

Approved
VILLAGE OF LAKE ZURICH
PLANNING & ZONING COMMISSION MINUTES
JUNE 20, 2018

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

ROLL CALL: *Present* – Chairman Stratman, Commissioners Castillo, Giannini, and Riley.
Absent - Commissioners Baumann, Dannegger, Muir, and Schultz. Chairman Stratman noted a quorum was present. *Also present:* Community Development Director Sarosh Saher.

CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION

Approval of the April 18, 2018 Meeting Minutes of the Planning & Zoning Commission:

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to approve the April 18, 2018 minutes of the Planning and Zoning Commission as presented.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.

MOTION CARRIED

PUBLIC COMMENT - None

PUBLIC HEARINGS:

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

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

Application PZC 2018- 6, Zoning Code Text Amendment - Marinas

Application PZC 2018- 7, 532 West Route 22, Copper Fiddle Distillery

Application PZC 2018- 8, 24168 North Midlothian Road, Raupp Property Annexation

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.

MOTION CARRIED

Chair Stratman swore in those wishing to testify or comment. The order of the agenda will be amended to allow the petitioners to present first with staff's application on the text amendment to be heard last.

Continued Application:

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

The applicant has requested continuance of the application due to litigation between the owner

and the developer for breach of contract. Director Sarosh Saher said the Zoning Code does not have limits for continuances. *Applicant – Patrick Taylor, Central One LLC.*

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to continue the public hearing on PZC 2017-5, 99 Quentin Road, Steil Plaza, until July 18, 2018 at 7:00 p.m.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.

B. 532 West Route 22 (PZC 2018-7)

Public hearing to consider a request for an Amendment to existing Special Use Ordinance 2013-04-887 to allow Copper Fiddle Distillery to expand into the adjacent vacant tenant space, to allow live entertainment to continue to 11:00 p.m. and to allow for outdoor seating. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant *Applicant – Janet and Fred Robinson, Copper Fiddle Distillery LLC*

Fred Robinson, co-owner of Copper Fiddle Distillery, requested an amendment to his special use permit to allow for the expansion of his business into the adjacent unit, #110, at 532 W. Route 22. He gave a PowerPoint presentation that showed the proposed expansion that included 3-5 video gaming machines, 720 s.f. of outdoor seating along the west side of the building, additional signage, service of pre-packaged food, and a 30-minute extension to entertainment time. He reviewed the proposed site plan showing the shared parking and delivery location. Mr. Robinson said they have not had complaints about the entertainment nor have they had problems with the shared parking because the business days and hours are opposite with Copper Fiddle's peak hours in evenings and weekends. He is considering several options to separate the patio from Route 22 including landscaping or a decorative fence. The existing wall will remain possibly connecting the rooms with push doors. There will be two doors going outside. Mr. Robinson believes the layout will contain the sound of the music and reiterated the entertainment will be indoors only.

Jim Iverhouse, property owner, said Mr. Robinson's presentation was accurate and provided additional information on the layout and dimensions of Suite 100.

Director Saher said staff believes the parking will be adequate because the uses are staggered. A condition was added so the petitioner would not need to appear before the PZC again for permission to use the additional 576 s.f. if they chose to do so and would only need to notify the Building Department. Mr. Robinson said he did not intend to use the extra space because it housed a sprinkler room for the entire building and storage for the tire store. The existing doors will remain and will provide adequate means of egress so will meet the Fire Department requirements. Proposed signage complies with the sign code.

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to to close the public hearing on Application PZC 2018-7, 532 West Route 22, Copper Fiddle.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.
MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, 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.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.

MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, 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.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.

MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to to recommend that the Village Board approve an amendment to the existing Special Use Ordinance 2013-04-887 to allow for Copper Fiddle Distillery to expand into adjacent tenant space and for live entertainment to continue until 11 p.m.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.

MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to recommend that the Village Board approve an amendment to the zoning code Section 9-4-3 – Business District Special Uses, to include a use for outdoor seating accessory to an authorized Special Use – that use being a drinking place.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.

MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to recommend that the Village Board approve a Special Use Permit to allow outdoor seating accessory to a drinking place at the Subject Property.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.

MOTION CARRIED

B. 24168 North Midlothian Road - Raupp Property Annexation Zoning and Subdivision (PZC 2018-8)

Public hearing to consider a request for classification of property to be annexed within an R-5 Residential Zoning District classification. The application also includes the request for approval of zoning entitlements for a 35 lot single-family residential subdivision. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.

Applicant – MI Homes

Greg Collins, said MI Homes is the contract purchaser of the property at 24168 N. Midlothian Road. They are proposing developing the property for a new 34-home single-family subdivision that will include the existing family farmhouse. They are requesting annexation into the Village of Lake Zurich and preliminary plan approval. He gave a presentation showing the subject property with annexation indicated, land planning context showing surrounding zoning, planning context including topography, site, landscaping, drainage, and engineering plans. Bill Zaleski, project engineer, reviewed the engineering plan, described the water and sanitary system, indicated the existing drainage and described the proposed enhancements.

Mr. Collins reviewed the elevations and described the building materials (hardy siding with brick), the price point which will be \$400,000 base up to \$600,000 depending upon the model and options. He is aware of the conditions regarding a homeowners association and special service area and have budgeted to fund them properly.

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to to close the public hearing on Application PZC 2018-8, 24168 N. Midlothian Road, regarding the annexation zoning and subdivision of the property.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.

MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, 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.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Danegger, Muir, and Schultz.
MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, 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.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Danegger, Muir, and Schultz.

MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to recommend that the Village Board approve an annexation petition for the property at 24168 N Midlothian Road, and enter into an annexation agreement with the developer following the necessary public hearing(s) conducted by the Village Board.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Danegger, Muir, and Schultz.

MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to recommend that the Village Board approve an amendment to the zoning map to classify the newly annexed property at 24168 N Midlothian property within an R-5 Single Family Residential zoning district.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Danegger, Muir, and Schultz.

MOTION CARRIED

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to recommend that the Village Board approve a preliminary plan for a single-family residential subdivision known as Avery Ridge.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Danegger, Muir, and Schultz.

MOTION CARRIED

D. Zoning Code Text Amendment - Marinas and Boat Launch Ramps (PZC 2018-6)

Public hearing to consider a request for an Amendment to the Text of the Zoning Code of the Village of Lake Zurich to include definitions and provisions for marinas and boat launch ramps. Detailed

information is contained within the accompanying staff report and all exhibits submitted by the applicant.

Applicant – Village of Lake Zurich

Director Saher, representing the Village of Lake Zurich, presented their petition for a Text Amendment to Chapters 7 and 24 of the Lake Zurich Zoning Code to allow for the establishment and operation of land uses related to “Marinas” and “Boat Launch Ramps.” This is being brought forward because the Zoning Code does not address these items. It is not being created with any particular property in mind but to rather to provide for such features in a safe and orderly manner to be included in the Lake Front Protection District. Director Saher reviewed the proposed definitions, language, zoning districts and standards for marinas and boat launch ramps. A brief question and answer period followed.

Janice Gannon, 207 N. Old Rand Road, said she is the vice president of the Lake Property Owners Association and was representing the group. She asked if this item could be tabled to allow them an opportunity to review the proposed text amendment and respond to it. Director Saher said the public hearing was the means to begin reviewing and discussing the amendment and would welcome suggestions on modifications and revisions.

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to continue the public hearing on Application PZC 2018-6 Zoning Code Text Amendment, Marinas, to July 18, 2018 at 7 p.m.

Upon roll call vote:

AYES: 4 Chairman Stratman, Commissioners Castillo, Giannini, and Riley.

NAYS: 0

ABSENT: 4 Commissioners Baumann, Dannegger, Muir, and Schultz.

MOTION CARRIED

STAFF REPORT:

Director Saher said an application had been received so there would be a July meeting. He did not give a presentation this month on zoning and development topics because staff presented a petition this evening but will resume the presentations in July. Associate Planner Katie Williams had resigned due to a relocation, and he is interviewing candidates at this time.

ADJOURNMENT:

MOTION was made by Commissioner Riley, seconded by Commissioner Giannini, to adjourn the meeting. Voice Vote, all in favor. MOTION CARRIED. The meeting was adjourned at 8:32 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved by:

