

PLAN COMMISSION

SEPTEMBER 6, 1995

Members Present: Dan Robison*, Carl Cepon, Ken Hellstern, Bill Smith, Bill Gill and Chairman Rudny

Members Absent: Steve Kaplan

Other Officials Present: Jon Wildenberg, Director of Building; Barbara Swanson, Village Attorney; E.M. "Butch" Maiden, Rolf C. Campbell & Assoc.

1. Call to order at 7:30 P.M. by Chairman Rudny
2. Minutes from June 21, 1995, moved to later in the meeting due to no quorum at the present time.
3. Mr. Gill moved, seconded by Mr. Smith, to approve the minutes of July 19, 1995, as presented.

Roll Call Vote:

Ayes: Cepon, Smith, Gill & Rudny
Nays: None
Abstain: Hellstern
Motion Carried 4-0-1

4. Mr. Cepon moved, seconded by Mr. Smith, to approve the minutes of the July 19, 1995 Comp. Plan Workshop as presented.

Roll Call Vote:

Ayes: Cepon, Smith, Gill & Rudny
Nays: None
Abstain: Hellstern
Motion Carried 4-0-1

5. Mr. Gill moved, seconded by Mr. Cepon, to approve the minutes of August 16, 1995, as presented.

Roll Call Vote:

Ayes: Cepon, Hellstern, Smith, Gill & Rudny
Nays: None
Motion Carried 5-0

6. Final Plat: Resubdivision of Lot 1 in Victorian Village Phase 1

This subdivision is located east of Rt. 21; across from the Prairie Oaks Subdivision. The re-subdivision is requested in order to adjust lot lines so that they coincide with the townhome building pads. Similar requests have been before the Plan Commission. Public improvements are being installed with Victorian Village Phase one.

The final plat is in general conformance with the Subdivision Ordinance and PUD agreement and is recommended for approval.

In response to Mr. Hellstern, Mr. Wildenberg stated that this procedure is done to the type of ownership of the units. This is a standard practice.

Mr. Smith moved, seconded by Mr. Cepon, to forward a favorable recommendation to the Village Board on the Final Plat of the Resubdivision of Lot 1 in Victorian Village Phase 1.

Roll Call Vote:

Ayes: Cepon, Hellstern, Smith, Gill & Rudny
Nays: None
Motion Carried 5-0

7. Final Plat: J.B.D. Resubdivision

Mr. James Brooks was in attendance.

This subdivision consists of nine lots located on Ellis Avenue between Hawthorne and Briar Avenues. The site is zoned R-3 and is comprised of 2.23 acres.

Full improvements will be installed and all of the R-3 standards will be met.

Mr. Hellstern moved, seconded by Mr. Cepon, to forward a favorable recommendation to the Village Board on the Final Plat of the J.B.D. Resubdivision.

Roll Call Vote:

Ayes: Cepon, Hellstern, Smith, Gill, & Rudny
Nays: None
Motion Carried 5-0

8. Final Plat: Franciscan Ministries

Mr. Bob Cisek, representing Franciscan Ministries, and Mr. Bruce Tyson, Tyson Architects, were in attendance.

This proposal is for a three-story building containing sixty one-bedroom units, located on the south side of Grand Avenue east of the Gurnee Discount Furniture building. The site is zoned C/B-2 PUD.

Mr. Tyson explained that the access for the site will be off of Grand Avenue.

There are two detention areas located at the north and south corners of the site. Water and sewer will be extended to service the building.

The building will be masonry with siding and will be fully sprinklered. An elevator will also be installed.

The landscaping and parking plans have remained the same as at the preliminary plat stage.

In response to Chairman Rudny, Mr. Cisek stated that for renting of the units, there is an age requirement of 62+ years. The income requirement is based at 50% of the median income for the area for the household size; typically \$16,800 for a single person. The average rent for the tenant is \$150-\$200/mo., based on 30% of their income. The market rent is roughly \$550/mo. and is subsidized for the difference.

In addition, Mr. Cisek commented that there are certain regulations that they have to abide by for renting. Federal priorities must be given first; however, Gurnee and Warren Township residents can be given priority after satisfying HUD regulations.

In response to Mr. Smith, Mr. Cisek stated that guest regulations will be a policy of management, but typically guests are allowed to stay 1-2 weeks.

Mr. Rudny questioned the use of the roadway that runs to the east. It was explained that this is used for garbage pick-up and move ins.

Mr. Cepon moved, seconded by Mr. Gill, to forward a favorable recommendation to the Village Board on the Final Plat of Franciscan Ministries.

Roll Call Vote:

Ayes: Cepon, Hellstern, Smith, Gill & Rudny

Nays: None

Motion Carried 5-0

9. Public Hearing: Tim Biglow

Mr. Dan Sinclair, attorney, was in attendance.

It was explained that the building in question is located at 4170 Grand Avenue and currently houses the Country Companies Insurance Agency owned by Mr. Tim Biglow. This petition was requesting the insurance office to occupy the second floor and a second use for an attorney to operate a law office on the first floor. This has been amended. The new request is for a law office on the first floor and no use for the second floor. Due to the change in use, a new special use permit is required.

