

APPROVED MINUTES

**VILLAGE OF ANTIOCH
PLANNING AND ZONING BOARD – REGULAR MEETING
Municipal Building: 874 Main Street, Antioch, IL 60002
November 6, 2024**

A. CALL TO ORDER

Chairman McCarty called the November 6, 2024 regular meeting of the Planning and Zoning Board to order at 7:00 pm at the Antioch Municipal Building.

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: Sanfilippo, Carstensen*, Misch, Madigan, and Martinez. Also present were Chairman McCarty, Community Development Director Garrigan, Attorney Vasselli, and Recording Secretary Thiel. Absent: Commissioner Turner.

**indicates attendance via Zoom*

D. ANNOUNCEMENTS AND CORRESPONDENCE

None.

E. APPROVAL OF THE OCTOBER 2, 2024 PLANNING & ZONING BOARD MEETING MINUTES AS PRESENTED

Commissioner Sanfilippo moved, seconded by Commissioner Madigan, to approve the October 2, 2024 Planning and Zoning Board meeting minutes as presented.

Upon roll call, the vote was:

YES: 6: Sanfilippo, Carstensen, Misch, Madigan, Martinez, and McCarty.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

F. PUBLIC COMMENT

None.

G. OLD BUSINESS

None.

H. NEW BUSINESS

1. PZB 24-10 – Consideration of a Site Plan Review, Preliminary and Final Plat approval for Carmax located at 2101 E Route 173

Director Garrigan presented the proposed site plan review and final plat for a CarMax auto distribution and auction center. The applicant is proposing to build two buildings on 59 acres of a 92-acre site located within the Antioch Corporate Park. A 26.8-acre vacant lot will also be created for future development. He explained that one building will be approximately 38,000 square feet and the other will be approximately 11,000 square feet. There will also be a large asphalt area for storage of vehicles and will contain 2,678 parking spaces. Director Garrigan summarized the traffic study that was presented at the concept stage and explained that the main entrance to the overall site will be off Gregory Drive. He provided a brief review of the architectural aspects of the buildings. Director Garrigan continued to explain the proposed landscaping plan which includes extensive landscaping with evergreen trees along the western perimeter of the site to block the view from the residential homes. Staff would like to work with the applicant to try to incorporate additional berming and landscaping, but the floodplain along the creek limits the area allowable for berming. Staff would also like to work with the applicant to incorporate additional landscaping on the existing landscape island located at the entrance to the site. Director Garrigan added that staff does have some concerns

APPROVED MINUTES

about the potential impact the proposed project could have on the Mill Creek tributary and suggested Best Management Practices be incorporated to mitigate any potential impacts. He further provided brief reviews of the revised photometric plan, trash enclosure, and stormwater retention. He added that HR Green is reviewing the stormwater plans to ensure they comply with the stormwater requirements. Director Garrigan reviewed the final plat being presented to subdivide the property into two lots.

Secretary Thiel administered the oath to those wishing to testify.

Bruce Goldsmith, counsel for the applicant, explained that most of the parking area on the site will be for storage and there will be a smaller parking area for employees. The employee parking will be striped, but the storage parking area will not be striped and does not require islands by code. He stated that even though they are already meeting Lake County's requirements, they will work with staff to incorporate additional BMPs. He added that they have reduced the amount of lighting by one-third. Mr. Goldsmith explained that the applicant already has berms and evergreens in the landscape plan for the western perimeter, but they will work with staff to see if they can add more.

Kelton McCoy, representative for CarMax, provided rendered images showing the views from Route 173 to the site and from the western side of the site. He reviewed the updated photometric plan and explained that the lumens were reduced by thirty percent specifically in the customer and employee parking lot, forcing light directly down with little splash. Mr. McCoy reiterated that they are taking on all Lake County stormwater mitigation standards and have a preliminary plan for the bioswales.

Commissioner Sanfilippo asked if staff has concerns about the existing floodplain that is next to the proposed parking area.

Joe Mayer, licensed civil engineer with Kimley-Horn, explained that the goal is to stay out of the floodplain as much as possible and to limit any impact. He added that compensatory storage will be located near the intersection of the creek and Route 173.

Commissioner Sanfilippo asked if the grading will be sufficient to guide the water. Mr. Mayer explained that the property slopes from east to west and the existing drainage patterns will be maintained.

Commissioner Misch inquired about the hours that auctions will be conducted.

Paul Thoms, real estate acquisition manager for CarMax, explained that auctions will be conducted once or twice a week. Auctions are currently held virtually, but if they should hold in-person auctions, it would be done once or twice a week, depending on volume, between Tuesdays and Thursdays and during regular business hours.

Commissioner Madigan asked for clarification on each building's use and the location of the trash enclosure and carwash. Mr. Thoms explained that the 7,900 square-foot building will be used for the auctions. Mr. McCoy showed that the carwash will be located on the south side of the production building and the trash enclosure will be located to the east of the building.

Commissioner Madigan asked if the proposed project will be on Lot 1. Mr. Goldstein confirmed this and further explained that Lot 2 will be used for future development and Lot 3 will be retained by the owner.

Commissioner Martinez stated he would have liked to see an aerial view of Handi-Foil for comparison. Mr. Goldsmith shared the Handi-Foil building is about 500,000 square feet and the proposed CarMax buildings will be approximately 38,000 square feet for the main building and 12,000 square feet for the other.

Commissioner Martinez asked if there would be fencing around the 16-acre lot. Mr. Mayer explained there will be fencing and landscaping around the perimeter. Commissioner Martinez asked for additional details about the fencing. Mr. Mayer stated it will be approximately 6 feet tall and have privacy slats.

APPROVED MINUTES

Chairman McCarty asked for the photometrics plan after the changes have been made so it can be distributed to the Commissioners for input. He asked for the height of the proposed berms. Mr. Mayer stated they vary but are on average between four and five feet. Chairman McCarty asked if a plan showing the BMPs recommended by staff would be provided. Mr. Mayer said there would be.

Chuck Esdale, W Pedersen Drive resident, expressed his opposition to the project and frustration that he and his neighbors were not properly notified of the project. He is concerned about light pollution, environmental impacts, view of the site, and decline in property values of the nearby residential homes. Chairman McCarty asked Mr. Esdale to provide a copy of his notes for the record (*Exhibit A*).

Chairman McCarty asked Director Garrigan to explain how oils and other contaminants will be filtered. Director Garrigan provided a brief explanation of how BMPs will assist with filtering oils and other contaminants from water runoff before the water can reach any type of retention area.

Chairman McCarty asked if a berm will be put on the west side of the water retention area. Mr. Mayer clarified there will be a larger berm around the retention pond to help retain the water and there will be vegetation on top of the berm. Chairman McCarty asked Mr. Mayer to explain if there will be any impacts to the residents' drinking water. Mr. Mayer stated the groundwater table will not be affected and there will be no industrial discharge into the ground water.

Attorney Vasselli asked Director Garrigan if all proper notices were done according to the law. Director Garrigan stated that was correct.

Olivia Santos, W Pedersen Drive resident, expressed concerns about the height of the berm, lighting pollution and sound. Mr. Mayer explained that they chose to add vegetation on top of the proposed berm to provide an opaque screen and block the view of the site. He added the trees will be planted at about 6 feet to start. Mr. Kelton added that lighting and noise will be kept below code requirements.

Commissioner Sanfilippo asked if there was a detailed list of the plants proposed in the landscape plan. Director Garrigan listed some of the tree species that will be included and stated he will provide a copy of the species list.

Mr. Goldstein reiterated that evergreens starting at 6 feet will be planted on the 4-to-5-foot berm.

Commissioner Carstensen inquired about how the auctions operate, so the sound could be taken into consideration. Mr. Goldstein stated that the CarMax facility will be located near an existing manufacturing facility that produces noise, and much of the noise from the CarMax facility will just be coming from cars. He added that there will not be a lot of activity because most of the activity will be indoors. Mr. McCoy further added that the auctions are not open to the public.

Commissioner Madigan asked how often vehicle pickups are done and if they would be done during the day. Mr. Thoms explained that some dealers will bring in a car trailer for pick up, but a lot of dealers will bring individual drivers to drive off the purchased vehicles. He continued that reconditioning of vehicles will be done indoors and auction events are conducted very professionally so there should not be much noise from the facility.

Commissioner Carstensen asked what is being done to ensure there is minimal pollution to the creek from this and future projects. Director Garrigan stated that the Lake County Stormwater Commission has several representatives that are familiar with projects in Antioch and monitor those projects. There will also be field inspectors from HR Green monitoring the project and to ensure the applicant complies with all ordinances.

Commissioner Martinez asked if the proposed privacy screen fencing could buffer some of the noise. Mr. Mayer confirmed that the privacy fencing and the vegetative screening will assist with noise buffering.

APPROVED MINUTES

Mr. Esdale asked if the parking lot for vehicle storage will be illuminated all night. Mr. McCoy stated the parking area will always be illuminated for security purposes, but the lighting will be lowered at night when employees are not on site. Commissioner Madigan asked when the second shift ends. Mr. Thoms answered he would need to inquire more about the shift details.

