

Unapproved
VILLAGE OF LAKE ZURICH
PLANNING & ZONING COMMISSION MINUTES
OCTOBER 18, 2017

The meeting was called to order by Chairman Stratman at 6:34 p.m.

ROLL CALL: *Present* –Chairman Stratman, Commissioners Baumann (6:35), Giannini, Schultz, and Muir. *Absent* - Commissioners Castillo, Dannegger, and Riley. Commissioner Muir will be serving as a full member this evening due to an absence. Chairman Stratman noted a quorum was present. *Also present:* Community Development Director Sarosh Saher and Associate Village Planner Katie Williams.

CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION

A. Approval of the September 20, 2017 Meeting Minutes of the Planning & Zoning Commission:

MOTION was made by Commissioner Schultz, seconded by Commissioner Muir, to approve the September 20, 2017 minutes of the Planning and Zoning Commission as submitted.

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo Dannegger, and Riley

MOTION CARRIED

PUBLIC MEETING:

225 South Rand Road - Garden Homes (PZC 2017-6)

Public meeting to consider the request for Final Plan Approval of a Planned Unit Development which received Development Concept Plan Approval from the Village Board in March 2017. Detailed information is contained within the accompanying staff report and all exhibits submitted by applicant.

Applicant - Mark Hoffman, Garden Homes

Chairman Stratman explained to the public that this agenda item includes final development proposals presented to the Planning & Zoning Commission for discussion and recommendations to the Village Board for final action, but does not include public discussion or input. The developer will need to appear before the Board of Trustees to be granted Final Approval. He asked the developer to briefly describe the final plan.

Mark Hoffman, director of development of Garden Homes, said the plans are same as presented at the preliminary plan hearing. The plans have been submitted to IDOT, LCDOT, and ACOE. They are waiting for approval but are confident it will be received.

Project engineer Dan Havlir provided historical information about the property that was vacated fifteen years ago by K-Mart but has been owned by the developer since 1985. They propose to construct 162 residential units and 19,000 square feet of mixed retail use. They will return to the Board of Trustees in late winter or early spring to request Final Approval.

A brief question and answer period followed. Commissioner Schultz raised concerns about drainage and questioned if it would impact the homes to the west of the property. Mr. Havlir said they are working with the village engineer and will comply with his recommendations. Commissioner Muir had questions about the size of the parking spaces and internal navigation. Mr. Hoffman said after IDOT responds, traffic engineer Lua Aboona will address any outstanding traffic and maneuvering issues during the final planning

phase. Although they have had inquiries from tenants for the retail space, they will need to be farther along in planning before they can provide specific information to prospective tenants or begin negotiations.

Issues raised included concerns about internal traffic flow and sufficient parking.

MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to recommend Final Plan Approval for the PUD at 225 South Rand Road - Garden Homes (PZC 2017-6).

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

PUBLIC HEARINGS:

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

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

Application PZC 2017-5 - 99 Quentin Road, Steil Plaza (to be continued);

Application PZC 2017-7 - 575 N. Rand Road, All Creatures Animal Hospital Satellite Office;

Application PZC 2017-8 - 20 S. Rand Road, Iverhouse Residence;

Application PZC 2017-9 - 23954 Miller Road, Whispering Trails Subdivision;

Chairman Stratman swore in those wishing to testify or comment.

Continued Application:

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

The applicant has requested continuance of the application while feedback from Commissioners is incorporated into revisions. Refer to attached Continued Applications Staff Report.

Applicant – Patrick Taylor, Central One LLC.

MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to continue the public hearing on PZC 2017-5, 99 Quentin Road, Steil Plaza, until November 15, 2017 at 7:00 p.m.

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

New Applications

- B. 575 N. Rand Road - All Creatures Animal Hospital Satellite Office (PZC 2017-7)
Public hearing to consider the request for a Special Use Permit in order to operate a veterinary services office in the B-1 Local and Community Shopping zoning district. *Applicant - Jamie Root, All Creatures Animal Hospital*

Jamie Root and Dr. Jay Nordstrom presented their proposal to operate a veterinary service office within the Lake Zurich Shoppes retail center at 575 N. Rand Road. This would be a satellite office that would service 1-2 patients per hour focusing on wellness with no major surgeries, overnight boarding, or outdoor kennels.

