

CORRECTED  
**VILLAGE OF LAKE ZURICH**  
**PLAN COMMISSION MINUTES**  
**JUNE 6, 2007**

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

**ROLL CALL:** *Present* - Chairman Cushman (7:38), Commissioners Bowling (7:37), Castillo, Crane, Kmiecik, Minden, Peterson, and Tassi. *Excused* – Commissioner Jackson.

*Also present:* Village Planner Gadde, Assistant Village Engineer Lebbos, and Village Attorney Browne.

**APPROVAL OF MINUTES:**

APPROVAL OF THE MAY 2, 2007 MINUTES OF THE PLAN COMMISSION MEETING:

MOTION was made by Commissioner Crane, seconded by Commissioner Castillo, to approve the May 2, 2007 minutes of the Plan Commission as submitted.

Voice Vote, AYES have it. MOTION CARRIED. Commissioners Kmiecik and Peterson abstained.

**PUBLIC MEETING:**

1221 FLEX COURT – TO CONSIDER A MODIFICATION TO THE LAND DEVELOPMENT CODE, SITE PLANS, & EXTERIOR APPEARANCE PLANS FOR THE PROPOSED 32,000-SQ. FT. ADDITION AT 1221 FLEX COURT – PETITIONER CONSTRUCTION, APPLICANT

Jim Kasmarski presented their proposal to construct a 32,100-square-foot addition on their existing 20,000-square-foot building totaling 52,100-square-feet on a 3.13-acre site. He described the proposed retaining wall and said they are working with staff minimize or eliminate it but are asking approval in the event the retaining wall is necessary. Mr. Kasmarski said materials are now stored outside illegally, but they will be moved inside. They will be asking for a special use permit to allow outside storage at the July 11, 2007 Plan Commission meeting. This would allow them to store the finished product and not what is currently outside.

Assistant Village Engineer Lebbos recommends deepening the footings and having wall panels to eliminate the need for a retaining wall.

Village Planner Gadde recommended this item be tabled to the July Plan Commission meeting since the petitioner needed to appear before the Plan Commission for the special use permit.

MOTION made by Commissioner Kmiecik, seconded by Commissioner Bowling, to recommend the Board of Trustees approve the exterior appearance plan for 1221 Flex Court.

AYES: 8 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Kmiecik, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Kmiecik, seconded by Commissioner Minden, to recommend the Board of Trustees approve the site plan for 1221 Flex Court.

AYES: 8 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Kmiecik, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Crane, seconded by Commissioner Kmiecik, to table a modification to the Land Development Code until the July Plan Commission meeting.

AYES: 8 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Kmiecik, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

**PUBLIC HEARINGS:**

471 SOUTH RAND ROAD – TO CONSIDER A SPECIAL USE PERMIT FOR A MARTIAL ARTS STUDIO (SIC #7999) IN THE VILLAGE SQUARE RETAIL CENTER – PETITIONER JOHN A. SFIRE, OWNER

The public hearing was opened at 7:55 p.m. The court reporter swore in those testifying.

Village Square Retail Center owner Mr. Sfire presented the petition requesting a special use permit to allow a martial arts studio at 471 S. Rand Road. Mr. Tae Kim, business owners, was also present. Mr. Kim said he would have one martial arts class at 9:30 a.m. and close the studio until 3:00 p.m. when it would remain open until 8 p.m. Mr. Sfire disagreed with Commander Finlon's recommendation to put in a speed bump or rumble strip because it would need to be in a drive aisle.

Jim Andrews, 240 Whitney, said he owns a martial arts studio in Lake Zurich Square along with Tom O'Connell and Tracy Goodyear. Mr. Andrews said the market is oversaturated and did not think another martial arts studio would be successful and could draw students from the existing studios. He explained ways that his studio serves the community and stated his desire to continue to be able to do so.

Tom O'Connell, part owner of Lake Zurich Family Martial Arts, further elaborated on Mr. Andrews' statements about contributions to the community made by their studio. He is concerned that a fourth school in the area could jeopardize the existing three schools.

Mr. Sfire provided further information about Mr. Kim, his experience, and his other martial arts studio in Palatine.

The public hearing was closed at 8:15 p.m.

MOTION made by Commissioner Tassi, seconded by Commissioner Kmiecik, to recommend the Board of Trustees approve a special use permit for a martial arts studio (SIC#7999) at 471 S. Rand Road.

AYES: 8 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Kmiecik, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

ILLINOIS MASONRY ADDITION – TO CONSIDER AN AMENDMENT TO THE SPECIAL USE PERMIT, SITE PLANS, AND EXTERIOR APPEARANCE PLANS FOR THE PROPOSED ADDITION TO THE ILLINOIS MASONRY BUILDING AT 200 TELSER ROAD PETITIONER DENNIS KULAK, KLLM ARCHITECTS

The public hearing was opened at 8:22 p.m. The court reporter swore in those testifying.

Dennis Kulak, KLLM Architects, said Illinois Masonry Corp. moved into their new building at 200 Telser Road in 2003. They are now proposing an expansion that will be a mirrored-image and match the existing elevations. Vacala Construction would occupy the new space. The site plan, photographs, and elevations were displayed and reviewed. Mr. Kulak said they will need outside storage for construction equipment and concrete forms. Illinois Masonry already has approval for outside storage but is requesting approval because of the addition and for the new tenant that will store construction equipment outdoors.

Assistant Village Engineer Lebbos said the petitioner has submitted a revised site plan and has meet Village requirements per the letter from KLLM to Village Planner Gadde dated June 5, 2007. Approval should be subject to final engineering approval.

Mr. Kulak provided clarification on the parking. The rooftop equipment will by screened by a parapet. He also clarified the type and height of materials that will be stored outside.

Patrick Vacala, 1475 Oak Knoll, Lake Forest, said nothing will be stored outside in the beginning, but forms will be stored as the concrete business grows. Nothing will be above the fence line. A crane or other expensive equipment would be stored inside. They will have 7 office staff members and may grow to 10.

The public hearing was closed at 8:38 p.m.

Village Planner Gadde said the amount of office and manufacturing space must be clarified to accurately determine parking needs.

Mr. Kulak offered to add parking in the rear in an area already paved if needed.

MOTION made by Commissioner Crane, seconded by Commissioner Castillo, to recommend the Board of Trustees approve the site plan for the Illinois Masonry addition at 200 Telser Road.

AYES: 8 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Kmiecik, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Kmiecik, seconded by Commissioner Minden, to recommend the Board of Trustees approve the exterior appearance plan for Illinois Masonry addition at 200 Telser Road.

AYES: 8 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Kmiecik, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Tassi, seconded by Commissioner Crane, to recommend the Board of Trustees approve a modification of the special use permit for outside storage for Illinois Masonry addition at 200 Telser Road conditioned upon storage uses as stated in the testimony this evening and storage not extending over the height of the fence.

AYES: 7 Chairman Cushman, Commissioners Bowling, Crane, Kmiecik, Minden, Peterson, and Tassi.

NAYS: 0

ABSTENTION: 1 Commissioner Castillo

MOTION CARRIED

RECESS: The meeting was recessed from 8:45 – 9:02 and reconvened with a quorum present.

FRANK'S NURSERY REDEVELOPMENT – TO CONSIDER A SPECIAL USE PERMIT FOR A HOTEL AND RESTAURANT, A PRELIMINARY AND FINAL PLAT OF SUBDIVISION, A PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT, SITE PLANS AND EXTERIOR APPEARANCE PLANS FOR THE PROPOSED 35,228-S.F. MIXED-COMMERCIAL DEVELOPMENT AT 195 SOUTH RAND ROAD – PETITOINER JOSEPH FREED & ASSOCIATES, MANAGING AGENT

The public hearing was opened at 9:03 p.m. The court reporter swore in those testifying.

Jennifer Mooney introduced their team and led the presentation of their proposal to remove the existing building and construction of a three-story 53,400-s.f. hotel (Holiday Inn Express), a 1,925-s.f. drive-through restaurant (Starbucks), 8,000-s.f. restaurant, and 7,503-s.f. multi-tenant building on the 2.25-acre site. She said they have been working on this plan for one year and have made many modifications including those in their letter to Village Planner Gadde dated May 31, 2007, which she outlined.

Nicholas Petite, architect for the retail portion, described the exterior appearance of the storefront which will have a buff and dark brown brick color scheme.

Ms. Mooney said Starbucks has a very aggressive marketing plan and eager to start construction.

Paul Esconozzi, architect for the Holiday Inn Express, displayed and described the elevations for the three-story 86-room hotel. Architectural enhancements had been made per staff recommendations. Samples of brick, shingles, and EIFS were displayed and the exterior appearance plan described.

Ms. Mooney asked if a special meeting could be held to move the project forward. They would like approval this summer with occupancy in mid to late winter.

Jeff Haylen, 154 S. Pleasant Road, said he lives right behind the proposed hotel. They are having vandalism problems in the neighborhood and are concerned the 24-hour hotel would bring many people from outside the area into this neighborhood.

Angelina Coola, 201 S. Pleasant, said she has worked in the hotel business and it brings transients and undesirables. She objected to the visual impact and light spillage, a 43-foot building with only an 8-foot fence, safety concerns, possible company changes in the future to a less desirable company, and lack of adequate screening. She objected to the hotel but said another retail use would be okay. She said there were too many Starbucks.

Stephanie Haylen, 154 S. Pleasant, said a hotel is not a good centerpiece for Lake Zurich and it would effect the resale values of the nearby homes. She said this is not an appropriate location for a hotel since it is nearby residences. A height variance would result in other height variances.

John Nelson, 1034 Aspen Court, said people in the hotel will be able to look into his backyard at will be able to see his daughter playing. Mr. Nelson said there are already three restaurants in that area that are closed and questioned the need for more. He asked if there would be a bar in the hotel and if they had commitments for the retail space.

Mike Webb, 126 S. Pleasant, agreed with the comments made. He was concerned about the height, visibility, 24-hour nature of the hotel, and had concerns about safety and security of the neighborhood children. Mr. Webb said this would be an extremely poor fit with regards to the safety and security of the children.

Jim Tarbet, 1195 Cedar Creek Drive, had nine areas of concern including water retention, minimal landscape buffer, building height, fire drive access, density, and wetland impact.

Mike Holtz, MPH Hotels, addressed security and other issues that had been raised. The hotel will cost \$100 per night and will not attract transients at that price. There will not be a bar or restaurant in the hotel. The greatest demand for rooms will be during the week. Mr. Holtz stressed that they intend to protect their \$7.5 million investment and would keep it well maintained, safe, and secure. There would not be parking for tractor trailers.

Ms. Mooney addressed the visual effect, lighting, and rear elevation. She said the first level rear would be brick and EIFS and similar to the front. There will only be low grade security lighting on the first floor of the building and the light from the rooms. According to the photometric plan, there are 0 foot-candles at the point of the property line.

Mr. Esconozzi added that there would be dark sky lighting facing downward at a height of 7 feet .

Ms. Mooney said the only fencing proposed is 5-foot ornamental fencing around the existing pond. There are no existing wetlands or environmentally sensitive soils per their wetland study. She said Asst. Fire Marshall Trayling told her they do not need rear fire access because the site plan was revised so ladder trucks could access the front of the building. She also addressed restaurant, retail, and hotel uses and compatibility. She said they have tried to achieve a residential appearance to the hotel. If the height is reduced, it would have a more commercial appearance.

Chairman Cushman summarized some of the areas of concern. The use of EIFS, the metal roof on Starbucks, the floor area ratio for the hotel, the setback to Route 12 (50-foot minimum setback requirement), sign pediment, and height requirement.

Mr. Holtz and Mr. Esconozzi addressed the building exterior, roof, and height. Mr. Esconozzi said the eave is 30-feet, the ridge 44-feet, and the pediment sign 47 feet.

Ms. Mooney said they are providing an average 30-foot setback along Rand Road. They cannot move Starbucks because of site requirements. If they moved the other retail back, they would lose parking. She said vacancies and poor condition of the area add to vandalism and lower property values.

Ms. Coola said Mr. Holtz told her there would be a 3-foot fence. She would like 45-foot tall trees to provide screening.

Commissioner Kmiecik asked for responses to the items in Building and Zoning Inspector Meyer's zoning review.

Commissioner Bowling said there was too much EIFS, wanted to see site lines, an improved buffer, better renderings and material samples, and questioned the placement of the building. She said it is important to address the concerns of the neighbors.

Bill Schmidt, landscape architect, addressed landscaping in the retail portion of the development. He said there would be an irrigation system for the plantings in the islands.

Commissioner Tassi said the side and rear elevations for Starbucks and the multi-tenant building should be improved. He asked that the hotel be lowered to two floors so no one can see into the yards to which Ms. Mooney responded that was not possible.

Commissioner Peterson said the north side of the retail needs exterior appearance improvements and the frontage should be softened.

Commissioner Castillo asked that some alternatives be considered such as moving the hotel closer to Route 12, lowering the height on the roof line, or moving the buildings farther east. Some Plan Commission members asked that an option to move the hotel farther from the homes be explored.

Mr. Holtz said the position of the hotel will actually block the residences from noise and lights. It will keep people and cars away from their property line.

Stephanie Haylen had various rebuttals and restated the reasons she believed the hotel would adversely impact the residents.

Discussion among the Plan Commission members followed. Commissioner Minden said he supports the hotel but was opposed to the height of the building and wanted improved screening in the back of the building. Building height was discussed. Mr. Holtz said he could possibly lower it by 2 feet to 42 feet.

An informal poll on height was taken. Chairman Cushman said the height was okay. Commissioner Castillo said he could not commit at this time. Commissioner Peterson said the sign was too big and should be lowered. Commissioner Crane and Commissioner Bowling said the 2 feet won't matter to the residents and might not be worth losing the building lines for. Commissioner Tassi said the third story and site lines are the issue. The petitioner was asked to bring sight lines to the next meeting.

Village Planner Gadde will contact Plan Commission members and try to schedule a special Plan Commission possibly on June 27.

MOTION made by Commissioner Crane, seconded by Commissioner Peterson, to continue the public hearing until the next Plan Commission meeting.

AYES: 8 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Kmiecik, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

Discussion concluded at 11:20 p.m.

**ADJOURNMENT:**

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

Voice Vote, AYES have it. MOTION CARRIED.

The meeting was adjourned at 11:25 p.m.

*Submitted by: Janet McKay, Recording Secretary*

Approved by:\_\_\_\_\_ 8/1/07