

MINUTES OF THE PLAN COMMISSION
July 25, 2022

The regular meeting of the Plan Commission was called to order by Temporary Chairman Eric Steffe at 7:01 p.m. at the Village Hall.

Commissioner Pyter moved, seconded by Commissioner Wheeler, to appoint Commissioner Steffe as Temporary Chairman of the Plan Commission in Chairman Mark Moore's absence.

Motion carried 6 - 0.

Members present: Temporary Chairman Eric Steffe, Amy Flores, Walter Oakley, Richard Pyter, Thomas Rankin, and Gregory Wheeler.

Members absent: Chairman Mark Moore.

A quorum was established.

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

Others present: Caitlyn Culbertson, Village Attorney.

Commissioner Oakley moved, seconded by Commissioner Rankin, to approve the July 11, 2022, Plan Commission meeting minutes.

Motion carried 6 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

**PC 22-23 Pampered Pup'z, Applicant
1050 E. Park Avenue**

Request is for a Special Use Permit for Pet Care (except Veterinary) Services for property located in an I-3 General Commercial District.

**PC 22-24 Pampered Pup'z, Applicant
1050 E. Park Avenue**

Request is for a Site Plan Permit for Pet Care (except Veterinary) Services for property located in an I-3 General Commercial District.

Mr. David Smith, Senior Planner, introduced the applicant's requests for a Special Use Permit and Site Plan Permit. Mr. Smith stated that Staff has received one phone call from the owner of the neighboring gas station/car wash. He stated that the gas station owner stated that he has received

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complaints from the customers using the car wash because of barking dogs from the current Pampered Pup'z location.

Mr. Scott Hezner, architect and agent for the applicant, presented the applicant's proposal and request for the Special Use Permit and Site Plan Permit. He stated that the applicant is currently located at 1068 E. Park Avenue and is preparing to relocate to 1050 E. Park Avenue. He stated that the subject property located at 1050 E. Park Avenue is approximately 5.9 acres in size and is border by the Des Plaines river to the north. He stated that the subject building is located in an industrial park that is comprised of several buildings and parking is shared throughout.

Mr. Hezner stated that Pampered Pup'z was established at the 1068 E. Park Avenue location in 2004 and changed ownership in 2014. He stated that the nearest residence is over 600 feet away from the 1050 E. Park Avenue location. He stated that the new location at 1050 E. Park Avenue is an existing metal building with a 5,000 square foot building foot print with additional floor area for a mezzanine and will have 29 parking spaces. He stated that the proposed site plan will enable them to push snow to the west. He stated that there is a cross access easement that the property owner granted to enable cross access over existing property lines. He stated that Staff's review includes a request to enclosed an existing trash dumpster on site but that the applicant is seeking relief from this requirement as other industrial buildings within this complex have not screened their trash dumpsters. He stated that the trash dumpster is only visible from other the other industrial buildings in the complex.

Mr. Hezner described the various attributes to the floor area. He stated that their intent is to complete the tenant build out of the building for Pampered Pup'z in a Code compliant way. Mr. Hezner continued to describe the elevations and proposed signage for the building.

Commissioner Rankin stated that the location makes sense and supports the fact that the dogs can be let out the back which is the north side of the building. He stated that this is a great project.

Commissioner Oakley asked if there are any roof mounted mechanical units. Mr. Hezner stated that there are no roof top mechanical units. Commissioner Oakley stated that he supports the project.

Commissioner Flores asked if they are resurfacing the parking lot. Mr. Hezner stated that they are only restriping.

Commissioner Pyter asked if the facility will be staffed overnight due to the kennel portion of the business. Mr. Nick Schneider, owner of Pampered Pup'z, stated that they will have ample security with on-site cameras. He stated that they will not typically have overnight staff unless a customer should request it.

Commissioner Pyter asked if there will be staff on call in case of any emergencies. Mr. Schneider stated that on call staff will be utilized only on an as-needed basis but is not typical.

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Temporary Chairman Steffe asked the petitioner if they are ready for the Plan Commission to render their recommendation to the Village Board. Mr. Hezner stated that they are ready for the Plan Commission to render their recommendation to the Village Board.

In the matter of PC 22-23, Commissioner Oakley moved, seconded by Commissioner Wheeler, to recommend that the Village Board of Trustees approve a Special Use Permit for Pet Care (except Veterinary) Services for property located in an I-3 General Commercial District, in accordance with the plans submitted.

Motion carried 6 - 0.

Ayes: Steffe, Flores, Oakley, Pyter, Rankin, Wheeler
Nays: None
Absent: Moore

In the matter of PC 22-24, Commissioner Pyter moved, seconded by Commissioner Wheeler, to recommend that the Village Board of Trustees approve a Site Plan Permit for Pet Care (except Veterinary) Services for property located in an I-3 General Commercial District, in accordance with the plans submitted.

Motion carried 6 - 0.

