

\*Corrected

**VILLAGE OF LAKE ZURICH  
PLANNING & ZONING COMMISSION MINUTES  
NOVEMBER 16, 2016**

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

**ROLL CALL:** *Present* –Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz. *Absent* - Commissioners Dannegger and Tomsovic. Also *present*: Community Development Director Sarosh Saher and Associate Village Planner Katie Williams. Chairman Stratman noted a quorum was present.

**CONSIDERATION OF MINUTES:**

**APPROVAL OF THE OCTOBER 26, 2016 MEETING MINUTES OF THE PLANNING & ZONING COMMISSION:**

MOTION was made by Commissioner Riley, seconded by Commissioner Baumann, to approve the October 26, 2016 minutes of the Planning and Zoning Commission as submitted.

Upon roll call vote:

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

**PUBLIC HEARINGS:**

MOTION was made by Commissioner McCormack, seconded by Commissioner Baumann, to open the four public hearings at 7:03 p.m. as followings:

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

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

Application PZC 2016-11 #1, 650 Church Street, Macritchie Storage;

Application PZC 2016-11 #2, 6225 South Rand Road, Garden Homes

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

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 Baumann, seconded by Commissioner Schultz, 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 December 21, 2016 at 7:00 p.m.

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

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

The applicant has requested continuance of the application until the December meeting.

Applicant – Jim Grund - Fidelity Group, Ltd.

MOTION was made by Commissioner Baumann, seconded by Commissioner McCormack, 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 December 21, 2016 at 7:00 p.m.

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

**C. 650 Church Street - Cube Smart Self Storage (PZC 20167-11 #2):**

Public hearing to consider the request for a Special User Permit, a Text Amendment to Code Section 9-6-3 Special Use Letter D to create a new use “Miniwarehouse warehousing and self-storage warehousing with outdoor storage,” and Exterior Appearance and Site Plan Approval to develop a self-storage facility at the currently vacant industrial building located at 650 Church Street. The applicant proposes to retrofit the existing building into a drive-through self-storage facility with a display area and an area on the lot for outdoor storage.

*Applicant - Will Matthews, Macritchie Storage LLC*

Will Matthews, Principal, Macritchie Storage, introduced his team and presented an overview of their proposal. They proposed a drive-through storage facility with 1,062 storage units of various sizes spread across two floors, a display space and office, an open indoor storage space for larger vehicles and boats, and an area for outdoor storage of vehicles. The revised site plan and landscape plan, which were updated per staff and development review, were described and reviewed. His company uses existing self-storage companies as managers that will operate the day-to-day activities. They intend to use CubeSmart as their manager for this location. He and architect Mark Price narrated a PowerPoint presentation and answered questions posed by the

commissioners. Site plan, exterior appearance, parking, landscaping, elevations, and other exhibits were displayed and reviewed. Mr. Matthews said they have not made a definite decision if they will include RV storage, but if is provided, it will meet all applicable codes and requirements.

Commissioner Castillo questioned why the exterior appearance had so much glass and metal and did not think it blended with the residential and other buildings. He would prefer to see brick introduced into the exterior. Commissioner Schultz asked if the windows could be tinted to conceal the lockers, but Mr. Matthews said he would like the doors to remain because the doors and windows help them to market the business and function as a display. The doors are not meant to be open, and are critically important to the proposal but they could adopt a more subtle lighting. Commissioner McCormack would prefer a color other than red doors, but Mr. Matthews said CubeSmart would like to use their branding and colors. Discussion followed on Item 2 on page 18 of Staff Report dated November 16, 2016, regarding the floor-to-ceiling windows. The exterior appearance and ways it could be modified was discussed as well as parking.

Mr. Matthews recapped the results of the traffic analysis. They expect 20-30 visitors maximum to their site, which is low impact. He reviewed the photometric plan, which will provide LED lighting and security cameras, and the updated landscape plan. Mr. Price said they would be willing to add more landscaping in the front of the building. Director Saher said staff recommended ample landscaping to provide screening on the south elevation. \*Director Saher said the ball field to the south of the property is part of the school property and it will no longer be accessible. Staff recommends a fence be installed, which will eliminate public access.

MOTION was made by Commissioner McCormack, seconded by Commissioner Baumann, to close the public hearing on Application PZC 2016-11 #1, 650 Church Street, Macritchie Storage at 7:53.

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

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.

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

MOTION was made by Commissioner Schultz, seconded by Commissioner Riley, to receive into the public record the testimony presented by the Applicants including drawings dated No-

ember 11, 2016 that were presented this evening, testimony presented in response to questions by the Planning and Zoning Commission Members any testimony presented by Village Staff at tonight's Public Hearing.

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

MOTION was made by Commissioner McCormack, seconded by Commissioner Riley, to recommend that the Village Board approve the Special Use Permit to allow a self-storage facility to be developed at 650 Church Street in the I Industrial Zoning District.

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

MOTION was made by Commissioner McCormack, seconded by Commissioner Schultz, to recommend that the Village Board approve the Text Amendment to Section 9-6-3 Special Uses Letter D to create a new use "Minarehouse warehousing and self-storage warehousing with outdoor storage".

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner McCormack, to recommend that the Village Board grant Site Plan approval for the Subject Property at 650 Church Street for Macritchie Storage that include landscaping improvements west facade subject to staff review and approval.

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Schultz, to recommend that the Village Board approve the exterior appearance modifications at the Subject Property of 650 Church Street for Macritchie Storage with additional action with materials and colors with elevation subject to staff recommendations.

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

D. 225 South Rand Road - Garden Homes (PZC 20167-11 #2):

Public hearing to consider the request for a Planned Unit Development for the property at 225 South Rand, commonly known as the former K-Mart site. The applicant proposes to redevelop the property with a mixed use development consisting of 162 one, two- and three-bedroom luxury apartments and approximately 19,000 square feet of retail/restaurant leasable space contained within 3 buildings. The project will also include amenities such as a public courtyard with outdoor seating, a rooftop garden and interior private parking.

*Applicant - Mark Hoffman, US Realty 87 Lake Zurich Associated, L. P. d/b/a/ Garden Homes*

Project attorney Tracy Kasson introduced his team and provided an overview of the proposed development of the 7.3-acre parcel that has been owned by U.S. Realty since 1987 with a vacant building since K-Mart closed 15 years ago. They intend to construct 162 apartments with retail in the building front. Developer Mark Hoffman said he has met with area residents, including Trustee Halen, and discussed their concerns and has been working to address them in revisions to the proposal. He has also met with area retailers to discuss any possible impact construction would have on their businesses. He noted that the mixed use he is proposing is less intense than strictly retail. Mr. Hoffman intends to work to have a mutually beneficial arrangement and resolve as many issues as possible.

A PowerPoint presentation was reviewed by various members of the team. They propose 162 luxury apartment units in three buildings (39 1-bedroom, 117 2-bedroom, and 6 3-bedroom apartments) and 19,000 GSF of retail/restaurant space fronting Rand Road. Buildings 1 and 2 will have 3-story over parking, Building 3 will have 3-story over retail and parking and partial below grade parking. Topics covered including site plan review including parking and setback, aerial photographs, connectivity, renderings and elevations, floor plans, building materials with samples provided (masonry brick veneer, cast stone trim and blocks, anodized bronze store front, spandrel glass, and black aluminum balconies), rooftop equipment, rooftop garden on Building #3, lighting type and fixtures, 65 foot building height at backside of Building 3 with 55 feet fronting Rand Road, 50 foot building height adjacent to residential neighborhood, 9 x 18 foot parking spaces resulting in 10% reduction in pavement per space, landscape plan including tree preservation and removal.

RECESS: The meeting was recessed from 8:47 to 8:54 and reconvened with a quorum present.

The presentation continued with further review by the development team. A six-foot board-on-board fence separating the development from the residential area to the rear is proposed. They are open to working with the residents and using a berm, increasing the height of the fence to 8 feet, or building a wall depending upon what is the best option.

The meeting was opened to public comment at 9:12 p.m.

Stephanie Halen, 154 S. Pleasant Road, acknowledged there are challenges in developing this parcel, but said it was important that the developer was responsive by considering the appropriate number of apartments needed in this town and long-term compatibility. Mrs. Halen had questions and concerns regarding traffic, safety, ability to maneuver in the parking lot, stacking, building height, and pet ownership. She recommended restricting pet ownership to only one building and prohibiting parking in the rear of the building. Mrs. Halen said residents would like an 8-foot solid brick wall to be built on a berm to be erected at the onset of construction and/or demolition. The residents have discussed their desired planting materials with the developer, which include 35 arbor vitae on the west side and 8-10 foot tall evergreens. Mr. Hoffman said he would provide landscaping sketches and review them with the residents. Mrs. Halen asked that the the size of the back windows overlooking homes be reduced in size.

