

Approved

**Village of Gurnee
Planning and Zoning Board Minutes
March 18, 2020**

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, Tim Garrity (remote), Edwin Paff, Josh Pejsach, Laura Reilly (remote), and David Nordentoft (remote)

Planning and Zoning Members Absent: none

Other Officials Present: David Ziegler, Community Development Director; Tracy Velkover, Planning Manager (remote); and Gretchen Neddenriep, Acting Village Attorney (remote)

Mr. Sula stated that before the meeting started he wanted to say how much he appreciated the IT Department's quick work to allow people to remote into this meeting. With that he read the following statement: In accordance with the Governor's Executive Order in response to COVID-19 #2020-07, in person attendance requirements under the Open Meeting Act have been suspended and relaxed. Therefore, tonight certain members of the Planning & Zoning Board, staff, and the acting Village Attorney will be participating remotely and that will be reflected in the minutes. Also, the petitioner for an agenda item will participating remotely, which will be noted for the record once we reach that agenda item.

2. Pledge of Allegiance

3. a. Approval of PZB's February 19, 2020 Meeting Minutes

Mr. Pejsach motioned, seconded by Mr. Baugh, to approve the February 19, 2020 meeting minutes as presented.

Voice vote:

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

Motion carried: 7-0-0

b. Approval of the PZB's March 4, 2020 Meeting Minutes

Ms. Velkover noted that staff made one change to the minutes from what provided to the PZB members. She stated that several times throughout the minutes Dr. Thunder was referred to as Mr. Thunder. These instances have all been corrected.

Mr. Pejsach motioned, seconded by Mr. Baugh, to approve the March 4, 2020 meeting minutes, as amended by staff.

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Voice vote:

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

Motion carried: 7-0-0

4. Public Hearing: Special Use Permit for Anthony Vaccarello, on behalf of BTE Motors (4710-5710 Des Plaines Place)

Anthony Vaccarello, on behalf of BTE Motors, is requested a Special Use Permit to allow the establishment and operation of a vehicle sales, rental, and service facility on property located at 4710-5710 Des Plaines Place. The subject property is zoned C-2, Community Commercial, and is located at the northeast corner of Rt. 120 and Rt. 21.

Mr. Ziegler stated that Mr. Anthony Vaccarello, on behalf of BTE Motors is requesting a Special Use Permit to allow the establishment and operation of vehicle sales, rental, and service facility with outside activity on property located at 4710-571- Des Plaines Place. The subject property is zoned C-2, Community Commercial, and is located at the northeast corner of Rt. 120 and Rt. 21.

As this is a Public Hearing, Mr. Sula asked that anyone wishing to speak on this matter be sworn in. Ms. Neddenriep, acting Village Attorney, conducted the swearing-in.

Mr. Anthony Vaccarello stated that he appreciated staff working to allow him to remote in his participation to this hearing. He noted that he has been operating for approximately the last 15 months and only recently became aware that the use was not allowed by right. He stated that he has been working with staff for about the last four to five months, to get to this hearing tonight. He noted that the subject site sits substantially below the grade of both Rt. 120 and Rt. 21. He is seeking approval to operate his business, which is a niche business of selling pre-owned motor coach buses that typically sell between \$100,000 and \$550,000 used. They would like to construct an 11,000 square foot lot to the east of the building at 4710 Des Plaines Court where they would park or display for sale up to five coach buses. These buses are used to move large groups of people, such as groups to Six Flags. That the buyer is a niche buyer and that there is only one other charter bus sales facility in the State of Illinois and that is in Des Plaines, and they sell brand new buses. These buses typically cost between \$150,000 and \$1,000,000 when new.

Mr. Sula asked Board members if they had any questions/comments. He started with those board members utilizing remote access to the meeting.

Mr. Garrity asked if the proposed location is the former Tent Master's location.

Mr. Vaccarello stated that it is that location. He noted that it is actually two lots, the lot with the former Tent Master's building and a lot to the east. They would combine the lots as part of this petition.

Mr. Garrity asked if the area where the 11,000 square foot bus display lot is proposed is currently grass.

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Mr. Vaccarello stated that it is currently grass.

Mr. Nordentoft asked for clarification on the four different parking areas reflected in the applicant's package. First he started with the new 11,000 sq. ft. parking lot east of the building.

Mr. Vaccarello stated that are is proposed for the display/sale of up to five charter coach buses.

Mr. Nordentoft noted that the plan reflects "trucks" in this area. He asked for clarification on what is meant by "trucks".

Mr. Vaccarello stated that this does not refer to semi-trucks. He said that there are some charter coach buses that have truck chassis with the main cabin area attached in back, instead of the traditional charter coach bus that is all one component. He noted that these types of charter coach buses are a little smaller.

Mr. Nordentoft asked if the buses would be new or used and if use, would they be in a dilapidated condition.