Dentists and owners of Sandy Point Dental Sam Calabrese and John McNerney were present to ask questions on how the business could impact their property and patients. He said his attorney wants to be assured that there will be no negative impact to their business and will attend the Board of Trustees meeting. Director Saher said the PZC is charged with determining the suitability of a use and could not address the terms of the cross access easement agreement with Sandy Point Dental, but he will consult with the village attorney and include any stipulations recommended by the attorney. Dr. McNerney raised further concerns about tight parking and higher use than anticipated. He believes this is a significant variation from the neighboring uses. Mark Ignas, shopping center owner, said they have a comprehensive agreement for the tenants that should address all the issues.

MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to close the public hearing on the public hearing on Application PZC 2017-7, 575 N. Rand Road, All Creatures Animal Hospital Satellite Office, at 7:20 p.m.

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Danegger, and Riley

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Schultz, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff, and to make these standards a part of the official record for the Application.

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Danegger, and Riley

MOTION CARRIED

MOTION was made by Commissioner Baumann, 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: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Danegger, and Riley

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to recommend that the Village Board approve the Special Use Permit for a veterinary services office at 575 North Rand Road by All Creatures Animal Hospital.

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

- C. 20 South Rand Road - Iverhouse Residence (PZC 2017-8)
Public hearing to consider a request for a Development Concept Plan for a Planned Unit Development to construct a new garage on the property. *Applicant - James and Kathy Iverhouse.*

Jim Iverhouse, owner of 20 South Rand Road, described his property and presented his proposal to construct a new detached garage on the front of the existing home to screen and buffer excessive traffic noise from Rand Road and to store personal vehicles and property. He will improve the existing drainage on his property and upgrade the landscaping. He said his neighbor, Katherine Meister, who he shares a driveway with, supports this project. Director Saher is not concerned that this will set a precedence because the Iverhouse residence is unique in many ways. It is 8' below Route 12, their backyard is the lake, and 7-foot fences are allowed along Routes 22 and 12. The petitioner will soften the look of the fence by adding landscaping that will also screen the garage.

MOTION was made by Commissioner Schultz, seconded by Commissioner Muir, to close the public hearing on the public hearing on Application PZC 2017-08 for 20 South Rand Road, Iverhouse Residence at 7:45 p.m.

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

MOTION was made by Commissioner Schultz, 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 additional clarification provided by Director Saher, and to make these standards a part of the official record for the Application.

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

MOTION was made by Commissioner Muir, seconded by Commissioner Giannini, to receive into the public record the testimony presented by the Applicants and testimony 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: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Giannini, to recommend that the Village Board approve the Development Concept which includes a detached garage and a privacy fence at the property known as 20 South Rand Road.

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to recommend that the Village Board approve the Special Use for a Planned Unit Development at the property known as 20 South Rand Road.

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

D. 23954 Miller Road - Whispering Trails Subdivision (PZC 2017-9)

Public hearing to consider the request for Development Concept Plan Approval of a Planned Unit Development to develop an 8-lot single family residential subdivision. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.

Applicant - Perry Janke, Evermore Homes, Ltd.

Perry Janke, Evermore Homes, Ltd., presented their proposal to construct an 8-lot single family residential subdivision on 5.5 acres at the corner of Miller Road and Brierwoods Lane. He reviewed the site plan, access to the property, and displayed the elevations. They will construct semi-custom homes ranging from 3-3,200 square feet with varied materials and facades to provide diversity. He described the exterior appearance plan and the variety of enhancements including color schemes and building materials. The lots off the cul-de-sac are pie-shaped and require a side yard variation. Mr. Janke said he cannot reduce the number of homes because 2.7 acres are designated wetland/special flood hazard area which greatly reduces the buildable area with 4,000 feet of the property impacted by wetlands. Director Saher said staff will require the petitioner to substantiate his wetland and soil calculations to be sure the development complies with the watershed development ordinance.

Jan Jozwiak, said he has lived in Lake Zurich for 36 years and has built many quality homes in town including the adjacent Whispering Creek Development. He discussed wetland, drainage, and open space related to his subdivision and different concessions he made when developing his subdivision and conditions he was required to follow. Per an agreement with Hawthorn Woods, lot sizes must be a minimum of .5 acres or 130 foot width when sharing a border. Mr. Jozwiak will not ask for recapture fees for water and other improvements but believes the developer should make a donation to the village. He is concerned the proposed development would adversely impact the neighboring property values. He does not oppose development but does oppose the requested zoning and density.

Mischa Dehart said she is the daughter of Mr. Jozwiak. She opposes the use of a name similar to the subdivision her father built, Whispering Creek, and asked that a less similar name be chosen for safety and professional reasons.

George Fiedler, 949 Lori Lane, expressed safety concerns about the proposed access which would add congestion near the school. He does not support setting a precedence for smaller lots in that area and is concerned it will lower their property values.

Tony Bono, 117 Lucy Court, does not oppose the development but agrees with Mr. Fiedler's comments about increased congestion at an already busy intersection. He would prefer to see the exit on Briarwoods Lane. Mr. Bono said this is a swampy area, and the retention areas often fill up with water.

Jessica Vealitzek, 12 Briarwoods Lane, agreed with the previous comments and stated concerns about traffic impact and pedestrian safety on Briarwoods especially since they do not have sidewalks. She does not support the subdivision access on Briarwoods for safety reasons. Ms. Vealitzek said Flint Creek floods their land when it rains and asked that the engineering be studied carefully before any zoning changes are allowed. She asked that the natural wetland and drainage not be impacted and that R-4 zoning remain.

Director Saher described the different zoning classifications and said staff considers the general trend of development when determining appropriate zoning and believes R-5 is the trend in that area. Staff will discuss the similar subdivision name and street names with the developer. Staff will ask the village engineer to review storm water and drainage in the area be certain the petitioner follows the watershed development ordinance, Illinois drainage laws, and properly demonstrate correct stormwater management prior to presenting the petition to the Board of Trustees. Staff will review the street design to be sure it meets all requirements.

Mr. Janke recapped the positive aspects of his proposed development and said they will work with ACOE and staff to minimize any impact on the surrounding areas in particular in the area of drainage and traffic.

MOTION was made by Commissioner Baumann, seconded by Commissioner Giannini, to close the public hearing on PZC 2017-9, 23954 Miller Road, Whispering Trails Subdivision at 8:47 p.m.

Upon roll call vote:

AYES: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Danegger, and Riley

MOTION CARRIED

Brief discussion followed with several commissioners stating concerns about drainage, setbacks, and street design and turning radius. Director Saher recapped staff review of the project and modifications requested from a planning perspective. Commissioner Baumann asked that a condition of the motion be that historic flooding be reviewed in addition to meeting applicable laws and regulations.

Chairman Stratman read Staff Recommendations Items 1-6 on page 12 of the Staff Report into the record and added a seventh recommendation:

7.) Recommendation is contingent upon the project area being evaluated against recent historic flooding in this area as well as full compliance with the stormwater management review and approval.

MOTION was made by Commissioner Schultz, 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 plus the narrative on Staff Report page 12 page Items 1 - 6 with the addition of Item 7 added this evening and to make these standards a part of the official record for the Application.

Upon roll call vote:

AYES: 4 Chairman Stratman, Baumann, Giannini, and Schultz

NAYS: 1 Commissioner Muir

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

MOTION was made by Commissioner Schultz, 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: 5 Chairman Stratman, Baumann, Giannini, Schultz, and Muir

NAYS: 0

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

MOTION was made by Commissioner Giannini, seconded by Commissioner Schultz, to recommend that the Village Board approve the Development Concept which includes an 8-lot single family residential subdivision at the property known as 23954 Miller Road.

Upon roll call vote:

AYES: 4 Chairman Stratman, Baumann, Giannini, and Schultz

NAYS: 1 Commissioner Muir

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

MOTION was made by Commissioner Schultz, seconded by Commissioner Giannini, to recommend that the Village Board approve the Special Use for a Planned Unit Development at the property known as 23954 Miller Road.

Upon roll call vote:

AYES: 4 Chairman Stratman, Baumann, Giannini, and Schultz

NAYS: 1 Commissioner Muir

ABSTENTIONS: 0

ABSENT: 3 Commissioners Castillo, Dannegger, and Riley

MOTION CARRIED

STAFF REPORT:

Planner Williams said Lifetime Fitness proposed for the Hackney's property (NEC Route 12 and North Old Rand Road) and Life Storage on Route 22 will be on the Agenda for November.

Director Saher said November is National Community Planning month, and staff has prepared brief presentation for tonight and at the next two meetings to educate the PZC, staff, and the community on the planning process. He narrated a PowerPoint presentation entitled, "Comprehensive Plan" that addressed typical elements, characteristics, purpose, a land use map, zoning map, critical areas and hot spots, policy affirmations and changes, economic development and upcoming planning and zoning efforts. Other topics included an Addendum to 2003 Comprehensive Plan and an update to Comprehensive Land Use Plan. Independent Topics include Zoning Code update, Land Development update, and Corridor Use plans/update.

ADJOURNMENT:

MOTION was made by Commissioner Schultz, seconded by Commissioner Baumann, to adjourn the meeting. Voice Vote, all in favor. MOTION CARRIED. The meeting was adjourned at 9:35 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved by: