

MINUTES OF THE PLAN COMMISSION
July 13, 2009

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, Terry Howard, Walter Oakley, and Andy Robinson.

Members absent: Scott Adams and Robert Guarnaccio.

A quorum was established.

Village Staff present: David Smith, Senior Planner.

Commissioner Howard moved, seconded by Commissioner Robinson, to approve the May 18, 2009, Plan Commission meeting minutes.

Motion carried 5 - 0.

Commissioner Howard moved, seconded by Commissioner Robinson, to approve the June 8, 2009, Plan Commission meeting minutes.

Motion carried 5 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

PC 09-14 Timothy Morgan Associates, Applicant

Request is for a Text Amendment to Section 13-9.3 of the Libertyville Zoning Code relating to the maximum permitted height of fences in the I-3 and O-2 Districts.

Mr. David Smith, Senior Planner, stated that the applicant is proposing to amend the Zoning Code in order to allow fences to have a maximum height of 15 feet in the O-2 and I-3 Districts. Mr. Smith stated that this is an increase from the current regulation of a 10 foot maximum height for those districts. Mr. Smith stated that the petitioner states that the increase will benefit properties in these districts by providing additional security to the subject properties and additional screening for adjacent residential properties.

Mr. Tim Morgan, agent petitioner, stated that there are future projects that he will work on that will benefit from this text amendment.

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Chairman Moore asked for clarification of the petitioner's statement regarding how the taller fence will provide security. Mr. Morgan stated that a 15 foot fence would provide better security for property owners.

Commissioner Howard asked the petitioner if they made attempts to contact any adjacent residents to I-3 or O-2 District properties in order to ascertain their opinion about the proposed text amendment. He further stated that consideration should be given to including a landscape requirement to be on the outside of any such fence so that it looks less like a tall wall. He further stated that the petitioner should consider consulting with a landscape architect to help define criteria for landscaping along the fence line.

Commissioner Robinson stated that the public should be notified in order to get their opinion about the text amendment.

Chairman Moore asked Staff if other communities have been researched to see how they regulate their fences for industrial and office districts.

Commissioner Cotey stated that the Aldridge Business Park has both the I-3 and O-2 Districts and would be most affected by the proposed text amendment. He stated that he has a problem with setting back the fence just to accommodate perimeter landscaping.

Commissioner Howard stated that he is concerned that if the text amendment were to be approved, there may be properties subject to re-zoning thereby creating nonconforming fences.

Mr. Morgan requested that the matter be continued.

In the matter of PC 09-14, Commissioner Cotey moved, seconded by Commissioner Howard, to continue this item to the August 10, 2009, Plan Commission meeting.

Motion carried 5 - 0.

COMMUNICATIONS AND DISCUSSION:

Commissioner Robinson stated he is concerned that the Village Board sees the Plan Commission meeting minutes prior to the Plan Commission approving them.

Commissioner Howard stated he is concerned that the Plan Commission does not get a chance to make any amendments, deletions, or additions to the meeting minutes prior to the Village Board taking action on an item. He stated that a case in point was the commercial project proposed for the old Miller-Krueger Dodge site. He stated he was concerned that the petitioner for that project negotiated changes to the conditions for approval recommended by the Plan Commission. He stated that the meeting minutes did not capture the emotional charge of what was said during the Plan Commission meeting.

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Mr. David Smith, Senior Planner, stated that the Plan Commission members are making valid comments and they deserve to be heard and responded to by Village Attorney David Pardys and Director of Community Development John Spoden. Mr. Smith requested that the Plan Commission table this discussion until the August 10, 2009 meeting so that both Mr. Pardys and Mr. Spoden can participate in the discussion.

Chairman Moore stated that he concurs with Mr. Smith's request to table the discussion to the August 10, 2009 meeting.

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

Motion carried 5 - 0.

Meeting adjourned at 8:00 p.m.