

MINUTES OF THE PLAN COMMISSION
January 27, 2020

The regular meeting of the Plan Commission was called to order by Chairman Mark Moore at 7:05 p.m. at the Village Hall.

Members present: Chairman Mark Moore, Amy Flores, Matthew Krummick, Walter Oakley, and Kurt Schultz.

Members absent: Richard Pyter and Eric Steffe.

A quorum was established.

Village Staff present: John Spoden, Director of Community Development; David Smith, Senior Planner, and Jeff Cooper, Village Engineer.

Others present: Dr. Tom Thunder, Acoustics and Associates, and Brian DeSalle, P.E., PTOE, Civiltech Engineering, Inc.

Commissioner Krummick moved, seconded by Commissioner Oakley, to approve the January 13, 2020, Plan Commission meeting minutes.

Motion carried 5 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

**PC 20-04 Libertyville Civic Center, Applicant
 135 W. Church Street**

Request is for a Text Amendment to Article 16-8.5 of the Libertyville Zoning Code regarding Village Board Authorized Variations as it relates to maximum allowed lot coverage in an IB, Institutional Buildings District.

Commissioner Oakley recused himself from this item.

Mr. Joseph Wegrzyn, 1613 Eric Lane, Board Member of Libertyville Civic Center Foundation, stated that there is a need to upgrade the Civic Center's HVAC system. He stated that the proposed upgrades will have an impact on the maximum permitted lot coverage and will need relief from the Code for the setbacks as well.

Chairman Moore asked if the proposed change to the lot coverage regulations apply to any property in the Village. Mr. David Smith, Senior Planner, stated that the proposed text amendment applies only to the IB District.

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Mr. John Spoden, Director of Community Development, stated that this proposal was a challenge with the Civic Center site. He stated that this site was the former Post Office and the site is smaller than what it might appear to be.

In the matter of PC 20-04, Commissioner Schultz moved, seconded by Commissioner Flores, to recommend that the Village Board of Trustees approve a Text Amendment to Article 16-8.5 of the Libertyville Zoning Code regarding Village Board Authorized Variations as it relates to maximum allowed lot coverage in an IB, Institutional Buildings District, as follows:

The proposed change to Article 16-8.5(a)(3) under Authorized Variations – Board of Trustees, is depicted in the bold italics in the following section of the Zoning Code:

- 3) To increase the maximum allowable building coverage or lot coverage, but not by more than five percent (5%) of the district requirement in the C-2 Downtown Community Commercial District, the C-3 General Commercial District, and the O-1 Professional Services Office District, by not more than fifteen percent (15%) of the district requirement in any Residential District, ***by not more than thirty-five percent (35%) of the district requirement in the IB Institutional Buildings District*** and by not more than twenty percent (20%) of the district requirement in every other district

Motion carried 5 - 0.

Ayes: Moore, Flores, Krummick, Oakley, Schultz

Nays: None

Absent: Pyter, Steffe

PC 20-03 Tribos Libertyville, LLC, Applicant
1201 S. Milwaukee Avenue

Request is for a Planned Development Final Plan in order to develop a New Vehicle Dealer, with accessory Used Vehicle Sales/Leasing, Vehicle Repair, and Outdoor Display and sales of such vehicles for sale/lease, and a car wash, but excluding Mobile Homes for property located in a C-4, Shopping Center Commercial District.

Mr. David Smith, Senior Planner, stated that the applicant was before the Plan Commission seeking approval for a Special Use Permit for Planned Development and a Planned Development Concept Plan in October of 2019. Mr. Smith stated that the applicant is back before the Plan Commission tonight seeking a recommendation for the application for the Planned Development Final Plan.

Mr. Greg Mauro Gesualdo, applicant, stated that they have eliminated one of the two exits from the site in order to reduce confusion for people navigating through the site. He stated that they have visited several car washes. He stated that they have incorporated a sound fence on the site near the car wash exit in addition to a privacy stockade fence near the western property line. He stated that they have relocated the trash enclosures as well. He stated that they have provided

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AutoTurn exhibits for garbage trucks, fire trucks, and the car transport vehicles. He stated that they have added additional landscaping.

Mr. Gesualdo stated that they were able to reduce the number of directional signs and they have eliminated the Used Car sign and now only have the Infiniti freestanding sign and the Soapy Joe's Car Wash sign.

Mr. Gesualdo stated that they have screened the roof top HVAC equipment. He stated that all three of the pay station kiosks may be used by anybody from the public.

Mr. Gesualdo stated that the vacuum motor equipment is housed inside the building so that the vacuum motor sound is mitigated. He stated that the car wash will be equipped with hybrid blowers which are more quiet and that they will be setback from the exit door approximately 25 feet inside the tunnel.

Chairman Moore requested that the applicant respond to the Village Staff comments listed in the January 23, 2020 DRC Staff report.

Mr. Todd Roberts, Engineer from Merit Corp representing the petitioner, stated regarding the Staff review comment number (1) one on page 3 of the DRC Staff report that they have drafted an AutoTurn exhibit that shows that a car transport truck and the aerial fire truck can make the necessary turns on the subject site without any problems. He stated that all three kiosk pay stations located before the car wash will allow anybody from the public to utilize them.

Mr. Gesualdo stated that in regards to the Staff comment number two (2) on page 4 of the DRC Staff report which states that Civiltech notes in their review of the December 6, 2019 GHA Traffic Impact Study (TIS) that during the October 28, 2019 Plan Commission public hearing, the developer indicated that one of the three car wash pay stations would only be for pre-paid memberships and customers of the Infiniti dealership. Civiltech further stated that if this is the case, it seems there would be a reduced amount of stacking spaces at the pay station for general wash customers available as compared to the 22 vehicles calculated in the TIS. Mr. Gesualdo stated that there are three pay kiosk stations before the car wash entrance and all three will be open to the public.

Mr. Gesualdo stated that he does not agree to comply with comment number three (3) on page 4 of the Staff report which states that Civiltech notes in the January 21, 2020 review that it would be desirable to provide an access roadway within the proposed site so that the dealership vehicles being washed do not need to circulate onto Greentree Parkway. The Civiltech further stated that possible locations for such an access would be between the pay stations and the wash entrance or along the east side of the site parallel to the noise fencing to route vehicles through the pay station. Mr. Gesualdo stated that it would be impossible to change the site plan without tearing up the landscaping and trees on the site.

Mr. John Spoden, Director of Community Development, stated that this comment was intended to make the site plan work better. He stated that consideration could be given to eliminating two parking spaces to allow for an internal driveway access into the car wash so that cars being

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serviced by Infiniti would not have to drive back out onto Greentree Parkway to enter into the car wash queue.

Mr. Gesualdo stated that such a change to the site plan does not make sense.

Mr. Gesualdo stated that they are now proposing quieter blower equipment called Aerodyne for the car wash and that they will be located further inside the car wash tunnel. He stated that they anticipate that the decibel level will not exceed 69 dB at a 50 foot distance. He stated that they are also proposing 'Dry and Shine' cloth drying equipment at the end of the car wash tunnel between the blowers and the car wash exit. He stated that the blowers will be setback inside the car wash tunnel 25 feet from the exit. He stated that even if the car wash exit door remained open at all times the decibel level at that western property line will not exceed 53 dB.

Chairman Moore stated that the car transport trucks will not be permitted to stand or park on Greentree Parkway or on Milwaukee Avenue. Mr. Gesualdo stated that he understands this restriction. He stated that there is a staging area located within the interior of the lot. He stated that they did reduce the number of parking spaces in order to allow for the needed turning radii for the car transport trucks to maneuver on site.

Mr. Roberts stated that they have modified the AutoTurn analysis in order to allow the car transport vehicles to maneuver on site unencumbered.

Chairman Moore read Staff comment number seven (7) on page 4 of the DRC Staff report that requested an additional AutoTurn analysis to demonstrate that car transport trucks can access westbound Greentree Parkway from both the northbound (left turn) and southbound (right turn) directions off of Milwaukee Avenue without any modifications to the existing intersection.