Ayes: Steffe, Flores, Oakley, Pyter, Rankin, Wheeler
Nays: None
Absent: Moore

PC 22-25 McDonald's USA LLC, Applicant
1330 N. Milwaukee Avenue

Request is for an Amendment to the Special Use Permit in order to update the existing single lane drive-through to a double lane drive-through for property located in a C-3 General Commercial District.

PC 22-26 McDonald's USA LLC, Applicant
1330 N. Milwaukee Avenue

Request is for an Amendment to the Site Plan Permit in order to update the existing single lane drive-through to a double lane drive-through for property located in a C-3 General Commercial District.

Mr. Dan Olson, architect and agent for the petitioner McDonald's USA LLC, introduced the proposed changes to the subject site. He stated that they are seeking approval to add a second drive through lane to the existing McDonald's site located at 1330 N Milwaukee Avenue. He stated that the proposed scope of work will reduce the existing number of parking spaces from 44 to 37 which will require a variation. He stated that the drive through comprises between 80% and 90% of McDonald's business and not as much on-site parking is necessary. He stated that the

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current parking lot and drive through circulation will remain the same, but there will be seven (7) parking spaces removed due to the added drive through lane and exterior circulation lane towards the east end of the site. He stated that these changes to the drive through will enhance stacking efficiency.

Commissioner Pyter asked if this will improve the stacking that sometimes backs out to Milwaukee Avenue. Mr. Chris Prucnal, McDonald's manager at 1330 North Milwaukee Avenue, stated that he has been managing this particular McDonald's since 2016. He stated that the proposed drive through improvements will help to improve the traffic flow going through the drive through lanes.

Commissioner Pyter asked about the vehicular access restrictions at the driveway located along Walnut Street. Mr. John Spoden, Director of Community Development, stated that at the time that this McDonald's was developed the Village Board approved it with the condition to restrict exiting onto Walnut during certain times of the day in response to the neighboring residents concern about potential cut through traffic coming from McDonald's.

Commissioner Flores asked if there will be enough space to allow vehicles to maneuver through an escape lane at the east end of the property after the installation of the second drive through lane. Mr. Olson stated that that the site plan is designed to accommodate a wide enough exterior circulation lane on the east end of the site.

Commissioner Oakley asked about the wait time between ordering and serving the order. Mr. Prucnal stated that the wait time is very efficient.

Temporary Chairman Steffe stated that this is a great project and supports the requested Special Use Permit, Site Plan Permit and parking variation. He asked the petitioner if they are ready for the Plan Commission to make their recommendation to the Village Board. Mr. Olson stated that they are ready for the Plan Commission to make their recommendations to the Village Board of Trustees.

In the matter of PC 22-25, Commissioner Wheeler moved, seconded by Commissioner Pyter, to recommend that the Village Board of Trustees approve an Amendment to the Special Use Permit in order to update the existing single lane drive-through to a double lane drive-through for property located in a C-3 General Commercial District, in accordance with the plans submitted.

Motion carried 6 - 0.

Ayes: Steffe, Flores, Oakley, Pyter, Rankin, Wheeler
Nays: None
Absent: Moore

In the matter of PC 22-26, Commissioner Oakley moved, seconded by Commissioner Rankin, to recommend that the Village Board of Trustees approve an Amendment to the Site Plan Permit in order to update the existing single lane drive-through to a double lane drive-through for property located in a C-3 General Commercial District, subject to the following conditions:

- 1. The Walnut Street access point is an "enter only" driveway to the McDonald's site.*

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2. *An entry gate be installed at the Walnut Street access point and closed between the hours of 5:00 a.m. and 9:00 a.m. and to be opened thereafter during McDonald's remaining business hours.*
3. *If a traffic signal is installed at the intersection of Milwaukee Avenue and Walnut Street, the Village Board of Trustees will consider allowing removal of the gate at the Walnut Street "enter only" driveway and full access be permitted at that driveway.*

Motion carried 6 - 0.

*Ayes: Steffe, Flores, Oakley, Pyter, Rankin, Wheeler
Nays: None
Absent: Moore*

**PC 22-27 VetMedic, Applicant
175 Peterson Road**

Request is for a Text Amendment to the Libertyville Zoning Code in order to include Veterinary Services as a Special Permit Use in the C-3 General Commercial District.

**PC 22-28 VetMedic, Applicant
175 Peterson Road**

Request is for a Special Use Permit for a Veterinary Service for property located in the C-3 General Commercial District.

**PC 22-29 VetMedic, Applicant
175 Peterson Road**

Request is for a Site Plan Permit for a Veterinary Service for property located in the C-3 General Commercial District.

Mr. David Pardys, attorney and agent for the applicants, introduced the requests for a text amendment to the Zoning Code, a Special Use Permit and Site Plan Permit for a Veterinary Service for property located at 175 Peterson Road. Mr. Pardys stated that the subject site is located within the C-3 General Commercial District. Mr. Pardys stated that the proposed land use is unique in that it provides a walk-in veterinary service for injured or sick pets that cannot wait for a regular appointment with their primary vet care provider. He stated that all of the activity will be maintained indoors with no dog runs and there will be no overnight boarding of animals and the hours of operation will be from 8:00 a.m. to 10:00 p.m.