Mr. Vaccarello stated that all of the buses that they sell from this site are used (pre-owned). None are in dilapidated condition, but they do work on the buses on-site. They have two other locations, one in Orlando and one in Phoenix. Buses on the west coast are brought to Orlando and then to this location. He stated that he reviews each bus that comes to the site and no bus is dilapidated and not in running condition, because of the cost to tow these vehicles. He stated that they work on interiors on-site (i.e., re-upholster, pull new wire, Wi-Fi, install USB ports, etc.). They do not do any body or engine work.

Mr. Nordentoft asked about the parking area north of the building.

Mr. Vaccarello stated that approximately three buses would be in this area. These would be where buses that come to the site first get parked. This is where they would park buses that they are working on before they get to the stage where they can be displayed for sale in the lot to the east of the building. They would perform the interior work here. The area opposite where these buses are parked would be used for employee parking and some customer parking. Customer parking is very limited as this is a niche market. He noted that at the most they would have eight buses on-site at any time.

Ms. Reilly stated that she didn't have any questions at this time.

Mr. Paff stated that in the area north of the building, one of the buses that is parked up by the Quonset style building is in bad shape.

Mr. Vaccarello stated that bus is a rare double-decker bus that is worth at least \$200,000. He stated that they have already completed the interior work on the bus and the body has been repaired and it is just awaiting repainting. He noted that that bus new would be anywhere from \$500,000 to \$700,000. The body work and painting occurs off-site. Currently they work

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with a facility in Milwaukee. He noted that the work that they conduct interior to the buses in this area isn't visible to the public for several reasons; you can't see into the bus and the entire site is not visible from Rt. 120 and Rt. 21 as it sits so much lower than these adjacent roadways.

Mr. Paff asked if they were proposing any screening (fencing) to the east of their sales/display lot for the adjacent home.

Mr. Vaccarello stated that there is an existing tree line along the adjacent property line. He said that he wasn't asked to place any screening in this area, but that he would if the Board felt that it was needed.

Mr. Baugh stated that most of his questions have already been asked. He noted that his biggest concern with the use is the outdoor servicing of these vehicles.

Mr. Vaccarello stated that the Quonset building on the site is currently being used for boat storage. He does not have access to use this building, but has inquired about it with the property owner. If he hopes to have access to this structure and if he is able to secure access to this building he will move the work that they do on the interior of the buses to inside this building.

Mr. Sula stated that all of his questions have been addresses. He opened the floor to the public. As there was no one from the public to speak regarding the petition, he closed the floor. He then asked if any of the Board members had any additional questions or comments.

Mr. Garrity stated that the zoning allowed for an indoor dealership but that exterior activities requires a special use permit. He is leaning toward allowing the outdoor display and sale of vehicles, but he is struggling with the outdoor servicing of these vehicles. He said that car dealerships don't work on cars outside. This seems like more than a dealership. He is leaning toward allowing, but on the condition that all work on vehicles occur off-site or interior to a building on-site. If the applicant is able to work something out with the owner to obtain access to the Quonset building then the vehicle work can be conducted there. If not, it would have to occur off-site.

Mr. Sula stated that outside storage is contemplated by the Zoning Ordinance.

Mr. Paff asked if there have been any complaints from the neighbors about the buses that have been there for the last 15 months.

Mr. Ziegler indicated that he is not aware of any complaints received by the Village.

Mr. Sula stated that he assumed that all of the property owners were notified of this public hearing, as required by law and the Village's ordinances. He asked if we received any calls or feedback from these notices.

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Mr. Ziegler stated that the property owner notices were sent to property owners within 500 feet of the subject property and that no feedback was received from this notice, nor from the sign posted on the property.

Mr. Pejsach stated that every car dealership has an element of service, but that the service is done inside a building. They are not there to deliberate on what their business is, but on how the land is used. This property does butt up against commercial and residential property (even though the property is zoned commercially). He noted that the PZB recently discussed auto repair in residential districts and although the subject property is commercially zoned, it is adjacent to a residential use along the east property line. For that reason he thinks this is something that they should discuss and give consideration to.

Mr. Sula summarized what he believes the petitioner has testified to, as follows: No engine work being conducted on-site, no transmission work, no oil changes, body work is done off-site, painting is done off-site, on-site work is interior to the bus (upholstery, wiring, TV installation, etc.).

Mr. Ziegler stated that in the underlying C-2 district, minor vehicle repair is allowed by right. Major vehicle repair requires a special use permit. He described minor vehicle repair as brakes, mufflers, belts, tires, shock absorbers, wheel bearings, windshield wipers, oil changes, etc. Major vehicle repair includes body frame work, fender straightening, painting, engine rebuild, etc. He also noted that there are some operational conditions, and that he would look those up as the PZB continues their discussion on this matter.

Mr. Sula stated that the work that he heard that would be happening to the vehicles would be interior to the vehicles, which he noted have tinted/darkened glass and is therefore, the work will not be visible very from outside.

Mr. Garrity asked the petitioner to clarify, as he thought that he indicated that some body work would be done outside.

Mr. Vaccarello stated that the only thing exterior to the vehicle that they would touch would be to replace the luggage bay that is underneath the buses. He noted that they do replace those from time to time. Otherwise, everything else is interior to the bus (wiring, upholstery, etc.) or contractor out for off-site work (repair and painting). He said there wouldn't be guys out there painting buses or doing body work. There will be guys inside the buses sewing fabric or running wiring to put in bigger TVs or USB outlets. He said that they are 45 foot long vehicles with tinted windows and are hard to see in. He said given the grade changes between Rt. 120 and Rt. 21 it's very hard to even see the buses on the site.

Mr. Garrity asked if there would be power equipment used outside.

Mr. Vaccarello stated that power equipment would not be used outside. He noted that a compressor would be used, but that it is inside the building and would not be audible from the outside. He noted that is why they haven't had any complaints on their operation.

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Mr. Sula pointing out they will need to comply with all the Village's regulations, including noise, lighting, signage, etc.

Mr. Garrity indicated that he is more comfortable with the information provided.

Mr. Baugh stated that he just wants to make sure they are all clear. The petitioner is asking for outdoor servicing in the special use permit, so he warned that this will not differentiate between what is in the underlying code for minor and major vehicle repair. He wants to make sure that if this is approved, they are not then allowed to do all these other things outside that constitute major vehicle repair. He noted that he believes that no outdoor servicing should occur on this site.

Ms. Velkover stated that conditions could be placed on any favorable recommendation to limit the scope of the outdoor servicing activity.

Mr. Pejsach motioned, seconded by Mr. Garrity, to forward a favorable recommendation on the petition of Anthony Vaccarello, on behalf of BTE Motors, for a Special Use Permit to allow the establishment and operation of a vehicle sales, rental and service facility with outdoor storage, sales, display and service, on property located at 4710-5710 Des Plaines Court.

Mr. Sula asked if there was any discussion on the motion as there was not, a vote was taken.

Roll Call Vote:

Ayes: Garrity, Paff, Pejsach, Reilly, Nordentoft, and Sula

Nays: Baugh

Abstain: None

Motion Approved: 6-1-0

5. Public Hearing: Zoning Map Amendment for Jose and Katherine Hernandez (35374 Juniper Street)

Mr. Ziegler stated that the following two hearings were initiated by the Village, in order to fill in some of the unincorporated "donut holes" that exist in the Village's current municipal boundaries in this area. The first hearing is on the petition of Jose and Katherine Hernandez. They are requesting a Zoning Map Amendment to rezone property located at 35374 Juniper Street from R-1, Residential in unincorporated Lake County, to R-2, Single-Family Residential in the Village of Gurnee. The application is for an existing single-family home being annexed into the Village. The property conforms to the R-2 zoning district requirements and no changes to the property's use is proposed.

Mr. Sula asked if the PZB members had any questions. The PZB had no questions regarding the petition.

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Mr. Sula then opened the floor to the public. As there was no one from the public, he then closed the floor.

Mr. Pejsach motioned, seconded by Mr. Baugh, to forward a favorable recommendation on the petition of Jose and Katherine Hernandez for a Zoning Map Amendment to rezone property located at 35374 Juniper Street from R-1, Residential in unincorporated Lake County, to R-2, Single-Family Residential in the Village of Gurnee.

Mr. Sula asked if there was any discussion on the motion; as there was not, a vote was taken.

Roll Call Vote:

Ayes: Baugh, Garrity, Paff, Pejsach, Reilly, Nordentoft, and Sula

Nays: None

Abstain: None

Motion Approved: 7-0-0

6. Public Hearing: Zoning Map Amendment for Tomasz Boba (35373 Spruce Street)

Mr. Ziegler stated that this matter is similar to the previous one. He noted that Mr. Tomasz Boba is requesting a Zoning Map Amendment to rezone property at 35373 Spruce Street from R-1, Residential in unincorporated Lake County, to R-2, Single-Family Residential in the Village of Gurnee. He noted that this property backs up (abutts) the property in the previous petition. The property complies to the R-2 district requirements.

Mr. Sula asked if the PZB members had any questions. The PZB had no questions regarding the petition.

Mr. Sula then opened the floor to the public. As there was no one from the public, he then closed the floor.

Mr. Pejsach motioned, seconded by Mr. Baugh, to forward a favorable recommendation on the petition of Tomasz for a Zoning Map Amendment to rezone property located at 35373 Spruce Street from R-1, Residential in unincorporated Lake County, to R-2, Single-Family Residential in the Village of Gurnee.

Mr. Sula asked if there was any discussion on the motion; as there was not, a vote was taken.

Roll Call Vote:

Ayes: Baugh, Garrity, Paff, Pejsach, Reilly, Nordentoft, and Sula

Nays: None

Abstain: None

Motion Approved: 7-0-0

7. Next Meeting Date: April 1, 2020

Mr. Ziegler indicated that there are several public hearings scheduled for the April 1st meeting.

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8. Public Comment

There were no public comments.

9. Adjournment

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

Voice vote:

All "Ayes," no "Nays," None abstaining

Motion carried: 7-0-0

The meeting was adjourned at 8:13 p.m.

Respectfully Submitted,

Joann Metzger,
Recording Secretary, Planning and Zoning Board