Mr. Jeff Cooper, Village Engineer, stated that comment number seven (7) was included in the Staff report because the petitioner has indicated that the car transport trucks will not access the site via the Milwaukee Avenue access driveway, but solely rely on the Greentree Parkway access driveway. He stated that it was important that the applicant show that these auto transport trucks can make the turn at the Milwaukee Avenue and Greentree Parkway intersection.

Chairman Moore asked for clarification regarding comment number nine (9) regarding the pavement structural stability on Greentree Parkway. Mr. Cooper stated that Staff deemed it important that since the heavier car transport trucks are now proposed to access the site via the Greentree Parkway driveway entrance then the applicant should demonstrate whether the pavement integrity can accommodate the heavier trucks.

Chairman Moore stated that the applicant should be aware that there is a note from Staff that IDOT could potentially require changes to the proposed site plan.

Chairman Moore stated that the Staff report listed four conditions for approving the Planned Development Concept Plan that were not addressed satisfactorily by the applicant's submission of the Planned Development Final Plan.

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Mr. Smith stated that the comments that follow the four listed conditions in the Staff report were intended to address the unanswered conditions in a comprehensive fashion.

Ms. Marcy Carol, 1290 Briarwood Lane, stated that during the demolition of the Chase Bank building has created a lot of noise and vibration and is a nuisance. She stated that she is concerned about the hours of operation of the dealership and car wash. She stated that she is concerned about the proposed privacy fence aesthetics. She stated that she is concerned that the car transport trucks will sit idling at the dealership all night. She stated that she is concerned about how the applicant will manage the storm water.

Mr. Gesualdo stated that the privacy fence is proposed to be 8 feet in height. He stated that if the residents to the west don't want the fence then he can withdraw the fence proposal. He stated that the property pitches towards Milwaukee Avenue so the residents to the west should not have to worry about any increase in flooding caused by his development. He stated that the dealership will close at 9:00 p.m. Monday through Friday and will close at 6:00 p.m. on Saturday and will not be open on Sundays.

Mr. Spoden stated that the Zoning Code restricts truck deliveries to properties that abut a residential district between 9:00 p.m. and 7:00 a.m.

Mr. Gesualdo stated that they have gotten rid of the dog wash proposal.

Ms. Cheryl Castle, 1121 Tracy Lane, stated that she is concerned about the lighting from the dealership, the potential for increase in the Greentree Parkway traffic and the increase in noise.

Mr. Gesualdo stated that their photometric site plan shows that the illumination at the property lines measure at zero (0) foot candles. He stated they anticipate the noise level will not exceed 53 dB as measured at the western property line.

Dr. Thomas Thunder, Village's sound consultant, stated that a reduction in the decibel levels by 10 dB is a reduction in the noise by one-half (½). He stated that although there is sound mitigating fence next to the car wash exit, there is still a line of site from the neighboring residents at the southwest corner to the car wash exit. He stated that noise will transmit along that same line of site opening.

Mr. Gesualdo stated that they are proposing to locate the quieter blowers 25 feet back from the car wash exit and to install the Dry and Shine system between the car wash exit and the blowers in order to mitigate the noise.

Mr. Scott Shutan, 1284 Briarwood Lane, asked for clarification as to the proposed location of the privacy fence. Mr. Roberts stated that the proposed privacy fence will be located east of the Magnolia tree line and west of the new landscaping. He stated that the privacy fence line will be approximately 12 to 15 feet east of the Magnolia trees. He stated that the new landscaping on the east side of the privacy fence will be a mix of deciduous and conifer trees.

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Mr. Shutan stated that he is concerned about the hours of operation of the car wash. He stated that although the applicant stated that the vacuum mechanics that make the noise are housed inside the car wash building, he is still concerned about the suction sound coming from the vacuum hoses themselves.

Mr. Shutan stated that the Plan Commission should have received an email letter from his neighbor Mr. Carroll. He stated that he hopes that the Plan Commission reads this letter.

Dr. Thunder stated that the suction sound coming from the vacuum hoses will be a much higher frequency and will not have the same negative impact as a lower frequency sound source.

