

MINUTES OF THE PLAN COMMISSION
February 28, 2022

The regular meeting of the Plan Commission was conducted virtually due to public health concerns and called to order by Temporary Chairman Eric Steffe at 7:00 p.m.

Commissioner Rankin moved, seconded by Commissioner Flores to appoint Commissioner Steffe as Temporary Chairman of the Plan Commission in Chairman Mark Moore's absence.

Motion carried 5 - 0.

Members present: Temporary Chairman Eric Steffe, Amy Flores, Richard Pyter, Thomas Rankin, and Gregory Wheeler.

Members absent: Chairman Mark Moore and Walter Oakley.

A quorum was established.

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

Others present: Brooke Lenneman, Village Attorney.

OLD BUSINESS: None.

NEW BUSINESS:

**PC 22-02 Great Lakes Credit Union, Applicant
1509 N. Milwaukee Avenue, Suite 102**

Request is for a Special Use Permit for a Drive-In Establishment accessory to a Credit Union for property located in a C-3 General Commercial District.

Mr. Scott Parker, Legat Architects, 1125 Tri-State Parkway, Gurnee, IL., introduced the proposed scope of work including a new drive-thru canopy structure and various wall signs attached to the structure. He stated that Great Lakes Credit Union occupied this location a number of years ago, moved out at one point, and then re-occupied this location. He stated that there used to be a drive-thru with a larger canopy attached to the building, but it was removed a number of years ago. He stated that now that Great Lakes is coming back they will need a new drive-thru ATM structure, but it will be detached from the main building.

Mr. Parker stated that the Tranel Financial Group also occupies this building and Great Lakes Credit Union desires to differentiate themselves from Tranel with the proposed signage on the canopy structure. He stated that there are two signs that face Milwaukee Avenue and one sign that faces north. He stated that the sign on the ATM structure that faces north enables drivers to identify the ATM as belonging to Great Lakes as they access the property from Milwaukee Avenue if they miss the signage that faces Milwaukee Avenue.

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Mr. Mike Hersh, 7123 North Keystone, Lincolnwood, IL., representative from Great Lake Credit Union, stated that they appeared before the Appearance Review Commission and received a positive recommendation.

Commissioner Pyter stated that he cannot identify the justification for the sign variation.

Mr. Hersh stated that they felt that there was a need for the number of signs on the ATM structure as it is setback from Milwaukee Avenue far enough that the line of sight to the signs from the vehicles traveling along Milwaukee Avenue is compromised due to the distance.

Commissioner Rankin asked for clarification as to why the petitioner designed the sign panel backgrounds translucent as this is not compliant with the Zoning Code regulation.

Mr. Parker stated that the Appearance Review Commission also pointed out the translucent background, but stated that they weren't certain about the requirement prior to the Appearance Review Commission meeting.

Commissioner Rankin stated that he does not support the sign variations, but does support the Special Use Permit for the drive-thru.

Commissioner Flores stated that she supports the Special Use Permit for the drive-thru, but does not support the sign variations. She stated that it does not seem like the applicant should need the lower of the two signs facing Milwaukee Avenue, she would support one sign facing Milwaukee Avenue and the other sign facing north.

Mr. Hersh stated that they would consider reducing the number of signs by one and replace the removed sign with the wave logo.

Commissioner Wheeler asked for clarification of the regulation regarding internally lit signage.

Mr. David Smith, Senior Planner, explained the Zoning Code requirement that prohibits the background of the sign panel to be translucent, but does allow the logos and lettering to be translucent with the panel background to be opaque. He stated that the Zoning Board of Appeals can make the motion for approval with conditions that can address the translucency issue depending as to what the applicant agrees with.

Ms. Brooke Lenneman, Village Attorney, stated that the Zoning Board of Appeals can move forward with a motion and if they deny the translucent background then the applicant would have to apply for a permit that complied with Code. She stated that the Zoning Board of Appeals can amend their motion to support the sign variation request for only three signs instead of four.

Mr. Hersh stated that he would hope to get this issue resolved as soon as possible. He stated that they will agree to remove the north facing sign on the canopy for a revised variation for a total of 3 signs.

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In the matter of PC 22-02, Commissioner Flores moved, seconded by Commissioner Rankin, to recommend that the Village Board of Trustees approve a Special Use Permit for a Drive-In Establishment accessory to a Credit Union for property located in a C-3 General Commercial District, in accordance with the plans submitted.

Motion carried 5 - 0.

Ayes: Steffe, Flores, Pyter, Rankin, Wheeler

Nays: None

Absent: Moore, Oakley

PC 22-03 Village of Libertyville, Applicant

Request is for a Text Amendment to the Libertyville Zoning Code in order to correct errors and clarify certain discrepancies.

Mr. John Spoden, Director of Community Development, introduced the proposed amendments to the Village of Libertyville Zoning Code.

Mr. Spoden stated that Staff recommends to remove the phrase ‘or to be separated by only an alley’ from the definition of ‘Abut’ in Section 26-2-2 Definitions. He stated that the use of an exception in the definition section is confusing and counter-intuitive to the setback portion of each zoning district. He stated that it is also inconsistent with the term abut which means “to touch”.

Mr. Spoden stated that Physical Fitness Studios (713940) is currently listed as a Special Use Permit in the C-3 Zoning District but that it should be listed as a Permitted Use in the C-3 Zoning District.

Mr. Spoden stated that ‘Other Amusement and recreation industries (7139), but limited to bowling centers’ is listed as a Permitted Use in the C-3 Zoning District but it should be listed as a Special Permitted Use in the C-3 Zoning District.

Mr. Spoden stated that the land use ‘Escape Rooms’ should be listed under the NAICS code number 713990 under All Other Amusement and Recreation Industries as a Special Permit Use in the C-3 and C-4 districts.

Mr. Spoden stated that ‘Offices of other Health Practitioners (6213)’ shall be added to as a Permitted Use in the O-1 Zoning District.

Mr. Spoden stated that Section 26-14-4.1(b) under Nonconforming lots of record states that the aggregate side yard requirements for interior lots shall be reduced in proportion to the actual lot width divided by the required lot width, but in no event by more than twenty-five (25) percent of the minimum required side yard. He stated that Staff has included interior side yard setbacks as a matter of routine, more so than aggregate side yard setbacks when it relates to nonconforming lots of width. He stated that Staff is proposing that this section be clarified to include both the aggregate and interior side yards shall be reduced for lots that are nonconforming in their width.

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Mr. Spoden stated that Under 26-5-5(j)(3) to add NAICS code number (441) after Motor vehicles and parts dealers.

Mr. Spoden stated that the following text should be added, “up to 500 square feet of outdoor dining shall be exempt from required parking spaces” to the chart under Section 26-10-1.2(a).

Mr. Spoden stated that in Section 10-1.5.(c)(6) remove the maximum number requirement which is (12) Class I, Class II or Class III vehicles, for multiple family dwellings, that may be stored in a permitted, completely enclosed garage in any multiple-family residential district; provided, however, that the garage shall be either built into or attached to the principal structure. He stated further that the maximum number of Class I, Class II or Class III vehicles shall continue to be not more than 12 for detached free-standing building(s).

Mr. Spoden stated that gas stations should be removed as a Permitted Use in the C-4 district as they are already listed as a Special Permitted Use in the C-4 district.

Mr. Spoden stated that the text ‘Other Technical and Trade Schools, (NAICS 611519) limited to Banking schools, Computer repair training, Dental hygienist schools, Dental technician schools, Graphic arts schools, Home health aid schools, Hospital management schools (except academic), Hospitality management schools (except academic), Nurse’s aides schools, Photography schools (commercial), and Real Estate schools’ should be added as Special Permitted Uses in the O-1 district and as Permitted in the O-2 district.

Mr. Spoden stated that ‘Architectural, Engineering and Related Services without exceptions or limitations (NAICS 5413)’ should added to the O-2 district as Permitted Use.

Mr. Spoden stated that ‘Accounting, Tax Preparation, Bookkeeping, and Payroll Services (NAICS 5412)’ should be added to the O-2 district as Permitted Use.

Mr. Spoden stated that ‘Advertising, Public Relations, and Related Services (NAICS 5418)’ should be added to the O-2 district as Permitted Use.

Mr. Spoden stated that ‘Add Computer Systems Design and Related Services (NAICS 5415)’ should be added to the O-2 district as Permitted Use.

Mr. Spoden stated that ‘Legal Services (NAICS 5412)’ should be added to the O-2 district as Permitted Use.

Mr. Spoden stated that ‘Tanning salons, Depilatory or electrolysis (i.e., hair removal) salons, Hair replacement or weaving services, Permanent make-up salons, Color consulting services (i.e., personal care services), Scalp treating services all under (NAICS 812199)’ should be added to the C-3 and C-4 districts as Permitted Uses.

Mr. Spoden stated that ‘Sports and Recreation Instruction (NAICS 611620)’ should be added to the C-2 district as Permitted Use.

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Mr. Spoden stated that it is Staff's intention to introduce these changes tonight and then request a continuance.

In the matters of PC 22-03, Commissioner Rankin moved, seconded by Commissioner Wheeler, to continue this item to the April 11, 2022, Plan Commission meeting.

Motion carried 5 - 0.

Ayes: Steffe, Flores, Pyter, Rankin, Wheeler

Nays: None

Absent: Moore, Oakley

STAFF COMMUNICATIONS AND DISCUSSION:

Mr. John Spoden, Director of Community Development, announced that there will be a workshop for the Plan Commission and Human Relations Commission to discuss the draft Attainable Housing Ordinance scheduled for Thursday, March 10, 2022, at 5:00 p.m.

Commissioner Pyter moved, seconded by Commissioner Rankin, to adjourn the Plan Commission meeting.

Motion carried 5 - 0.

Meeting adjourned at 9:47 p.m.