

APPROVED MINUTES

VILLAGE OF ANTIOCH PLANNING AND ZONING BOARD – REGULAR MEETING Municipal Building: 874 Main Street, Antioch, IL 60002 September 6, 2023

A. CALL TO ORDER

Attorney Vasselli called the September 6, 2023 regular meeting of the Planning and Zoning Board to order at 7:08 pm at the Antioch Municipal Building.

Commissioner Sanfilippo moved, seconded by Commissioner Madigan, to appoint Commissioner McCarty as temporary chair for the meeting.

Upon roll call, the vote was:

YES: 5: Ryan, Sanfilippo, McCarty, Carstensen, and Madigan.

NO: 0.

ABSENT: 2: Turner and Henning.

THE MOTION CARRIED.

B. PLEDGE OF ALLEGIANCE

The Planning and Zoning Board led the Pledge of Allegiance.

C. ROLL CALL

Roll call indicated the following Commissioners were present: Ryan, Sanfilippo, McCarty, Carstensen, and Madigan. Also present were Community Development Director Garrigan, Attorney Vasselli and Recording Secretary Thiel. Absent: Commissioner Turner and Chairwoman Henning.

D. ANNOUNCEMENTS AND CORRESPONDENCE

None.

E. APPROVAL OF THE AUGUST 2, 2023 PLANNING & ZONING BOARD MEETING MINUTES AS PRESENTED

Commissioner Madigan moved, seconded by Commissioner Carstensen, to approve the August 2, 2023 Planning and Zoning Board meeting minutes as presented.

Upon roll call, the vote was:

YES: 5: Ryan, Sanfilippo, McCarty, Carstensen, and Madigan.

NO: 0.

ABSENT: 2: Turner and Henning.

THE MOTION CARRIED.

F. PUBLIC COMMENT

There was no public comment prior to the public hearings.

G. OLD BUSINESS

1. PZB 22-04 – Consideration of a Site Plan Review by Ash Pallet Management, LLC, for the property commonly known as 710 Anita Avenue

Director Garrigan stated that this was only a site plan review, and not a public hearing. He gave a brief review of previous applications submitted by Ash Pallet for the subject property. The applicant is now proposing a parking facility for the transportation portion of their company. He gave an overview of the surrounding properties. Most of the subject property is wetlands, but only a small portion of the property is proposed to be used for parking truck trailers. The main access point to the property will cross over a portion of the wetlands area, which will be the only wetlands area on the property that will be disturbed. The applicant will be required to follow all local and state regulations regarding wetland buffers. Director

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Garrigan explained that existing shrubs and trees on the property will not be disturbed, but staff has requested additional landscaping to keep the property fully screened year-round to mitigate any negative impact on the multi-family buildings and existing Village park located on Anita Avenue, east of the subject site. Staff also requests that bioswales and other Best Management Practices (BMPs) be incorporated into the site plan to mitigate any negative impact on the wetlands. Staff further requests that additional evergreen trees along Anita Avenue to mitigate visibility of the site. The applicant has also incorporated a privacy perimeter fence around the proposed parking lot area. Director Garrigan stated that the applicant was asked to provide a topo overlay to show where storm water is being drained on the property. Additionally, the applicant has submitted a photometric plan that complies with Village ordinance. He further explained that the applicant is proposing to construct an additional 5,200 square-foot maintenance building on the site, but this building will be Phase 2 of the project. The applicant will be required to come back before the Commission to present a plan for the proposed facility. Director Garrigan concluded that staff still has some concerns whether this is the highest and best use of the property. Upon reviewing the overall plan, staff makes a recommendation for approval with the four stipulations outlined in the staff report.

Commissioner Sanfilippo asked where the “large area luminaire” will be located on the site.

Mr. Glenn Christensen, engineer for the applicant, gave a brief review of actions taken since their last Site Plan hearing. Staff allowed the applicant to use the topography images from the Lake County GIS system. The applicant has completed the pre-engineering, revised the landscape plan, completed a photometrics plan, and deposited a \$10,000 escrow payment in April 2023. He further explained that they have had the wetlands boundaries approved by the Army Corps of Engineers and storm water will be drained to four separate ponds on the site. The ponds will be done as a BMP. Manhard Consulting has completed preliminary site engineering that includes a drainage plan and utility plan, which will be reviewed by Village staff. Mr. Christensen provided additional details about lighting and landscaping.

Commissioner Sanfilippo asked for clarification on the height of the luminaires. Mr. Christensen stated they will be 30 feet tall and explained they will be located along the parking area and the driveway.

Attorney Vasselli asked if the Commission specifically requested that evergreens be placed along the eastern side of the property. Mr. Christensen answered that the Commission wanted screening on the eastern side, he did not recall there being a specific request for evergreens. Mr. Garrigan stated he recalled there was a discussion about adding evergreens along Anita Avenue.

Commissioner Sanfilippo asked if the areas that wetlands will be crossed will be bridged. Mr. Christensen stated he was not sure if they would be piped or bridged. There will be a permitting process that will be completed by Manhard Consulting.

Commissioner Carstensen expressed concerns about the crosswalk near the site. Attorney Vasselli stated there could be conditions included pertaining to the crosswalk. Mr. Christensen suggested the Village put more signage or flashing lights for the crosswalk. Attorney Vasselli explained that there could be an arrangement for reimbursement from the applicant to the Village to offset the costs of additional signage and to alleviate the Commission’s concerns. Mr. Jim Babowice, attorney for the applicant, did not see a problem with having the discussion regarding additional crosswalk signage.

Commissioner Madigan asked for clarification on the current use of the property. Cindy Rios, representative for the applicant, explained that the building on the subject site is currently being remodeled and the proposed additional building will be used for maintenance on trucks and trailers. Mr. Christensen stated the intent is to alleviate the applicant’s existing facility of clutter and movement.

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Commissioner Madigan inquired about the hours of operation. Mr. Christensen stated there will be some late-night drop-offs. Ms. Rios explained that during the day the facility will operate at full capacity, but at night there will be a spotter working to prepare for the next day's operations. Commissioner Madigan reiterated concerns about truck traffic and the crosswalk near the site. She also expressed concern about baseball games at the park and how attendees park on both sides of Anita Avenue in front of the subject site. Ms. Rios stated she has observed most games occur on the weekends and their facility's operations will mainly be Monday through Friday. Commissioner Sanfilippo added that there are quite a few games played during the week in the evenings and she feels addressing the crosswalk would be good. Mr. Christensen explained the applicant will work to address the crosswalk during the final engineering.

Commissioner Madigan expressed her appreciation that the applicant has addressed many of the Commission's previously expressed concerns regarding the wetlands, but she has new concerns about truck maintenance being done on the property. Mr. Christensen advised that building codes for service-type buildings are strict and require items such as triple basins.

Commissioner McCarty inquired about a trailer that has been sitting on the property on its side for quite some time. Ms. Rios stated she was not privy to what was in the trailer but that it was in the process of being moved and there will be no more trailer storage on the subject site.

Attorney Vasselli addressed Antioch First Fire Protection Chief Jon Cokefair and asked if he has been in contact with the applicant. Chief Cokefair explained that there have been ongoing maintenance issues at the subject property and the building is not currently in compliance with life safety standards. Mr. Babowice stated the turning radius will be addressed to allow access for emergency vehicles. Mr. Christensen added that there will be 50-foot stalls and 60-foot aisles which should allow access for fire trucks.

Director Garrigan explained that staff is looking for a favorable recommendation to move forward with the case with the following five stipulations:

1. The developer work with staff to address the cost of additional crosswalk signage,
2. Compliance with the requirements of the Village Engineer,
3. Compliance with the requirements of the Antioch First Fire Protection District,
4. The applicant work with staff to address the potential of planting evergreens along Anita Avenue,
5. And the applicant proceeds with the required Site Plan Review for the proposed maintenance building prior to seeking a building permit for the structure.

Mr. Babowice stated that Phase 1 pertains to the site plan review currently being discussed and Phase 2 will be discussed at a later date regarding the proposed building. He advised that other ancillary issues should not be considered as part of the site plan review that is being discussed.

Attorney Vasselli agreed that relative to this proposal and application, the applicant needs to comply with the codes and stipulations of the Fire Protection District.

Commissioner Carstensen asked for clarification on the additional trees along Anita Avenue. She asked if a stipulation could be added that states all of the facts and findings need to be met before the applicant can go to the Village Board for approval.

Mr. Christensen stated they still have to get the topography, do the final engineering, and get permits through the Army Corp of Engineers. Attorney Vasselli asked Mr. Christensen if the Commission needs to vote on the matter before the applicant can see if additional evergreen trees will fit on the property or the applicant can talk with the Fire Protection District. Mr. Christensen answered he would like to get

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the site plan approved so they can continue the process. Attorney Vasselli stated the board would like to be more informed on the additional facts.

Mr. Babowice reassured the Commission that the applicant understands what the conditions are and would like to have a vote to proceed to the next step.

Ms. Rios added that the applicant is willing to add evergreens, but they need to have approval to do the topography.

Commissioner Madigan addressed the representatives of Ash Pallet Management and recommended that the stipulated items be completed.

Commissioner Sanfilippo asked for clarification on the stipulation of the evergreens. Commissioner Carstensen answered that the stipulation has been changed to have the applicant see if the trees will fit.

Commissioner Madigan moved, seconded by Commissioner Ryan, to recommend approval of the site plan review for PZB 22-04, with the following stipulations:

1. The developer work with staff to address the cost of additional crosswalk signage,
2. Compliance with the requirements of the Village Engineer,
3. Compliance with the requirements of the Antioch First Fire Protection District,
4. The applicant work with staff to address the potential of planting evergreens along Anita Avenue,
5. And the applicant proceeds with the required Site Plan Review for the proposed maintenance building prior to seeking a building permit for the structure.

Upon roll call, the vote was:

YES: 5: Ryan, Sanfilippo, McCarty, Carstensen, and Madigan.

NO: 0.

ABSENT: 2: Turner and Henning.

THE MOTION CARRIED.

H. NEW BUSINESS

1. PZB 23-13 – Consideration of a Site Plan Review for Fire Station #2 located at 700 Deep Lake Road: PIN 02-09-200-025

Director Garrigan gave a brief review of the Fire Protection District's previous site plan proposal for a pre-engineered metal building. He explained that this proposed site plan is an alternative plan for a masonry bay. The Fire Protection District would like to have both site plans approved and then put both plans out to bid but they would only proceed with one of the plans based on the results of the bids. Director Garrigan presented the proposed plan to construct a 2500 square foot bay. The bay would be constructed adjacent to the south side of the existing fire station building and would be used for storage. A landscape plan was also submitted to include extensive landscaping along the northern perimeter of the site. Staff makes a favorable recommendation with the two stipulations.

Jason Estes, architect for the applicant, explained that the applicant is trying to weigh all options to make the most fiscally responsible decision. He explained that the proposed addition would be a complete match to the existing building. Both options will be put out to bid in October.

The Planning and Zoning Board moved on to Item 2 (PZB 23-14) while additional documents for this item were compiled. Discussion on this item resumed following completion of discussion regarding PZB 23-14 at 8:46 pm.

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Commissioner Carstensen expressed her preference for the masonry bay addition instead of the pre-engineered metal building.

Director Garrigan stated that pursuant to the Planning and Zoning Board's request, the applicant will be presenting the textured material for the pre-engineered metal building and will provide additional landscaping.

Mr. Estes presented a sample of the textured material.

Chief Cokefair added that the masonry bay additional would take away eight parking spaces and is estimated to cost about \$300,000 more than the pre-engineered metal building.

Commissioner Sanfilippo moved, seconded by Commissioner Madigan, to recommend approval of the site plan review for PZB 23-13 with the following stipulations:

1. Compliance with the requirements of the Village Engineer,
2. And compliance with the requirements of the Antioch Fire Protection District.

Upon roll call, the vote was:

YES: 5: Ryan, Sanfilippo, McCarty, Carstensen, and Madigan.

NO: 0.

ABSENT: 2: Turner and Henning.

THE MOTION CARRIED.

2. PZB 23-14 – Consideration of a Text Amendment to the Form Based Code restricting services and offices on Lake Street from Main Street to Spafford Street

Director Garrigan stated this was a public hearing. He explained that the proposed amendment will prohibit new offices and services from opening on Lake Street between Main Street and Spafford Street, similar to the text amendment that was approved by the Village Board in 2022 pertaining to Main Street. This will allow the spaces to be available for more retail and restaurant use. Existing services and offices will not be asked to move, instead they would be considered legally non-conforming. Limiting offices and services will create a more vibrant downtown. Staff recommends approval of the proposed text amendment.

Commissioner McCarty and Commissioner Sanfilippo stated that in 2022 the Commission recommended denial of the text amendment to limit offices and services on Main Street, but the Village Board approved the text amendment.

Commissioner Ryan asked if banks are considered a service. Director Garrigan answered banks are considered a service and reiterated that existing businesses will not be forced out. Commissioner Ryan expressed concern that if one of the existing banks closed, the amendment would not allow for another bank to open in that space. Director Garrigan stated that based on previous conversations, if one of the banks closed and the space remained vacant for one year, then the legally non-conforming use would terminate.

Commissioner McCarty does not want to see the Village take away the rights of property owners. He would prefer to see the Village promote the uses wanted in vacant spaces, but if someone doesn't come forward, the property owner should still be able to rent it to someone who will pay for and maintain the space, regardless of use.

Commissioner Sanfilippo asked if the restrictions would be based on the current percentages. Director Garrigan stated that was open to discussion.

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Commissioner Carstensen expressed concern about defining services and problems that may cause for litigation. She stated that since the Village Board approved the text amendment for Main Street, she will likely be in support of it for Lake Street.

Commissioner Madigan explained that when a bank sells one of their locations, they typically add a stipulation that another bank cannot move into the location. She stated she is reluctant to support the amendment because limiting the allowed uses could eventually cause a property owner to go into foreclosure if they can't find an allowed business to rent it. Commissioner Madigan further stated that many of the current retail businesses downtown aren't open on Sundays and Mondays, nor do they stay open late during the week, and she suggested retail businesses stay open later. She further asked why the limitation would only pertain to locations between Main Street and Spafford Street. Commissioner McCarty stated the specified area is part of the downtown footprint.

Commissioner Madigan moved, seconded by Commissioner McCarty, to deny a text amendment to the Form Based code restricting services and offices on Lake Street from Main Street to Spafford Street. Upon roll call, the vote was:

YES: 3: Ryan, McCarty and Madigan.

NO: 2: Sanfilippo and Carstensen.

ABSENT: 2: Turner and Henning.

THE MOTION CARRIED.

3. PZB 23-15 – Consideration of a concept plan for a 64,618 square foot assisted living facility on approximately 5.90 acres located at 991 E IL Route 173, adjacent to Red Wing Subdivision

Director Garrigan presented the concept plan for a 64,618 square foot, one-story senior living facility known as Oasis Senior Living. The subject property is currently zoned R-1, so if there is support for the concept, the applicant will be required to submit a site plan and special use. The property is located on Route 173, just west of the Redwing View Subdivision, and is currently a vacant site, except for a metal storage building. The main access point to the proposed facility would be off of Route 173 and there would be a restricted emergency access point off of Elfering Lane, located in Redwing View. Director Garrigan explained that a storm water pond is proposed to be located on the western perimeter of the property and there is potential to include additional BMPs. Staff would like to work with the applicant to complete a tree survey to determine if there are any quality trees that can be preserved on the subject property to provide buffering to the residences located to the east. Director Garrigan stated there is a general perception that there is a need for additional senior housing and assisted living in Antioch.

Commissioner McCarty asked what type of zoning would allow an assisted living facility. Director Garrigan answered R-1 and R-2 both allow it as a Special Use, and he believes B-2 allows it without a Special Use. He further explained that many assisted living facilities are located in residential areas.

Commissioner Ryan asked how many residents could live in the proposed facility. Will Hepburn, civil engineer for the applicant, stated the building would have about 70 to 80 rooms, possibly more. Tahir Khan, applicant, stated the facility would have 90 units, mostly one-bedroom and studios.

Commissioner McCarty asked if this would be a fully assisted living facility. Mr. Khan responded it would be licensed for assisted living and memory care. They currently have 7 active facilities located in Michigan and three under construction in Illinois.

Commissioner Ryan expressed concern about the amount of buffering around the perimeter of the building. Mr. Khan stated there will be two large interior courtyards for the safety of the residents.

Commissioner Sanfilippo asked if the proposed amount of parking is typical. Mr. Hepburn stated the applicant has found at their other facilities that 25 to 30 parking spaces is sufficient. Commissioner

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McCarty noted that the proposed plan has 37 parking spaces with three being handicap spaces. Commissioner Sanfilippo asked how Elfering Lane would be restricted for emergency use only. Director Garrigan explained that there could potentially be a gate that would only allow access for emergency vehicles, but the applicant and staff will work with the Fire District to discuss the details.

Commissioner Carstensen asked Director Garrigan what the economic impact is of these types of facilities. Director Garrigan stated there is a need but there will be an impact on emergency services and staff will look for input from the Fire District. Commissioner Carstensen inquired if the facility could potentially attract hospitals. Director Garrigan stated one of the Village's major economic development goals is to attract more medical facilities and doctors. Commissioner Carstensen expressed support for the concept.

Commissioner Madigan inquired if the Village would need to communicate with IDOT the concept so IDOT can incorporate it into their plans to improve Route 173. Director Garrigan explained that the applicant's engineer will need to work with IDOT to obtain a permit for the access point and then IDOT will work with the Village and Village's engineer.

Commissioner McCarty asked if the applicant has purchased the property. Mr. Khan answered the property is currently under contract.

Commissioner Ryan asked what the peak staffing will be. Mr. Khan stated there will be about 15 to 20 staff members.

Director Garrigan advised that the concept plan will be presented to the Village Board for review. If the Village Board supports the concept, staff will then work with the applicant on the required site plan review application and special use.

Commissioner Sanfilippo moved, seconded by Commissioner Carstensen, to approve PZB 23-15; a concept plan for a 64,618 square foot assisted living facility on approximately 5.90 acres located at 991 E IL Route 173.

Upon roll call, the vote was:

YES: 4: Ryan, Sanfilippo, Carstensen and Madigan.

NO: 1: McCarty.

ABSENT: 2: Turner and Henning.

THE MOTION CARRIED.

I. ADJOURNMENT

There being no further discussion, the Planning and Zoning Board regular meeting adjourned at 9:15 pm.

Respectfully submitted,

Rachel Thiel
Recording Secretary