

MINUTES OF THE PLAN COMMISSION
December 8, 2008

The regular meeting of the Plan Commission was called to order by Vice Chairman Mark Moore at 7:04 p.m. at the Village Hall.

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

Members absent: Chairman Kurt Hezner.

A quorum was established.

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

Commissioner Oakley moved, seconded by Commissioner Howard, to approve the November 10, 2008, Plan Commission meeting minutes, as amended.

Motion carried 6 - 0.

OLD BUSINESS:

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

Request is for a Special Use Permit for Personal Wireless Services 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 located in a C-3, General Commercial District.

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

Request is for a Personal Wireless Services 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 located in a C-3, General Commercial District.

Neither the applicant nor a representative was present at the meeting.

In the matters of PC 08-27 and PC 08-28, Commissioner Cotey moved, seconded by Commissioner Howard, to continue these items to the December 15, 2008, Plan Commission meeting.

Motion carried 6 - 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

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.

Mr. David Smith, Senior Planner, stated that the applicant, First Presbyterian Church of Libertyville, is applying for a Map Amendment to the Libertyville Zoning Map to rezone parcels of land from R-7, Single Family Attached Residential District to IB, Institutional Buildings District, a Special Use Permit for a Planned Development and a Planned Development with Concept and Final Plan (simultaneous submission) in order to construct a building expansion to a Place of Worship in an IB, Institutional Building District located at 219 W. Maple Street.

Mr. John Jepsen, petitioner, introduced the proposed improvements to the First Presbyterian Church property. Mr. Jepsen stated that they have been working on their improvement plans since 2002. He stated that the church was initially constructed in 1869 in Libertyville. He stated that the church moved to its current location in 1929.

Mr. Rich Klein, Weise Architect, stated that the original chapel was constructed in 1929, then classroom space was added in 1960, and then a sanctuary was added in 1986. Mr. Klein stated that the proposed Planned Development includes three phases. He stated that the first phase includes the demolition of the 1960 church building wing and of the church owned house located east of the church building. He stated that the second phase includes dropping or lowering the chapel floor to match the new Douglas Avenue building entrance. He stated that the third phase includes the construction of the multipurpose addition to the east side of the church building. Mr. Klein stated that the architecture is to remain consistent with the 1929 style. Mr. Klein stated that they are also proposing two identification signs and one sign to be a wall sign over the entrance.

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Mr. David McCallum, landscape architect for the petitioner, presented the proposed landscape plan for Phases One, Two and Three. He stated that for the first phase they will provide additional foundation landscaping along the north side of the property. He stated that they will keep most of the existing trees, most of which are Sugar Maples. He stated that they will add more Sugar Maples and other ornamental trees. He stated that they are adding evergreen trees at heights from six feet up to eleven feet along the east side. He presented the proposed plantings for the court yard area.

Mr. McCallum stated that for the second phase, they will install street trees along Douglas Avenue. He stated that for the third phase, they will add perimeter landscape screening along the east side of the multipurpose church building addition and screening around the parking lot.

Mr. David Semmelman, representative for the petitioner, stated that they had searched other locations as an alternative to improving and adding onto the existing site. He stated that they wanted to stay in the community so they decided to make the proposal for a Planned Development for the existing site on Maple Avenue. He stated they meet the minimum 80,000 square feet of parcel area to qualify for a Planned Development in the IB District. He stated that the church owns the vacant lot previously addressed as 226 West Maple, and that it is planned for demolition. He stated that the church owns a residential home located at 212 W. Maple Avenue and that is planned for demolition as well. He stated that the proposed Planned Development complies with the Standards for Planned Developments. He stated that the proposal is consistent with the Comprehensive Plan as it encourages compatible mix uses in the neighborhood to co-exist. He stated that the proposal fits in with existing uses in the neighborhood. He stated that the church cannot do anything outside the existing walls without a Planned Development. He stated that part of the proposal includes the expansion of the parking lot on the north side of Maple Avenue. He stated that the proposed Planned Development will allow the church to modernize its facility. He stated that the demolition of 213 W. Maple Avenue will help to make space for construction staging. He stated that the church will provide shuttle service to and from the parking lots not adjacent to the church property. He stated that they are seeking to rezone the properties on the north side and south side of Maple Avenue to an IB District.

Mr. John McGormley, 310 South Stewart, Engineer for the petitioner, stated that they can revise the interior parking spaces to be 19 feet in length. Mr. McGormley stated that without the requested map amendments, they will exceed the maximum permitted F.A.R. Mr. McGormley stated that they are asking that the signs remain in the same location. He stated that the future phases will be built out only as the church can afford to proceed with each phase and that they cannot provide a definite timeline for development. He stated that the intent is to make the community aware of their master plan. He stated that the proposal is meeting the intent of the Code. He stated that they will revise the proposed map amendment so that the legal description includes the appropriate section of the Maple Avenue right of way. He stated that they will comply with the Engineering Division review comments identified in the Development Review Committee Staff report. He stated that they will comply with the Fire Department review comments identified in the Development Review Committee Staff report.

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Mr. Mike Womack, 320 West Maple Avenue, stated that he is speaking on behalf of some of the residents who live in the neighborhood. He stated that he values a mixed use neighborhood, but he is concerned about the impact that the church expansion will have on the character of the community. He stated that the proposed church expansion is somewhat overwhelming the neighborhood. He is concerned that the proposal includes destroying two historic homes in the neighborhood. He stated that he is concerned about the increase of the lighting on the expanded parking lot. He stated that he is concerned about the negative impact on the property values. He stated that he is concerned about the creation of an institutional setting of the street and the effect of its walkability. He stated that he is concerned that the church first approached the neighbors with their plan only two months ago, but that they have been planning the expansion for six years. He stated that going up is better than going out with the structural expansion. He stated that the church has not exhausted all problem solving alternatives to their proposed development.

Mr. James Engdahl, 234 West Maple Avenue, stated that he has been a resident at his current home for approximately 40 years. He stated that the house at 205 Maple Avenue will only be 25 feet from the expanded church structure. He stated that the church expansion as proposed will have an adverse effect upon the neighborhood. He stated that the church owned vacant lot next to his home was intended for a place for prayer and meditation, not for children to play upon. He stated that he prefers that the church does not rezone the property next to his. He stated that it would be better to build up and not out with the expansion.

Commissioner Moore asked Mr. Womack what he meant by less residential during his testimony. Mr. Womack stated that Maple Avenue would be less walkable to the downtown area.

Mr. Semmelman stated that the church is already an existing use on Maple Avenue. He stated that it is not the church's responsibility for a downturn in the residential market.

Mr. Jepsen stated that an attempt to construct the church higher would overwhelm the chapel. He stated that the church did have a neighborhood meeting on October 23, 2008.

Commissioner Moore asked Mr. Womack who he is representing tonight. Mr. Womack stated that he is representing about 25 of his neighbors.

Mr. Dennis Dunn, 205 W. Maple Avenue, stated that he agrees with Mr. Womack. He stated that it is deplorable to allow the church to reduce their building setback to 25 feet from the property line. He stated that there should be a light study. He stated that he is concerned that the church expansion will consume too much of the neighborhood.

Ms. Nancy Dunn, 205 W. Maple Avenue, stated that the approval of the church's request to expand will open up Pandora's Box. She stated that her house will be the lone house standing on her side of the street if the church gets approval for their expansion. She stated that she is concerned about the increase of noise caused by the AC/heating units. She stated that the church is attempting to increase its profitability from its day care tenants.

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Mr. Klein stated that the mechanical units will be screened and that they do not expect these units to make a lot of noise. He stated that they have not done a lighting study, but they have carefully chosen lighting fixtures that will produce the least amount of glare.

Commissioner Moore stated that the petitioner should address the issue of how much natural light will be obstructed by the proposed development.

Mr. Klein stated that the height of the building walls will not exceed 30 feet in height and therefore will not produce a shadow effect on the adjacent properties.

Mr. McGormley stated that there is an existing two story home on the property between the church and 205 West Maple, the Dunn residence. He stated that this house is owned by the church and is closer to the Dunn house now than what the church expansion would be.

Mr. Vincent Palmieri, 604 Ames Street, stated that the church has good intentions, but the proposed expansion will have a negative impact upon the community. Mr. Palmieri stated that the proposed expansion is too ambitious for a site that is too small. He stated that the proposal will affect the financial and social values of the community. He stated that the Planned Development allows for deviations from the Zoning Code, but the church's proposal is an abuse of the intent of the Planned Development ordinance. He stated that he does not object to the church improving its property, but that the proposal should be scaled back some. He stated that, as proposed, the request by the church is a violation of the Comprehensive Plan and is not within the spirit of the Planned Development ordinance.

Mr. Semmelman stated that the proposal is a unified development, but didn't know where the tipping point is between too much expansion and not enough expansion.

Mr. Womack stated that if the church expands its footprint to increase its encroachment towards the neighboring properties, then they have gone beyond the tipping point.

Mr. Earl McNeil, 324 Jackson Avenue, stated that the parking shuttle idea does not work. He stated that vehicles often are lined up across the Brainerd building that are waiting to drop off or pick up church members coming from or going into the church building.

Mr. Tim Smith, 126 Douglas Avenue, stated that the church should be allowed to expand, but takes offense to the church's request to deviate from the Zoning Code. He stated that during the last remodel, there were four houses torn down along Douglas Avenue. He stated that these demolitions have destroyed the neighborhood character of the street.

Commissioner Robinson asked for clarification of the development time frame for the proposed Planned Development.

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Mr. McGormley stated that they will be ready to begin Phase One in the Spring of 2009. He stated that the subsequent phases will be developed as the funding becomes available.

Commissioner Robinson stated that time frames are usually identified in a Planned Development. He asked if the funding is now available for Phase One.

Mr. McGormley responded that they have the funding available for Phase One.

Commissioner Robinson stated that he is concerned about the proposal including the tearing down of residential homes at a time when the Village is in the process of establishing an affordable housing policy. He asked if on-street parking can count towards the church's parking requirement.

Mr. Spoden stated that the Zoning Code does not recognize on-street parking as meeting the parking requirement for the church.

Commissioner Robinson asked if office space has been leased to a counseling service. Mr. Semmelman stated that the office use is provided to a Spiritual Counselor and is not leased. He stated that the counseling service is an adjunct to the church's ministry.

Commissioner Robinson stated that he is concerned with the church's purchases of residential lots. He stated that the area should remain a residential neighborhood as much as possible.

Commissioner Howard stated that he does not support the rezoning. He stated that the residential districts should remain residential.

Mr. Jepsen stated that they have other properties in the neighborhood that were not included in the Planned Development proposal and they have no intention of developing those properties. He stated that these properties include 123 Stewart, 305 Maple, 316 Jackson, and property south of Douglas Avenue. He stated that the proposal is an extension of what the church already has and is not an ad hoc development.

Commissioner Howard stated that the existing church use and facility provides for itself approximately 40% of the minimum required parking spaces. He stated that all of the other parking spaces utilized by the church are provided by third party owners. He stated that were the application to proceed as submitted, the applicant would continue to provide only 40% of the required parking and remain dependent on third party providers for the majority of its parking responsibilities. He stated that the applicant needs to take more responsibilities for its requirements.

Mr. Semmelman stated that the Brainerd lot can be used by the church in perpetuity. He stated that the parking spaces located at the funeral home and the orthodontics office are not leased lots, but are by agreements only.

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Commissioner Robinson stated that he is concerned about the capacity of the parking lot located at the Brainerd building once it becomes fully utilized as a community center.

