

AGENDA
PLANNING AND ZONING COMMISSION MEETING NO.
April 3, 2024 - 7:00 PM
Village Hall - Board Room
300 Plaza Circle, Mundelein, IL 60060

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ATTENDANCE

IV. MINUTES APPROVAL

- A. Approve the Planning and Zoning Commission Regular meeting minutes from March 20, 2024

V. PUBLIC COMMENTARY

VI. OLD BUSINESS

- A. PZC-17-2023 – 1290 Townline Road

Motion to recommend approval/denial of a Special Use pursuant to Section 20.40.020 to operate an Outdoor Storage Yard at 1290 Townline Road, Mundelein, Illinois, with the following conditions:

- a. [STAFF RECOMMENDS HOLDING A DISCUSSION ON CONDITIONS TO ADD OR REPEAT]

VII. NEW BUSINESS

VIII. QUESTIONS AND COMMENTS

IX. ADJOURNMENT

The Village of Mundelein, in compliance with the Americans with Disabilities Act, requests that persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting, or who have questions about the accessibility of the meeting or facilities, to contact the ADA Coordinator at 847-949-3200 to allow the Village to arrange accommodations for those persons.

March 20, 2024

CALL TO ORDER

The Regular Meeting of the Planning and Zoning Commission of the Village of Mundelein was held on March 20, 2024, at 300 Plaza Circle, Mundelein. Chair Roswick called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Chair Roswick led the Pledge of Allegiance

ATTENDANCE

Chair Roswick took the roll call. It indicated as follows:

Board Attendance

PRESENT: K. Anderson, S. Petti, T. Roswick, S. Schneckloth

ABSENT: K. Garesche, J. Holden, K. Teehan

Village Attendance

A. Orenchuk, Director of Community Development, T. Verbeke, Senior Planner, and E. Swanson, Recording Secretary

MINUTES APPROVAL

Approve the Planning and Zoning Commission Regular meeting minutes from February 7, 2024

Approve the Planning and Zoning Commission Regular Meeting Minutes from February 7, 2024

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Planning and Zoning Commission Kevin Anderson

SECONDER:	Planning and Zoning Commission Sophia Schneckloth
AYES:	Kevin Anderson, Terry Roswick, Sophia Schneckloth, Steven Petti
NAYS:	None
ABSTAIN:	None

PUBLIC COMMENTARY

None

OLD BUSINESS

None

NEW BUSINESS

PUBLIC HEARING - PZC-02-2024 - 143 N Seymour Avenue - Hidden Door Tattoo Studio

Motion to recommend **approval/denial** of a use variation to **Table 20.36-1 of Section 20.36.020** to permit a tattoo shop in the C-5-R Downtown Residential zoning district at 143 North Seymour Avenue, Mundelein, Illinois.

T. Verbeke reviewed the attached presentation and gave an overview of the incoming business and the history of the property. The petitioner is requesting the approval of a variation to Table 20.36.020 to permit a tattoo studio in the C-5-R Downtown Residential zoning district at 143 North Seymour Avenue, Mundelein, Illinois.

Commission members questioned the petitioners as to their background in the tattoo industry and the format of the business. Petitioners stated that they had a combined 6 years in the tattoo industry and presented a portfolio of work. They intend to have general operating hours from 12 PM - 10 PM, but will not be offering walk-ins. They plan to only do tattoos by appointment. Further questions were addressed on screening for shielding tattoo sessions and what local or state bodies oversee licensing.

Motion to recommend Approval of a use variation to Table 20.36-1 of Section 20.36.020 to permit a tattoo shop in the C-5-R Downtown Residential zoning district at

143 North Seymour Avenue with the findings of fact as presented.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Planning and Zoning Commission Kevin Anderson
SECONDER:	Planning and Zoning Commission Sophia Schneckloth
AYES:	Kevin Anderson, Terry Roswick, Sophia Schneckloth, Steven Petti
NAYS:	None
ABSTAIN:	None

Motion to close Public Hearing PZC-02-2024

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Planning and Zoning Commission Kevin Anderson
SECONDER:	Planning and Zoning Commission Steven Petti
AYES:	Kevin Anderson, Terry Roswick, Sophia Schneckloth, Steven Petti
NAYS:	None
ABSTAIN:	None

QUESTIONS AND COMMENTS

None

ADJOURNMENT

Motion to Adjourn the Regular Planning and Zoning Commission Meeting.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Planning and Zoning Commissioner Steven Petti
SECONDER:	Planning and Zoning Commissioner Kevin Anderson
AYES:	Kevin Anderson, Terry Roswick, Sophia Schneckloth, Steven Petti
NAYS:	None
ABSTAIN:	None

The Regular Planning and Zoning Commission Meeting adjourned at 7:20 PM.

Sign-In Sheet

NAME/COMPANY

ADDRESS

PHONE/EMAIL

Name: George Goumas		Phone:
Company:		Email:
Name: Jose Motta		Phone:
Company:		Email:
Name: Javier Chavez		Phone:
Company:		Email:
Name:		Phone:
Company:		Email:
Name:		Phone:
Company:		Email:
Name:		Phone:
Company:		Email:
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HIDDEN DOOR TATTOO STUDIO

PZC-02-2024
143 N. SEYMOUR

Staff Presentation
March 20, 2024



MUNDELEIN
COMMUNITY BANK

MCDONALDS

KRACKLAUER
PARK

TONALITY
BREWING

TASTE OF
PARIS

EL DORADO
TAX SERVICES

NORTH
SHORE
CLASSICS

ROGAN
SHOES

PROJECT
SITE

JUST FOR FUN
ROLLER RINK

FADED BEST BARBER SHOP

TIGHTHEAD

Mundelein Shopping Center

Seymour Ave.

Owner: Sarah & Michael Zimmerman
Businesses:
Taste of Paris
Big Al's Trading
El Dorado Tax Services

Owner: Jianhua Guo & Zhiping Lu
Business: Indoor Auto Dealership

Owner: A&O Syros LLC
Businesses:

- American Legion
- Carpets in the Park (unit in question)
- Faded Best Barbershop
- Just for Fun Roller Rink

Crystal St.

Owner: Matthew & Donna Morrison
Business: Laundromat

Owner: Rogans Shoes Inc.
Business: Shoe Store

SHOPPING CENTER BACKGROUND

- Economic vitality of center as a whole has declined in last few decades:
 - Poor visibility
 - Changing demand for brick-and-mortar retail
 - Challenges posed by multiple ownership (lack of coordinated improvements)
- Underperformance can indicate that the “highest and best use” of a property is no longer commercial, which can be due to:
 - Site-specific conditions; and/or
 - Changing consumer behavior and demand



2012 REZONING

- 2012 - Complete overhaul of Zoning Ordinance and Zoning Map
 - Most properties assigned closest equivalent
 - Mundelein Shopping Center went from *C-2 Commercial* to *C-5-C Downtown Residential* in anticipation of future redevelopment:
 - Not typical, but done at time because of renewed interest in redevelopment by owners and developers.
- Redevelopment is still yet to be seen, but there is a recent wave of interest from private developers due to the demolition of the former U.S. Music and Public Works Facility. However, there is not currently an active or pending proposal on the table.

PRE-2012

Zoning	
	C-1 Commercial District
	C-2 Commercial District
	C-3 Commercial District
	L-1 Light Industrial District
	M-1 Medium Industrial District
	O-R Office Research District
	P Public Use District
	R-1 One Family Dwelling District
	R-4 One Family Dwelling District
	R-5 One Family Dwelling District
	R-6 One Family Dwelling District
	R-7 Two Family Dwelling District
	R-8 Multi-Family Dwelling District

POST-2012

Zoning Districts	
	C-1 Neighborhood Commercial Zoning District
	C-2 General Commercial Zoning District
	C-3 Heavy Commercial Zoning District
	C-4 Shopping Center Zoning District
	C-5 Downtown Zoning District
	I Institutional Zoning District
	L-MU Lakefront Mixed-Use Zoning District
	M-1 General Manufacturing Zoning District
	M-MU Manufacturing Mixed-Use Zoning District
	O-R Office-Research Zoning District
	OS Open Space Zoning District
	R-1 Single-Family Residential Zoning District
	R-2 Single-Family Residential Zoning District
	R-3 Single-Family Residential Zoning District
	R-4 Two-Family Residential Zoning District
	R-5 Multi-Family Residential Zoning District

C-5 Subdistricts

	
	C-5-C Corridor
	C-5-MU Mixed-Use
	C-5-R Residential
	C-5-VC Village Center

VARIATIONS



- C-5-R (Downtown Residential) does not permit commercial uses.
- All existing businesses were “grandfathered in” upon the 2012 rezoning.
 - A space loses its “grandfathered” status when it is vacant for more than 6 months or if it changes to a different use.
 - New businesses must obtain a use variation to operate in this zoning district.
- Other variations granted since 2012:
 - 2014 – Epic Healthy Living (Community center)
 - 2014 – Carpets in the Park (Retail carpet sales)
 - 2015 – North Shore Classics (Indoor classic car dealership)
 - 2022 – Faded Best Barbershop
 - 2023 – TLC Massage and Spa – Nail Salon

HIDDEN DOOR TATTOO STUDIO

Petitioner seeks to open a tattoo shop at 143 N. Seymour

Unit has previously been occupied by a carpet shop, a nail salon, a beauty salon, and an unpermitted bakery.



QUESTIONS FOR STAFF?

FINDINGS OF FACT – 143 N. SEYMOUR AVENUE

CASE NUMBER	PZC-02-2024
PUBLIC HEARING DATE	March 20, 2024
VARIATION	Variation from Table 20.36-1 of Section 20.36.020 to permit a tattoo shop in the C-5-R Downtown Residential zoning district.
MOTION	Motion to recommend Approval of a variation to Table 20.36-1 of Section 20.36.020 to permit a tattoo shop in the C-5-R Downtown Residential zoning district at 143 N. Seymour Avenue.
On March 20, the Planning and Zoning Commission voted 4-0 for approval of a variation to Table 20.36-1 of Section 20.36.020 to permit a tattoo shop in the C-5-R Downtown Residential zoning district at 143 N. Seymour Avenue.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
The strict application of the terms of this Ordinance would result in undue hardship for the Petitioner, as the property in question is constructed as a commercial space and is part of a shopping center with other active commercial users. The strict application of the Ordinance would require the unit to remain vacant, as the space is unsuited for a residential use despite the current zoning district designation.	
2. The plight of the owner is due to unique circumstances;	
The property is subject to unique circumstances, as the rezoning in 2012 to Downtown Residential was done in anticipation of a redevelopment that has not yet occurred due to factors outside of the control of the Petitioner and property owner. Despite the current zoning designation, the shopping center still remains with active commercial tenants.	
3. The variation, if granted, will not alter the essential character of the locality;	
The variation will not alter the essential character of the locality, as a tattoo shop is consistent with the retail and service-oriented nature of other businesses found in the shopping center and in the larger Downtown Mundelein area. This particular unit has been occupied by commercial users in the past, including the current use of a carpet showroom.	
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
The commercial nature of the shopping center and surrounding area impose a hardship on the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations are to be carried out. The strict application of the Zoning Ordinance would ultimately cause this particular unit to remain vacant indefinitely, despite other active commercial units operating out of the same building.	
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
The alleged difficulty has not been created by the Petitioner or property owner, as the rezoning to Downtown Residential in 2012 was a Village-initiated undertaking and was anticipating redevelopment that did not ultimately occur.	
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
The variation will not be detrimental to the public welfare, as it will increase occupancy and foot traffic to an existing commercial shopping center.	
4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impairs property values within the neighborhood.	
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, with the exception that the ordinance and Comprehensive Plan envision that this property will ultimately transition to a residential use. However, that redevelopment has yet to occur.	