Mr. Dan Sinclair stated that he is the attorney representing Mr. Biglow in addition to the attorney wishing to operate his law office from this building.

The only change that is contemplated is to change the wording on the existing wooden sign.

Mr. Sinclair stated that he is the sole practitioner and will have a part-time secretary. Business hours will be Monday-Friday 9 A.M. to 5 P.M., with the possibility of other hours by appointment.

Ms. Joanne Kristan, 4144 Grand Avenue, questioned if the lighting would remain the same. She stated her opinion that both the sign light and over head garage light be shut-off by 10 P.M.

Mr. Charles Elson, 4149 S. Brown Cr., noted his concerns for controlling lighting and stated that the last occupant did a very good job of doing so.

Mrs. Nada Popovich, 4132 Grand Avenue, pointed out that as a business owner on Grand Ave., she feels lighting controls are too restrictive if all business related lights must be off by 10 P.M., as is the case with her business. She stated that not all businesses along Grand Ave., have limits on their lighting and thought that further controls could be taking a step backwards in regard to promoting businesses along Grand.

Mrs. Donna Burges, 792 Delany Road, questioned if any new lights would be added and if the sign would be substantially changed. She felt that business lights do not need to be on past 10 P.M. due to traffic diminishing at that time.

Mr. Sinclair stated that he did not have a problem with a lighting restriction of 10 P.M. if the Commission so desired. However, he asked for the latitude to use the overhead garage light on a temporary basis.

Chairman Rudny stated that this petition is for a new use and revisions in requirements can be made. He stated that the newer businesses along Grand Ave., have had restrictions on lighting past 10 P.M. and this should remain consistent due to the problems in the neighborhood with lighting.

Mr. Sinclair stated that no additional lighting or signage would be added.

* Mr. Robison arrives at 8:10 P.M.

Mr. Gill moved, seconded by Mr. Cepon, to forward a favorable recommendation to the Village Board, subject to:

1. Sign lights to be off by 10 P.M.; and
2. The overhead garage light to be used on an as-needed temporary basis only, and not to be used on a continuous basis past 10 P.M.

Roll Call Vote:

Ayes: Cepon, Hellstern, Smith, Gill & Rudny

Nays: None

Abstain: Robison

Motion Carried 5-0-1

10. Public Hearing: Henderson Partnership

Messrs. Don, Mike, and Tom Henderson, petitioners, and Mr. Glen Christenson, land planner, were in attendance.

This proposal is located on the south side of Washington Street, east of the Greenleaf Center office park and is currently used as a driving range. The property is zoned C/S-1, Outdoor Recreation District, with a special use for the operation of an illuminated driving range and the possible construction of a 9-hole pitch-and-putt facility on the southern portion of the property. In 1993, a one acre portion was rezoned to C/O-1 to allow for the continued use of a home for residential purposes. The site consists of 19.41 acres.

The Henderson's are proposing to rezone this parcel. The northern 14.5 acres is proposed to be rezoned to C/B-2 and the southern 220 feet (4.9 acres) to C/O-1.

Surrounding zoning includes:

West - C/B-2 (Greenleaf Center)

East - Rt. 41 and Frontage Road

North - C/B-2 & I2 PUD (Gurnee Business Center)

South - Single Family Residential in Park City

A wetland delineation and topographical survey have been done.

Based on market demands and interests, proposed is the following:

- One three-story building with 72,000 square feet of office space to the north;
- Seven one-story 12,000 square feet buildings, having a similar foot print to those at the Greenleaf Center;
- 771 parking spaces.

Two areas having close proximity to the single family homes in Park City will contain detention. These are intended to be dry bottom; however, they will need to be approved by Engineering. These detention areas will act as a buffer.

The exit ramp from Rt. 41 and Frontage Road are currently in the process of being re-worked and a signal is proposed at their connection to Washington Street. There is already a signal located at Washington and Greenleaf. Access will be provided: opposite Ambrogio Drive from Washington Street; possibly two off of the Frontage road; and a possible connection through the Greenleaf Center. The access from the Greenleaf Center is being reviewed by the petitioners because of concerns with cut-through traffic.

Landscaping is to include foundation plantings, street trees, and up scaling of the existing buffer for the single family area. The closest building to a residence is 170 feet.

It was stated that the C/B-2 zoning will allow the flexibility for the potential of retail or restaurant uses. The C/O-1 to the south will provide protection for the residential neighborhood.

In response to Mr. Smith, Mr. Christenson stated that the one story buildings will be the same foot print as the Greenleaf Center; however changes will be made to the exteriors to provide variety and to help identify buildings.

Responding to Chairman Rudny, Mr. Christenson stated that the strip of C/O-1 ensures restrictive office uses along the residential portion. A PUD requires a locked in plan; however, this plan gives flexibility for tenants. The site may not be able to absorb all of the proposed office space, but retail uses could feed off of what is constructed.

Chairman Rudny suggested leaving a larger portion of the property as office, running along the residential property, and have a small portion of the site commercial along Washington Street.

