

Approved
VILLAGE OF LAKE ZURICH
PLANNING & ZONING COMMISSION MINUTES
MARCH 20, 2019

The meeting was called to order by Chairman Stratman at 7:01 p.m.

ROLL CALL: *Present* – Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Muir, Riley, and Schultz. *Absent* - Commissioner Giannini. Chairman Stratman noted a quorum was present and Alternate Muir would be a voting member due to an absence.

Also present: Community Development Director Sarosh Saher and Planner Tim Verbeke.

CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION

Approval of the February 20, 2019 Meeting Minutes of the Planning & Zoning Commission:

MOTION was made by Commissioner Baumann, seconded by Commissioner Schultz, to approve the February 20, 2019 minutes of the Planning and Zoning Commission as revised with one typographical correction to be made under Public Comment.

Upon roll call vote:

AYES: 5 Chairman Stratman, Commissioners Baumann, Muir, Riley, and Schultz.

NAYS: 0

ABSTAIN: 2 Commissioners Castillo and Dannegger

ABSENT: 1 Commissioner Giannini.

MOTION CARRIED

PUBLIC COMMENT - None

PUBLIC HEARINGS:

MOTION was made by Commissioner Riley, seconded by Commissioner Dannegger, to open the following public hearings at 7:04 p.m.

Application PZC 2017-5, 99 Quentin Road, Steil Plaza;

Application PZC 2019-05, 2 Richmond Court – Variation

Application PZC 2019-06, 905 Telser Road – Special Use Permit

Application PZC 2019-04, 653 South Rand Road – Planned Unit Development

Application PZC 2019-07, 1300 East Route 22 – Amendment of PUD and Special Use Permit

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Muir, Riley, and Schultz

NAYS: 0

ABSENT: 1 Commissioner Giannini

MOTION CARRIED

Continued Application:

A. 99 Quentin Road – Steil Plaza (PZC 2017-5)

The applicant has agreed to withdrawal of his application. *Applicant – Patrick Taylor, Central One LLC.*

MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to close the public hearing on PZC 2017-5, 99 Quentin Road, Steil Plaza, as agreed to by the petitioner.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Muir, Riley, and Schultz

NAYS: 0

ABSENT: 1 Commissioner Giannini

MOTION CARRIED

B. 2 Richmond Court – Variation (PZC 2019-05).

Public hearing to consider a request for a Variation of the rear setback to allow for the construction of a new patio. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant. *Applicants – Christopher and Melissa Dudek*

Mr. Chris Dudek presented his proposal for a variation to the minimum rear yard to allow for the construction of a patio and removal of the existing deck. He narrated a PowerPoint presentation showing his property with the current and proposed setbacks. Mr. Dudek said the variation is needed because he has a smaller and irregular shaped yard. His neighbors at 571 Richmond Circle, Greg and Katie Dubose, stated in a letter to the PZC they do not have any objections to the proposed patio.

MOTION was made by Commissioner Baumann, seconded by Commissioner Riley, to close the public hearing on Application PZC 2019-05, 2 Richmond Court, at 7:15 p.m.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Muir, Riley, and Schultz

NAYS: 0

ABSENT: 1 Commissioner Giannini

MOTION CARRIED

MOTION was made by Commissioner Castillo, 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 and to receive the testimony presented by the Applicants, and in response to questions by the Planning and Zoning Commission Members, any testimony presented by Village Staff at tonight's Public Hearing and make these standards a part of the official record for the Application and to recommend that the Village Board approve the Application PZC 2019-05 which requires an amendment to the zoning code Section 9-3-11-C-3, Residential Minimum Yards: Rear Yard, to allow for the construction of a terrace that will encroach into the required 20-foot rear yard setback at the property commonly known as 2 Richmond Court.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Muir, Riley, and Schultz

NAYS: 0

ABSENT: 1 Commissioner Giannini

MOTION CARRIED

C. 905 Telser Road – Special Use Permit (PZC 2019-06).

Public hearing to consider a request for a Special Use Permit to establish a new Powder Coating process within an existing building. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.

Applicant – 905 Telser LLC d/b/a/ Tuf-Tite, Inc.

Commissioner Baumann recused himself from discussion and voting on this item and left the dais.