Mr. Jason Bergwerff, Apex Design architect and agent for the applicants, presented the tree survey, landscape plan, proposed building elevations, materials schedule, architectural renderings, and existing site conditions.

Ms. Lisa Krininger, House of Hope, 1840 Industrial Drive, stated that she supports the proposal.

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Mr. Steve Burns stated that he supports the proposal.

Mr. Steve Haieht, 14890 King Circle, Green Oaks, stated that he supports the proposal.

Ms. Whitney Mills, 1502 Mulberry Drive, stated that Dr. Derse has a great working relationship with surrounding veterinarians.

Commissioner Rankin stated that this type of proposal is a good idea. He stated that he likes the landscaping. He asked if they can share the driveway entrance with the neighboring car wash to the west. Mr. Bergwerff stated that they looked at the neighboring driveway entrance at the car wash property, but felt that it would be a safety issue and would plan for their own driveway entrance onto Peterson Road.

Commissioner Rankin asked for clarification regarding the propose future building addition. Mr. Bergwerff stated that they planned for a future 2,500 square foot building addition if it is needed. He stated that they will have enough parking to accommodate the addition.

Commissioner Oakley stated that there might be pet owners who have an emergency with their pets and might be in a frantic state of mind while traveling to their clinic. Dr. Derse stated that in that circumstance the pet owner should call ahead so that they can be ready for their arrival.

Commissioner Oakley asked if there is an opportunity for a cross access easement between the subject property and the neighboring properties. Dr. Derse stated that a cross access between the subject site and the neighboring ACE Hardware property to the east would be better than the car wash property to the west, but they are content at this point in time to not effectuate a cross access easement with either.

Commissioner Oakley asked about their sign plan for the property. Dr. Caballero stated that they are currently working on their sign plan, but are not ready at this time. Dr. Caballero stated that they will come back at a future date with their sign plan.

Commissioner Wheeler asked about the site drainage. Mr. Bergwerff stated that the site will be engineered to accommodate storm water management per the regulations. Mr. Bergwerff stated that part of the storm water management includes a bioswale towards the rear of the property.

Commissioner Wheeler stated that he supports the project.

Mr. Jeff Cooper, Village Engineer, stated that they are reducing the impervious surface and they are supportive of the bioswale aspect of their storm water management plan.

Commissioner Pyter asked for clarification regarding the subject property having two parcels. Mr. Pardys stated that both parcels are under the same single ownership and as combined parcels they make a single zoning lot of record.

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Commissioner Pyter asked why the petitioner needs to apply for a Special Use Permit. Mr. David Smith, Senior Planner, stated that veterinary services are not listed in the C-3 District therefore a text amendment is necessary. He stated that due to the unique nature of the proposed land use that Staff recommended that the text amendment would be to include vet clinic services as a Special Permit Use in the C-3 District.

Temporary Chairman Steffe stated that this is a great project and supports the requests. He asked the applicant if they are ready for the Plan Commission to make a recommendation to the Village Board. Mr. Pardys stated that they are ready for the Plan Commission to make their recommendations to the Village Board of Trustees.

In the matter of PC 22-27, Commissioner Oakley moved, seconded by Commissioner Flores, to recommend that the Village Board of Trustees approve a Text Amendment to the Libertyville Zoning Code in order to include Veterinary Services as a Special Permit Use in the C-3 General Commercial District.

Motion carried 6 - 0.

Ayes: Steffe, Flores, Oakley, Pyter, Rankin, Wheeler

Nays: None

Absent: Moore

In the matter of PC 22-28, Commissioner Wheeler moved, seconded by Commissioner Flores, to recommend that the Village Board of Trustees approve a Site Plan Permit for a Veterinary Service for property located in the C-3 General Commercial District, subject to the following condition:

- 1. That written correspondence from IDOT which states that the Site Plan is approved will be required prior to Village permit issuance.*

Motion carried 6 - 0.

Ayes: Steffe, Flores, Oakley, Pyter, Rankin, Wheeler

Nays: None

Absent: Moore

In the matter of PC 22-29, Commissioner Wheeler moved, seconded by Commissioner Flores, to recommend that the Village Board of Trustees approve a Site Plan Permit for a Veterinary Service for property located in the C-3 General Commercial District, subject to the following condition:

- 1. That written correspondence from IDOT which states that the Site Plan is approved will be required prior to Village permit issuance.*

Motion carried 6 - 0.

Ayes: Steffe, Flores, Oakley, Pyter, Rankin, Wheeler

Nays: None

Absent: Moore

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STAFF COMMUNICATIONS AND DISCUSSION:

Mr. John Spoden, Director of Community Development, thanked Eric Steffe for sitting in for Mark Moore as chairman and thanked attorney Caitlyn Culbertson for sitting in for Brooke Lenneman.

Commissioner Pyter moved, seconded by Commissioner Oakley, to adjourn the Plan Commission meeting.

Motion carried 6 - 0.

Meeting adjourned at 8:22 p.m.