

Approved

**VILLAGE OF LAKE ZURICH**  
**PLANNING & ZONING COMMISSION MINUTES**  
**OCTOBER 26, 2016**

The meeting was called to order by Chairman Stratman at 7:03 p.m.

**ROLL CALL:** *Present* –Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, Schultz, Tomsovic, and Dannegger. Also *present*: Community Development Director Sarsosh Saher and Associate Village Planner Katie Williams. Chairman Stratman noted a quorum was present and said Commissioner Dannegger would be serving as an Alternate this evening since all members were present.

**CONSIDERATION OF MINUTES:**

APPROVAL OF THE AUGUST 17, 2016 MEETING MINUTES OF THE PLANNING & ZONING COMMISSION:

MOTION was made by Commissioner Baumann, seconded by Commissioner McCormack, to approve the August 17, 2016 minutes of the Planning and Zoning Commission as presented.

Upon roll call vote:

AYES: 5 Chairman Stratman, Commissioners Baumann, McCormack, Riley, and Schultz

NAYS: 0

ABSTENTIONS: 2 Commissioners Castillo and Tomsovic

MOTION CARRIED

**PUBLIC HEARINGS:**

MOTION was made by Commissioner Tomsovic, seconded by Commissioner Baumann, to open the four public hearings at 7:06 p.m. as followings:

Application PZC 2016-03 #2, 120-200 Telser Rd. Termax;

Application PZC 2016-05 #4, 832 S. Rand Rd. Wagly Pet Care Services;

Application PZC 2016-10 #1, Deerpath Court Retail Center PUD;

Application PZC 2016-10 #2, Block C, The Somerset;

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

Chairman Stratman swore in anyone wishing to testify or ask any questions regarding any of the Applications that are on the Agenda tonight.

A. 120-200 Telser Road – Termax Expansion - Flex Construction (PZC 2016-03 #2):

The applicant has requested continuance of the application until the pending issues are resolved and documentation is submitted for review. Applicant – Kelly Sheehan, Flex Construction

MOTION was made by Commissioner Tomsovic, seconded by Commissioner Reilly, to continue the public hearing on Application PZC 2016-03 #2 for 120 and 200 Telser Road, Termax Expansion, until the next regularly scheduled Planning and Zoning Commission meeting on November 16, 2016 at 7:00 p.m.

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

B. 832 S. Rand Road – Wagly Pet Care Services (PZC 2016-05 #4):

The applicant has formally withdrawn their Application. - Applicant – John Sfire, Deerpath Commons Retail Center, LLC

MOTION was made by Commissioner McCormack, seconded by Commissioner Baumann, to accept the withdrawal of Application PZC 2016-05 #4 for 832 S. Rand Road, Wagly Pet Care Service and to close the public hearing.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

C. 684-690 South Rand Road - Deerpath Court Retail Center (PZC 2016-10 #1):

The applicant has requested continuance of the application due to scheduling conflicts.

Applicant – Jim Grund - Fidelity Group, Ltd.

MOTION was made by Commissioner Tomsovic, seconded by Commissioner Baumann, to continue the public hearing on Application PZC 2016-10 #1 for 684-690 South Rand Road - Deerpath Court Retail Center PUD, until the next regularly scheduled Planning and Zoning Commission meeting on November 16, 2016 at 7:00 p.m.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

D. Block C - Somerset Homes (PZC 2016-10 #2):

Public hearing to consider the request for a Planned Unit Development and Final Plan and Plat for the property commonly known as Block C. The applicant proposes to construct three residential

buildings consisting of 48 apartment units within two buildings and 5 townhomes within one building. The development also proposes various streetscape improvements.

*Applicant – Peter Brennan, Bloomingdale 6 LLC d/b/a Foxford Communities*

Tom Burney, project attorney, introduced the project team of Tim Kellogg, developer, Richard Olson, architect, James Kapustiak, project manager, and Larry Crone of Capital Custom Homes. Mr. Burney gave historical and background information on the property known as Block C, located at 2-66 West Main Street, 29-45 North Old Rand Road, and 0-24 Lakeview Place. Foxford Communities is requesting approval of a Planned Unit Development (PUD) to construct 3 multi-family residential buildings as well as Final Plan and Plat of Subdivision approvals. Two buildings would contain a total of 48 one and two-bedroom apartment units (36 two-bedroom and 12 one-bedroom) and the third building would contain 5 townhomes. The proposal includes streetscape and landscape improvements.

Mr. Kellogg narrated a PowerPoint presentation that included site photos, aerial, zoning and parcel maps, exterior appearance, elevations, floor plans, landscape, and streetscape plans. He compared the proposal that was approved in 2006 to the new proposal including parking. They would provide 62 outdoor parking spaces in addition to the 10 garage spaces within the townhouses and 13 parallel spaces on Lakeview Place.

Project architect Rich Olson further described the landscaping plan, which would remove and bury the overheard power lines, and provide landscaping around all buildings. A continuous street scape would span Old Rand Road and Main Street. A park/plaza at the corner (which will be donated to the Village) with seating, green space, walking path, and decorative street lighting is proposed.

Director Saher said the Tree Commission did not approve the landscape plan because the submittal was not complete and did not include the tree removal plan. They asked for more diversity in planting materials. Mr. Olson said they intend to comply fully with the Tree Commission and staff's recommendations on landscaping. Director Saher said the Village Arborist Shawn Walkington inspected the site and did not object to the proposed tree removal.

The PZC asked questions of the petitioner. Commissioner Schultz asked what the building height would be and wanted clarification on the proposed parking. Mr. Kellogg said the new building would be three stories with roof elements that will be comparable to the existing townhomes. The overlay district requires 1.2 parking spaces per resident so 61 are required. They will provide 62 plus parallel parking.

Director Saher provided the parking calculations as follows:

**Parking Spaces Within Garages:**

Currently built/in progress townhouse - 68; Proposed townhouse - 10; Total: 78

**Existing Surface Parking Spaces:** 34 (includes 2 accessible); Proposed Surface parking - 28 (includes 1 accessible); Total 62. Grand Total 140 + 15 street spaces which satisfies the 1.2 space per unit ratio for the downtown overlay district.

Bob Mackie, 24 Lakeview Place, asked for clarification on the parking which Mr. Kellogg provided. Mr. Mackie does not think there will be sufficient parking, prefers the original proposal that included retail, and believes the apartments will have a negative impact on the surrounding area. Mr. Kellogg said the very preliminary rental rates would be \$1,300 for a 990 sq. ft. one-bedroom and \$1,600 for a 1,160 sq. ft. two-bedroom apartment.

Director Saher recapped the parking calculations and said the development does exceed requirements. He addressed the recommendation from the Police Department dated October 1, 2016 regarding possible hazards due to the proximity of the parking spaces near the W. Main Street entrance. The developer will provide warning signage. Director Saher said there is adequate disbursement and mitigation from a planning perspective, and staff recommends approval.

Mike Fujica, 35 Lake Zurich Drive, owner of a Somerset unit, asked who actually owns the parking spaces. He said the homeowner's association has been maintaining the parking areas for ten years. Discussion followed on the actual number of parking spaces, the ownership, and responsibility for maintenance. Mr. Fujica was concerned the surface parking would be needed for the apartment tenants and objected to his garage spaces being included in the number of parking spaces provided. Mr. Fujica states his concerns about adequate parking and right of way issues and objected to the density of the proposal.

Mr. Kellogg referred to the parking in the plan approved in 2006. He said the developer will take responsibility for the access roads and right of way and will provide snowplowing and maintenance. The new development would stand alone and be maintained by a property management company or a sub homeowner's association. They intend to maintain ownership of the apartment complex and have a property manager on site.

Alex Samoila, 4 Lakeview Place, said he is a member of the homeowner's association and would relay questions and concerns on their behalf. He asked Mr. Kellogg about the trash enclosure and questioned their research showing that rental is more viable than retail and townhomes. Mr. Burney and Mr. Kellogg recapped their research and reiterated that they believe there is a market for their product.

Julie Kronen, 26 Lakeview Place, questioned how the apartments would attract seniors if there were no elevators and stated her concerns about the rental units and its density. Mr. Kellogg said they are not proposing senior housing but expect a diversified group.

Ashley Samoila, 4 Lakeview Place, questioned their marketing research conclusions and thought the apartment building would be too close to the townhomes. Mr. Kellogg said there would be approximately 15-20 feet between the buildings. Director Saher said the Zoning Code does not differentiate between the types of homes when calculating required space between the buildings, and the separation meets Code requirements.

Bill Werwein, 16 Lakeview Place, said developers normally sell apartments after seven years because of deterioration and questioned what the development would look like in 30 years. He believes there should be commercial/retail development on that property.

Gina Marie Werwein read from the study addendum that stated development in Lake Zurich will be hindered because public transportation is not available for those who rely on it.

MOTION was made by Commissioner Tomsovic, seconded by Commissioner Baumann, to close the public hearing on Application PZC 2016-10 #2 for Block C, The Somerset, at 9:08 p.m.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

Discussion followed. The struggle to develop the downtown, need to increase the population of the downtown to encourage commercial development, size and density of the apartment buildings, adequacy of parking (1.2 spaces per unit), size of parking stalls (16.5 x 8.5 with some 17.5 proposed versus 18 x 9 standard), and rental demographics were discussed.

Chairman Stratman recapped the concerns raised about density, parking, and appropriateness of location and offered a continuance as an option to allow the developer to work with staff to address these issues. Mr. Burney suggested revising the proposed parking ratio to 1.8 spaces per unit. Director Saher said staff could work with the developer to investigate parking options such as raising the ratio, allowing overnight parking, or a shared parking agreement.

Motion was made by Commissioner McCormack, seconded by Commissioner Baumann, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff this evening, and to make these standards a part of the official record for the Application.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

Motion was made by Commissioner Tomsovic, seconded by Commissioner Baumann, to receive into the public record the testimony presented by the Applicants, testimony presented by members of the public, and in response to questions by the Planning and Zoning Commission Members any testimony presented by Village Staff at tonight's Public Hearing.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

Motion was made by Commissioner Reilly, seconded by Commissioner Tomsovic, to recommend that the Village Board approve the Planned Unit Development which will allow the construction of two apartment buildings and five townhomes at the Subject Property of Block C upon the condition that parking requirement be modified to two spaces per dwelling unit.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

Motion was made by Commissioner Tomsovic, seconded by Commissioner McCormack, to recommend that the Village Board approve the Plat of Subdivision at the Subject Property of Block C.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, Schultz, and Tomsovic.

NAYS: 0

MOTION CARRIED

#### **STAFF REPORT:**

Community Development Director Saher provided an update on the review of the sign code amendments. Sign consultant Camiros, Ltd. prepared a first draft of the revised sign code and will prepare a final draft that will be presented to the residents, business owners, civic groups and community leaders at a community meeting. Staff will work with the consultant to incorporate the additional feedback into the proposed revisions

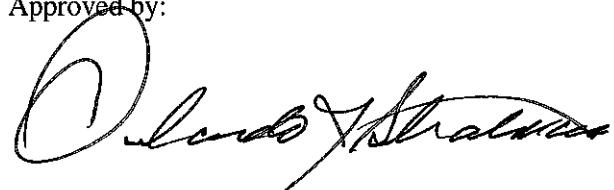
#### **ADJOURNMENT:**

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

The meeting was adjourned at 10:11 p.m.

*Submitted by: Janet McKay, Recording Secretary*

Approved by:

A handwritten signature in black ink, appearing to read "Orlando J. Stratman".10/26/2016A handwritten date in black ink, appearing to read "10/26/2016".