Kelly Sheehan, Flex Construction Corporation, introduced John Moss, vice president of the Industrial Council and president of Screen Flex Corporation, Lake Zurich, and Ted Meyers, Tuff-Tite, 1200 Flex Court, and 905 Telser Road, who would be speaking. She said they will comply with all environmental regulations for this use. Mr. Moss referred to the letter of support from Lake Zurich Industrial Council and stated his support for Mr. Meyers and his proposal to apply powder coating at 905 Telser Road. Mr. Meyers described his proposal to expand his business to allow the powder coat tactile tiles process, which will utilize 16,000 s.f. of the 50,000 s.f. warehouse. He described the process, the environmental scrutiny, and approvals required for this use.

MOTION was made by Commissioner Riley, seconded by Commissioner Muir, to close the public hearing on Application PZC 2019-06, to consider a request for a Special Use Permit to establish a new Powder Coating process within an existing building at 7:30 p.m.

Upon roll call vote:

AYES: 6 Chairman Stratman, Commissioners Castillo, Dannegger, Muir, Riley, and Schultz

NAYS: 0

ABSTENTION: 1 Commissioner Baumann

ABSENT: 1 Commissioners Giannini

MOTION CARRIED

MOTION was made by Commissioner Schultz, seconded by Commissioner Dannegger, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff and to receive 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 and make these standards a part of the official record for the Application and to recommend that the Village Board approve Application PZC 2019-06 request for a special use permit to install a powder coating line at 905 Telser Road.

Upon roll call vote:

AYES: 6 Chairman Stratman, Commissioners Castillo, Dannegger, Muir, Riley, and Schultz

NAYS: 0

ABSTENTION: 1 Commissioner Baumann

ABSENT: 1 Commissioners Giannini

MOTION CARRIED

Commissioner Baumann returned to the dais at 7:32 p.m.

D. 653 South Rand Road – Planned Unit Development (PZC 2019-04). Public hearing to reconsider a request for a Planned Unit Development to consider the removal and replacement of the existing restaurant building on the site. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.

Applicants – McDonald’s Corporation

Attorney Jim Olguin, representing McDonald’s Corporation, narrated a PowerPoint presentation showing current and proposed elevations. He said the original building, dating back to 1974, will be demolished and a new building constructed. He reviewed the elevations and site plan and addressed improved efficiency, functionality, and safety. The dual drive-through lanes will decrease wait time and reduce stacking.

Ken Price, landscape architect, displayed and reviewed the existing and proposed landscape plan. He revised the plan this week to meet staff recommendations and requirements. Mr. Price said the revised plan offers a more “friendly” pedestrian approach. Director Saher said staff has seen the revised plan, but it was not included in the packet due to timing. He said the plan is short a few planting materials, but the petitioner has assured staff that they will meet the requirements. The condition is included in staff recommendations #2.

The construction schedule was discussed. Mr. Olguin said although it is aggressive, McDonald’s contractors have experience meeting a tight schedule to minimize restaurant closure time. At this time there are no plans for an outdoor seating area.

Project manager Al Daniels described the exterior appearance and building materials, which are aluminum battens, cement board product, and brick with corrugated metal trim. The monument sign will be retained, but the signage on the building will be replaced. Director Saher said signage is conforming and was approved as part of the PUD and has the authority to remain. The location of the south entrance for inbound traffic was discussed. Director Saher said the proposed entrance location is optimal. Staff recommended the stop bar for exiting traffic be moved as far south as possible, and the petitioner has complied.

Discussion followed on the sidewalk along the south side of Rand Road. Director Saher said staff has not fully discussed installation of a sidewalk but will do so. An option could be fee in lieu of sidewalk. Director Saher said it is uncertain what the large plan for Route 12 is so he will discuss a sidewalk requirement with the public works director. Mr. Olguin had concerns about a sidewalk because of the existing berm and sloping grade and noted that IDOT did not include a sidewalk when they improved the intersection.

MOTION was made by Commissioner Baumann, seconded by Commissioner Dannegger, to close the public hearing on Application PZC 2019-04 to consider approval of a Planning Unit Development to consider the removal and replacement of existing restaurant building at 653 S Rand Road at 8:00 p.m.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Muir, Riley, and Schultz

NAYS: 0

ABSENT: 1 Commissioner Giannini

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff and to receive the testimony presented by the Applicants, and in response to questions by the Planning and Zoning Commission Members, any testimony presented by Village Staff at tonight's Public Hearing and make these standards a part of the official record for the Application AND to recommend that the Village Board approve Application PZC 2019-04 request for approval of a Planning Unit Development to consider the removal and replacement of existing restaurant building at 653 S Rand Road with the addition of a condition that an agreement to work with staff in the provision of a sidewalk along Rand Road if it is feasible in the future.

