

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE MEETING OF THE
PLAN COMMISSION
OCTOBER 22, 2015**

Approved

1. CALL TO ORDER AND ROLL CALL

A Meeting of the Plan Commission of the Village of Lake Barrington was held on October 22, 2015 at the Village Municipal Center, 23860 Old Barrington Road, and was called to order by Plan Commission Chair Rick DeLisle at 7:00pm.

Present:	Commissioners: Barbera, Carpenter, Menconi, Nixon, Puleo, Wrzeszcz, and Chair DeLisle
Absent:	Commissioners: None
Also Present:	Village Administrator Chris Martin and Village Attorney Jim Bateman, Debra Santi of Lake-Cook Reporting

2. APPROVAL OF THE MINUTES

A motion was made by Commissioner Puleo and seconded by Commissioner Barbera to approve the minutes of the March 12, 2015 meeting.

On a voice vote the motion was approved unanimously.

3. CONSIDERATION OF PETITION FOR SPECIAL USE PERMIT – MASSAGE ESTABLISHMENT 22000 N PEPPER ROAD MULTI TENANT BUILDING

All persons intending to speak before the Commission were sworn in by Village Administrator Martin.

Mr. Martin reported that Ms. Danuta Bryla is requesting a special use permit to allow for massage therapy in a tenant space within the Pepper Park business center as part of a nail salon and spa. The subject address is 22000 N. Pepper Road, a multi-tenant building owned by KVM Development – Ken Malo, also owner of Swiss Automation on Route 14. The petitioner is requesting the following: a special use permit to allow for a massage therapy establishment in the M zoning district pursuant to Section 8-4-6(C)(7).

Site Characteristics - the entire site is approximately 1.9 acres in area with a single multi-tenant building of 15,000 square feet (expanded from 7,500 square feet – photo shows first half) with shared drives and parking. The proposed use will occupy Unit G at 1,163 square feet. The massage therapy will take place in one room noted on the attached floor plan as “Treatment 108”. The room is 108 square feet. The other treatment room will be for facials and similar services. Other services to be provided include pedicures and manicures.

Adjoining Uses - the Pepper Park business center is a new building. Other uses within the building include Pepper Park Coffee, RSVP Party Rentals, and Wild Asparagus catering. The owner is seeking additional tenants for the new section, one of which is this petitioner.

Parking - there are 52 shared spaces. The number of spaces is compliant with the building size and should be sufficient for the proposed use.

Driveways/Access - there is an existing two-way entrance and exit to Pepper Road.

Fire Prevention - the unit will have fire alarms, smoke/CO detectors, and sprinklers.

Engineering - there is no engineering pertinent to this petition.

Signage - the petitioner has not submitted a signage plan to date. The signage will be similar to that on the other building frontages.

Mr. Martin noted that the following staff responses to application materials:

- Essential Character – staff agrees that the intended use appears to be "in character" with the Village's goals for the Pepper Business Park, which include promoting retail and service uses. The Village currently has no massage therapy uses within the community. There were two over the past 10 years, one at the Market Place and one near the Horseshoe Grill. Staff is not aware of any issue with these previous uses.
- Unique Conditions – staff agrees that this is the first multi-tenant retail building built in several decades and that Pepper Road has traditionally not been a retail corridor.
- Purpose – staff is generally aware of the demand for beauty and massage services which appears to be an expanding business model throughout the suburbs.
- Adjacent Property – staff agrees that impacts to adjacent properties are likely to be minimal as a beauty salon is broadly similar with the adjoining uses.
- Public Health and Safety – massage uses can carry with them problems, specifically prostitution. The Village requires that all massage therapists be licensed and a background check is required including finger printing. Staff suggests that the Commission condition any positive recommendation on the satisfactory completion of this license process. The Commission should query the petitioner about employee training and how they will deal with requests for illegal acts if they arise.

Mr. Martin recommended that the Plan Commission forward a positive recommendation for Village Board approval of the special use permit conditioned upon satisfactory completion of the massage therapist license and background checks.

Chair DeLisle then requested that the petitioner present their proposal which is detailed in the attached transcript. The Petitioner was present and also represented by Ms. Kathleen Scott property manager.

Chair DeLisle then requested public comment. The public comment and subsequent discussion relative to the petition are detailed within the attached transcript. In summary, the Village received no objections to the subject Petition.

Chair DeLisle closed public comment, and discussion followed by the Plan Commissioners as detailed within the attached transcripts. At the conclusion of the Commission discussion, the following motion was made:

A MOTION WAS MADE BY COMMISSIONER BARBERA AND SECONDED BY COMMISSIONER MENCONI TO RECOMMEND TO THE PRESIDENT AND BOARD OF TRUSTEES THE APPROVAL OF THE PROPOSED SPECIAL USE PERMIT FOR A MASSAGE ESTABLISHMENT 22000 N. PEPPER ROAD UNIT G UPON SUCCESSFUL COMPLETION OF ALL LICENSING REQUIREMENTS

Upon roll call, the vote was as follows:

YEAS: Commissioners Barbera, Carpenter, Menconi, Nixon, Puleo, Wrzeszcz, and Chair DeLisle

NAYS: None

ABSENT: None

ABSTAIN: None

Chair DeLisle declared that the motion passed.

4. DISCUSSION OF ZONING TEXT AMENDMENT RELATIVE TO CITIZEN PARTICIPATION PRIOR TO PUBLIC HEARINGS

Mr. Martin lead the Commission through a discussion of potential amend to the Village Zoning Code relative to adding an addition layer of public participation prior to a public hearing. Mr. Martin noted that the Village Board previously discussed the concept and was supportive, referring the amendment discussion to the Plan Commission.

Staff believes that an additional process may be appropriate to better socialize larger projects that are scheduled before the Plan Commission or other public body. Plan Commission hearings are official, formal, and at times can be intimidating and not conducive to discussion and compromise.

As a potential augmentation to the planning process, please see the attached draft ordinance developed using an example from Ann Arbor, MI (also provided). This ordinance requires that particular developments, those requiring zoning relief - that are larger than 3 acres, must be presented by a developer at a *citizen participation session* and that a report be provided to the Plan Commission detailing any discovered issues and the developers response to those issues. This session would take place prior to the public hearing. The session would be much less formal than a public hearing and would allow residents and the developer to openly discuss concerns, while also discovering opportunities for compromise and resolution.

The report generated from this session would be similar to an engineering review or traffic study. This will provide the Plan Commission with a starting point for consideration of resident concerns rather than waiting till the evening of the public hearing to discover what issues and interest exist within the community. The Commission would retain its authority to make recommendations and condition those recommendations as necessary.

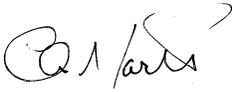
Chair DeLisle then requested public comment, there was none. Chair DeLisle then requested Commission comment. The Commission had a lengthy a discussion as detailed within the attached transcripts. The Commission concluded unanimously that an additional layer of citizen participation was not necessary and would be overly burdensome on petitioners, residents and staff. The Commission agreed that the existing notice and public hearing process was appropriate, accessible and thorough.

Mr. Martin stated that further work on the concept would be suspended.

5. ADJOURNMENT

A motion was made by Commissioner Puleo and seconded by Commissioner Barbera to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 8:20 pm.

THE VILLAGE OF LAKE BARRINGTON'S PLAN COMMISSION MINUTES FOR THE MEETING OF OCTOBER 22, 2015 HAVE BEEN REVIEWED AND APPROVED


Village Administrator: