

Approved

**Village of Gurnee
Planning and Zoning Board Minutes
July 6, 2016**

1. Call to Order and Roll Call

The meeting was called to order at 7:35 p.m.

Planning and Zoning Board Members present: Chairman James Sula, Karyn Crawford, Richard McFarlane, David Nordentoft, and Edwin Paff

Planning and Zoning Members Absent: Brian Baugh and Josh Pejsach

Other Officials present: David Ziegler, Community Development Director; Tracy Velkover, Planning Manager; and Bryan Winter, Village Attorney

2. Pledge of Allegiance

3. Public Comment

Mr. Sula asked if anyone from the public had any questions or comments regarding anything not on the evening's agenda. As there were no responses, Mr. Sula closed the floor to the public.

4. Approval of the June 15, 2016 PZB Meeting Minutes

Mr. Paff motioned, seconded by Ms. Crawford, to approve the Planning and Zoning Board's June 15, 2016 meeting minutes.

Voice Vote:

All "Ayes," no "Nays," none abstaining

Motion carried: 5-0-0

5. Public Hearing: Robert V. Rohrman petition for a Special Use Permit and Variances for the property located at the southwest corner of Rt. 132 (Grand Avenue) and Tri-State Parkway

Ms. Velkover stated that the subject property consists of approximately 4.8 acres and is located at the southwest corner of Grand Avenue and Tri-State Parkway. The property is zoned C2, Community Commercial, and is owned by Mr. Bob Rohrman. Mr. Rohrman is seeking the following approvals for the subject property: 1) Special Use Permit for an vehicle lot accessory to an automobile dealership; 2) Variances to the lighting ordinance, including but not limited to variance to allow horizontal lighting levels interior to a site to exceed 50 foot-candles, lighting levels at property lines to exceed 5 foot-candles; and security lighting levels to exceed 6 foot-candles; 3) Variance to required parking lot setbacks along both Grand Avenue and Tri-State Parkway; 4) and Variance to the curb cut separation from an intersection. She noted that these are all public hearing items. In addition to these public hearing items, Site Plan Review (SPR) is

Approved

also to be completed by the PZB. She stated that the SPR process was added with the 2015 Zoning Ordinance update and, when there are public hearing items, this process can be completed by the PZB at the time of the hearing. Staff is recommending that the SPR process be completed by the PZB at this time.

As this was a Public Hearing, Mr. Sula asked all of those wishing to speak on the matter be sworn in by Mr. Winter.

The Petitioners, Mr. Mark Batista, with the Bob Rohrman Auto Group, and Mr. Jim Condon, with J. Condon & Associates, Inc., began their presentation.

Mr. Batista began by explaining that the property was being developed as an addition to the Hyundai and Volkswagen dealerships of the Rohrman Auto Group. However, Rohrman has very recently been granted a franchise to sell a new vehicle out of Asia that will be unveiled in the next 60 days. With this in mind, the current plan is to develop the property so as to provide this new franchise the same physical characteristics as those two dealerships (same setbacks, lighting levels, same curb cutbacks, etc.) with updates such as LED lighting (33 poles with 500-watt heads, the remaining eight with 800-watt heads). Mr. Batista went on to state that they have met engineering requirements regarding stormwater management, and greenspace will be comparable to the Hyundai and Volkswagen dealerships. He elaborated that they are asking for relief in regards to curb cutbacks, lighting standards, but the potential "hotspots" identified in lighting will now be rectified by changing the pivot of the panels of the LED optics.

Mr. Condon then offered to go over the Village staff report, item by item, to discuss their proposed plans to address each concern.

After confirming with all Board members that they had read the staff report, Mr. Sula suggested they simply begin to ask questions/make any comments at this time.

Mr. Sula then clarified with Mr. Nordentoft that issues would be discussed as a whole, and motions would be made/votes taken in accordance to needs of staff and legalities.

Mr. Nordentoft verified with Mr. Batista and Mr. Condon that lighting levels along the property line will meet ordinance by adjusting optics. He also verified that ordinance will be met at the right-a-ways (Tri-State Parkway and Grand Avenue). Mr. Nordentoft then asked about interior lighting levels and security lighting.

Mr. Batista and Mr. Condon explained that those levels can be brought down to the same levels of the existing dealerships. Mr. Batista and Mr. Condon stated that a new lighting plan will be submitted, reflecting these changes.

After some discussion between the applicants, Ms. Velkover, and Mr. Ziegler over whether or not modifications will be made to the eastern most light fixtures on the existing dealerships, Mr. Ziegler explained that if an additional 1000-watt light fixture is being added to the existing poles, then an amendment would have to be processed to the existing PUD agreement (as opposed to simply asking for a Special Use Permit). Mr. Batista and Mr. Condon responded that the intent is to stay in compliance with the original PUD, and that any plans that included changes to the eastern poles on the current dealership site will not occur.

After Mr. Sula asked for further clarification, Mr. Winter and Mr. Ziegler explained that the issue of concern was that the proposed lighting levels were maxed out under the standards, and that a photometric study would have to be completed on the existing Hyundai lot to determine if an increase in lighting would still conform to what has already been approved under the existing PUD; the goal is to have consistent lighting among all dealerships on the property.

Approved

Mr. Nordentoft then asked what the reason is for the request for the variances to the setbacks.

Mr. Condon responded that the setback along Grand Avenue is made in an attempt to duplicate or keep consistent the setback that has been established on the dealerships to the west. As to the variance request for the parking setback to the east, it is needed to accommodate a possible future building on the lot.

Mr. Nordentoft asserted that he is hesitant to consider a variance to the parking setback to the east to accommodate a possible future building

Discussion occurred regarding the provision of additional greenspace interior to the site to make up for the greenspace lost due to the reduced parking lot setbacks to Grand Avenue and Tri-State Parkway. The consensus of the PZB is that the reduction in setback to Grand Avenue may be appropriate, as it keeps the setbacks consistent between the dealerships, even though many on the PZB did not support the original reduction to parking lot setbacks for the existing dealerships. However, the PZB members supported a plan that would add the green area lost along Grand Avenue back into the setback along Tri-State Parkway.

Mr. Sula asked where a building might be placed to accommodate the new dealership.

The applicants responded by pointing to an area drawn into plan of the property.

Mr. Paff stated that the Tri-State Parkway should include sidewalks.

Ms. Crawford added that school teachers at the Woodland Intermediate School would probably welcome sidewalks along Tri-State on this site, as many walk to restaurants in the Mills for lunch. She also noted that there is an existing bike bath in the Com Ed ROW that the sidewalks on this site could tie into.

The applicants' responded that such sidewalks could be provided in the future, after plans had been fully developed.

Mr. Sula suggested that increasing the green space along Tri-State Parkway is supported by the PZB.

Mr. Paff pointed out that if an easement isn't provided for the sidewalks along Tri-State Parkway now, it may be too late in the future.

Mr. McFarlane asserted that green space should be provided for along Tri-State Parkway and that sidewalks should be provided for at this time.

Mr. McFarlane then asked staff if drainage and stormwater detention has been approved.

Mr. Condon stated that stormwater detention will be provided with a basin that can accommodate the entire five acres of the property. He noted that these plans have been approved by the engineering department.

Mr. Ziegler confirmed that the engineering plans for this site have been approved.

Mr. Sula suggested that the Tri-State Parkway setback area between Grand and the full access cut be expanded to match the Grand Avenue setback (15 feet) and that south of the full access cut the setback area be expanded along a straight line back to the south property line. He noted that, per staff's calculations, a total of 3,300 sq. ft. of green area is lost from the reduced setbacks to Grand Avenue and Tri-State Parkway and that a total of 3,300 sq. ft. needs to be put back into the Tri-State Parkway setback.

Approved

Mr. Paff questioned the request for the variance to the curb cut separation from the intersection of Grand Avenue and Tri-State Parkway.

Mr. Ziegler explained that code requires a 100-foot separation for curb cuts to intersections. He noted that the northern-most curb cut into the proposed site is setback 85 feet from the Grand/Tri-State Parkway intersection. Therefore, a variance is requested.

Mr. Sula and Mr. McFarlane clarified with the applicant that the curb cut (on the south) would align with the neighboring Holiday Inn and that the northern curb cut would be buffered with a median.

Mr. Paff asked how the separation distance is calculated.

Mr. Ziegler confirmed that the southern, full access curb cut, aligns opposite the Holiday Inn entrance and that the northern entrance, which requires the variance, is limited to a right-in/right-out by the median in Tri-State Parkway. The driveway separation variance is based upon the measurement between the two parallel edges of the Grand Avenue Roadway and the northern edge of the Rohrman drive aisle. The radius returns are not factored in when determining the driveway separation.

Mr. Sula confirmed with Ms. Velkover what issues require a Special Use and what items require Variances given the applicant's testimony that certain lighting and setback changes will occur to meet code and/or the existing PUD standards for the dealerships to the west. He also clarified that any of the site plan review issues should be addressed as conditions of the Special Use Permit. He then asked if there were any more questions/comments from the Board. As there were none, he suggested that motions would be in order.

Ms. Velkover confirmed with Mr. Paff that, while the applicant has stated that interior lighting levels during business hours, as well as after-hours (security lighting levels), will be reduced to meet the levels on the property to the west (approved by the PUD agreement), these levels are still above the allowable and variances are required. She noted that the applicant has eliminated two of the variance requests with the testimony provided tonight that the lighting plan will be adjusted so that lighting levels at the property lines will meet code requirements and by providing additional green area along Tri-State Parkway so that the setback to this property line is in compliance with code.

Mr. Sula noted the significance in that this particular dealership is located nowhere near residential property.

Mr. Winter clarified with both Mr. Sula and Ms. Velkover that the motion regarding Special Use can include recommendations for site improvements, and should address everything in question, with the exception of the variances.

Mr. Nordentoft motioned, seconded by Mr. Paff, that a favorable recommendation be forwarded to the Village Board on the petition for a Special Use Permit to allow a parking lot accessory to a vehicle dealership with the following conditions: 1) loudspeakers are prohibited on site, 2) automobiles will not be displayed with open hoods, 3) pricing will not be allowed on automobile windows except in the form of data sheets no larger than 11" x 17" and not readable from over four feet away, 4) installation of sidewalks on Tri-State Parkway, 5) automobiles are restricted to paved parking areas only, 6) provision of a document, prior to the Village Board meeting, that shows an easement for cross-access consistent with the Special Use Permit site plan, 7) provision of a document, prior to the Village Board meeting, that shows deed restrictions and easement dedications for stormwater management, public utilities, and sidewalk encroachment,

Approved

and 8) provision of documents, prior to the Village Board meeting, that shows the right-of-way dedication for the existing roadway's (Tri-State Parkway) encroachment onto the property.

Mr. Sula asked if there was any discussion on the motion.

Ms. Velkover asked for clarification on whether the condition in the motion requires the installation of sidewalks or a payment of a fee-in-lieu for the sidewalks along Tri-State Parkway.

Mr. Winter responded that the condition in the motion is that sidewalks be installed now.

Roll Call Vote:

Ayes: Crawford, McFarlane, Nordentoft, Paff, and Sula

Nays: none

Abstain: none

Motion carried: 5-0-0

Mr. Winter clarified with Mr. Sula that all the Variances could be addressed in the next motion.

Mr. Nordentoft motioned, seconded by Mr. Paff, that a favorable recommendation be forwarded to the Village Board on the following variances: 1) to allow lighting levels interior to the site to exceed 50-foot candles but fall within the parameters (foot candle levels) of the existing PUD for the dealerships to the west, as agreed to verbally in testimony made this evening, 2) to allow security lighting levels to exceed six-foot candles but also fall within the parameters (foot candle levels) of the existing PUD for the dealerships to the west, as agreed to verbally in testimony made this evening, 3) to allow the northern-most curb cut into the subject site to be separated from the Grand Avenue/Tri-State Parkway intersection a distance of 85 feet and to restrict this access point as a right-in/right-out only, 4) to allow a reduction from 25 feet to 15 feet for the parking lot setback along Grand Avenue, subject to the 15 foot setback being carried around the corner and onto Tri-State Parkway to the full access cut into the site and then widened to accommodate additional "green" space continuing from the southern-most access point to the southern property line measuring at least 3,300 square feet as agreed upon verbally in testimony provided evening.

Mr. Sula asked if there was any discussion on the motion.

Ms. Velkover asked if the 3,300 sq. ft. of additional green area included the additional greenspace added in the setback area between the full access curb cut and Grand Avenue.

Mr. Sula stated that it was his understanding that the 3,300 feet of green space was to be above and beyond what had been originally proposed (before this evening).

Roll Call Vote:

Ayes: Crawford, McFarlane, Nordentoft, Paff, and Sula

Nays: none

Abstain: none

Motion carried: 5-0-0

6. Next Meeting Date: July 20, 2016

Ms. Velkover stated that, as of right now there are no items for this agenda as there are no public hearings scheduled. However, she stated that there could still be non-public hearing item(s) that get scheduled.

Approved

7. Adjournment

Mr. Nordentoft motioned, seconded by Ms. Crawford, to adjourn the meeting.

Voice vote:

All "Ayes," no "Nays," none abstaining

Motion carried: 5-0-0

The meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Joann Metzger

Recording Secretary, Planning and Zoning Board