E. 1300 East Rt. 22 – Amendment of PUD and Special Use Permit (PZC 2019-07)

Public hearing to reconsider a request for an amendment to the Planned Unit Development and a Special Use Permit to establish a gasoline service station within an outlot on the property. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.

Applicant: Realty Income Illinois Properties 2 LLC d/b/a Mariano's.

Attorney George Maurides presented their proposal to construct a Mariano's fuel canopy, transaction kiosk, underground storage tank system, and five multi-products gasoline dispensers. He displayed and reviewed the elevations and site plan as well as providing historical information about the site and Mariano's corporate changes with the current owner Kroger Co.

Lighting was discussed. The prototype that Kroger uses for lighting is higher (31.2 foot candles) for safety reasons than the Village of Lake Zurich's code. Concerns about setting precedence on increased illumination intensity were expressed. Director Saher said Code requires a maximum is 10 foot candles, but a maximum of 20 foot candles has been allowed in the past under canopies as a compromise, and staff is open to offering that as a condition as part of negotiations. Mr. Maurides said he has not gotten a response yet from the Kroger staff member on whether this is acceptable. Tim Kratz, project engineer, said they are moving an internal parking lot light as part of the construction. They will verify that the spillover at the property line is compliant. Director Saher said expects the final photometric plan will meet staff recommendations. Mr. Kratz further addressed the existing lighting. The only change will be the lighting under the canopy. Staff will further review the existing and proposed lighting to check for adherence to standards.

Discussions on the installation of sidewalks as a compensating amenity followed. Mr. Maurides thought staff's recommendation to install a sidewalk around the entire perimeter of the property was excessive. He said there are various obstacles to this recommendation in addition to cost including berms, parkway trees, and lack of connection to other sidewalks. He said the entire PUD was granted relief from the sidewalk requirement at the time it was developed, which staff will verify. Additionally, Kroger would be paying for a sidewalk that goes in front of PNC Bank and

McDonald's, which he believes is overreaching. Director Saher said the sidewalk recommendation was considered because LCDOT is installing sidewalks on the west side of Quentin Road to Route 22 ending at the southeast corner of this property westbound along Rt. 22 to Oakwood. Since there are no other sidewalks to connect to at this time, staff would consider a fee in lieu of sidewalk. Mr. Maurides agreed to install a sidewalk or pay a fee in lieu of sidewalk but only along the front of Mariano's property and not along the parcels they do not own or lease.

Brianna Cotton, real estate developer, addressed the site plan and explained the property is leased from Realty Income and they have the right to only develop the outlot so were limited on the size and placement of the fuel station.

MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to close the public hearing on Application PZC 2019-07 to consider approval an amendment to the Planning Unit Development and a Special Use Permit to establish a gasoline service station within Outlot 1 at 8:41 p.m.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Dannegger, Muir, Riley, and Schultz

NAYS: 0

ABSENT: 1 Commissioner Giannini

MOTION CARRIED

Discussion continued about future development, market forces, and the type and size of service station that is being proposed. Commissioner Dannegger would prefer only one full service gas station be located at this intersection and is concerned there will be another gas station proposed in the future. He does not support this proposal because it is a limited use but will still appear prominently due to its location on the site.

MOTION was made by Commissioner Riley, seconded by Commissioner Muir, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff and to receive the testimony presented by the Applicants, and in response to questions by the Planning and Zoning Commission Members, any testimony presented by Village Staff at tonight's Public Hearing and make these standards a part of the official record for the Application and to recommend that the Village Board approve Application PZC 2019-07 request for approval an amendment to the Planning Unit Development and a Special Use Permit to establish a gasoline service station within Outlot 1 at 1300 East Route 22 with the addition of an agreement to provide a fee for compensating amenities for construction of a sidewalk along the applicant's property on Route 22 to be agreed to with staff prior to Village Board consideration and to accept staff's recommendation on lighting to be limited to 20 foot candles and .2 at the property line.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Muir, Riley, and Schultz

NAYS: 1 1 Commissioner Dannegger

ABSENT: 1 Commissioner Giannini

MOTION CARRIED

STAFF REPORT:

Planner Tim Verbeke said there has been an application received for the April meeting for a public meeting to consider a resubdivision on Donata Court.

ADJOURNMENT:

MOTION was made by Commissioner Schultz, seconded by Commissioner Baumann, to adjourn the meeting. Voice Vote, all in favor. MOTION CARRIED. The meeting was adjourned at 8:56 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved by:

A handwritten signature in black ink that reads "Olinda Stearns". The signature is fluid and cursive, with "Olinda" on the top line and "Stearns" on the bottom line, though the lines are not explicitly drawn.