

**MINUTES OF THE PLAN COMMISSION**  
**May 13, 2019**

The regular meeting of the Plan Commission was called to order by Chairman Mark Moore at 7:00 p.m. at the Village Hall.

Members present: Chairman Mark Moore, Amy Flores, Walter Oakley, Kurt Schultz, and Eric Steffe.

Members absent: Matthew Krummick and Richard Pyter.

A quorum was established.

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

Commissioner Steffe moved, seconded by Commissioner Schultz, to approve the April 22, 2019, Plan Commission meeting minutes.

Motion carried 5 - 0.

**OLD BUSINESS:**

**PC 19-07      536-42 North Milwaukee LLC, Applicant  
536-542 N. Milwaukee Avenue**

**Request is for a Text Amendment to Section 16-8 of the Libertyville Zoning Code relating to Village Board Authorized Variations regarding reducing the minimum required land area for property located in the C-1, Downtown Core Commercial District.**

**PC 19-08      536-42 North Milwaukee LLC, Applicant  
536-542 N. Milwaukee Avenue**

**Request is for a Text Amendment to Section 10-1 of the Libertyville Zoning Code relating to off-street parking requirements for property located in the C-1, Downtown Core Commercial District.**

**PC 19-09      536-42 North Milwaukee LLC, Applicant  
536-542 N. Milwaukee Avenue**

**Request is for a Special Use Permit for Payment in Lieu of two (2) required parking spaces after variation is approved to reduce the minimum required number of parking spaces from three (3) to two (2) in order to accommodate eight (8) dwelling units for property located in the C-1, Downtown Core Commercial District.**

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**PC 19-10      536-42 North Milwaukee LLC, Applicant**  
**536-542 N. Milwaukee Avenue**

**Request is for a Site Plan Permit in order to construct eight (8) dwelling units for property located in the C-1, Downtown Core Commercial District.**

Mr. David Smith, Senior Planner, stated that the petitioner is requesting multiple zoning requests that will enable them to rehab the second and third floors of the existing building located at the southeast corner of North Milwaukee Avenue and School Street. He stated that one of the requests includes a text amendment to the Zoning Code that will authorize the Village Board to grant variations to reduce the minimum required land area for property located in the C-1, Downtown Core Commercial District for dwelling units. Mr. Smith stated that during the April 22, 2019 Plan Commission meeting it was noted that additional limitations should be applied to this text amendment in order to reduce the likelihood that a precedent is created that will enable unchecked increase in density in future developments in the downtown.

Mr. David Pardys, Village Attorney, clarified the proposed additional limitations to be incorporated into the text amendment request. Mr. Pardys stated that the proposed text amendment states that the Village Board will have the authority to reduce by not more than twenty-five percent (25%) the required lot area for dwelling units within existing structures located in the C-1, Downtown Core Commercial District, provided, however that: 1) no such variation may be granted which would permit the development of more than two (2) dwelling units in addition to the number of dwelling units that could be developed in the absence of such variation; 2) no such variation may be granted which would permit any increase in the otherwise permitted maximum floor area; and 3) no such variation may be granted in connection with any plan which would result in the addition of a story on such existing building or any expansion of the footprint of such existing building.

Mr. Pardys stated that they are also proposing to add the following parenthetical statement to Zoning Code Section 16-8.5(a)(2): (See Section 16-8.5(a)(28) for authorized variations to minimum lot area relating to dwelling units located within existing buildings in the C-1, Downtown Core Commercial District).

Mr. Mike Kollman, petitioner, stated that he agrees with the additional Zoning Code text limitations.

Chairman Moore asked the petitioner if he would like for the Plan Commission and Zoning Board of Appeals to render their recommendation to the Village Board tonight. Mr. Kollman stated that he is ready for the Plan Commission and Zoning Board of Appeals to give their recommendation tonight.

*In the matter of PC 19-07, Commissioner Steffe moved, seconded by Commissioner Oakley, to recommend that the Village Board of Trustees approve a Text Amendment to Section 16-8 of the Libertyville Zoning Code relating to Village Board Authorized Variations regarding reducing*

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*the minimum required land area for property located in the C-1, Downtown Core Commercial District to include the following in Section 16-8.5(a):*

- 28) To reduce by not more than twenty-five percent (25%) the required lot area for dwelling units within existing structures located in the C-1 Downtown Core Commercial District, provided, however that: 1) no such variation may be granted which would permit the development of more than two (2) dwelling units in addition to the number of dwelling units that could be developed in the absence of such variation; 2) no such variation may be granted which would permit any increase in the otherwise permitted maximum floor area; and 3) no such variation may be granted in connection with any plan which would result in the addition of a story on such existing building or any expansion of the footprint of such existing building.

Add the following parenthetical statement below 16-8.5(a)(2):

(See Section 16-8.5(a)(28) for authorized variations to minimum lot area relating to dwelling units located within existing buildings in the C-1 Downtown Core Commercial District.)

*Motion carried 5 - 0.*

*Ayes: Moore, Flores, Oakley, Schultz, Steffe*  
*Nays: None*  
*Absent: Krummick, Pyter*

*In the matter of PC 19-08, Commissioner Steffe moved, seconded by Commissioner Schultz, to recommend that the Village Board of Trustees approve a Text Amendment to Section 10-1 of the Libertyville Zoning Code relating to off-street parking requirements for property located in the C-1, Downtown Core Commercial District and replace Section 10-1.3(a)(5)(ii) with the following text:*

Exception from Off-Street Parking Requirements for Existing Buildings and Uses in the C-1 Downtown Core Commercial District.

- a) Except as may otherwise be provided herein, changes in the use, or intensity of use of a building or lot existing in the C-1 Downtown Core Commercial District on the effective date of this code, which do not increase the floor area located on such lot, shall be exempt from the parking requirements of this Section 10-1.
- b) To the extent that all or a portion of the use of a lot changes from non-residential to residential and such change results in an increase in floor area, 1-1/2 parking spaces shall be provided for each portion of such increased floor area containing

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at least the lesser of 1,000 square feet or the total floor area of the smallest dwelling unit located within such lot.

- c) To the extent that all or a portion of the use of a lot changes from any use to a different non-residential use, parking shall be provided in such amounts as are required pursuant to Section 10-1 based upon the type of use and the number of square feet of additional floor area.

*Motion carried 5 - 0.*

*Ayes: Moore, Flores, Oakley, Schultz, Steffe*  
*Nays: None*  
*Absent: Krummick, Pyter*

*In the matter of PC 19-09, Commissioner Steffe moved, seconded by Commissioner Schultz, to recommend that the Village Board of Trustees approve a Special Use Permit for Payment in Lieu of two (2) required parking spaces after variation is approved to reduce the minimum required number of parking spaces from three (3) to two (2) in order to accommodate eight (8) dwelling units for property located in the C-1, Downtown Core Commercial District, subject to the following conditions:*

- 1. That the residents occupying the La Villa Lofts apartments at 536-542 North Milwaukee Avenue shall be required to purchase and use the downtown resident/employee hang tag parking permits issued by Libertyville Police Department and be subject to the day and time restrictions, as amended from time to time, for downtown employee and resident parking throughout the downtown.*
  - Employee Parking is identified with blue signs. Downtown residents may park in employee spaces between 8am-6pm, Monday-Saturday, and in any parking space outside those hours.*
- 2. That the residents occupying the La Villa Lofts apartments at 536-542 North Milwaukee Avenue shall be restricted from parking in the Village's Lake Street parking structure.*
- 3. At the time of Building Permit application submittal, a comprehensive construction phasing and staging plan for construction materials, heavy equipment parking, and construction equipment traffic routes shall be provided. Location of construction barrier placement, scaffolding, construction dumpsters, and how both pedestrian and vehicular traffic will be routed during construction shall be included.*

*Motion carried 5 - 0.*

*Ayes: Moore, Flores, Oakley, Schultz, Steffe*  
*Nays: None*  
*Absent: Krummick, Pyter*

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*In the matter of PC 19-10, Commissioner Schultz moved, seconded by Commissioner Steffe, to recommend that the Village Board of Trustees approve a Site Plan Permit in order to construct eight (8) dwelling units for property located in the C-1, Downtown Core Commercial District, subject to the following conditions:*

1. *That the residents occupying the La Villa Lofts apartments at 536-542 North Milwaukee Avenue shall be required to purchase and use the downtown resident/employee hang tag parking permits issued by Libertyville Police Department and be subject to the day and time restrictions, as amended from time to time, for downtown employee and resident parking throughout the downtown.*
  - *Employee Parking is identified with blue signs. Downtown residents may park in employee spaces between 8am-6pm, Monday-Saturday, and in any parking space outside those hours.*
2. *That the residents occupying the La Villa Lofts apartments at 536-542 North Milwaukee Avenue shall be restricted from parking in the Village's Lake Street parking structure.*
3. *At the time of Building Permit application submittal, a comprehensive construction phasing and staging plan for construction materials, heavy equipment parking, and construction equipment traffic routes shall be provided. Location of construction barrier placement, scaffolding, construction dumpsters, and how both pedestrian and vehicular traffic will be routed during construction shall be included.*

*Motion carried 5 - 0.*

*Ayes: Moore, Flores, Oakley, Schultz, Steffe*  
*Nays: None*  
*Absent: Krummick, Pyter*

**NEW BUSINESS:** None.

**STAFF COMMUNICATIONS AND DISCUSSION:**

Mr. John Spoden, Director of Community Development, stated that there was a turn-out of approximately 85 people at the Comprehensive Plan open house hosted by Lakota on May 9, 2019. He stated that Staff will continue to meet with various stakeholder groups to get feedback on the Comprehensive Plan update. He stated that the May 20, 2019 Plan Commission and Zoning Board of Appeals meeting will be cancelled, and that they are expecting three (3) items to be heard on the June 10, 2019 meeting. He stated that Staff is planning for a June 24, 2019 workshop to be held with both the Plan Commission and the Human Relations Commission.

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

Motion carried 6 - 0.

Meeting adjourned at 7:18 p.m.