Commissioner Sanfilippo asked Director Garrigan if the lighting plan submitted by the applicants is consistent with the new lighting ordinance. Director Garrigan stated that the new lighting ordinance has not yet been approved by the Village Board, but staff did keep the lighting ordinance in mind when reviewing the lighting plan. Mr. Goldstein added that the applicant met the requirements of the lighting ordinance and is now proposing to reduce the lighting by one-third, which they believe will be better than the new ordinance.

Commissioner Madigan and Commissioner Sanfilippo expressed concern that the landscape plan including a list of plant species and the bioswales plan were not submitted prior to the meeting for the Commission members to review. Chairman McCarty added that the photometric plan was not submitted for review prior to the meeting.

Mr. McCoy presented and briefly reviewed the latest photometric plan. Chairman McCarty reiterated that the Commission would like to review it in detail prior to making a decision.

Commissioner Sanfilippo moved, seconded by Commissioner Madigan, to continue PZB 24-10 to the December 2, 2024 meeting.

Upon roll call, the vote was:

YES: 7: Sanfilippo, Carstensen, Misch, Madigan, Martinez, and McCarty.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

2. PZB 24-12 – Consideration of a Site Plan Review to consider the addition of volleyball courts at 1500 Main Street

Chairman McCarty recused himself from the meeting at 8:24 pm, and Commissioner Madigan chaired the meeting.

Director Garrigan presented the site plan review for Johnny's Snack Shop's request to add a recreational aspect to the restaurant's site. The site is currently zoned B-2 and will not require re-zoning, nor does it require a special use for this request. He provided a brief description of the surrounding properties, with single family homes being located to the west. The applicant would like to add six volleyball courts on the west side of the property and the courts will be used seasonally. Director Garrigan shared that staff believes there will be ample parking. He added that there is currently a large line of mature trees on the west side, therefore staff does not feel there will be much of an impact on the residential homes. Staff has requested that no additional lighting or sound systems be installed.

Andy Helzer, COO and CFO of North Shore Capital Group Food Beverage and Entertainment, explained that they purchased Johnny's Snack Shop in December of 2023, and they are attempting to rebrand. It is not located in the downtown district; therefore, they feel they need to make it a destination and need something to bring more people to the business. He explained that they also own JJ Twigs in Wauconda which has two volleyball courts and thrives. Mr. Helzer stated the volleyball courts will be ancillary to the restaurant and there will be no major changes aside from moving some dirt.

Commissioner Sanfilippo asked if the existing landscaping would stay. Mr. Helzer confirmed this. Commissioner Sanfilippo asked if there will be leagues. Mr. Helzer stated there would be leagues but they would finish by sunset. He added that down the road they may come back and request to add lighting.

Commissioner Madigan stated that the presented renderings show a lot of greenery added along the front of the property and asked if the shown trees would be added. Mr. Helzer answered that he does not believe any trees need to be added.

APPROVED MINUTES

Commissioner Martinez expressed his concerns about noise complaints Johnny's Snack Shop has already received from a neighboring resident and the potential for additional noise from the proposed volleyball courts impacting the residential neighbors. Mr. Helzer cited the county noise ordinance and asked if the Village has a noise ordinance. Attorney Vasselli informed Mr. Helzer that the Village does have a noise ordinance, and it would be provided to him. He asked Mr. Helzer if he would continue to comply with it, to which Mr. Helzer agreed.

Mr. Helzer stated that they do not receive complaints about the noise from the volleyball courts at the JJ Twigs location. Commissioner Martinez remarked that on a map the JJ Twigs location appears to be about 400 feet from single family homes with a business and bus terminal between.

Commissioner Sanfilippo asked if there has been any discussion with the Friends of Lake Antioch. Director Garrigan stated that because this is not a public hearing, notice was not sent to the nearby residents.

Commissioner Martinez asked for additional options to reduce the potential for noise complaints. Mr. Helzer proposed reducing the number of courts down to three.

Attorney Vasselli asked Director Garrigan if there are any other sound mitigation techniques that could be proposed. Director Garrigan advised that additional landscaping or soundwalls could help with mitigating sound.

Commissioner Sanfilippo moved, seconded by Commissioner Misch, to recommend approval of the Site Plan Review for PZB 24-12 with the following stipulations:

1. Compliance with the requirements of the Village Engineer,
2. Compliance with the requirements of the Antioch Fire Protection District,
3. No installation of lighting or a sound system at the volleyball courts.

Upon roll call, the vote was:

YES: 3: Sanfilippo, Misch, and Madigan.

NO: 1: Martinez.

ABSTAIN: 1: Carstensen.

ABSENT: 1: Turner.

THE MOTION CARRIED.

Chairman McCarty rejoined the meeting at 8:52 pm.

3. PZB 24-13 – Consideration of a text amendment to the Village's Zoning Ordinance Section 10-14-3(A)(9) which regulates political signage within the Village

Director Garrigan stated this was a public hearing. He explained that the sign ordinance currently limits the amount of time political signs can be displayed. However, federal law states sign regulations must be content neutral and Illinois law prohibits non-Home Rule communities from regulating outdoor political signs on private property. He shared that Village staff will not typically remove political signage, unless they are in a public right of way or constitutes a public hazard.

Paul Green, Antioch resident, commented that when he was a Village employee, the sign ordinance was enforced and he collected many illegal signs.

Commissioner Sanfilippo moved, seconded by Commissioner Misch, to recommend approval of the text amendment to the Village's Zoning Ordinance Section 10-14-3(A)(9) which regulates political signage within the Village as presented by staff.

Upon roll call, the vote was:

YES: 6: Sanfilippo, Carstensen, Misch, Madigan, Martinez, and McCarty.

NO: 0.

ABSENT: 1: Turner.

THE MOTION CARRIED.

APPROVED MINUTES

I. ADJOURNMENT

There being no further discussion, the Planning and Zoning Board regular meeting adjourned at 9:00 pm.

Respectfully submitted,

Rachel Thiel
Recording Secretary

EXHIBIT A

From: CHUCK ESDALE [REDACTED]@ [REDACTED] >
Sent: Thursday, November 7, 2024 9:28 AM
To: [REDACTED]@ [REDACTED] < [REDACTED]@ [REDACTED] >
Cc: Michael Garrigan < [REDACTED]@ [REDACTED] >
Subject: [EXTERNAL] -C. Esdale Planning & Zoning statement 11-6-24

Chairman McCarty,

Per your request at last night's Planning and Zoning meeting, here's a copy of the statement I read, so it can be entered into the record. Reference PZB 24-10 CarMax Inventory Center concept plan.

Hello, I'm Chuck Esdale. I've resided at 19580 W Pedersen Drive in Antioch for 29 years and have lived in Lake County my entire life. Over 1/3 of my 8 acre property lies within the Village of Antioch. My eastern boundary borders the Beck family's 10-acre residence, which is entirely in the Village of Antioch. Their east boundary borders the proposed CarMax site.

Yesterday, I met with Director Garrigan to discuss the proposed plans for CarMax. Frankly, I'm here to voice the frustration my neighbors and I feel over the utter disregard this board has shown to us. We received no proper notification, and clearly, little to no thought was given to the destructive impact this development would have on our neighborhood. We're talking about intense light pollution, negative impacts on the environment, views of an absolute eyesore, and worst of all, the inevitable decline in our property values.

When I asked why the CarMax site was pushed north, right next to our residential neighborhood, the answer was that it would look "unsightly" from Route 173. So I ask you, placing it next to our homes is somehow the better solution? Explain this reasoning.

Then, when I questioned why no berm with evergreen barrier was proposed to shield our neighborhood—like the barrier shielding homes along Crawford Road on the east side of the Corporate Center—the answer was there's "no room" due to the creek and wetlands. Let me be clear: if a berm with evergreen trees aren't possible with this plan, then the plan itself is flawed. Change the plan. Your job is to ensure that developments work for the community, and those of us who live in it. What we're asking for is fair and necessary—protection and respect for the neighborhood and its taxpaying residents.

Reading the meeting minutes, I saw Chairman McCarty raise concerns about oil and gas pollutants contaminating the wetlands and creek. The response given was that oil and gas would "settle" in a pond before discharging into the creek. Anyone with common sense knows oil & gas floats on water—it doesn't "settle." This isn't just laughable; it's irresponsible and shows a lack of basic environmental consideration. All our homes are on wells. Polluting our drinking water is irresponsible, dangerous to our health and completely unacceptable. This board is here to ensure that development doesn't compromise our environment or our safety, yet here we are.

So, I'm asking you: how many of you have actually visited our neighborhood? If anyone did, a casual observer would notice the Handi-Foil building, with its multiple flashing green & red loading dock lights, that flash 24 hours a day 7 days a week, with no barriers to block it. It's a lovely site when driving down our road and looking out our windows. Yet, another example of this village dropping the ball and not being concerned about its residents. And now you want to plunk this CarMax right next to us, without fully thinking it through of the multiple impacts it will have on us.

Have any of you taken the time to realize what's at stake here? Would any of you be fine with this kind of project in your backyard? I doubt it. I urge you to do your jobs with the diligence and respect our community deserves. This proposal, as it stands, is absolutely unacceptable.

Thank you for your time.