

APPROVED  
**VILLAGE OF LAKE ZURICH  
PLAN COMMISSION MINUTES  
SEPTEMBER 3, 2008**

The meeting was called to order by Chairman Cushman at 7:36 p.m.

**ROLL CALL:** *Present* - Chairman Cushman, Commissioners, Bowling, Crane, Jackson, Luby, Minden, Stratman, and Tassi. *Excused* - Commissioner Castillo.

*Also present:* Building and Zoning Director Peterson and Village Attorney Kirlin.

**APPROVAL OF MINUTES:**

**APPROVAL OF THE AUGUST 6, 2008 MINUTES OF THE PLAN COMMISSION MEETING:**  
MOTION was made by Commissioner Crane, seconded by Commissioner Stratman, to approve the August 6, 2008 minutes of the Plan Commission as submitted.

Voice Vote, AYES have it. MOTION CARRIED.

**PUBLIC HEARINGS:**

255 N. QUENTIN ROAD – ZONING CODE MAP AMENDMENT, PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT (P.U.D.), SITE PLANS, AND EXTERIOR APPEARANCE PLANS FOR PROPOSED 67,335 SQ. FT. WORSHIP, EDUCATIONAL, AND COMMUNITY CENTER ADDITIONS TO HARVEST BIBLE CHAPEL CURRENTLY ZONED R 1\2 SINGLE-FAMILY RESIDENTIAL DISTRICT – PETITIONER REVEREND WARD E. CUSHMAN

The public hearing was reopened at 7:37 p.m.

Chairman Cushman said this item will be continued per the petitioner's request in a letter dated August 28, 2008 to Village Planner Gadde.

MOTION made by Commissioner Crane, seconded by Commissioner Bowling, to continue this item until the next regularly scheduled Plan Commission meeting.

AYES: 8 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Luby, Minden, Stratman, and Tassi.

NAYS: 0

MOTION CARRIED

LOT 1, DONATA SUBDIVISION – PRELIMINARY AND FINAL PLAT OF SUBDIVISION FOR PROPOSED 137,730-SQ. FT. OFFICE AND MANUFACTURING FACILITY ON SUBJECT PROPERTY ZONED IN THE VILLAGE'S I-1 LIMITED INDUSTRIAL DISTRICT PETITIONER ROBERT WARDANIAN, FLEX CONSTRUCTION CORPORATION

The public hearing was reopened at 7:38 p.m. The court reporter swore in those testifying.

Kelly Sheehan, Flex Construction, said the entire plat of subdivision had been revised as requested by the Village Engineer.

Village Attorney Kirlin said there were some housekeeping items that must be included. A title that says *Plat of Resubdivision* must be added, an ordinance vacating this portion of Donata Court must be adopted and added to the plat, and language must be added saying *Herby dedicated to Village of Lake Zurich for public right of way*.

The public hearing was closed at 7:42 p.m.

MOTION made by Commissioner Crane, seconded by Commissioner Tassi, to recommend the Board of Trustees to approve the preliminary and final plat of subdivision for the proposed 137,730-sq-ft. office and manufacturing facility on the subject property zoned in the Village's I-1 Limited Industrial Distract as amended by the Village Attorney's testimony this evening.

AYES: 8 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Luby, Minden, Stratman, and Tassi.

NAYS: 0

MOTION CARRIED

**WICKLOW VILLAS CONDO ASSOCIATION – AMENDMENT TO THE PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW EXPANSION OF PATIOS AND DECKS FOR CLUSTER HOMES ZONED IN THE VILLAGE'S R-6 MULTIPLE FAMILY RESIDENTIAL DISTRICT – PETITIONER YOLANDA STRUTZEL, SECRETARY**

The public hearing was opened at 7:43 p.m. The court reporter swore in those testifying.

Matthew Moodhe, the attorney representing the 37 cluster homes managed by the Wicklow Condo Association, presented their petition for an amendment to the Planned Unit Development (PUD) to allow expansion of decks and patios for the cluster homes. He said the restriction on the size of the patios and decks adversely impacts the homeowners use and the resale value of their property. Mr. Moodhe displayed and reviewed a plat showing the homes along the perimeter of the property that are affected. He said there is support for this amendment by the homeowners, but it was not put to a formal vote. He said the Board of Directors has the authority to request the petition and to allow the construction of the decks and patios after receiving Village approval.

Jim Buccelli, 916 March, said when Wicklow Villas president Frank Fancone presented the petition, he did not consider extending the patios side-to-side but should have.

Building and Zoning Director Peterson provided some historical background about the restrictions on decks and patios for Wicklow Village. He said the Village must consider aesthetic and privacy issues also as well as engineering concerns. He referred to the meeting he and Public Works Director/Engineer Heyden had with the representative of Uni-Lock brick drains and said the representative was not able to provide the details staff requested. He said Public Works Director/Engineer Heyden was not comfortable with the light line of products that was demonstrated, but a line of heavier products are expected to come out in the near future. Public Works Director/Engineer Heyden will require the detention to be recalculated because he is concerned it might have been calculated to the maximum. Building and Zoning Director Peterson will verify pond calculations.

In his memorandum dated August 28, 2008, Public Works Director/Engineer Heyden stated his concern that there would be an affect on the storm water storage due to the expansions. The ponds were designed for a maximum impervious area of 40%. He did not believe the product information

for the Uni-Lock brick drains provided absorption rates or permeability rates that considered various sized storm events. Therefore, he does not support the request to allow the expansion of decks as requested.

Chairman Cushman said the Plan Commission was charged with deciding if any percentage was acceptable and if the proposal could be equitable to all homes. After discussion, the Plan Commission requested additional information before making a decision.

MOTION made by Commissioner Crane, seconded by Commissioner Stratman, to continue this item until the next regularly scheduled Plan Commission meeting.

AYES: 8 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Luby, Minden, Stratman, and Tassi.

NAYS: 0

MOTION CARRIED

205 SOUTH RAND ROAD – SPECIAL USE PERMIT FOR A DRIVE-THROUGH RESTAURANT (SIC #5812) AND OUTDOOR SEATING, A MODIFICATION TO THE LAND DEVELOPMENT CODE FOR PARKING LOT LANDSCAPING, SITE PLANS, AND EXTERIOR APPEARANCE PLANS FOR THE PROPOSED 1,821-SQ. FT. SONIC DRIVE-IN RESTAURANT ON THE SUBJECT PROPERTY ZONED IN THE VILLAGE'S B-3 REGIONAL SHOPPING DISTRICT – PETITIONER JUSTIN MULLER, PROJECT MANAGER

The public hearing was opened at 8:18 p.m. The court reporter swore in those testifying.

Project manager Justin Muller and John Griparis of Kimley-Horn and Associates presented their proposal to demolish the existing KFC building and construct a 1,536 s.f. Sonic Restaurant building. Mr. Griparis described the Sonic concept of a drive-in restaurant, which has 19 car hop stalls and no inside seating. There will be an outdoor patio that seats 32 people.

Commissioner Crane said the landscaping is deficient and asked the petitioner for clarification.

Mr. Muller said they were not aware of the Route 12 corridor plan requirements when they made their application but will revise the landscape plan per staff recommendations.

Building and Zoning Director Peterson concurred and said the petitioner has agreed to meet the intent of the plant unit requirements as outlined.

Commissioner Minden did not think the eleven parking spaces to the south would be adequate for staff parking.

Mr. Griparis said due to their young age, most employees would be dropped off and not drive themselves. He has had some discussions with the owners of the former K-Mart building but does not have a reciprocal parking agreement in place.

Commissioner Tassi recommended that access to the drive-through from the access road be prohibited to avoid people taking short-cuts.

Mr. Griparis said the 12-foot wide entrance will be eliminated. The 22-foot section will remain and 15 feet of green space added. He described the traffic pattern and the signage that will say "Car Hop Crossing." He described the exterior appearance including the canopy, which is a steel structure. The exterior appearance was discussed in detail. He was asked to bring material samples to the Planning and Development Committee meeting. He said they are still working on addressing the plan for deliveries.

The setback requirements were discussed. Variations are requested for the front and rear yards and to reduce the stacking spaces from eight to six. Mr. Muller said a hardship exists on this site. The proposed 50 foot front yard setback along Rand Road is significantly more than what is currently found on Rand Road, and he noted that there is a common drive in the rear.

The hours of operation will be from 6 a.m. to 11 p.m. in the winter and 6 a.m. to 12 or 1 a.m. in the summer. Security cameras and an alarm will be provided. Sonics would like an LED sign, but they are not allowed in the Village at this time although staff does intend to consider amending the code some time in the future.

Jeff Halen, 154 S. Pleasant, said he does not object to the project but asked where diners that come on foot from the Holiday Inn, Paulus Park, and nearby stores will sit when the weather gets cold and had questions about their safety.

Mr. Griparis said pedestrians will use the walk-up menu board on the patio. There has not been a problem in the winter months at other Sonic Restaurants, and more people take their food home to eat.

The public hearing was closed at 9:22 p.m.

MOTION made by Commissioner Crane, seconded by Commissioner Minden, to recommend the Board of Trustees approve a special use permit for a drive-through restaurant (SIC #5812) and outdoor seating and excess parking at 205 S. Rand Road.

AYES: 8 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Luby, Minden, Stratman, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Tassi, seconded by Commissioner Minden, to recommend the Board of Trustees approve a modification to the Land Development Code for parking lot landscaping.

AYES: 8 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Luby, Minden, Stratman, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Tassi, seconded by Commissioner Minden, to recommend the Board of Trustees approve the site plans as presented with a recommendation of a modification that the 12-foot wide entrance on the west side of the building be eliminated and replaced with landscaping.

AYES: 8 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Luby, Minden, Stratman, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Minden, seconded by Commissioner Bowling, to recommend the Board of Trustees approve the exterior appearance plans for the proposed 1,821-sq. ft. Sonic Drive-in restaurant.

AYES: 8 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Luby, Minden, Stratman, and Tassi.

NAYS: 0

MOTION CARRIED

**PUBLIC MEETING:**

KNOX PARK CONCESSION STAND – SITE PLANS AND EXTEIOR APPEARANCE PLANS FOR THE PROPOSED 1,916-SQ. FT. CONCESSION STAND WITH WASHROOM FACILITIES AT KNOX PARK ZONED IN THE VILLAGE'S OS OPEN SPACE DISTRICT – PETITIONER JEFFREY PATHMANN, PROJECT MANAGER

Project architect Jeff Pathmann displayed the elevations and material samples. The building will be masonry face-brick coated with a clear finish. The site plan was described. There will be no shrubs around the building for safety reasons. They do not have the funds for surveillance cameras but will provide wall-mounted lights plus the parking lot will be lit.

Commissioner Crane recommended they purchase a security camera system since they anticipate vandalism. Commissioner Bowling pointed out that the cameras can be vandalized also.

Building and Zoning Director Peterson said staff wants the sports organizations to apply for a permit to they can have an opportunity to review the beverage and fire/life safety requirements. He said the landscape plan before the Plan Commission was approved by the Board of Trustees.

MOTION made by Commissioner Tassi, seconded by Commissioner Minden, to recommend the Board of Trustees approve the site plan for the Knox Park concession stand.

AYES: 8 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Luby, Minden, Stratman, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Tassi, seconded by Commissioner Bowling, to recommend the Board of Trustees approve the exterior appearance for the proposed 1,916-sq. ft. concession stand.

AYES: 8 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Luby, Minden, Stratman, and Tassi.

NAYS: 0

MOTION CARRIED

**OTHER BUSINESS/ANNOUNCEMENTS:**

**Joseph Freed and Associates – Project Update:**

Scott McAvoy, Director of Construction for Joseph Freed and Associates, said they have changed the site lighting plans and intend to use Ruud fixtures, which is an improvement on the traditional box lighting. They believe it will provide better coverage and be more aesthetically pleasing. The number and placement of the fixtures will not be changed—only the type of fixtures.

Commissioner Luby has experience with Ruud and spoke highly about its quality.

Building and Zoning Director Peterson provided an update on the Holiday Inn Express project and adjacent outlots.

**ADJOURNMENT:**

MOTION was made by Commissioner Crane, seconded by Commissioner Tassi, to adjourn the meeting.

Voice Vote, AYES have it. MOTION CARRIED.

The meeting was adjourned at 10:07 p.m.

*Submitted by: Janet McKay, Recording Secretary*

Approved by: 10/1/08