Commissioner Howard stated that he is concerned that the freestanding sign will be encroaching into the Site Distance Triangle. A sign encroaching into the Site Distance Triangle represents a safety hazard for pedestrians and therefore will have to move for him to be supportive.

Mr. Jepsen stated that there are two existing signs and a new one proposed for over the door entrance.

Commissioner Howard stated that the petitioner should rethink the phasing and include the parking lot improvements in Phase One. He stated that he would like to see a shadow study on the east side of the building.

Commissioner Jaffe stated that a Christian Life Center requires a particular design to meet the space and nursery school needs which is not the same as a regular Sunday school class.

Mr. McGormley stated that the Christian Life Center includes the nursery school as part of the church's Christian Education Ministry.

Commissioner Jaffe stated that the petitioner has done a marvelous job in providing its services. He stated that the Comprehensive Plan indicates that the area is to remain residential and that he opposes any zoning changes from residential to institutional. He stated that any changes on the north side of Maple Avenue are not merited. He stated that he applauds the church for presenting a future master plan, but it is too open ended. He stated that the petitioner should consider looking at each phase and coming back to apply for variations. He stated that even K.L.O.A., traffic consultant, had a problem with the lack of parking and he is concerned that the parking requirements are not properly addressed. He stated that he does not support the requested map amendments. He stated that the petitioner's approach is not done to the intended spirit of the Planned Development ordinance. He stated that the petitioner should consider coming back with Phase One and request variations in lieu of a Planned Development.

Commissioner Cotey stated that he is concerned about the Engineering Division review comment regarding the removal of hydrocarbon. He stated that he does not like the proposed lighting standards for the parking lot. He stated that he is concerned about the intensity of the use for the church building.

Mr. Jepsen stated that the most of the vehicle trips will derive from two Sunday services. He stated that there will be some evening activities as well. He stated that once per month there is additional traffic generated from activities centered around their food pantry ministry.

Commissioner Cotey stated that he is concerned about the safety issue regarding vehicles picking-up and dropping-off for the Nursery school.

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Mr. McGormley stated that the improvement plans include the reduction in the number of building entrances which will help to guide people safely in and out of the building. He stated that the church also wants to work with the Village in creating a street cross walk.

Commissioner Cotey stated that the proposed utility improvements for the Phase One and Two renovations is unclear and should be revised.

Mr. Klein stated that the existing mechanical units will be modified.

Commissioner Cotey asked the petitioner if they had attended the workshops conducted for the development of the Comprehensive Plan update in 2004.

Mr. Semmelman stated that he had not attended the Comprehensive Plan workshops in 2004.

Commissioner Cotey stated that he is concerned about the proposed reduction of the minimum required Perimeter Landscaped Open space and the conflict with the Planned Development standards.

Commissioner Oakley stated that the petitioner has done a great job with presenting their master plan, but it is too institutional and open ended. He stated that he cannot support it as proposed.

Commissioner Moore asked how the Village Staff has worked with the petitioner. Mr. Spoden stated that Staff works with any petitioner to help bring them through the permitting and public hearing process. He stated that a Planned Development is the only alternative for the petitioner for the plans as proposed.

Commissioner Moore asked if other site were considered for the church's growth and expansion. Mr. Jepsen stated that they did consider other sites. He stated that they began the search process in 2002. He stated that they decided that they wanted their church to remain in the core of Libertyville downtown. He stated that they will look at other sites for remote parking as necessary.

Commissioner Moore stated that he is concerned about the potential change to the character of the neighborhood.

Commissioner Howard stated that the church should take a more proactive role in talking to the residents in the neighborhood.

In the matters of PC 08-34, PC 08-35, and PC 08-36, Commissioner Jaffe moved, seconded by Commissioner Robinson, to continue these items to the January 26, 2009, Plan Commission meeting.

Motion carried 6 - 0.

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NEW BUSINESS: None.

COMMUNICATIONS AND DISCUSSION:

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

Motion carried 6 - 0.

Meeting adjourned at 10:17 p.m.