

MINUTES OF THE ZONING BOARD OF APPEALS
November 23, 2009

The regular meeting of the Zoning Board of Appeals was called to order by Acting Chairman Mark Moore at 7:01 p.m. at the Village Hall.

Members present: Acting Chairman Mark Moore, Robert Guarnaccio, Terry Howard, and Walter Oakley.

Members absent: Chairman William Cotey, Scott Adams, and Andy Robinson.

A quorum was established.

Village Staff present: David Smith, Senior Planner; and Pat Sheeran, Project Engineer.

Board Member Oakley moved, seconded by Board Member Howard, to approve the October 26, 2009, Zoning Board of Appeals meeting minutes.

Motion carried 4 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

**ZBA 09-22 Midway III Development, LLC, Applicant
1900 Enterprise Court**

Request is for variations for signage in an I-1, Limited Industrial District.

Mr. David Smith, Senior Planner, stated that the petitioner, Terry Germany, is requesting approval for a Special Use Permit and sign variation for Jump Zone, an Indoor Party and Play Center for Children, being a sub-category of the Amusement & Recreation Industry, a Special Permitted Use in an I-1, Limited Industrial District. Mr. Smith stated that the petitioner is seeking to occupy an existing tenant space located at 1900 Enterprise Court.

Mr. Terry Germany, agent for petitioner, stated that in addition to the Special Use Permit, they are seeking a sign variation for a second wall sign, not a sign variation to exceed the maximum permitted gross sign area. He stated that the proposed sign is a shaped metal non-illuminated sign, not the boxed sign previously proposed. He stated that according to his calculations, the site has ample parking, but is willing to work with Staff to determine the precise requirement.

Mr. Tom Dahlen, representing Fabrication Technologies, 1925 Enterprise Court, stated that he is concerned about the proposed location for the Jump Zone play center for children in a busy industrial park. He stated that another industrial neighbor on Enterprise Court receives between 5 to 10 trucks

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per day. He stated that trucks routinely use the cul de sac to maneuver. He stated that the subject property is only separated by a 4 foot wide grass median from the right of way. He stated that children could very easily run out into the street. He stated that it is not his intention to harm the petitioner's right to develop their business, but is concerned about the safety factors. He stated that Fabrication Technologies employs about 250 people with their larger shift taking place between 7:30 a.m. to 2:30 p.m. He stated that the Libertyville Sports Complex would be a better location for Jump Zone.

Board Member Howard stated that he is concerned that there is not enough parking for future tenants who may want to occupy the vacant tenant spaces. He stated that he supports the sign variation. He stated that the petitioner should address the safety concerns express in public testimony.

Mr. Germany stated that parents typically come and drop off their kids and leave. He stated that there will be times for parties comprising of one or two families at a time.

Board Member Howard stated that he wants to hear from the landlord of the building that they have reconciled how the parking shortage will be addressed.

Board Member Guarnaccio asked if the entire 76,000 square foot building currently complies with the parking requirement. He stated that the landlord should be present at the meeting. He stated that accidents happen everywhere and are impossible to completely control.

Board Member Oakley asked how long would the lease be for. Mr. Germany stated that they are seeking a 5 year lease.

Acting Chairman Moore stated that other buildings have two wall signs. He stated that a more precise determination of the building's square foot area should be obtained in order to address the parking requirement. He stated that the landlord should be spoken to regarding the parking requirement for the building as a whole. He stated that the petitioner should address the safety concerns for the site.

Board Member Guarnaccio stated that the Village should use caution regarding the request of any petitioner to provide a safety plan for any facility.

Acting Chairman Moore stated that he concurs with the DRC Staff Report to continue the petitioner's requests to the December Plan Commission meeting.

In the matter of ZBA 09-22, Board Member Howard moved, seconded by Board Member Guarnaccio, to continue this item to the December 21, 2009, Zoning Board of Appeals meeting.

Motion carried 4 - 0.

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COMMUNICATIONS AND DISCUSSION:

Acting Chairman Moore stated that he would like to wait until the next meeting before taking action on approving the 2010 calendar meeting dates in order to have tonight's absent members an opportunity to review them.

Board Member Oakley, seconded by Board Member Howard, to adjourn the Zoning Board of Appeals meeting.

Motion carried 4 - 0.

Meeting adjourned at 8:30 p.m.