

Approved
VILLAGE OF LAKE ZURICH
PLANNING & ZONING COMMISSION MINUTES
APRIL 20, 2016

The meeting was called to order by Chairman Stratman at 7:00 p.m.

ROLL CALL: *Present* –Chairman Stratman, Commissioners Baumann, Riley, and Schultz.

Excused: Commissioners Castillo, McCormack, Tomsovic, and Alternate Dannegger.

Also *present*: Assistant Village Administrator Roy Witherow, Zoning Compliance Officer Mary Meyer, and Interim Village Planner Al Maiden. Chairman Stratman noted a quorum was present.

CONSIDERATION OF MINUTES:

APPROVAL OF THE MARCH 16, 2016 MEETING MINUTES OF THE PLANNING & ZONING COMMISSION:

MOTION was made by Commissioner Baumann, seconded by Commissioner Schultz, to approve the March 16, 2016 minutes of the Planning and Zoning Commission as submitted.

Upon roll call vote:

AYES: 3 Chairman Stratman, Commissioners Baumann and Schultz

NAYS: 0

ABSTENTION: Commissioner Riley

MOTION CARRIED

PUBLIC HEARING:

120-200 Telser Road - Flex Construction (PZC 2016-03 #2): To consider approval of a Preliminary Plan and Final Plan of Subdivision, Variation to allow encroachment into conservancy soils, Rezoning from R-1/2 Single-Family Residential to I Industrial, Site Plan, and Exterior Appearances at the Subject Property located at 120 and 200 Telser Road and currently within the I Industrial and R-1/2 Single-Family Residential Zoning District - Applicant Kelly Sheehan, Flex Construction

MOTION was made by Commissioner Schultz, seconded by Commissioner Baumann, to open the continued public hearing on Application PZC 2016-03 #2 for 120 and 200 Telser Road, the Flex Construction Termax Addition at 7:02 p.m.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Baumann, Riley, and Schultz.

NAYS: 0

MOTION CARRIED

Kelly Sheehan, Flex Construction, distributed a packet containing new information. It included a response to Engineering, Landscape, and Zoning Reviews. She reviewed the revised engineering drawings, revised site and floor plan, and described the new location of the docks that were moved from the southwest corner to the southeast corner of the property to improve parking and to be further away from the wetland on Lots 21 and 22.

Inspector Meyer concurred that the plans reflect the request from the Village Engineer, but staff has not fully reviewed the revisions. Ms. Sheehan said Manhard would like more time to complete the preliminary and final plat of subdivision, so they are requesting that item be continued until May but the would like to receive the other approvals this evening.

Discussion followed on the approvals requested this evening which are the encroachment into conservancy soils, rezoning from R-1/2 to Industrial, site plan, and exterior appearance approval. Planner Maiden commented on the application items. He said the rezoning is consistent with the Comprehensive Plan and adjacent zoning and meets requirements for land use and consistency therefore, staff would recommend approval of the rezoning application with all new documents to be submitted into the record including testimony. Planner Maiden said conservancy soil regulations are normally covered in the Development Code rather than the Zoning Code, and staff is recommending they be moved per Item E on tonight's agenda. Additionally, the Conservancy Soil map is outdated and needs to be updated. Staff recommends granting the variation. There have been changes made to the Site Plan. The encroachment is only into the buffer, and staff believes it meets standards. The proposed building will blend with the character of the abutting building and is consistent with other industrial buildings in the area therefore exterior appearance approval should be granted.

Ms. Sheehan continued her presentation and briefly reviewed the landscape plan stating they agreed to remove the existing trees, and staff concurred. She described the site plan and exterior appearance plan including parking spaces, which total 120 spaces.

Robert Mussan, 1254 E. Main Street, Lake Zurich, said he has owned his property since 1987, and there have historically been drainage problems in the area. Mr. Mussan stated that Termax owns the sewer. He recapped discussions he has had over the years with Termax, Village staff, and recently with Village Engineer Stoehr. He is requesting the drain tile be repaired and was concerned the new development would exacerbate the existing drainage problems. Ms. Sheehan said Termax will not be tying into this drain tile and the area will not be effected. She said there is no easement with the drain tile. They have asked the Village for additional information and for direction on the tile. Termax is asking that the drain tile be considered separate since none of the drainage for the new building will go into the footprint. Planner Maiden said they are separate issues but the Village Engineer must review the drainage so any approvals would be subject to Engineering approval.

Commissioner Baumann referred to the Preliminary Engineering Review #1 dated March 3, 2016, prepared by Village Engineer Peter Stoehr. Item #10 under Stormwater states, "Verify the existence or absence of field tiles by providing a title survey/report consistent with the requirements of the WDO. There is a known issue with a tile that runs parallel to the south property line. The tile shall be evaluated and improved as needed to restore its original function. Engineering Review #2, Item 4 - Update to previous Comment #10: The requirement to "improve [the drain tile] as needed to restore its original function" will be deemed a separate issue for further discussion between the Village and Termax, and not a condition to engineering approval for the 200 Telser Road building expansion application.

Discussion followed on if and how this issue should affect the PZC deliberations and recommendation. The PZC members were not comfortable approving the application because the new information had not been fully reviewed by staff and the PZC did not have the benefit of their recommendations. Chairman Stratman asked that complete staff reviews including the Engineer's review be available for the May meeting. Per Ms. Sheehan's request, Chairman Stratton informally polled the PZC, and all members present said they looked favorably on the rezoning request.

MOTION was made by Commissioner Schultz, seconded by Commissioner Baumann, to continue the public hearing on Application PZC 2016-03 #2 for 120 and 200 Telser Road, the Flex Construction Termax addition until the next regular scheduled PZC meeting on May 18, 2016.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Baumann, Riley, and Schultz.

NAYS: 0

MOTION CARRIED

PUBLIC MEETINGS:

696 S. Rand Road - Deerpath Court Retail Center - Request for Exterior Appearance Approval to extend the same existing exterior appearance that is on the front facade (south facade) of this retail center to the west side of the retail center - Applicant John Sfire, Fidelity Group LLC

475 S. Rand Road - Village Square Retail Center - Request for Exterior Appearance Approval for facade enhancements for a new tenant (Grand Appliance & TV) in this retail center - Applicant John Sfire, Fidelity Group LLC

John Sfire, Fidelity Group, wanted to present both agenda items together since they were related. He presented historical information about both shopping centers. His new tenant, Grand Appliance, required certain modifications to the facade, with exterior appearance approval a contingency of the lease. Mr. Sfire liked the new look decided to update the entire Village Square shopping center in a similar style to what Grand Appliance is proposing. He is hopeful that updating the plaza will help fill up existing vacancies and to prevent future vacancies in this tough market. He is also asking for approval to modify the exterior appearance of the former Joanne Fabric store at the corner of the Deerpath Court shopping center.

Planner Maiden clarified that staff only reviewed the application for Grand Appliance and not for the entire Village Square shopping center. Mr. Sfire said he had wanted approval for facade modification to the entire Village Square shopping center, but he had an application on the agenda for the May meeting and could wait until the following month for consideration.

MOTION was made by Commissioner Baumann, seconded by Commissioner Reilly, to recommend approval of Application PZC 2016-04#1, PZC 4-20 Agenda Item 4A subject to the finding contained in the Village Staff Report dated April 14, 2016.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Baumann, Riley, and Schultz.

NAYS: 0

MOTION CARRIED

MOTION was made by Commissioner Reilly, seconded by Commissioner Baumann, to recommend approval of Application PZC 2016-04#2, PZC 4-20-16 Agenda Item 4B subject to the finding contained in the Village Staff Report dated April 14, 2016.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Baumann, Riley, and Schultz.

NAYS: 0

MOTION CARRIED

C. Possible Zoning Ordinance Text Amendment - Exterior Appearance Review - For General Discussion only at this time regarding for possible Public Hearing in May.

D. Possible Zoning Ordinance Text Amendment - Site Plan Review - For General Discussion only at this time regarding Site Plan Review for possible Public Hearing in May.

E. Possible Zoning Ordinance Text Amendment - Drainageway & Steep Slope Soils - For General Discussion only at this time regarding possibly moving the provisions regarding Drainageway & Steep Slope Soils from the Zoning Code to the Development Code with a possible Public Hearing in May.

Planner Maiden said Items C, D, and E are being reviewed for clarification and consistency and are recommended by staff. Village Administrator Keller would like to have the authority to approve exterior appearance and site plan administratively if no other approvals are needed and if it is a permitted use. Item E, drainage way and soils, are generally found in the Development Ordinance rather than the Zoning Ordinance and staff recommends moving it accordingly. The PZC was asked for their comments and recommendations. The modifications will be on the May agenda. If approved by the PZC, Board of Trustees approval will also be necessary.

STAFF REPORT:

Planner Maiden said the sign code review is on hold to allow the new Village Administrator, Ray Keller, an opportunity to study it. Zoning Officer Meyer listed the applications expected to be heard at the May PZC meeting.

ADJOURNMENT:

MOTION was made by Commissioner Reilly, seconded by Commissioner Schultz, to adjourn the meeting. Voice Vote, all in favor. MOTION CARRIED

The meeting was adjourned at 8:40 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved by:

