

**MINUTES OF THE PLAN COMMISSION**  
**July 26, 2010**

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

Members present: Chairman Mark Moore, William Cotey, Robert Guarnaccio, Andy Robinson, and Kurt Schultz.

Members absent: Scott Adams and Walter Oakley.

A quorum was established.

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

Commissioner Cotey moved, seconded by Commissioner Robinson, to approve the June 28, 2010, Plan Commission meeting minutes.

Motion carried 5 - 0.

Commissioner Cotey moved, seconded by Commissioner Schultz, to approve the revised February 22, 2010, Plan Commission meeting minutes.

Motion carried 3 -1, with Commissioner Guarnaccio voting against, and Commissioner Robinson abstained.

**OLD BUSINESS:**

**PC 10-20      Village of Libertyville, Applicant  
118 West Cook Avenue**

**Request is for a Text Amendments to Sections 5-3.4, 5-4.4, and 5-5.4 and Section 16-8.5 of the Libertyville Zoning Code relating to Use Limitations and Authorized Variations - Board of Trustees for Office Uses in a C-2, Downtown Community Commercial District, C-3, General Commercial District, and C-4, Shopping Center Commercial District.**

Mr. John Spoden, Director of Community Development, stated that in March of this year, the Village Board approved a moratorium on the issuance of Zoning Certificates of Compliance, Zoning Certificates of Occupancy and Building Permits for Office Uses in the C-2, C-3, and C-4 Zoning Districts abutting Milwaukee Avenue in order to provide the Plan Commission an opportunity to consider and propose amendments to the Zoning Code of the Village in order to address the subject of first floor office uses within buildings located upon zoning lots having frontage on Milwaukee

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Avenue within the C-2, C-3, and C-4 Zoning Districts. The moratorium shall expire 180 days following its effective date which shall be in September 2010.

Mr. Spoden stated that the Village of Vernon Hills enacted a similar moratorium recently. He stated that Staff had done an inventory and found that office uses were a minority. He stated that Staff consulted with the Economic Development Commission and they were concerned about the smaller shopping centers not having enough tenants if an office use restriction were enacted. He stated that the EDC was in favor of not rushing in with a Zoning Code change.

Ms. Joan Boden, owner of Adler Square Shopping Center, stated that she has had a vacant space for three years. She stated that they have lowered their tenant space rent from \$22 per square foot to \$16 per square foot. She stated that she would like to have an office tenant. She stated that it is costing her \$25,000 per year to keep the space vacant.

Commissioner Guarnaccio asked how large the vacant tenant space is. Ms. Boden stated that it is approximately 1,353 square feet in floor area.

Commissioner Guarnaccio asked if there is adequate parking available. Ms. Boden stated that there are 98 parking spaces on site now.

Mr. Spoden stated that due to the limited parking, Ms. Boden's vacant tenant space could accommodate a retail or office space, but not an eating place.

Commissioner Robinson stated that he agrees that the Village is not being overrun by office uses and sees no valid reason to change the code.

Mr. David Pardys Village Attorney, stated that future moratoriums must be used judiciously.

Commissioner Schultz asked what the current limitations are on office uses in the Village. Mr. Spoden stated that there is a limitation on office uses in the C-1 for properties that front Milwaukee Avenue.

Commissioner Schultz stated that further limitations on offices uses does not make sense.

Commissioner Guarnaccio stated that he agrees with the other Commissioner comments thus far. He stated that the office moratorium enacted in Vernon Hills is subject to different circumstances.

Commissioner Cotey stated that he agrees with the other Commissioner comments thus far.

Chairman Moore stated that this should be a Planned Development and/or a Comprehensive Plan issue and stated that he does not see how a moratorium is beneficial. He stated that he takes solace knowing that the Zoning Code can be amended at a later date.

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Commissioner Schultz asked if the moratorium should be truncated. Mr. Pardys stated that it will be the Village Board's option as to whether or not the moratorium should be extended or not.

*In the matter of PC 10-20, Commissioner Cotey moved, seconded by Commissioner Robinson, to recommend the Village Board of Trustees approve a Text Amendments to Sections 5-3.4, 5-4.4, and 5-5.4 and Section 16-8.5 of the Libertyville Zoning Code relating to Use Limitations and Authorized Variations - Board of Trustees for Office Uses in a C-2, Downtown Community Commercial District, C-3, General Commercial District, and C-4, Shopping Center Commercial District.*

*Motion failed 0 - 5.*

*Ayes: None*  
*Nays: Moore, Cotey, Guarnaccio, Robinson, Schultz*  
*Absent: Adams, Oakley*

**NEW BUSINESS:**

**PC 10-22 Richard W. Burke and Allen L. Kracower, Applicants**  
**Butterfield Road and West Park Avenue**

**Request is for an Amendment to the Comprehensive Plan in order to change the land use designation from Public/Institutional to Residential and Open Space with a Public Institutional overlay for approximately 97 acres currently in an IB, Institutional Buildings District located west of Butterfield Road and north of West Park Avenue.**

The applicants requested that this item be continued to the August 23, 2010, Plan Commission meeting.

*In the matter of PC 10-22, Commissioner Robinson moved, seconded by Commissioner Schultz, to continue this item to the August 23, 2010 Plan Commission meeting.*

*Motion carried 5 - 0.*

*Ayes: Moore, Cotey, Guarnaccio, Robinson, Schultz*  
*Nays: None*  
*Absent: Adams, Oakley*

**COMMUNICATIONS AND DISCUSSION:**

Mr. John Spoden, Director of Community Development, expressed gratitude to the Plan Commission for their work on the text amendment relative to regulations regarding the Electronic Message Board signs. He stated that the Village Board's direction was to allow sign area for the EMB's to not exceed 32 square feet for the display area and the sites may qualify if they have a minimum of 200

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linear feet of frontage along the right of way **or** have a minimum of 2 acres of land area. He stated that the Village Board also supported the 200 feet to be shared by both frontages for corner lots.

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

Motion carried 5 - 0.

Meeting adjourned at 7:35 p.m.