6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

The value of the properties in question will be substantially reduced if permitted to be used only under the existing zoning classification, as the unit is not suitable for residential use.

Committee Report

To: Mayor and Board of Trustees

From: Colleen Malec

For: Planning and Zoning Commission Meeting of April 3, 2024

Subject: PZC-17-2023 – 1290 Townline Road

Financial Impact:

N/A

Attachments:

1. Village Board Staff Report and Code Enforcement Photos - Referral Back to PZC
2. 1.3.24 - PZC Minutes and FOF

Background:

Petition Information

Petitioner: Luminita Buraga Ugrynyuu
Townline Properties LLC
PO Box 5678
Buffalo Grove, IL 60089

Petitioner Status: Property Owner

Property Location: 1290 Townline Road

Existing Zoning: M-1 General Manufacturing

Existing Land Use: Multi-Tenant Building - Motor Vehicle Aftermarket Enhancements, General Manufacturing, Warehouse and Distribution

Background

The owner of 1280-1290 Townline Road is pursuing a Special Use Permit for outdoor storage. The

Special Use application was heard by the PZC on January 3rd, 2024, but the case has not yet been considered by the Village Board. The PZC recommended approval of said Special Use with certain conditions. The applicant quickly fulfilled a number of conditions, which required (1) platting of a cross access easement, (2) a utility easement, (3) dedication of a portion of right-of-way, and (4) creation and registration of an on-site business entity to manage the storage yard.

However, the PZC also placed a condition that all active code violations must be cleared from the site within 60 days of the public hearing (Hearing Date: January 3, 2024), which was accepted at the time by the applicant. The condition was specific that if code violations were not addressed within the established timeline, the case must be referred back. As shown on the attached Code Enforcement photos, a number of violations were still present as of the 60-day deadline, and therefore the Village Board referred the case back without discussion.

It should be noted that, since the March 11th Village Board meeting, the property owner has worked with Code Enforcement to clear the remaining violations. All remaining violations have been addressed to the satisfaction of the Code Enforcement Officer.

Timeline

- January 3, 2024 – **First Public Hearing** for Special Use (PZC Recommended Approval with Conditions)
- February 7, 2024 – **PZC Approved Plat** of Dedication and Easement
 - *Required by January 3rd PZC Condition*
- February 7, 2024 – **Applicant applied for business registration** for on-site storage yard management entity (Townline Properties LLC)
 - *Required by January 3rd PZC Condition*
- February 12, 2024 – **Village Board Approved Plat** of Dedication and Easement
- February 21, 2024 – **Applicant Records Plat** with Lake County
- March 1, 2024 – **Property failed code enforcement inspection** (photos attached)
 - *Required by January 3rd PZC Condition*
- March 11, 2024 – **Village Board referred case back** to PZC due to not meeting deadline to address active code violations (Special Use case was not discussed by Village Board)
- April 3, 2024 – **Second Public Hearing** with PZC

Analysis

Staff cautiously recommends approval of the Special Use for Outdoor Storage, as the applicant has addressed all remaining code enforcement violations in the time since the Village Board referred the case back on March 11th. From the perspective of Staff, the property is under new ownership that is showing cooperation and willingness to make improvements to this property for the first time in several decades. Staff understands that the new property owner inherited a fair share of challenges and problems from the previous property owner, and has made a good faith effort to address them.

Looking at the larger picture, both the Village and the property owner share the same end goal. It does not benefit the larger community to require the site to stay unpaved and unusable, or for it to

continue to be a drain on Code Enforcement's staff time.

However, Staff also recommends that the Planning and Zoning Commission revisit their conditions and consider whether revised or additional safeguards would encourage long-term compliance. The following conditions were placed by the Planning and Zoning Commission on January 3rd, 2024:

1. For as long as the outdoor storage yard is operational, the applicant shall establish a business entity to manage the outdoor storage yard rental, shall occupy a unit with accessible rental documentation on-site, and shall maintain a valid business registration with the Village.
 - a. **NOTE: ALREADY ADDRESSED BY APPLICANT – BUSINESS IS REGISTERED.**
2. No other entities or businesses, whether on-site or off-site, shall utilize the outdoor storage yard for storage other than the applicant and customers of the applicant.
 - a. **NOTE: THIS CONDITION SHOULD BE DISCUSSED, AS STAFF HAS ALREADY RECEIVED NUMEROUS REQUESTS FROM THE APPLICANT'S TENANTS TO UTILIZE THE OUTDOOR STORAGE YARD.**
3. Outdoor storage is limited to recreational vehicles, boats, operable vehicles with license plates, and small trailers. Other items are not permitted, including but not limited to: landscape supplies, materials, construction equipment, inoperable vehicles, shipping containers, and semi-truck trailers.
4. Motor vehicle repair, motor vehicle aftermarket enhancements, and maintenance to recreational vehicles is not permitted outdoors within the storage yard or adjacent parking area.
5. The permitted stored items (recreational vehicles and boats) may exceed the height of the required screening fence or wall.
6. If it is found that Parcel three extends into the Village ROW on Leighton Tower Road, then that portion of the property must be dedicated to the Village.
 - a. **NOTE: ALREADY ADDRESSED BY APPLICANT – DEDICATION PLAT RECORDED.**
7. No outdoor storage shall commence until the site improvements are completed as shown in the Petitioner's packet (or as modified in accordance with Village codes through the permit review process).
8. A cross access easement agreement between parcel one and two is to be recorded to grant parcel two access to Townline Road.
 - a. **NOTE: ALREADY ADDRESSED BY APPLICANT – EASEMENT PLAT RECORDED.**
9. Wetlands area, enclosure fencing, and stormwater detention subject to Village Engineering and staff approvals.
10. Application will not go forward to the board until current violations cleared up to the satisfaction of village staff. The cleanup must be completed within 60 days.
 - a. **NOTE: ADDRESSED BY APPLICANT TO THE SATISFACTION OF CODE ENFORCEMENT – HOWEVER, THEY DID NOT MEET THE 60 DAY DEADLINE, SO THE VILLAGE BOARD REFERRED THE CASE BACK TO THE PLANNING AND ZONING COMMISSION PER THE REQUIREMENTS OF THE CONDITION.**

Additional Conditions in the Event of Approval

If the Planning and Zoning Commission feels that an additional condition is needed, Staff

recommends building in an expiration date to the Special Use that can be extended by the Village Board at their discretion. If the storage yard in practice is not adhering to its conditions or is generating excessive code violations, the Village Board can be granted the opportunity to reevaluate the Special Use at a time specified in the future. Example language:

- i. *The Special Use shall expire [one year] after ordinance approval. Upon expiration, the Village Board should evaluate compliance with conditions and code requirements, and at their discretion, may extend said expiration date or cause the Special Use to become permanent.*

Procedure in the Event of Approval

If the PZC elects to change their recommendation to a denial, the Findings of Fact must be revised to specify what conditions changed to warrant a change from approval to denial. The Findings of Fact from January 3rd, 2024 are attached for review if necessary.

Recommendation:

Motion to recommend approval/denial of a Special Use pursuant to Section 20.40.020 to operate an Outdoor Storage Yard at 1290 Townline Road, Mundelein, Illinois, with the following conditions:

- a. [STAFF RECOMMENDS HOLDING A DISCUSSION ON CONDITIONS TO ADD OR REPEAT]

VILLAGE BOARD STAFF REPORT

To: Mayor Steve Lentz
Board of Trustees

From: Colleen Malec, Senior Planner

For: March 11, 2024

Subject: 1290 Townline Road – Outdoor Storage Special Use Request

Requests: 1. Special Use for Outdoor Contractor Storage

Attachments: 1. Photos by Code Enforcement 3-1-2024

Background

The owner of 1280-1290 Townline Road is pursuing a Special Use Permit for outdoor storage. The Special Use application has been heard by the Planning and Zoning Commission (PZC), but has not yet proceeded to the Village Board. On January 3, 2024, the PZC recommended approval of said Special Use with certain conditions. The applicant has already fulfilled one condition, which required platting of a cross access easement, a utility easement, and dedication of a portion of right-of-way.

However, the PZC also placed a condition that all active code violations must be cleared from the site within 60 days of the public hearing (Hearing Date: January 3, 2024), which was accepted by the applicant. In the event that the code violations are not addressed within the established timeline, the Commission recommended that the Village Board refer the case back to the PZC for further consideration. As shown on the attached Code Enforcement photos, a number of violations are still present, and therefore Staff is recommending a motion to refer the case back to the PZC.

Code Enforcement Details

The property in question has a decades-long history with Code Enforcement. Due to the nature of the applicant's request to operate a permanent outdoor storage yard, the PZC was particularly concerned with active code violations related to ongoing, unauthorized outdoor storage occurring on the site. Items stored recently on the site have included inoperable and unregistered vehicles, trailers, equipment, concrete spoils, lumber, tires, gravel piles, rubbish, etc. There have also been recent violations related to auto repair being conducted outdoors within the proposed storage yard area.

The PZC was specific in their conditional approval that outdoor storage, if approved, would be limited to only what was requested by the applicant:

- Recreational vehicles
- Boats
- Operable vehicles with license plates
- Small trailers (no semi-truck trailers or shipping containers)

More importantly, the PZC's approval did not extend to any other items such as equipment, materials, concrete spoils, rubbish, tires, etc. The PZC elected to require that all current code violations must be rectified within 60 days due to the ongoing use of the site to store those non-permitted items. The PZC's understanding was that the applicant would comply and demonstrate that the requested permanent storage yard could be kept clear of non-permitted items. However, because the applicant has not complied, a motion is recommended to refer the case back to the PZC for further consideration.



Recommendation

The following motion is provided for consideration:

1. **Motion** to refer Case PZC-17-2023 regarding a Special Use request for 1290 Townline Road to the Planning and Zoning Commission for further consideration.

CCM



Pictures taken of 1282-1290 Townline Road on March 1, 2024 a.m. by Code Enforcement





Pictures taken of 1282-1290 Townline Road on March 1, 2024 a.m. by Code Enforcement



Pictures taken of 1282-1290 Townline Road on March 1, 2024 a.m. by Code Enforcement





Pictures taken of 1282-1290 Townline Road on March 1, 2024 a.m. by Code Enforcement











MINUTES OF A PLANNING & ZONING COMMISSION MEETING

Meeting called to order at 7:00 PM

PLEDGE OF ALLEGIANCE

ATTENDANCE

Present: Kevin Anderson, Nancy Burton, Kerry Garesche, Jennifer Holden, Steven Petti, Terri Roswick (Chair), and Sophia Schneckloth
Absent: None
Also Present: Jessica Marvin – Associate Planner, Tim Verbeke – Senior Planner and Erin Swanson – Recording Secretary

REVIEW/APPROVAL OF MINUTES

Motion by J. Holden, seconded by K. Anderson to approve the Planning and Zoning Commission Meeting minutes of December 6, 2023.

AYES: J. Holden, K. Anderson, N. Burton, K. Garesche, S. Petti, T. Roswick, S. Schneckloth
NAYS: None
ABSENT: None

Motion Carried 7-0

GENERAL PUBLIC COMMENTARY

None

NEW BUSINESS

Public Hearing – PZC-17-2023 – 1290 Townline Road

Motion made by N. Burton, seconded by J. Holden to open the Public Hearing PZC-17-2023.

AYES: N. Burton, J. Holden K. Anderson, K. Garesche, S. Petti, T. Roswick, S. Schneckloth
NAYS: None
ABSENT: None

Motion Carried 7-0

STAFF OVERVIEW

J. Marvin reviewed the attached PowerPoint presentation and reviewed details of the incoming business and history of the property. The petitioner is requesting approval of a special use to permit the operation of an Outdoor Storage Yard for recreational vehicles and boat storage rental at 1290 Townline Road, Mundelein, Illinois.

PETITIONER PRESENTATION

Dan Havlir, Engineer was sworn in and fielded questions on access from the parcel to the right of way on Leighton Tower Road and Townline Road. Also discussed the 1.6 acre lot that will be pursued as a paved lot for vehicle storage and the small portion that is considered to be a man made wetland from prior owner's lack of maintenance on property.

COMMISSION DISCUSSION

Commissioners briefly discussed parking spaces being marked and logistical navigation around the lot for a variety of sizes of recreational vehicles.

PETITIONER COMMENTS

Ghenadie Cebotaru was sworn in and fielded questions on purchase history. Ms. Cebotaru discussed owning a similar business in a nearby area for storing recreational vehicles as well as small utility vehicles and asked the Commission for guidance on what types of vehicles the Commission would allow them to store on site.

COMMISSION DISCUSSION

Further discussion on proposed contracts based on individual parking spaces, requests for validating zoning violations have been cleaned up by The Village before proceeding, and different types of vehicles that could be allowed. There was lengthy discussion on the parcel having 3 different pins and concern over the main parcel being land locked with no access to a right of way if one of the other parcels is sold. Questions were raised as to the security liability of commercial vehicles and equipment, and the commissioners expressed not wanting any landscaping materials to be stored on site if equipment may be stored.

PUBLIC COMMENTS

No public comments

Motion made by J. Holden, seconded by S. Schneckloth to approve a special use pursuant to Section 20.40.020 to operate an Outdoor Storage Yard for recreational vehicle and boat storage rental at 1290 Townline Road, Mundelein, Illinois, including the findings of fact, as written, with the following conditions:

- a. For as long as the outdoor storage yard is operational, the applicant shall establish a business entity to manage the outdoor storage yard rental, shall occupy a unit with accessible rental documentation on-site, and shall maintain a valid business registration with the Village.
- b. No other entities or businesses, whether on-site or off-site, shall utilize the outdoor storage yard for storage other than the applicant and customers of the applicant.
- c. No items such as landscape supplies, material storage, construction equipment, or inoperable vehicles shall be stored in the outdoor storage yard except for recreational vehicles, boats, or small trailers.
- d. Motor vehicle repair, motor vehicle aftermarket enhancements, and maintenance to recreational vehicles is not permitted outdoors within the storage yard or adjacent parking area.
- e. The permitted stored items (recreational vehicles and boats) may exceed the height of the required screening fence or wall.
- f. If it is found that Parcel three extends into the Village ROW on Leighton Tower Road, then that portion of the property must be dedicated to the Village.
- g. No outdoor storage shall commence until the site improvements are completed as shown in the Petitioner's packet (or as modified in accordance with Village codes through the permit review process).
- h. A cross access easement agreement between parcel one and two is to be recorded to grant parcel two access to Townline Road.
- i. Wetlands area, enclosure fencing, and stormwater detention subject to Village Engineering and staff approvals.
- j. Application will not go forward to the board until current violations cleared up to the satisfaction of village staff. The cleanup must be completed within 60 days.

AYES: J. Holden, S. Schneckloth, K. Anderson, N. Burton, K. Garesche, S. Petti, T. Roswick

NAYS: None

ABSENT: None

Motion Carried 7-0

Motion made by S. Petti, seconded by K. Anderson to close Public Hearing PZC-17-2023.

AYES: S. Petti, K. Anderson, N. Burton, K. Garesche, J. Holden, T. Roswick, S. Schneckloth

NAYS: None

ABSENT: None

Motion Carried 7-0

Motion made by K. Anderson, seconded by N. Burton to adjourn the Planning & Zoning Commission Meeting of January 3, 2024.

AYES: K. Anderson, N. Burton, K. Garesche, J. Holden, S. Petti, T. Roswick, S. Schneckloth

NAYS: None

ABSENT: None

Motion Carried 7-0

Meeting adjourned at 8:15 PM

Respectfully submitted,

A handwritten signature in cursive script that reads "erin swanson".

Erin Swanson

Recording Secretary

ES/TV/JM/AO

Sign-In Sheet

NAME/COMPANY

ADDRESS

PHONE/EMAIL

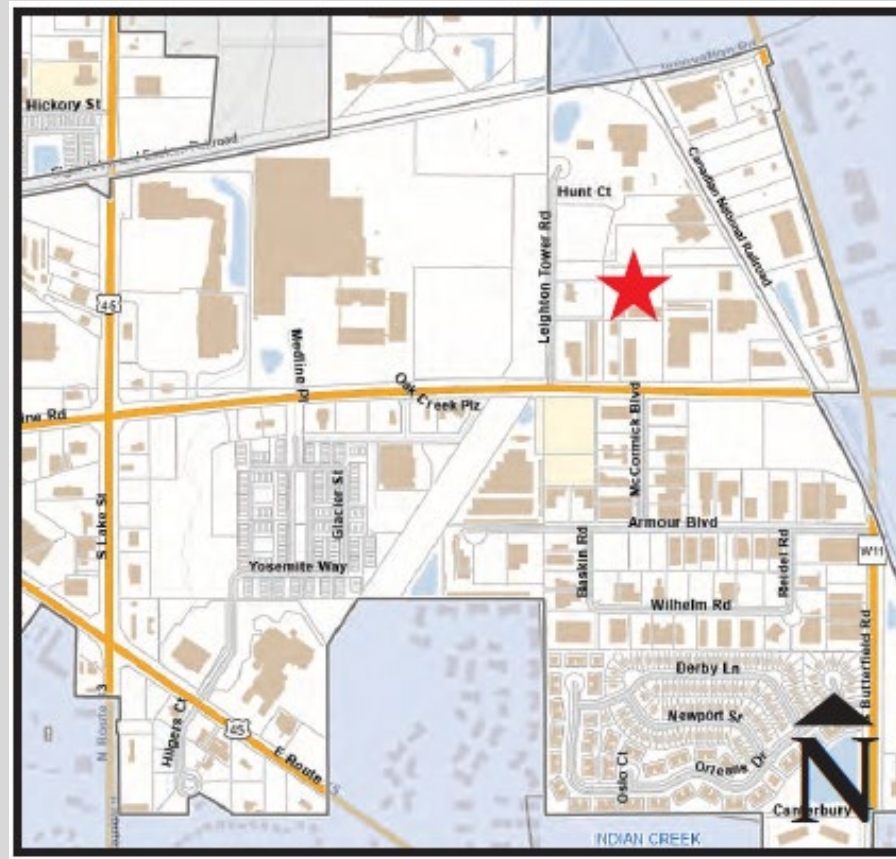
Name: DAN HARLIR		Phone: 847 912 6410
Company: NW ENG		Email: DAN HARLIR@GMAIL.COM
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Village Staff Overview: PZC-17-2023

1290 Townline Road – January 3, 2024

Location Map: 1290 Townline Road



Aerial



History

- Located just east of Medline and south of Northfield Block Company.
- This property doesn't have direct access to the right-of-way.
 - Accessed through either 1280 Townline Road, or a driveway parcel along Leighton Tower Road.
- This property has had a history of code enforcement issues that stem from neglected maintenance, work without permits, and unpermitted outdoor storage.
- The property was previous owned by L.B. Anderson & Company, Inc. for 20+ years.
- In 2023, Townline Properties LLC (Petitioner) acquired the property.

Special Use Request

- To operate an outdoor storage yard at 1290 Townline Road.
 - Outdoor storage yards require a Special Use Permit;
 - Outdoor storage must be related to an on-site business;
 - Outdoor storage yards must be located to the rear of the lot;
 - Outdoor storage must be screened; and
 - Outdoor storage must be on an approved, paved surface.
- Storage yards come in a wide range of sizes, shapes, and purposes, and due to their outdoor nature, have greater potential for visual impact (as well as sound, traffic, and vibration).

Zoning Ordinance

- Section 20.48.040(DD) Outdoor Storage Yard and Contractor Storage Yard with Outdoor Storage.

Use Standards: Outdoor Storage Yard

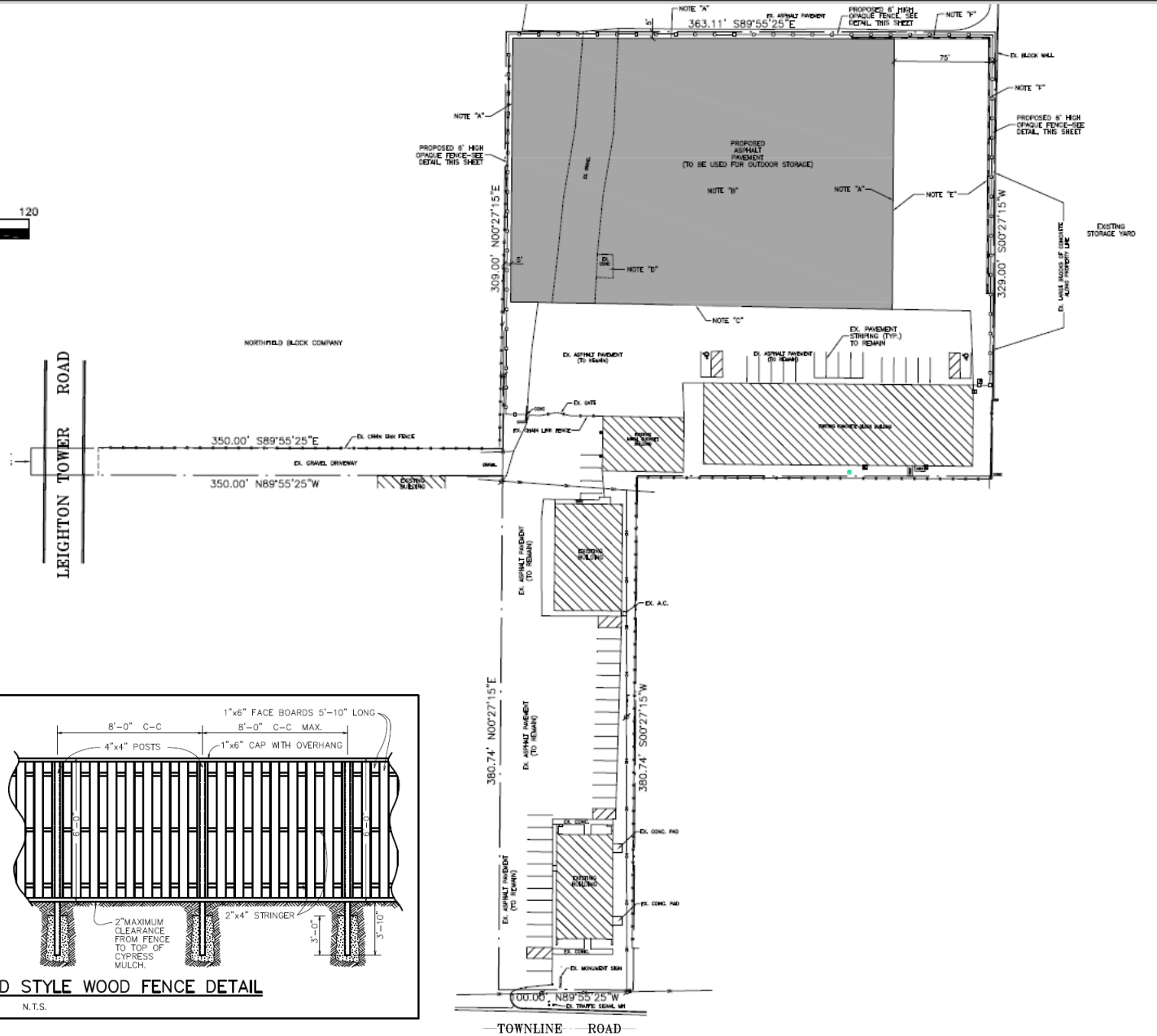
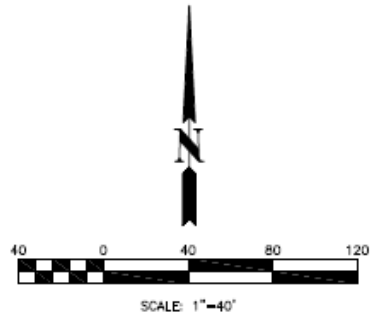
Section 20.48.040(DD) Outdoor Storage Yard and Contractor Storage Yard with Outdoor Storage

1. All outdoor storage must comply with the screening requirements of Section 20.60.150 (Screening Requirements).

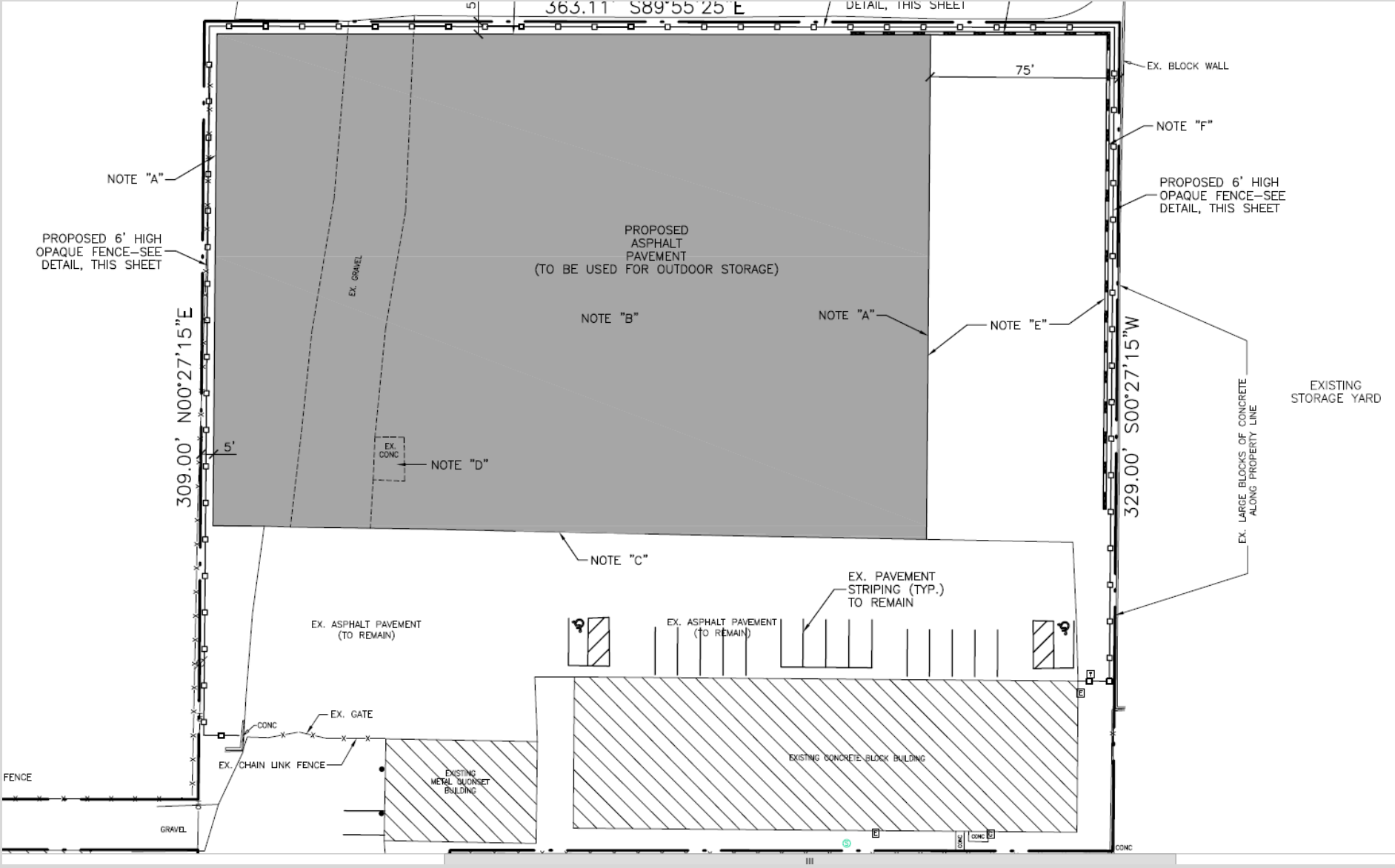
1. Section 20.60.150(C)(1) Outdoor Storage and Display Areas

1. All outdoor storage areas, whether as a principal use or accessory to a principal use, shall be completely screened by an opaque masonry wall (stone, stucco or brick) or a solid wood or simulated wood screen fence **no less than six feet in height**. Where feasible, plant materials shall be installed along the fence or wall located along the public right-of-way to provide a softening effect. No materials stored outdoors shall be of a greater height than that of the required fence or wall.
 2. When there is a structure affiliated with the storage yard, the structure shall be oriented toward the front of the lot and the storage area shall be located to the rear of the lot. The outdoor storage area should be located to the rear of the lot where possible. All structures must be located towards the front of the lot, in compliance with the front yard of the underlying zoning district.
 3. Outdoor storage areas shall be surfaced and graded and drain all surface water. Outdoor storage areas may be surfaced with pervious paving, if adequate drainage and erosion and dust control are provided. However, gravel is prohibited.
 4. Any lighting used to illuminate an outdoor storage area shall be directed and shielded as to not illuminate any adjacent residential areas.
 5. All items stored outdoors must be related to the on-site business and its operations.

