

**Long Grove Plan Commission & Zoning Board of Appeals (PCZBA)
Regular Meeting Minutes ---August 5, 2014**

Present: Chairman Fred Phillips, Commissioners Jeff Kazmer, Charles Cohn, Shelly Rubin, and Wendy Parr.

Also Present: James Hogue, Village Planner, Betsy Gates, Village Attorney, and members of the public.

Absent: Commissioner William Peltin; Jodi Smith, PCZBA Secretary

1. Call to Order: Chairman Phillips called the meeting to order at 7:09 p.m.

2. Non-Agenda items: None

3. Visitor's Business: None

4. Old Business:

a) PUBLIC HEARING: Continuation; Consideration of a request for a Special Use Permit within the R-2 Residential District and/or additional relief necessary and/or appropriate under the zoning code including but not limited to parking and floor area to provide for a Senior Living Center with Memory Care and Assisted Living Facilities for property located on the south side of Route 53 between Mardan Drive and Long Grove Road, submitted by the Long Grove Senior Care LLC.

Chairman Phillips gave an overview of the meeting procedures noting discussion was to be focused on the issues raised at the last meeting. Chairman Phillips read the request into the record and swore in witnesses who are to give testimony in the matter.

The petitioners then gave a presentation regarding their response to the issues raised by the public at the hearing of July 1st 2014.

Jordan Glazov, petitioner, presented a power point presentation which addressed the following issues;

- Parking (increased from 65 to 84 spaces)
- Ingress/Egress/Headlight projection (modified to right-in/right out – conceptually accepted by IDOT).
- Sanitary Sewer Capacity (development & existing residences anticipated to utilize 720 PE of the 900 PE on the Killdeer line)
- Stormwater flooding into Wynncrest (engineering and grading of site will eliminate this concern; must develop to WDO standards; will guarantee no stormwater flow into Wynncrest from this project).
- Water Usage (project will be served by 1100 ft. Deep well; no impact to

shallow aquifer – shallow well to be used only to replenish pond levels for secondary fire suppression).

- Tree Removal (petitioner proposes tree planting, forestry management plan, forestry maintenance plan at a cost of \$414,370; total costs for landscaping/tree removal \$568,370).
- Need and appropriateness at site (market need for this product; confirmed by Village ED consultant; does not necessarily address appropriateness of the proposed use at this site).
- Alternative uses; Single Family/Retail (2 acre lots not feasible; no financial benefit to taxing bodies; greater tree removal impacts; tax benefits; LGSC - \$400,000 w/no impact to schools; SFR \$150,000 w/impact to schools; Retail; poor access to site; loss of all trees; excessive parking/lighting requirements, noise, hours of operation, not consistent with adjacent land uses & current zoning).
- Alternative locations; Geimer Property (not feasible; impacted by Menard's traffic; too far from Historic Downtown to provide benefit; site will be impacted by RT.53 extension).
- Negative Effect on Property Values; (comparable senior living facilities have no discernible adverse impact on neighboring property values; low intensity use, minimal traffic, lighting & noise; Screened from adjacent properties, architecturally compatible with Village).
- Benefit to Long Grove (address need for senior care; potential increased downtown sales activity, real estate tax benefits other than the Village; Best Forest Management Practices Plan)

The power point presentation concluded and Chairman Phillips opened the hearing to the public for comments and questions.

Mr. Gene Alberts, current property owner, indicated he purchased the property 30 years ago for single family residential purposes. He notes the property is not feasible for this use. The development as proposed will have a positive impact on the village and will require very little in services, will be a low traffic generator, and should not negatively impact home values.

Ms. Debbi Netter, 3417 RFD and President of the Mardan Estates HOA, indicates the biggest issues are the loss of trees and loss of habitat.

Ms. Carol Macintosh, 2562 RFD, is concerned with the “pork chop” access arrangement at Route 53. She is also concerned the proposal will generate “cut-through traffic into Country Club Estates.

Ms. Vernadine Matlock, 3458 RFD, is concerned with the right-in/right out access and the effect this will have on south bound traffic. She is concerned traffic will

enter Mardan Estates to turn around to head south or utilize other properties to turn around. This has the potential to create an unsafe traffic situation.

Lucy DeVaux, 2306 RFD. Stated concerns with the water supply and the fire suppression system. She is also concerned with site drainage and feels single family homes would be a better use for the site. She notes that there are 12 assisted living facilities within a 5-mile radius and 34 facilities within a 10-mile range with space available for patients. She feels this facility will have more ambulance call than the Alden and such a facility does not belong on such a small site.

Melanie Soos, 3476 Rt. 53, indicates stormwater requirements must be satisfied per the WDO regulations and if the developer will guarantee no stormwater flow from the site into the subdivision, residents should strongly consider that offer. Overall drainage in the area should be improved with site engineering. Residents should consider the investment in the property and guarantee on landscaping as well. The right-in/right-out access as reconfigured is a great improvement and mitigates the headlight concerns with her property. She is supportive of the project.

Ms. Zhanna Roma, 2611 Wynncrest, stated that she is concerned that her subdivision would be surrounded on two sides by nursing homes and that circumstance is not desirable for the character of the neighborhood.

Ms. Susan Coveny, 4477 RFD, indicated she is a real estate expert in the area with 45 years experience in the Village. She indicates there is a need for this type of use in the community and such a facility will likely create less impervious area than 10 single family homes.

Ms. Vernadine Matlock, 3458 RFD, raised a concern with the parking lot and run-off from the asphalt. Mr. Michael Caldwell, project engineer, indicates that the parking lot run-off will be directed to a low flow bio-swale via the northeast corner of the retention pond. This will serve to filter parking lot run-off. Further, he noted that all applicable stormwater management requirements will be met and the retention pond will provide capacity above and beyond those requirements.

Attorney Gates then explained the approval and construction process for the proposal. She noted that the development was triggered by a special use permit process and that no authorization for construction of any part of the project could occur without first obtaining Village Board approval for the proposal.

Mr. Reid Olson, 3408 RFD, indicated he came to the hearing with the intent of protesting the development. However, upon hearing the presentation he believes the proposal is solid and represents an investment in the village which is needed. He felt the petitioners had done an admirable job in addressing the neighbors concerns.

Chairman Phillips asked for comments from the board.

Commissioner Cohn indicates he is impressed with the petitioners' response to the neighbors concerns. However, he notes concern with the sanitary sewer capacity and traffic. In particular he notes concern with the ingress and egress to the site and the "pork chop" design as not a great improvement (over the previously proposed access point) given the major curve in Rt. 53 at this site. He was also concerned with increased potential for cut through traffic on Schaeffer and Arlington Heights Roads. He suggested the possibility of an easement across the Brickman Property to the west and connection to Long Grove Road stop light to alleviate these concerns.

Mr. Glazov interjected that access at the Long Grove light would be their first choice as well, but that option would not be considered by IDOT. He indicated Brickman was receptive to the easement idea but that IDOT said "no". This access option was not considered for this reason. If a 4th leg to this light were ever approved the petitioner would consider relocation of their access to this point at their expense.

Mr. Caldwell mentioned the site distances for the Long Grove Road light to the "pork chop" noting a clear site line between the two. The proposed deceleration lane would allow traffic to safely stop before coming to the access point for this site. He then further explained the mechanics of the acceleration & deceleration lanes included with the access proposal for the site.

Commissioner Cohn also disagreed with the petitioners' conclusion that the Geimer site was an inferior site for such a facility.

Commissioner Dvorak complimented the team on their presentation. He indicated he had concerns with the ingress and egress to the site with regard to safe access. He noted from his experience in living on Rt. 53 that traffic actually moved faster in non-peak hours. Access as proposed on the curve would create a traffic and safety "nightmare" at this location. He also favored access at Long Grove Road with a four-way stop light. He also had minor concerns with the sanitary sewer capacity as well as water usage.

Commissioner Parr noted the ingress and egress to the site as reconfigured was the safest means of ingress and egress to the site. She finds this to be an appropriate and beneficial use of land at this location. She would recommend approval of the project with two conditions; 1) the petitioner comply with the recommendations of the Village Arborist; 2) the engineering plans for the site be approved by the Village Engineer.

Commissioner Rubin complimented the petitioner on a great presentation but indicated he had issues with traffic and the sanitary sewer capacity for the site. He added that when coupled with the objections of the neighbors he was "dead set against" this project.

Commissioner Kazmer also complimented the petitioners on their presentation to the PCZBA but noted the revisions still had not satisfied the neighbors concerns. He indicates this is not the right spot for such a facility.

Mr. Tom McIntosh, 2562 RFD, notes the major concern with the proposal is traffic. He asked if the Village could work with the petitioner to get the forth leg of the Long Grove stoplight for access to the site.

Commissioner Cohn agrees with that thought.

Mr. Matt Norton, attorney for the petitioner, indicates access to the site seemed to be the “lynch pin” issue. He suggests a condition be placed on the proposal whereby if IDOT ever approves a four-way intersection at Long Grove Road the petitioner/property owner will relocate their access to that point at their own expense. He noted IDOT must give a property owner access to their property. He requests the PCZBA move to approve this project with this condition.

Commissioner Kazmer notes the Tree Preservation Ordinance and encourages the petitioner to work with the Village Arborist. He also notes the road in Wynncrest is private and access through the subdivision was not possible or desirable.

General discussion of conditions for the proposal then took place.

Commissioner Parr makes a motion, seconded by Commissioner Rubin, To recommend approval of (i) a text amendment to the zoning code authorizing parking and floor area variations for nursing homes operating under a SUP in the R-2 District; (ii) finding all the required standards are met for: (a) the issuance of a SUP for a nursing home consisting of a senior living center with memory care and assisted living facilities, (b) a parking variation, and (c) a floor area variation, all in accordance with the plans submitted for property located on the south side of Route 53 between Mardan Drive and Long Grove Road; and (iii) recommending approval of such SUP and zoning variations subject to the following conditions;

1. The petitioner shall comply with the recommendations of the Village Arborist;
2. Drainage and Engineering plans shall be approved by the Village Engineer;
3. If IDOT approves a four-way access at Long Grove Road the petitioner shall relocate their access to that point at their expense;

Commissioner Cohn then makes a motion, seconded by Commissioner Kazmer, to amend condition 3 of the previous motion as follows;

“ Access must be from the west side of the property by a 4-way, signalized intersection at Long Grove Road with intersection improvements to be financed by the petitioner”.

On a Roll call vote, Commissioner Kazmer; aye; Commissioner Rubin; nay; Commissioner Parr; nay; Commissioner Dvorak; aye, Commissioner Cohn; aye; Commissioner Phillips; aye. The motion to amend passes by a vote of four (4) ayes and two (2)nays .

A roll call vote on the main motion as amended then occurred as follows; Commissioner Kazmer; aye; Commissioner Rubin; nay; Commissioner Parr; nay;

Commissioner Dvorak; aye, Commissioner Cohn; aye. The main motion passes by a vote of three (3) ayes and (2) nays.

b) PUBLIC HEARING: CONTINUATION - Consideration of a proposal for amendments to Title 5 of the Village Code for the Village of Long Grove, including definitions, modifications in section 5-11-4 and more specifically Section 5-11-4(F)(2) regarding Architectural Commission jurisdiction within the B-1 Historic District within the Village of Long Grove.

It was noted that a quorum was not available for the July AC meeting and that meeting was cancelled. The AC will consider this item at their August 18th regular meeting assuming a quorum is available.

Commissioner Cohn moved, seconded by Commissioner Kazmer, to further continue this item to the September 2nd regular meeting to allow AC consideration of the issue. On a voice vote, all aye.

The public hearing was continued until the September 2nd regular PCZBA Meeting.

c) PUBLIC HEARING - CONTINUATION; Consideration of amendments to the Zoning Code of the Village of Long Grove in light of the adoption of the Illinois Compassionate Use of Medical Cannabis Pilot Program Act, 430 ILCS 130/1 et seq., including specifically whether to include state-authorized medical cannabis dispensing organizations and medical cannabis cultivation centers as special uses in non-residential zoning districts in the Village.

Commissioner Cohn moved, seconded by Commissioner Kazmer, to further continue this item to the September 2nd regular meeting (due to time constraints). On a voice vote; all aye.

The public hearing was continued until the September 2nd regular PCZBA Meeting.

d) PUBLIC HEARING – Consideration of a proposal for additional amendments to Title 5 of the Village Code for the Village of Long Grove, regarding Permitted and Special Uses within the B-1 Historic District, and more specifically, additional uses as proposed by the Long Grove Business and Community Partners.

Nancy Fino, Local Merchant and Chairman of the Economic Development committee of the LGBPC thanked the PCZBA for the opportunity to participate in the process. She presented three issues to the PCZBA for consideration. These included;

- 1). The percentage of off-site sales for businesses in the B-1 District;
- 2). Regulating non-retail uses (i.e. enforcing the 20% cap); and;

3) The minimum space for an establishment (250 Sq. Ft.) in the B-1 district.

After discussion it was determined that Ms. Fino conduct further research as follows;

1) Find specific examples of small buildings/spaces in the B1 district to articulate an actual square footage of space smaller than minimum of 250SF that the Plan Commission proposes (in response to subsection 5-4-9(B)5). And,

2) Get consensus on the minimum number of days/hours per day that businesses should be open to minimize companies utilizing storefront locations for operations where the majority of sales are gained offsite (in response to subsections 5-4-5(A)5 and 5-4-9(B)3).

A motion was made by Commissioner Kazmer, seconded by Commissioner Dvorak, to continue the hearing to the September 2nd meeting to allow further research in this issue and response from the LGBCP. On a voice vote; all aye.

The public hearing was continued until the September 2nd regular PCZBA Meeting.

6. Approval of Minutes: July 1, 2014 meeting.

A motion was made by Commissioner Parr, seconded by Commissioner Rubin, to continue consideration of the July 1, 2014 minutes to the September 2nd meeting. On a voice vote, all ayes. Motion passes.

7. Other Business: None

8. Adjournment

Commissioner Rubin made a motion to adjourn, seconded by Commissioner Parr. On a voice vote, all ayes. Meeting was adjourned at 10:15 pm.

9. Next Regular Meeting: September 2, 2014

Respectfully Submitted,

James M. Hogue

James M. Hogue,
PCZBA Secretary Pro-Tem