Angelina Kula, 201 S. Pleasant Road, and Diana Libman, 217 S. Pleasant Road, also stated concerns about the size and placement of the windows, the placement of the buildings on the site, and stated their disappointment that multi-family housing would be built, which would overlook their homes, instead of retail as was expected. Ms. Libman was concerned about an unknown type of people moving into the community and about their children's safety.

Mike Smith, 159 S. Pleasant Road, agreed with the previous comments and also had concerns about lack of privacy and lighting in the rear of the buildings.

Discussion followed regarding site interior turning radii, connectivity and safety of the parking lot, parking space size, setbacks, modifications to rear windows, marketability of multi-family housing.

Mr. Karney said they have the ability to move a few parking spaces and would work with staff and the residents to achieve a common goal regarding the rear of the building. He prefers a wood organic wall rather than masonry. He said there is 160-170 l.f. from facade to facade from the proposed building to the nearest residence, which will be 6 feet closer than the existing building. Mr. Hoffman said they could not commit to restricting pets to one building, but they could limit the size of dogs, and they do have methods to enforce clean up after pets. He agreed to install a berm/fence prior to or at the time of construction. Landscape Architect

Sharon Dickson further addressed the revised landscape plan and its screening ability that includes 28 evergreens.

Commissioner Schultz stated her concerns about the need for more apartments in Lake Zurich, supported limiting the number of pets permitted, and was concerned about school bus safety on the site.

MOTION was made by Commissioner McCormack, seconded by Commissioner Riley, close the public hearing at 10:22 p.m.

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

NAYS: 0

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

Chair Stratman recapped the concerns and issues raised this evening. He said the petitioner has expressed a willingness to work with staff and the residents to address their concerns. Director Saher said the discussions will result in changes, but they refer to details and are not substantive changes to the development. The main proposal will not be changing, and staff can fine-tune the changes. Commissioners Castillo and Schultz felt the Planning and Zoning Commission was putting the resolution in staff's hands and entrusting them to address the concerns raised. Director Saher said staff would be discussing the outstanding issues including varied window size and/or placement in the rear and traffic calming devices such as stop signs or speed bumps for internal traffic safety.

Mr. Kasson confirmed their plans to demolish the existing building, construct a berm and/or fence as permitted by Code or through PUD variation, and then begin construction but was unable to provide a timeline. He asked that approvals include any variations that might be needed if the berm/fence exceeded permitted height. Chair Stratman said the timeline may be provided at the time of approvals since there are many unknown variables at this time.

**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.

**AYES:** 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

**NAYS:** 0

**ABSENT:** 2 Commissioners Danneggar and Tomsovic

**MOTION CARRIED**

**MOTION** was made by Commissioner Baumann, seconded by Commissioner Riley, 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.

**AYES:** 6 Chairman Stratman, Commissioners Baumann, Castillo, McCormack, Riley, and Schultz

**NAYS:** 0

**ABSENT:** 2 Commissioners Danneggar and Tomsovic

**MOTION CARRIED**

**MOTION** was made by Commissioner McCormack, seconded by Commissioner Riley, to recommend that the Village Board approve the Planned Unit Development which will allow the construction of two apartment buildings and one mixed-use building at the Subject Property of 225 South Rand Road subject to the following conditions and recommendations to be reviewed and finalized by staff:

1. parking space size location

2. reduction in the number or size of windows in west elevation of Buildings #1 and #2
3. traffic calming devices to the Planned Unit Development
4. P.U.D. on site traffic
5. 8-foot high wall or berm including variations as required
6. 3" caliper trees on west elevation
7. specified date or time line be include
8. review number of pets allowed by building or number of units

AYES: 4 Chairman Stratman, Commissioners Baumann, McCormack, and Riley

NAYS: 2 Commissioners Castillo and Schultz

ABSENT: 2 Commissioners Danneggar and Tomsovic

MOTION CARRIED

**STAFF REPORT:**

Community Development Director Saher provided an update on the Termax property application and upcoming agenda items. The Deerpath Court sign application is on the December agenda and the Cummings property on the southwest corner of Quentin and Route 22 is tentatively on the agenda also. The Block A submittal may be coming forward in January or February.

**ADJOURNMENT:**

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

The meeting was adjourned at 10:51 p.m.

*Submitted by: Janet McKay, Recording Secretary*

Approved by:

A handwritten signature in black ink, appearing to read "Olinda Stratman", followed by the date "1/17/2017" in a smaller, slanted font.