

**Village of Gurnee
Planning and Zoning Board Minutes
December 21, 2016**

1. Call to Order and Roll Call

The meeting was called to order at 7:30 p.m.

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

Planning and Zoning Members Absent: Karyn Crawford and Josh Pejsach

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

2. Pledge of Allegiance

3. Public Comment

Mr. Sula asked if anyone from the public has 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 Meeting Minutes

a. October 24, 2016 Joint Village Board and PZB Meeting Minutes

Mr. Nordentoft stated that he is reflected as absent from this meeting, but that he was in attendance. This was confirmed and the minutes will be adjusted to reflect his attendance.

Mr. Nordentoft motioned, seconded by Mr. McFarlane, to approve the minutes, as amended, for the October 24, 2016 Joint Village Board and PZB meeting.

Voice vote:

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

Motion carried: 5-0-0

b. November 16, 2016 and December 7, 2016 PZB Meeting Minutes

Mr. McFarlane motioned, seconded by Mr. Nordentoft, to approve the minutes for both meetings, as presented.

Not Approved

Voice vote:

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

Motion carried: 5-0-0

5. Minor Sign Exception: Wal-Mart (6590 Grand Avenue)

Wal-Mart is seeking a minor sign exception to allow one additional sign to the wall of their store, located at 6590 Grand Avenue. Signs for this business are governed by a Special Use Permit. However, the underlying sign ordinance allows an increase to the number of wall signs allowed by right via the minor sign exception process.

Ms. Schopf stated that Wal-Mart, located at 6590 Grand Avenue, is seeking a minor sign exception to allow one additional 67 sq. ft. wall sign identifying the customer pick-up area for online grocery orders. Although signs for this business are governed by a Special Use Permit, the underlying sign ordinance allows an increase to the number of wall signs allowed by right via the minor sign exception process. She noted that the Planning and Zoning Board (PZB) is authorized to approve minor sign exceptions if the members find that the number, size, design, and placement of the sign is consistent with the stated purpose of the sign regulations. The purpose statement from the sign regulations is included in the PZB's information packet. The applicant's sign contractor was invited to this meeting to provide additional information or answer any questions the Board may have.

The consensus of the Board is that the sign is reasonable in order to direct patrons to the pick-up area for online grocery shopping. The sign also complies with the style and colors of the existing wall signs.

Mr. Nordentoft motioned, seconded by Mr. Paff, to approve the minor sign exception requested by Wal-Mart to allow one additional wall sign, as proposed in the plans provided to the PZB.

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

Roll Call Vote:

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

Nays: none

Abstain: none

Motion carried: 5-0-0

6. Final Subdivision Plat: NorStates Bank Subdivision (1555 Nations Drive)

NorStates Bank is seeking to subdivide Lot 1 in the Second Resubdivision of Cypress/Gurnee 1, Ltd. Autonation Subdivision.

Not Approved

Ms. Schopf stated that NorStates Bank is seeking to subdivide Lot 1 in the existing Automation Subdivision, which is generally bounded by Dilley's Road to the east and Nations Drive to the west. Staff has reviewed the proposed subdivision plat and has found it in conformance with the Village of Gurnee Subdivision Ordinance and the PUD regulations.

Mr. Sula asked if there were any questions from members of the Board.

Mr. McFarlane confirmed with Mr. Ziegler that this request is being made to accommodate a potential new tenant on the property.

Mr. McFarlane then motioned, seconded by Mr. Paff, to forward a favorable recommendation allowing the subdivision of Lot 1 as presented.

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

Roll Call Vote:

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

Nays: none

Abstain: none

Motion carried: 5-0-0

7. Special Use Permit: Gurnee Manor (5631 Manchester Drive)

RobMax, LLC, by Gabriel Bershinsky, is seeking a Special Use Permit to allow a Residential Care Facility at 5631 Manchester Drive. The subject property is zoned C2, Community Commercial, and a Residential Care Facility requires a Special Use Permit.

Ms. Schopf stated that RobMax, LLC, by Gabriel Bershinsky, is seeking a Special Use Permit to allow an eight-bedroom Residential Care Facility at 5631 Manchester Drive. The proposed facility would provide 24-hour personal, supportive, and intermittent health related services for a maximum of 10 seniors over 55 years of age. The subject property is zoned C2, Community Commercial district, and a Residential Care Facility requires a Special Use Permit. The site is currently being used as a day care center; a permitted use in the C2 district, but at the time it was established also required a special use permit. The day care was licensed for 68 children. The petitioner is in attendance to present their plans and answer any questions the board may have.

As this was public hearing, Mr. Sula asked that anyone wishing to speak on the matter be sworn in. Mr. Winter conducted the swearing-in.

Mr. Henry Tonigan introduced himself as attorney for the Petitioners, Gabriel and Irina

Not Approved

Bershadsky, and Leon Dikopf. He also introduced Glenn Christensen, with Manhard Consulting, as Land Use Planner on the project.

Mr. Tonigan stated that the Special Use Permit calls for conversion of the day care center into an eight-bedroom facility, which would provide 24-hour care and services for a maximum of 10 seniors, all 55 years of age or older. The facility will be licensed by the State of Illinois Department of Public Health. Such licensing will likely be granted based on Ms. Bershadsky's experience in the field. He noted that she will be a managing partner. The facility will not be licensed to provide care for persons who need some extra assistance with daily living activities, but not persons with Alzheimer's disease or other memory care issues. Mr. Tonigan stated that the approximately 1-acre parcel is surrounded by vacant commercial to the west, commercial to the east, multi-family residential to the north (Cobble Creek PUD), and multi-family residential to the south (Spinney Run).

Mr. Tonigan stated that additional landscaping will be installed on the site, mostly in front of the building, and that 2 patios will be added for residents to sit outside. A privacy fence will be installed around the site, replacing the existing chain-link fence. The parking lot will be refinished, but residents will not be allowed to have cars on the lot. LED lighting will be used on the property, in conformance with Village ordinance, and signage on the property will be brought to conformance with the Village's new sign code.

Mr. Tonigan offered to answer any questions by Board members, staff, or public may have about the project.

Mr. Sula explained that after discussion by the Board, the floor will be opened to the public for questions/comments. After all those wishing to speak have asked their questions/made their comments, the floor will be closed to the public and their concerns will be addressed at that time.

Mr. Sula asked if the exterior of the building is changing or if the building is increasing in size. He also questioned whether the rooms would include kitchenette (miniature refrigerator, microwave and sink) and if meals would be provided for residents.

Mr. Tonigan stated that the building would remain unchanged from the exterior, including no additions. He said that the rooms will not contain kitchenettes and that all meals will be provided for residents in a common dining room area.

Mr. McFarlane asked if the level of care for this facility was that of a nursing home or an assisted living facility.

Mr. Bershadsky stated that the facility is not a nursing home, but a residential care facility that provides assistance to residents with activities of daily living (meals, medications, bathing, etc.).

Not Approved

Mr. Nordentoft asked how certain rooms would be equipped to house two residents.

Mr. Bershadsky stated that 2 of the rooms are slightly larger and therefore may be able to accommodate two beds. These rooms might be used for married couples or friends (persons who want/have a roommate).

Mr. Paff stated that the parking on-site may be a concern of his.

Mr. Bershadsky stated that there will be no more than 4 staff persons at the facility at any one time.

Mr. Paff expressed concern about holidays and where parking during these busy times would occur.

Mr. Bershadsky stated that during holidays they would probably get a valet service and ask neighboring businesses if they could park cars in their lots. Mr. Christensen stated that from a land use standpoint this is one of the lowest impact uses there is, as far as traffic generation and parking. He noted that there is sufficient on-street parking in the area to accommodate any visitors during holidays.

Mr. Sula then opened the floor to the Public.

Mr. Frank Karrarsch, 845 Brian Court and President of the Spinney Run Homeowners Association, asked where this project is at in the development process and what their timeline is for construction. He also asked whether the facility could be converted to another type of health care facility at some time in the future; specifically whether it could be converted to a drug rehabilitation center without notice to the neighborhood. He also expressed concern about what might occur in the back of the property as some of the Spinney Run properties back directly to this site.

Mr. Sula explained that the project is in the initial steps, as this hearing is the request for a recommendation from the PZB on whether zoning approval (special use permit) should be granted to allow the development to proceed to securing the necessary building permit application. The Village Board will take the PZB's recommendation on the requested special use permit and make the final decision on the matter.

Mr. Ziegler stated that, should the Village Board approve the special use permit, the applicant has one year to apply for a building permit. Upon issuance of the building permit, the applicant has 6 months to complete the changes contemplated by the building permit.

In regards to whether the facility could be converted to another use, Mr. Winter stated that, generally, the special use permit is limited to the specific request. He noted that, unless the use that they want to operate is a use that is allowed by right, they would not be able to operate without further approvals. He noted that any other use of the property would need to be fully evaluated against the Zoning Ordinance use list. As for

Not Approved

a drug rehabilitation center, that would require a separate special use permit under the Village's Zoning Ordinance.

Mr. Christensen stated that the property will generally remain unchanged, with the exception of a solid fence instead of the chain link fence, some additional landscaping installed in front of the building, and some garden and patio areas installed, with an additional tree, in the back. There isn't going to be any addition or expansion of the existing building.

Ms. Regina Keller, 815 Kristin Court, asked if the petitioner owns any other facilities of the type that is proposed at 5631 Manchester Drive.

Mr. Sula then closed the floor to the public.

Mr. McFarlane addressed Mr. Karrarsch's concerns by explaining that, in addition to the zoning hurdles, any great advancement in the level of care provided by the facility would require involvement by the State; noting the size of the property and its structures, he felt such advancement would be unlikely.

Mr. Sula suggested that, if there were no more questions or comments, a motion would be in order at that time.

Mr. Nordentoft motioned, seconded by Mr. McFarlane, to forward a favorable recommendation on the proposed Special Use Permit for a Residential Care Facility at 5631 Manchester Drive, subject to the testimony and plans presented this evening.

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

Roll Call Vote:

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

Nays: none

Abstain: none

Motion carried: 5-0-0

8. Next Meeting Date: January 4, 2017

Mr. Sula confirmed that, although there is no public hearing slated for January 4th, there is a minor sign exception.

Not Approved

9. Adjournment

Mr. Nordentoft motioned, seconded by Mr. Paff, to adjourn the meeting.

Voice vote:

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

Motion carried: 5-0-0

The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Joann Metzger
Recording Secretary, Planning and Zoning Board