Site Plan



Site Plan



Site Plan



Code Enforcement Issues

The Code Enforcement Officer visited the site on December 20, 2023, and took photos. There are a number of recent violations related to outdoor storage on the site.

- a. A large number of vehicles and trailers (20+) stored across the property;
- b. Vehicles and trailers stored on unpaved surfaces;
- c. Motor vehicle repair being conducted outdoors (unknown if vehicle repair is related to an on-site business); and
- d. Inoperable vehicles and vehicles without plates stored on property.

Code Enforcement Issues



These pictures were taken on 12-20-2023.

Code Enforcement Issues



These pictures were taken on 12-20-2023.

Analysis

- New Ownership - Opportunity to Enhance Area

- The Village's overall goal is to continue to improve the conditions and appearance of the Townline Road corridor, and it is optimistic that the new property owner is demonstrating cooperation and a willingness to invest in the area.

- Conditions and Reason for Caution

- To ensure the proposed storage yard meets the intentions of the Zoning Ordinance and will only be used for the Petitioner's stated purpose of recreational vehicle and boat storage space rental.

- Importance of Maintaining On-Site Management Office

- Standalone storage yards conflict with the Village's goals of enhancing the appearance of its commercial areas.
 - Without a business entity on-site, standalone storage yards are often neglected over time and are difficult to get into contact with the property owner.
 - The applicant has opted to create a business entity to occupy a unit on-site that will be a "management office" for the RV and boat storage rental yard.

Other Potential Conditions

The following points have not been included as recommended conditions. Instead, Staff requests that the Commission considers these questions before making a motion to decide whether they are of importance, and whether they should be incorporated into the conditions:

- a. Should the RV and boat storage “management office” be required to maintain rental agreements or other documentation with renters?
- b. Does it matter to the Commission whether the applicant rents to individuals or commercial businesses? Examples of a commercial user might be recreational vehicle overstock, recreational vehicles awaiting repairs, etc.
- c. Should all recreational vehicles stored be operable? Does their condition or state of disrepair matter to the Commission?
- d. Does the Commission specifically want to exclude trailers from what is permitted to be stored in the storage yard?

Standards for Granting a Special Use

No special use shall be recommended for approval by the Planning and Zoning Commission and approved by the Village Board unless it has made findings, based upon the evidence presented at the public hearing, to support each of the following conclusions.

- a. The establishment, maintenance, and operation of the special use in the specific location proposed will not endanger the public health, safety, or general welfare of any portion of the community.
- b. The proposed special use is compatible with adjacent properties and other property within the immediate vicinity of the special use.
- c. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and the Village land use policies.
- d. The special use conforms to the applicable regulations of the zoning district in which it is to be located.

FINDINGS OF FACT – 1290 Townline Road – PZC-17-2023

1. Special Use – Outdoor Storage Yard in the M-1 (General Manufacturing) District

CASE NUMBER	PZC-17-2023
PUBLIC HEARING DATE	January 3, 2024
MOTION	Motion by J. Holden second by S. Schneckloth to recommend approval of a Special Use Permit for an outdoor storage yard on the property located at 1290 Townline Road pursuant to Section 20.48.040(DD) of the zoning Ordinance.
On January 3, 2024, the Planning and Zoning Commission voted 7 - 0 for approval of a Special Use Permit for an outdoor storage yard on the property located at 1290 Townline Road pursuant to Section 20.48.040(DD) of the zoning Ordinance.	
<i>If applying for a rezoning, special use, major variation and/or planned unit development, the application for a Certificate of Compliance will be referred to the Planning & Zoning Commission and scheduled for the same public hearing as the application for rezoning, special use, major variation, and/or planned unit development. The Planning & Zoning Commission will submit a written report of its findings as to whether the proposed development is in compliance with the Appearance Code to the Village Board of Trustees. The Village Board of Trustees will consider the report within 60 days after it is submitted by the Planning & Zoning Commission to approve, approve with conditions, or deny the request.</i>	
1. The establishment, maintenance, and operation of the special use in the specific location proposed will not endanger the public health, safety, or general welfare of any portion of the community.	
The establishment, maintenance, and operation of the special use in the specific location proposed will not endanger the public health, safety, or general welfare of any portion of the community. Certain conditions to the Special Use Permit are recommended by the PZC that provide safeguards for the outdoor storage yard use. The property is not located near residential and is tucked back by a masonry storage yard.	
2. The proposed special use is compatible with adjacent properties and other property within the immediate vicinity of the special use.	
The proposed special use is compatible with adjacent property and other properties within the immediate vicinity of the special use. The existing land use of this multi-tenant building is compatible with the uses within the M-1 General Manufacturing Zoning District. The property is not located near residential and is tucked back by a masonry storage yard.	
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and the Village land use policies.	
The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and the Village land use policies.	
4. The special use conforms to the applicable regulations of the zoning district in which it is to be located.	
The special use conforms to all other applicable regulations of the M-1 General Manufacturing Zoning District, including the Use Standards for said use, which provides for outdoor storage as a special use.	