He

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stated that of the whole signage program for the Planned Development, only LifeStorage will incorporate their corporate green color, all other signage will be black and white.

Commissioner Jaffe asked why the petitioner needed to include the words 'Self Storage' in the signage. Mr. Hezner stated that the petitioner will market more towards the business side of the self storage tenants.

Mr. Hezner stated that the future phases will accommodate future incubator businesses. He stated that the petitioner has two letters of intent from possible business occupants for Phases Two and Three.

Mr. McCallum stated that Phase Two and Three are conceptual at this point. He stated that they are showing a walking path around the detention pond.

Mr. Hezner stated that the future parking lots in Phases Two and Three will incorporate a minimum of 10% interior parking lot landscaping.

Commissioner Robinson asked what effect the development will have on the adjacent lake.

Mr. Hezner stated that there will be no effect on the lake from Phase One. He stated that the Des Plain River overflows into the lake from time to time. He stated that for Phases Two and Three, the petitioner will work with Lake County Storm Water Management Commission and the Village of Libertyville and will comply with all of their regulations in order to properly manage any impact wetlands.

Commissioner Robinson asked what the timing is for the development of Phase One. Mr. Hezner stated that they are ready to submit permit applications at this time.

Commissioner Robinson stated that the proposed signs are different than typical business signs as they promote the business type, not just the name of the business.

Mr. Hezner stated that other businesses do the same thing such as Walgreen's incorporating '24 hours' into their business signage. He stated that other businesses incorporate their phone numbers on their signs as well.

Commissioner Howard asked for clarification of the requested 36 month time period stipulated to ensure development of the second and third phases. He asked the petitioner why it couldn't be 24 months. Mr. John Spoden, Director of Community Development, stated that Staff is comfortable with the 36 month time table.

Commissioner Jaffe asked who the potential users will be for the proposed development. Mr. Hezner stated that most of the future tenants will be incubator type businesses, as well as plumbing, carpenter and electrician contractors. He stated that these types of businesses often need space to store their materials.

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Commissioner Jaffe asked if any of the storage space will be used for personal use. Mr. Hezner stated that it is possible that some storage space will be used for personal use.

Commissioner Jaffe asked if the term "Business Self Storage" would be more appropriate for the petitioner's signs. Mr. Hezner stated that he likes the term Business Storage, but that Self Storage is an industry term preferred by the petitioner.

Commissioner Jaffe asked if the potential tenants for Phases Two and Three are appropriate for the I-3 District. Mr. Hezner stated that any of the future tenants will either be permitted or specially permitted by the Zoning Code for the I-3 District.

Commissioner Jaffe asked why the existing building in the back of the lot couldn't be demolished as part of the Phase One improvements. Mr. Hezner stated that his client, the petitioner, does not want to raze the back buildings at this time.

Commissioner Jaffe asked if there are any environmental issues to be addressed for the Phase One portion of the development. Mr. Hezner stated that there will be some mitigation to take place in Phase One.

Mr. Pat Sheeran, Village Project Engineer, stated that they are in the process of receiving environmental reports.

Mr. Spoden stated that the environmental reports are a typical aspect of the permitting process.

Commissioner Cotey stated that consideration should be given to installing sidewalks along Route 176. He asked if a bioswale could be installed during Phase One in the northeast area of the lot.

Mr. Hezner stated that they cannot install a bioswale in the suggested area due to the existing parking lot's encroachment into that area.

Commissioner Cotey asked which direction does the water shed flow. Mr. Sheeran stated that it flows due east.

Commissioner Cotey asked for clarification of the expected truck traffic. Mr. Hezner stated that they anticipate between 13 to 15 trucks per hour.

Commissioner Cotey asked if consideration could be given to imposing time limits on the truck movements. Mr. Hezner stated that all of the buildings will have internal truck bays. He stated that trucks can drive into the bays and the doors can close. He stated that limitations on the truck movements is not necessary. He stated that LifeStorage will have at least one fork lift and a few hand-trucks. He stated that the buildings will be sprinklered.

Commissioner Cotey asked how the LifeStorage building's floor be modified. Mr. Hezner stated that the petitioner will skim coat the floor.

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Commissioner Oakley asked if the Army Corp of Engineers need to review any of the development plans for this site. Mr. Hezner stated that if there is any direct impact on the wetlands then the Army Corp of Engineers will need to be involved.

Commissioner Oakley stated that he prefers a 24 time limit be placed on the Planned Development in which Phases Two and Three commence development.

Mr. Hezner stated that the petitioner prefers 36 months.

Co-Chairman Moore stated that he prefers that any reference to 'Self-Storage' be removed from the proposed signs. He stated that he does not support the requested Planned Development as proposed.

Commissioner Cotey stated that the petitioner should consider adding more sidewalks.

Co-Chairman Moore asked the petitioner what he would like for the Plan Commission to do tonight.

Mr. Hezner stated that he would like for the Plan Commission to render their recommendation for the requests.

In the matter of PC 08-29, Commissioner Cotey moved, seconded by Commissioner Howard, to recommend the Village Board of Trustees approve a Special Use Permit for a Planned Development in order to develop a 17.3 acre parcel of land that will incorporate self storage, warehousing, and office uses for property located in an I-3, General Industrial District, in accordance with the plans submitted.

Motion carried 5 - 1.

Ayes: Cotey, Howard, Jaffe, Oakley, Robinson
Nays: Moore
Absent: None

In the matter of PC 08-30, Commissioner Jaffe moved, seconded by Commissioner Howard, to recommend the Village Board of Trustees approve a Planned Development with Concept Plan in order to develop Phase One (1), Phase Two (2), and Phase Three (3) of a 17.3 acres parcel of land that will incorporate self storage, warehousing, and office uses for property located in an I-3 General Industrial District, in accordance with the plans submitted.

Motion carried 5 - 1.

Ayes: Cotey, Howard, Jaffe, Oakley, Robinson
Nays: Moore
Absent: None

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In the matter of PC 08-31, Commissioner Cotey moved, seconded by Commissioner Howard, to recommend the Village Board of Trustees approve a Planned Development with Final Plan in order to develop Phase One (1) of a 17.3 acre parcel of land that will incorporate self storage, warehousing, and office uses property located in an I-3, General Industrial District, subject to the following conditions: 1) If the Planned Development with Final Plans for Phase Two or Three are not submitted within 36 months following the adoption of the Ordinance approving the Planned Development Final Plan Phase One, then the petitioner shall be required to apply for an Amendment to the Planned Development in accordance to all the application requirements of the Zoning Code. The amendment to the Planned Development at that time will be a plan to bring the existing parking lot up to current Code; and 2) Phase Two and Three shall have a minimum of 10% landscaping within all parking lots.

Motion carried 5 - 1.

Ayes: Cotey, Howard, Jaffe, Oakley, Robinson
Nays: Moore
Absent: None

In the matter of PC 08-32, Commissioner Oakley moved, seconded by Commissioner Robinson, to recommend the Village Board of Trustees approve a Special Use Permit for Warehousing and Storage in order to develop a 17.3 acre parcel of land that will incorporate self storage, warehousing, and office uses for property located in an I-3, General Industrial District, in accordance with the plans submitted.

Motion carried 5 - 1.

Ayes: Cotey, Howard, Jaffe, Oakley, Robinson
Nays: Moore
Absent: None

In the matter of PC 08-33, Commissioner Jaffe moved, seconded by Commissioner Howard, to recommend the Village Board of Trustees approve a Special Use Permit for Offices in order to develop a 17.3 acre parcel of land that will incorporate self storage, warehousing, and office uses for property located in an I-3, General Industrial District, in accordance with the plans submitted.

Motion carried 5 - 1.

Ayes: Cotey, Howard, Jaffe, Oakley, Robinson
Nays: Moore
Absent: None

NEW BUSINESS:

**PC 08-27 Sprint/Nextel, Applicant
 481 Peterson Road**

Request is for a Special Use Permit for Personal Services Wireless Antennas with antenna support structures and related electronic equipment in order to modify an existing cell tower site by adding additional antennas and equipment cabinets for property in a C-3, General Commercial District.

**PC 08-28 Sprint/Nextel, Applicant
 481 Peterson Road**

Request is for a Site Plan Permit for Personal Services Wireless Antennas with antenna support structures and related electronic equipment in order to modify an existing cell tower site by adding additional antennas and equipment cabinets for property in a C-3, General Commercial District.

Due to the late hour of the evening's meeting, this item will be continued to the December 8, 2008, Plan Commission meeting.

In the matters of PC 08-27 and PC 08-28, Commissioner Jaffe moved, seconded by Commissioner Moore, to continue these items to the December 8, 2008, Plan Commission meeting.

Motion carried 7 - 0.

**PC 08-34 First Presbyterian Church of Libertyville, Applicant
 219 W. Maple Avenue**

Request is for a Map Amendment to the Village of Libertyville Zoning Map to rezone parcels of land from R-7, Single-Family Attached Residential District to IB, Institutional Buildings District.

**PC 08-35 First Presbyterian Church of Libertyville, Applicant
 219 W. Maple Avenue**

Request is for a Special Use Permit for a Planned Development in order to construct building additions to a Place of Worship facility in an IB, Institutional Buildings District.

**PC 08-36 First Presbyterian Church of Libertyville, Applicant
 219 W. Maple Avenue**

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Request is for a Planned Development with Concept Plan and Final Plan in order to construct building additions to a Place of Worship facility in an IB, Institutional Buildings District.

The applicant requested that these items be continued to the December 8, 2008, Plan Commission meeting.

In the matters of PC 08-34, PC 08-35, and PC 08-36, Commissioner Jaffe moved, seconded by Commissioner Moore, to continue these items to the December 8, 2008, Plan Commission meeting.

Motion carried 7 - 0.

COMMUNICATIONS AND DISCUSSION:

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

Motion carried 7 - 0.

Meeting adjourned at 10:05 p.m.