Mr. Mike Henderson stated that preferably, he'd like to see the entire site C/B-2, but he does not want the residential properties at risk. The C/O-1 is requested to buffer these areas. He stated that according to the Village's Zoning Ordinance, this site would call for C/B-2 due to the location to a major intersection and roadways.

Ms. Heather McGee, 3810 Sutherland, Park City, stated that they moved in two years ago after contacting the Village of Gurnee and being told that the village would not allow a commercial use access off of Frontage Road; that a road would have to be installed from Greenleaf. She stated her objection to using Frontage Road for access because of concern for the safety of the children in the area and residential traffic. She stated that she would like Frontage Road to have limited access. Ms. McGee expressed her opinion that the C/O-1 strip be made into a buffer area from the C/B-2 and questioned how much voice the Park City residents have.

Ms. Kathy Bruessel, 3848 Sutherland, Park City, voiced concern for the children in the area and stated her opinion for limited access into the subdivision. She was also concerned with the following: water detention, setbacks, tree preservation, lighting, garbage disposal, and property values. Ms Bruessel stated that she would like to see a continuous fence installed for separation and restrictions on the type of businesses to go in.

Mr. Ed Moscatelli, 3854 Sutherland, Park City, stated that the surrounding roadways are elevated, this creates an echo on this parcel. He would like to see the C/O-1 strip not be buildable. He was concerned with possible flood plain areas, wetlands, traffic, and standing water. Mr. Moscatelli wanted to see the C/B-2 portion be C/O-1.

Mr. Greg Austin, 3836 Sutherland, Park City, was concerned with cut through pedestrian traffic and security of the site. He questioned if a fence or tree line would act as a separation and stated a concern for the roadway being close to their backyards.

Ms. Sandy Meistad, 3860 Sutherland, Park City, stated that she hates to see the golf course go if this is proposed to take its place. She would like to see the commercial portion moved closer to Washington Street and questioned if the Commission would want this use in their backyards.

Mr. Ed DeSalle, 318 Bedford, Park City, was concerned with the development and drainage of this site.

Ms. Trisha Iverson, 3866 Sutherland, Park City, was concerned with the development and for the wildlife in the area.

Mr. Christenson stated the following: that with the improvements on Washington Street, traffic will be greatly improved in this area; the main traffic will be generated off of Washington Street; fencing and existing landscaping will remain and be enhanced along the residential border; and the Village's tree replacement ordinance will be adhered to.

The allowed setback for the C/O-1 zoning district is 40 feet. The closest building to a residence is 170 feet.

Detention will act as a buffer and the intent is for dry detention; however this needs to be approved by the Village's Engineering Department.

Buildings on the site will provide a mass between the raised roadways and the single family development and should provide some noise abatement.

Similar lighting, garbage disposal, and landscaping will be implemented as in the Greenleaf Center.

Chairman Rudny stated concern with the commercial zoning. He agreed that there is an intensive intersection, but the single family area is a factor.

Mr. Robison stated that the proposal is not out of line with the Village's Comp. Plan or surrounding zonings. He thought the 220 feet of C/O-1 might be a little tight for office. He suggested a tie-in with the Greenleaf Center for traffic to go to Greenleaf and use the signal. He stated that this may cut down traffic on Frontage Road. Mr. Robison stated his opinion that asking for the 220 feet to not be developed is unreasonable.

Lengthy discussion was made as to the division point for the C/B-2 and C/O-1 zonings.

Mr. Wildenberg stated that there is an annexation agreement in effect for this site. Buffer plans, setbacks, lighting, etc., could be incorporated into an amended annexation agreement to control the development of the property.

Mr. Gill was concerned with buffering of the residential area.

Chairman Rudny suggested having staff review the buffering setbacks, etc., and incorporating them into the annexation agreement. He thought it was a good concept, but was still concerned with the development line of the zoning districts.

Mr. Robison moved, seconded by Mr. Smith, to forward a favorable recommendation to the Village Board on the petition of Henderson Partnership for a rezoning of property located on the south side of Washington Street, east of the Greenleaf Center, subject to:

- Amending the annexation agreement to be reviewed by staff to include the following:
 - buffering on the south property line;
 - possible cross-connection through the Greenleaf Center;
 - having only one access point, if possible, off of Frontage Road; and
 - signage to direct traffic out of the project and away from the single family neighborhood.

Roll Call Vote:

Ayes: Robison, Hellstern, Smith, Gill & Rudny
Nays: Cepon
Motion Carried 5-1

11. Mr. Smith moved, seconded by Mr. Robison, to approve the minutes of June 21, 1995, as presented.

Roll Call Vote:

Ayes: Robison, Smith & Rudny
Nays: None
Abstain: Cepon, Hellstern & Gill
Motion Carried 3-0-2

The Commission then discussed fencing on Almond Road in the Elysian Fields Subdivision. It was felt that the developer should have installed a uniform style of fence on all lots up front to ensure installation of a coordinated fencing plan. Currently, there are two fences up that are of different styles. Staff was requested to look at what could be done to correct this and create the desired uniform fence style.

The meeting was adjourned at 10:15 P.M.

Respectfully submitted,

Connie S. Dinsmore, Secretary
Plan Commission