Ms. Janet Salstrom, 1292 Briarwood Lane, stated that they should install all of the mechanics underground. She stated that the proposed privacy fence appears to be an ugly proposal and she does not want to have to look at it from her home. She stated that evergreen plantings at a height of 40 to 60 feet should be considered instead of the fence. She stated that if they keep the fence proposal then it should be at least 10 feet in height. She stated that she is concerned that the car transport trucks will have difficulty making the turn at the Milwaukee Avenue and Greentree Parkway intersection.

Mr. Gesualdo stated that he would be concerned about the structural stability of a fence taller than eight (8) feet in height due to the impact of the wind load.

Chairman Moore stated that a wooden fence does age and deteriorate.

Mr. Spoden stated that the property owner will be responsible for maintaining the fence.

Ms. Salstrom stated that the applicant should explore alternative fence materials.

Commissioner Oakley asked if evergreen trees would be a better noise mitigation barrier than a fence. Dr. Thunder stated that a fence without gaps is a better noise mitigation barrier.

Chairman Moore asked the Village Attorney to respond to the letter provided by Libertyville resident Mr. Carroll. Mr. David Pardys, Village Attorney, stated that under the Zoning Code regulations for a Planned Development a petitioner may request approval for a land use that might not be listed as permitted or specially permitted in a particular zoning district.

Commissioner Flores asked how many of the cars going through the car wash are vehicles being serviced by Infiniti. Mr. Gesualdo stated that most of the cars going through the car wash will be from the public.

Commissioner Flores asked how many vehicles will be serviced per day by Infiniti. Mr. Gesualdo stated that they will service between 25 and 30 vehicles per day and not all of them will go through the car wash. He stated that they will be able to wash 130 vehicles per hour.

Commissioner Flores stated that she is concerned about traffic jams both before and after the pay station kiosks.

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Mr. Gesualdo stated that the pay stations will regulate the traffic flow in an orderly fashion in order to keep the vehicles moving through the lanes as they approach the car wash.

Commissioner Flores stated that she is concerned about the loud colors of the pay station kiosks and requested that the colors be more subtle.

Mr. Gesualdo stated that the images provided in the application of the pay station kiosks are samples only.

Commissioner Krummick asked why this proposal did not include a request to rezone the property to C-5, Vehicle Dealer Commercial District. Mr. Spoden stated that Staff was concerned about creating a spot zoning situation. He stated that existing zoning C-4 does allow for a car dealership as a Special Permit Use.

Commissioner Krummick stated that he is concerned about the light levels becoming a nuisance for the residential neighbors.

Mr. Roberts stated that the light levels will not exceed zero (0) foot candles measured at the property lines.

Commissioner Krummick stated that he is concerned about the car transports parking in the Greentree Parkway and Milwaukee Avenue right-of-ways.

Mr. Gesualdo stated that they will allow it.

Commissioner Krummick asked Staff if they can add additional signage on Greentree Parkway to restrict the car transport trucks from parking within the right-of-ways.

Mr. Spoden stated that there already is 'No Parking' signage along Greentree Parkway but they can add more to strengthen the existing signage.

Commissioner Schultz stated that it is important that the applicant maintain the proposed fencing. He stated that he is concerned about advertising gimmicks to attract car wash customers to get to their site.

Mr. Gesualdo stated that they are developing a high end car wash so additional advertising gimmicks will not be used.

Chairman Moore stated that there appears to be too many open items and that he recommends a continuance to February.

In the matter of PC 20-03, Commissioner Schultz moved, seconded by Commissioner Flores, to continue this item to the February 24, 2020, Plan Commission meeting.

Motion carried 5 - 0.

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Ayes: Moore, Flores, Krummick, Oakley, Schultz

Nays: None

Absent: Pyter, Steffe

STAFF COMMUNICATIONS AND DISCUSSION: None.

Commissioner Schultz moved, seconded by Commissioner Oakley, to adjourn the Plan Commission meeting.

Motion carried 5 - 0.

Meeting adjourned at 9:45 p.m.