

APPROVED
**VILLAGE OF LAKE ZURICH
PLAN COMMISSION MINUTES
FEBRUARY 7, 2007**

Due to the absence of Chairman Cushman, the meeting was called to order by Commissioner Kmiecik at 8:00 p.m.

ROLL CALL: *Present* - Commissioners Crane, Kmiecik, Minden, Peterson, and Tassi.
Excused – Chairman Cushman, Commissioners Jackson, Bowling, and Castillo.
Also present: Village Planner Gadde, Assistant Village Engineer Lebbos, and Village Attorney Browne.

APPROVAL OF MINUTES:

APPROVAL OF THE JANUARY 3, 2007 MINUTES OF THE PLAN COMMISSION
MEETING:

Commissioner Tassi asked the minutes to reflect that he was excused and not absent.

MOTION was made by Commissioner Peterson, seconded by Commissioner Minden, to approve the January 3, 2007 minutes of the Plan Commission as corrected.

Voice Vote, AYES have it. MOTION CARRIED.

CONTINUED PUBLIC HEARING:

MARATHON GAS STATION – PRELIMINARY AND FINAL PLANNED UNIT
DEVELOPMENT, SPECIAL USE PERMIT, SITE PLANS, AND EXTERIOR APPEARANCE
PLANS FOR PROPOSED ADDITION AT 1125 SOUTH OLD RAND ROAD CURRENTLY
ZONED IN THE VILLAGE'S B-1 LOCAL AND COMMUNITY BUSINESS DISTRICT-
PETITIONER DANIEL NOORANI

The public hearing was opened at 8:03 p.m. The court reporter swore in those testifying.

Project architect Keith Kondrot provided background information about the gas station and summarized their proposal to demolish the existing 600 s.f. gas station and construct a 2,100 s.f. building with a mini-market and drive-through for a Dunkin' Donuts Express. The business would only operate between 6 a.m. and 11 p.m. The petitioner is aware that the existing septic system must be abandoned and will install 300 lineal feet of sanitary sewer. They are still working out some technical issues regarding the water and sewer.

In an e-mail letter dated February 1 and February 3, 2007, Daniel Noorani and Keith Kondrot answered staff's questions about a tanker truck encroaching on an exiting vehicle and on stacking. Mr. Noorani said the new store will be further back than the existing store and would provide more room for cars to maneuver. Routine gasoline deliveries will be restricted to after-hours except in the case of an emergency. The trash will be in the corner and picked up at non-peak hours. Mr. Kondrot was told by the Dunkin' Donuts representatives that the average

processing time for drive-through customers is 110 seconds, which provides the capacity to process 32 customers per hour while only 15 customers per hour are projected.

Discussion followed about the density and layout of the site. Mr. Kondrot said 80% of the property is frontage, which makes it difficult to design and resulted in the need for several variances. They do not think the Dunkin' Donuts Express will add to congestion because the coffee and donut drive-through customers will be served more quickly and efficiently than if they came inside the store to purchase these items.

The exterior appearance plan was described. The building will be brown brick with beige stone and architectural shingles. Mr. Kondrot said there were architectural upgrades. Marathon removed the Marathon sign on the building. The number of pumps will remain the same with three islands and a total of six fuel pumps. He also addressed the economics of the business and said another source of profit is needed besides the sale of gasoline, so the mini-market is essential.

Commissioner Peterson questioned if the turning radius is adequate for drivers turning right off of southbound Old Rand Road. He said it would be too narrow to maneuver safely around the pumps and drive-through.

Assistant Village Engineer Lebbos responded that a minimum of 14 inches is needed and the radius will be reviewed. He said the 10-1/2 foot aisle is inadequate.

Mr. Kondrot said he was not aware of any problem with the southbound traffic entering the property. A bubble radius would result in the loss of a parking space. He addressed the existing congestion on the site and explained how the new design would not make it worse and would improve it.

Areas of concern to the Plan Commission were the turning radius, maneuverability and congestion on the site, access for trash pickup, stacking, and accessibility to the site. Assistant Village Engineer Lebbos added that staff was concerned about the location of the south entrance. The petitioner was asked to continue to work with IDOT and to see if landscaping could be permitted at Rand and Old Rand Road.

The public hearing was closed at 8:40 p.m.

Although there was support for a gas station at that location, several Plan Commission members said they could not support the plan as proposed because there were too many unresolved issues especially regarding traffic, safety, and maneuverability.

Mr. Kondrot asked if this proposal could be tabled so he could revise the plan to address some of these concerns.

MOTION made by Commissioner Crane, seconded by Commissioner Tassi, to table the Marathon Gas Station until the plans are revised by the petitioner.

AYES: 5 Commissioners Crane, Kmiecik, Minden, Peterson, and Tassi.
NAYS: 0
MOTION CARRIED

PUBLIC HEARINGS:

1099 N. MIDLOTHIAN ROAD – REZONING FROM VILLAGE'S R 1\2 SINGLE FAMILY RESIDENTIAL DISTRICT TO R-3 SINGLE FAMILY RESIDENTIAL DISTRICT – PETITIONER NORMAN GIBSON

The public hearing was opened at 8:48 p.m. The court reporter swore in those testifying.

Norman Gibson, 1099 N. Midlothian, presented his petition for rezoning so he could subdivide his property. At the December 6, 2006 Plan Commission meeting, a public hearing was held and approval of a preliminary plat of subdivision and a final plat of subdivision was recommended subject to the verification of R-3 zoning. Staff discovered the Village Zoning map was incorrect, and the property in that area was never rezoned from R 1\2 after the property was annexed into the Village of Lake Zurich on January 15, 1996.

Howard Gayle, 1089 Danvera, did not support the subdivision of the lots and asked that the lots remain as they are. He has not noticed any cleanup or improvement in Mr. Gibson's property.

Kathy Malinowski, 1083 Danvera Lane, said all the surrounding property is at least one-acre lots, and the subdivision of the Mr. Gibson's property would adversely affect the aesthetics. She does not support the rezoning or the subdivision.

Laurie Smith, 1095 Danvera, said she lives directly behind the subject property. Ms. Smith said only one property owner has any interest in subdividing their property, and he would sell his property and move away. All the residents planning on staying in the neighborhood oppose subdividing the properties.

Village Planner Gadde clarified that the properties were annexed on January 15, 1996, and a letter was sent to the residents on January 26, 1996, asking them if they were interested in rezoning their property to R-3. Staff was not able to provide any responses to the letters.

The public hearing was closed at 9:06 p.m.

Commissioner Minden stated his reasons for opposing the rezoning. He said it appears the area residents are not in favor of the rezoning, it would change the scale of the surrounding properties that are all one acre or more, and it would create a perceived negative impact on the residents.

Commissioner Tassi said he expected more opposition this evening from residents. At the December Plan Commission meeting, he thought the property was zoned R-3. Now that he knows it is R 1-2, he does not support the rezoning unless there is a consensus among the neighbors.

Commissioner Crane agreed with their comments and said she does not support spot zoning.

Commissioner Peterson said it appears the neighbors did not want the rezoning or proper protocol including a public hearing would have taken place. He did not support changing the zoning to only benefit one property owner.

MOTION made by Commissioner Minden, seconded by Commissioner Tassi, to recommend the Board of Trustees approve the rezoning of the subject property from R 1\2 to R-3.

AYES: 0

NAYS: 5 Commissioners Crane, Kmiecik, Minden, Peterson, and Tassi.

MOTION DENIED

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 9:15 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved by: _____ 3/7/07