

**PLANNING AND ZONING COMMISSION
MINUTES
APRIL 27, 2016**

I. Call to Order and Roll Call

The meeting was called to order at 7:34 p.m.

Attendance: Commissioners Ballowe, Cotton, Gorog, Mulcrone, Hezner and Heidner were present. Chairperson Morris was absent. A quorum was established.

Also in Attendance: Joe Carey, Assistant Village Manager (AVM)

On a motion by Commissioner Mulcrone and second by Commissioner Cotton, the Commission voted 6-0 to appoint Commissioner Heidner as Chairperson Pro Tem.

II. Public Hearing

1. Case 15-04 is a petition filed by Terry Roberts, Wal-Mart Stores, Inc., 2001 SE 10th Street, Bentonville, AR 72716 requesting, pursuant to Exhibit F of the MarketPlace Annexation Agreement and Appendix C of the Village of Vernon Hills Code of Ordinance, Article 13, Section 13.3, Articles 18 and 21, Section 21.3 and 21.6, the following:

1. A Special Use Permit to allow for the operation of an automobile service station; and
2. Final site, architectural and Landscape plan approvals

The proposed store location is on the Sam's Club property, 335 North Milwaukee, in the Marketplace at Vernon Hills Shopping Center being on the east side of Milwaukee Avenue, Vernon Hills, Illinois and located in the B-1 Business District. The property index number for the Sam's Club parcel is 15-03-301-034.

ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN.

Steven Maloney, Core States Group, provided an overview of the site and history of the project. They received a Special Use in 2006; it was extended twice and eventually expired. The concept plan was presented to the Committee of the Whole and there were questions regarding the traffic flow. The plan has since been revised. Mr. Maloney discussed the traffic flow and fuel deliveries. He discussed the architecture and noted that it matched the existing building; the colors, styles and brick.

Commissioner Hezner asked about the one way on the site plan. Mr. Maloney indicated that was requested by the Village Engineer. Commissioners Mulcrone and Hezner both discussed the traffic flow and felt it needed to be revisited. Commissioner Hezner felt people would be drawn to the south side of the canopy versus the north side. He questioned the traffic circulation on the site. Mr. Maloney indicated they wanted to redirect traffic away from the main road on the west. AVM Carey noted that if the

landscape median on the southern one way northbound exit were to be shifted to the east, this would be able to accommodate both north and southbound traffic. Commissioner Hezner felt you could isolate the circulation to the area of the parking lot versus driving through the parking lot; it would be the best solution.

Commissioner Ballowe inquired about the sign variation and why it would be needed. Mr. Maloney indicated it was more to navigate in the parking lot. It was noted that only Sam's Club members can use the fuel station. The Commission discussed the signage and felt the size and number of signs was unnecessary and should be voted on separately.

There will be parking lot lighting and recessed lighting on the canopy. Commissioner Ballowe asked about restrooms in the kiosk building and it was noted there would be an attendant on duty.

THE MEETING WAS OPENED FOR PUBLIC COMMENT. NONE BEING RECEIVED, THE PUBLIC HEARING PORTION WAS CLOSED

It was noted that the Petitioner submitted responses to the 18.3 Standards.

- a) Chairperson Pro Tem Heidner made a motion to recommend approval of a Special Use Permit to allow for the operation of an automobile service station, subject conditions noted below:

Seconded by Commissioner Ballowe

Vote

Ayes: 6 - Cotton, Hezner, Heidner, Mulcrone, Gorog, Ballowe

Nays: 0 - None

Absent: 1 - Morris

The Commission voted 6-0 to recommend approval of a Special Use Permit to allow for the operation of an automobile service station subject conditions noted below:

Conditions of Approval

General Compliance with the following plans:

- Site Improvement Plans prepared by Core States Engineering, Inc with a revision date of July 24, 2015 and consisting of 1 page.
- Engineering Improvement Plans prepared by Core States Engineering, Inc with a revision date of July 24, 2015 and consisting of 13 pages.
- Landscape Plan prepared by Core States Engineering, Inc with a revision date of July 24, 2015 and consisting of 2 pages.
- Building Elevations, floor plan and signage plans prepared by Sam's Club with a date of April 25, 2015 and consisting of 2 pages.

Conditions of Approval for the Entire Site:

1. Final approval of plans by the Village Engineer and Landscape Architect prior to issuance of a building permit.
2. No indoor retail or outdoor sales are permitted at the location of the building kiosk shall be permitted without prior approval by the Village Board of Trustees.
3. Parking lot islands, median entrance magazines and adjacent parkways, grass areas of the magazine shall be irrigated.
4. Provide lighting for the fueling station consistent with the surrounding shopping center that are direct horizontal cut-offs recessed into the canopies.
5. Compliance with all ordinance and standards of the Village except as otherwise noted.
6. Eliminate the northbound one way access on the southeastern portion of the fueling station and create a full north/south access by adjusting a landscaped median to the east.
7. Incorporate a blue accent band around the canopy and kiosk consistent in color to the blue found on the Sam's Club building

- b) Chairperson Pro Tem Heidner made a motion to recommend approval of final site, architectural and landscape plan approval subject to the conditions noted above.

Seconded by Commissioner Gorog

Vote

Ayes: 6 - Cotton, Hezner, Heidner, Mulcrone, Gorog, Ballowe

Nays: 0 - None

Absent: 1 - Morris

The Commission voted 6-0 to recommend approval of final site, architectural and landscape plan approval subject to the conditions noted above.

- c) Chairperson Pro Tem Heidner made a motion to recommend approval of signage to allow for the canopy signs on elevations without frontage, including one sign on the north, south, east elevations to be 19.25 square foot rather than the maximum permitted 4 square foot and to allow the canopy on the west to be 19.25 feet instead of the maximum permitted of 8 square foot and to allow the logo to be wider than any two letters on all four sides, subject to the conditions noted above.

Seconded by Commissioner Gorog

Vote

Ayes: 3 - Hezner, Gorog, Cotton

Nays: 3 - Heidner, Mulcrone, Ballowe

Absent: 1 - Morris

The Commission voted 3-3 to recommend approval of signage to allow for the canopy signs on elevations without frontage, including one sign on the north, south, east elevations to be 19.25 square foot rather than the maximum permitted 4 square foot and to allow the canopy on the west to be 19.25 feet instead of the maximum permitted of 8

square foot and to allow the logo to be wider than any two letters on all four sides, subject to the conditions noted above. Motion failed

2. Case #16-04 is an application filed by Syam Thotakura, Gopi Chand International, Inc., 1701 E Woodfield Road Unit #215, Schaumburg, IL 60159, requesting, pursuant to Appendix C of the Village of Vernon Hills Code of Ordinances, Article 13, Section 13.3, Article 18, and Article 21, Section 21.6, the following:
 1. Approval to amend the zoning classification from OR&D , Office Research & Development to B-1 General Business; and
 2. Approval of Special Use Permit to allow a restaurant with drive-thru service; and
 3. Grant certain variations related to signage on the legally described property; and
 4. Preliminary and final approval of the site and landscaping plans; and
 5. Preliminary and final approval of the architectural elevations including signage.

The Special Use Permit will allow for a proposed restaurant, known as McAllister's to be located on the legally described property located in the B-1, General Business District. The proposed location of the restaurant is 99 Townline Road being the former Famous Dave's Restaurant. The Property Index Number is 15-05-201-016, 15-05-201-017 and 15-05-201-018.

ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN.

Shilpa Purohit of Purohit Architects, Inc. indicated that historically the property has always been a restaurant and will continue to be so. The proposed restaurant will be a McAllister's Deli and will operate like Panera Bread. She indicated the parking lot is in need of major repairs. They are not adding anything to the building but the drive thru window. She indicated that there is no menu board for the drive up and you would need to preorder. It was noted that there should be sign indicating it is pick up only. They will continue to use the dumpster enclosure and there is an existing patio area that they may utilize after Board approval. The owner wants to have the patio on the north side for visibility from Route 60. There will be two tenants in the building; McAllister's on the north and a café on the south side.

The building is in poor condition and they will be utilizing brick, stone veneer and incorporate the McAllister branding on the building. They will be expanding the windows in the front of the building to bring in more light. The awnings will be fixed and the main entry will also have an awning. There will be a LED band that runs behind the awnings. Ms. Purohit indicated she will work with the Village on the exterior renovation on all four sides of the building.

Ms. Purohit introduced the monument sign and indicated that it will have a two tenant signs which they are requesting a variance. AVM Carey noted that the variance for signage would be voted on today. She discussed the landscape plan and the site plan and indicated they worked with the Village's Landscape Architect very closely.

Chairperson Pro Tem Heidner asked where Vernon Plaza sat in comparison to the structure and it was noted that Famous Dave's is closer to Route 60 that the shopping

center. Ms. Purohit indicated they will be using the existing roof top units but will be adding one smaller unit. Commissioner Hezner asked what was going to be done to the parking lot. The storm water drainage will be repaired and downspouts installed. Ms. Purohit noted that the owner is the franchisee and that he will dictate the building design. AMV Carey noted that his recommendation was to have the north and east elevation be carried around to the west and south elevations to allow for a four sided wrap around elevation using the awnings as a mechanism to create similarities in design. The Commission felt that the architecture should be four sided possibly by wrapping the brick and stone and detailing around the south side. They felt the northwest side should replicate the McAllister's. There should be stone and the brick banding on the southeast side and no canopy separating the tenant unit from the McAllister's side.

It was noted that the Petitioner responded to 18.3.

THE MEETING WAS OPENED FOR PUBLIC COMMENT

Warren Wright, 99 West Phillip Road. I am thrilled that there is a restaurant going into Famous Dave's. My concern is the driveway which is directly across the street from the Victory Center. As I understand the drive-up window will be on the south side of the building. My concern is where this drive-up traffic is going to empty out into. Is it going to empty into the driveway on Phillip Road? My apartment is right on Phillip Road directly across the street from this restaurant, on the first floor and my living room faces this so I see everything that goes on. There are residents and employees that are walking their dogs or cutting across that driveway to get a pizza. There is quite a bit of traffic. (Mr. Wright showed the Commission members a photo of someone in a wheelchair in the driveway). I have seen some cut through traffic since the restaurant closed. That represents a fraction of the traffic that a smooth running restaurant would generate. I would hate to see the driveway and parking lot of the Victory Center become an obstacle course for cars coming out of there. I understand that the hours of operation are going to be about 10:00 AM to 10:00 PM. It looks like a wonderful plan but the safety of the residents has me a bit concerned.

Commissioner Hezner recommended that the Commission send this forward to the Village Board and offer Mr. Wright's concern and the point of access to this parking lot as a concern for them to discuss further. The Commission concurred.

THE PUBLIC HEARING PORTION WAS CLOSED

- a) Chairperson Pro Tem Heidner made a motion to recommend approval to amend the zoning classification from OR&D, Office Research & Development to B-1 General Business, subject conditions noted below:

Seconded by Commissioner Cotton

Vote

Ayes: 6 - Ballowe, Cotton, Hezner, Heidner, Mulcrone, Gorog

Nays: 0 - None

Absent: 1 - Morris

The Commission voted 6-0 to approval to amend the zoning classification from OR&D, Office Research & Development to B-1 General Business, subject conditions noted below:

Conditions of Approval

General Compliance with the following plans:

- Proposed Geometric Site Plan prepared by Purohit Architects with a date of February 9, 2016 and consisting of 1 page.
- Engineering Improvement Plans prepared by Purohit Architects with a date of February 9, 2016 and consisting of 3 pages.
- Signage Plans prepared Purohit Architects with a date of April 6, 2016 and consisting of 1 page.
- Floor and Seating Construction Plan prepared Purohit Architects with a date of April 6, 2016 and consisting of 2 pages.
- Revised Landscaping Plans prepared by Purohit Architects with a date of February 9, 2016 and consisting of 1 page.
- Revised Architectural Plans prepared by Purohit Architects with a date of April 15, 2016 and consisting of 2 pages.

Conditions of Approval for the entire Site:

1. Final approval of plans by the Village Engineer and Landscape Architect prior to issuance of a building permit.
2. Issuance of a license to allow outdoor dining by the Village Board.
3. Parking lot islands, median entrance magazines and adjacent parkways, grass areas of the magazine shall be irrigated.
4. Roof top equipment is required to be screened from all sides.
5. Compliance with all ordinance and standards of the Village except as otherwise noted.
6. Signage to be installed indicating that the drive thru is for pick up orders only.
7. Incorporate the architecture on the western elevation onto the eastern elevation from the drive thru bump-out north to the northwestern corner of the building
8. To remove the awnings adjacent to the café entrance and to wrap brick and stone banding to the south elevation
9. The color scheme of the south tenant shall be complimentary to the architectural elements of McAllister's

- b) Chairperson Pro Tem Heidner made a motion to recommend approval of Special Use Permit to allow a restaurant with drive-thru service subject to the conditions noted above.

Seconded by Commissioner Gorog

Vote

Ayes: 6 - Ballowe, Cotton, Hezner, Heidner, Mulcrone, Gorog

Nays: 0 - None

Absent: 1 - Morris

The Commission voted 6-0 to recommend approval of Special Use Permit to allow a restaurant with drive-thru service subject to the conditions noted above.

- c) Chairperson Pro Tem Heidner made a motion to recommend approval to grant certain variations related to a two panel monument sign versus the maximum permitted of one subject to the conditions noted above.

Seconded by Commissioner Cotton

Vote

Ayes: 6 - Ballowe, Cotton, Hezner, Heidner, Mulcrone, Gorog

Nays: 0 - None

Absent: 1 - Morris

The Commission voted 6-0 to recommend approval to grant certain variations related to a two panel monument sign versus the maximum permitted of one subject to the conditions noted above.

- d) Chairperson Pro Tem Heidner made a motion to recommend approval to grant certain variations related to a wall sign on the signage on the north elevation of the building subject to the conditions noted above.

Seconded by Commissioner Hezner

Vote

Ayes: 3 - Hezner, Mulcrone, Gorog

Nays: 3 - Ballowe, Cotton, Heidner

Absent: 1 - Morris

The Commission voted 3-3 to recommend approval to grant certain variations related to signage on the legally described property subject to the conditions noted above. Motion failed

- e) Chairperson Pro Tem Heidner made a motion to recommend approval of the preliminary and final approval of the site and landscaping plans subject to the conditions noted above.

Seconded by Commissioner Cotton

Vote

Ayes: 6 - Ballowe, Cotton, Hezner, Heidner, Mulcrone, Gorog

Nays: 0 - None

Absent: 1 - Morris

The Commission voted 6-0 to recommend approval of preliminary and final approval of the site and landscaping plans subject to the conditions noted above.

- f) Chairperson Pro Tem Heidner made a motion to recommend approval of the preliminary and final approval of the architectural elevations including signage subject to the conditions noted above.

Seconded by Commissioner Cotton

Vote

Ayes: 6 - Ballowe, Cotton, Hezner, Heidner, Mulcrone, Gorog

Nays: 0 - None

Absent: 1 - Morris

The Commission voted 6-0 to recommend approval of approval of the preliminary and final approval of the architectural elevations including signage subject to the conditions noted above.

III. Development Review

AVM Carey indicated that the Mellody Farm review is ongoing. He anticipates a P&Z in July 2016. He anticipates receiving Technical Review documents for the Cuneo parcel next week. The County has approved the water and sewer agreement to authorize the additional connections for that property as well as the preservation and maintenance of the mansion and gardens. Jacobs Home will be going to concept presentation on May 3, 2016. They are proposing a 70 unit town home project on the former Forge Club property. AVM Carey noted that the Menards case is still in the court system.

IV. Discussion

V. Approval of Minutes

On a motion by Commissioner Ballowe and second by Commissioner Hezner the minutes of the April 6, 2016 meeting of the Planning & Zoning Commission were approved as amended.

Vote

Ayes: 4 - Heidner, Hezner, Mulcrone, Ballowe

Nays: 0 - None

Absent: 1 - Morris

Abstain: 2 - Gorog, Cotton

VI. Adjournment

With no further items on the agenda, Commissioner Cotton made a motion to adjourn the meeting. Commissioner Mulcrone seconded and on a voice vote, the motion was approved unanimously.

Meeting adjourned 9:29 pm.

Respectfully submitted,

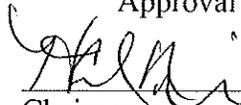
Joseph T. Carey
Assistant Village Manager

Distribution:

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8/24/16

Approval Date


Chairperson


Secretary

File

Videotape of the meeting retained on file pursuant to Village policy