MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION HELD AT JEFFREY S. BRAIMAN COUNCIL CHAMBERS FIFTY RAUPP BLVD, BUFFALO GROVE, IL 60089, TUESDAY, OCTOBER 1, 2024

CALL TO ORDER

Chairperson Weinstein called the meeting to order at 7:30 PM.

Present: Chairperson Weinstein, Vice Chairperson Richards, Commissioners Au, Davis, Schwartz, Spunt, and Worilkar.

Absent: Moodhe, Saxena.

A quorum was established.

Also in attendance: Director of Community Development Nicole Woods, Associate Planner Andrew Binder, Village Attorney Patrick Brankin, and Trustee Liaison Weidenfeld.

PUBLIC HEARINGS/ITEMS FOR CONSIDERATION

A. **Consideration of a Special Use in the Industrial District (I) for the sale and/or leasing of new and/or used automobiles within an enclosed structure to allow Rivian Automotive, LLC to open an electric vehicle service and sales center at 909 Asbury Drive**

Director Woods, provided a background on the subject property and the request.

Jamie Vassallo, Senior Design Manager for Rivian Automotive, and Brian Fleming, the project's architect, were sworn in and presented their request to the Planning and Zoning Commission.

Com. Worlikar asked if auto body or collision work would be done on-site and if both consumer and commercial vans would be serviced at this location.

Ms. Vassallo responded no and that the industrial zoning allows for it, but she said Rivian will not have a paint booth or collision repair at this location. She continued that both consumer and commercial vans will be serviced at this location.

Vice-Chairperson Richards disclosed that he owns a Rivian and stated that he is extremely excited not to have to drive for an hour and a half to get a recall check that he didn't need. He asked if the EV Chargers within the parking lot would be open to the public as Buffalo Grove is in an EV Charger Desert.

Ms. Vassallo responded that they do not have plans for that at this time and will have chargers within the interior of the space to charge vehicles while they are being serviced.

Com. Davis stated that he noticed the delivery time sometimes as late/early as 3 AM and asked how often it would happen.

Ms. Vassallo responded that the 3 AM deliveries would not be for vehicle deliveries but for operational or vehicle parts deliveries.

Chairperson Weinstein asked about online ordering and whether the general public can purchase a car with a salesperson at the facility.

Ms. Vassallo confirmed.

Chairperson Weinstein asked about the number of vehicles available for test drives and the route for the test drive.

Ms. Vassallo stated that they have not determined a route yet, but they will typically have two to three Rivian vehicles on site to test drive.

Chairperson Weinstein asked if, since Rivian does not have public chargers, will Rivian car owners be turned away if they want to get their cars charged. If not, will the chargers be locked in some way.

Ms. Vassallo stated that she can't speak to that because she is not sure how the service team would operate under those circumstances, but she can double-check whether the chargers will be locked outside of operating hours.

Chairperson Weinstein asked if the facility would have a car wash feature.

Ms. Vassallo stated there will be an interior wash bay for wipe down and detail of cars, no exterior car washes.

Chairperson Weinstein asked Village Staff if car wash use would be OK since there was no mention of a car wash in the materials.

Ms. Woods noted that car wash use is typical and permitted for auto service center use. Mr. Brankin concurred.

Com. Spunt asked how many other of these type of service centers do you have in the US currently.

Ms. Vassallo stated that by the end of this year, they will have around 60, with the closest ones to Buffalo Grove being Milwaukee, Downtown Chicago, and a new location in Downers Grove.

Com. Spunt asked how many employees and when they plan to open.

Ms. Vassallo stated they will have roughly 46 employees by 2027 and anticipate opening next year.

Com. Worlikar asked whether the building will incorporate any environmental sustainability measures or automation.

Ms. Vassallo stated that Rivian is built around respecting the environment and being environmentally friendly. Rivian's engineering team strives to implement measures to make our buildings more efficient.

The staff report was entered into the record as Exhibit 1.

No comments from the public; the public hearing was closed.

Vice-Chairperson Richards moved to recommend approval of a Special Use for the sale and/or leasing of new and/or used automobiles within an enclosed structure to allow Rivian Automotive, LLC to open an electric vehicle service and sales center at 909 Asbury Drive, subject to the conditions in the Staff Report. Com. Davis seconded the motion.

Com. Spunt spoke in favor of the motion and joked about increasing the speed on Asbury Drive for test drives. He stated that with the increase in the popularity of EVs being purchased by residents, this use will be a great addition to Buffalo Grove.

Com. Worlikar spoke in favor of the motion and agreed with Com. Spunt. He stated that he knows many people who drive downtown to service their Rivians, and this new use will save them a lot of trips.

Chairperson Weinstein spoke in favor of the motion, stating that he would not typically be in favor of putting a car dealership in an industrial district due to the traffic concerns, stating, however, that most car dealerships want good street frontage and want to be visible. He stated that the use is more incidental to the car service component within the industrial district, with the use not primarily heavy in car sales on the lot.

Moved by Kevin Richards, seconded by Jason Davis to recommend approval of the Special Use. Upon roll call, Commissioners voted as follows:

AYES:	7	Mitchell Weinstein, Kevin Richards, Amy Au, Neil Worlikar, Marc Spunt, Jason Davis, Donald Schwartz
NAYS:	0	None
ABSENT:	2	Adam Moodhe, Sujat Saxena

Motion declared Passed.

B. **Consideration of an Amendment to Ordinance No. 2022-063, the Planned Unit Development and the Unified Sign Package with Variations to Title 14 (Sign Code) for the 7-story, mixed-use building in The Clove development at 100-250 McHenry Road.**

Associate Planner Binder provided an overview of the PUD Amendment for the Clove's Signage for the first-floor tenants of the 7-story residential building and the proposed temporary signage.

Teresa Bateman, director of development for BGA Residential, and Brian Newton, president of Parvin-Clauss Sign Co, were sworn in. She presented the proposed sign package and noted that the plan is to have a uniform sign plan for all the residential building's first-floor tenants. This plan aims to create a comprehensive look for the wall signs, projecting signs, and temporary signs.

Vice-Chairperson Richards asked the difference between blade signs and projecting signs.

Ms. Bateman stated that blade signs are another term for projecting signs.

Vice-Chairperson Richards asked about the standards on colors, materials, and illumination of the signs and if there is one set color for everything.

Ms. Bateman mentioned that as part of their signage package, tenants are permitted to use up to three colors for their signs to maintain the elegance and symmetry of the building. Regarding projection signs, specific height and attachment requirements have been outlined and must be adhered to. Furthermore, once the initial projection sign is installed, it cannot be moved when a new tenant takes over the space. Additionally, the size requirements for projecting signs must be met, and they can only be illuminated from an external point of view, not internally.

Vice-Chairperson Richards asked if the projecting signs shall not exceed 6 square feet and if they all have to be the same size.

Ms. Bateman stated that the projecting signs cannot exceed 48 inches in height, and the sizes could vary based on the tenant, such as different nationally branded logos. She continued that they created the guidelines' parameters because they want the tenants to be identified and unique through the sidewalk environment.

Vice-Chairperson Richards asked if tenants would be able to place their logo on the wall sign.

Ms. Bateman confirmed and stated that within the guidelines they do allow national trademark or federally trademarked logos to be on the wall signs and would work with the Village.

Com. Schwartz asked if any of the signs within the package would allow blinking lights.

Ms. Bateman confirmed that no signs will be allowed to have blinking lights. She also mentioned that no illuminated signs would be allowed within the windows and talked about a light spill of the proposed wall or projecting signs and that there would be no digital signs.

Com. Schwartz asked about the maintenance of the signs if the lights were to go out.

Ms. Bateman stated that the tenants' contracts will enforce the maintenance of the signs, and the maintenance team will work with the tenants to get any signs fixed.

Com. Worlikar asked about the feather flags and how to mange these temporary signs with the noise that may be created from them.

Ms. Bateman responded that the temporary sign locations they have designated are only for where they will be placed, and they won't all be placed there at the same time so that they can control where they go with safety and weather factors. She stated that their property management and maintenance teams will be there to help enforce and monitor these signs so they are not a nuisance.

Chairperson Weinstein asked about the projecting signs and if they will be different sizes.

Ms. Bateman confirmed that they could be different sizes as each business will have their own unique identifier, such as a logo or brand.

Com. Au asked about the color restrictions and the wall signs and asked what the signs could potentially look like.

Ms. Bateman showed on the screen an idea of what the projecting sign could look like with two/three colors.

Vice-Chairperson Richards asked where the lighting would be for the projection signs if they will be externally illuminated.

Ms. Bateman stated that a light fixture would shine down on the projecting sign and that they could keep the lighting under the awning.

Chairperson Weinstein asked a hypothetical question if a tenant were a Starbucks, they would have green and white for their signage, and next to them could be a McDolands, and they could have a red and yellow golden arch, and that would meet the requirements.

Ms. Bateman confirmed and stated that brand awareness is important for tenants and being able to promote each individual character.

There were no comments from the public, the public hearing was closed.

The staff report was entered into the record as exhibit 1.

Vice-Chairperson Richards moved to recommend approval of an amendment to Ordinance No. 2022-063, the Planned Unit Development and the Uniform Sign Package, with the following Variations from the Sign Code for the 7-story mixed-use building in The Clove development at 210-250 McHenry Road:

1. A variation from Section 14.16, to exceed the maximum allowable number of wall signs on the building;
2. A Variation from Section 14.16, to allow multiple wall signs to exceed the maximum size;
3. A Variation from Section 14.16 and 14.20 to allow temporary subdivision development signs and For Rent, Sale or Lease signs which exceed the number

and size limitations permitted;

Subject to the conditions in the Staff Report. Com. Davis seconded.

Vice-Chairperson Richards spoke in favor of the motion, stating that he likes the idea of keeping a consistent look and feel to to build some cohesiveness across the tenants and thinks it will be very good across the board. He spoke in favor of the temporary sign changes as they make sense.

Chairperson Weinstein spoke in favor of the motion, stating that when looking at the variations and the proposed package, it is all tasteful and makes sense in terms of the scope of the building and the project.

Moved by Kevin Richards, seconded by Jason Davis to recommend approval. Upon roll call, Commissioners voted as follows:

AYES:	7	Mitchell Weinstein, Kevin Richards, Amy Au, Neil Worlikar, Marc Spunt, Jason Davis, Donald Schwartz
NAYS:	0	None
ABSENT:	2	Adam Moodhe, Sujat Saxena

Motion declared Passed.

C. **Consideration of a Special Use for a Planned Unit Development, a Final Plat of Re-Subdivision, and Zoning Variation requests to accommodate the resubdivision of the properties at 1020-1040 Lake Cook Road, 151 – 201 Hastings Drive, and 301 Hastings Drive.**

Associate Planner Binder provided an overview of the request to re-subdivide the lots to accommodate the detention ponds.

James Lang, the petitioner from Hamilton Partners, was sworn in.

Com. Spunt asked to summarize why the re-subdivision is being requested.

Mr. Lang responded that he was on board when this land was vacant, and the building was built in the late 1980s. He continued that they didn't set up a POA when the buildings were developed and parceled the detention ponds to the closest building at that time. He stated that the issue is the maintenance of the ponds and that a common area for the industrial park of Chevy Chase Business Park West. He continued that when they sold the building at Chevy Chase Business Park East, they didn't establish a POA for the existing pond on that site before the building could be sold. He stated that in order to be proactive in the future, they want to parcel out the ponds and create a POA now so there are no time constraints in the future.

Com. Spunt asked whether the pond lots will be sold and built on, considering they are on separate lots.

Mr. Lang confirmed they will not be sold and built on.

Com. Au asks for more clarification and asked who retains ownership of the ponds.

Mr. Lang explained that the Property Owners' Association (POA) will always own and maintain the ponds and stormwater lines. He mentioned that the POA will be an independent organization responsible for managing the expenses and pro-rate the expenses to each building within the POA.

Com. Au asked about the obligation to pay the POA fees and whether the POA has enough money.

Mr. Lang mentioned that the obligation to pay would be tied to the property for every owner. He also mentioned that they have other business and industrial parks where some property owners do not pay their POA fees. In response, they have included strong language in the POA documents that essentially grants them ownership of the buildings and places liens on them if the POA fees are not paid.

Com. Au stated that she has never seen this type of development before and wants clarification from Staff.

Attorney Brankin provided an overview, explaining that when considering this development as if it were a vacant piece of property, the common areas are usually separated and maintained by an association. He mentioned that the applicant is essentially reversing engineering the original approval by transforming the industrial park into a state similar to what we typically see with any other type of new development with common areas and the creation of a new association so that not all on one property owner has to expense the maintenance of the common areas, such as these ponds. He mentioned that from now on, the responsibility will be shared among all the other owners. He also mentioned that the declaration documents will be carefully reviewed and made very clear, so that all the responsibilities are clearly stated and documented for all the lots within the new POA.

Chairperson Weinstein asked about the ownership of the lots.

Mr. Lang stated that everything is under the same ownership.

Chairperson Weinstein asked that once you buy one of the parcels within the POA, you become of a member of the association.

Mr. Lang confirmed.

Com. Spunt asked who uses the ponds.

Mr. Lang stated that the existing buildings and buildings across Hastings Street use the pond for their stormwater.

Com. Worlikar asked Attonery Brankin if this subdivision is similar to an HOA.

Attorney Brankin confirmed.

Chairperson Weinstein reviewed all zoning variations that are being requested for the subdivision of the lots with the existing buildings and new frontages.

The village staff report was entered as Exhibit 1.

There was no public comment, and the public hearing was closed.

Vice-Chairperson Richards moved to recommend approval of a Special Use for a Planned Unit Development, a Final Plat of Re-Subdivision, and Zoning Variations to accommodate the creation of new lots for the detention ponds within the properties at 1020-1040 Lake Cook Road, 151 – 201 Hastings Drive and 301 Hastings Drive, subject to the conditions in the Staff Report. Com. Spunt seconded the motion.

Chairperson Weinstein spoke in favor of the motion stating it's an existing subdivision and effectively reverse engineering how it could have been done in the first place, setting it up for a possible sale of a lot or two at some point in the future.

Com. Worlikar spoke in favor of the motion, concurring with Chairperson Weinstein. He stated that if this were a housing community and an HOA, we would be looking at something similar with maintenance.

Moved by Kevin Richards, seconded by Marc Spunt to recommend approval. Upon roll call, Commissioners voted as follows:

AYES:	7	Mitchell Weinstein, Kevin Richards, Amy Au, Neil Worlikar, Marc Spunt, Jason Davis, Donald Schwartz
NAYS:	0	None
ABSENT:	2	Adam Moodhe, Sujat Saxena

Motion declared Passed.

REGULAR MEETING

A. **Other Matters for Discussion**

B. **Approval of Minutes**

C. **Chairperson's Report**

D. **Committee and Liaison Reports**

E. **Staff Report/Future Agenda Schedule**
Staff provided information regarding the upcoming future agenda schedule.

F. **Public Comments and Questions**
All comments will be limited to 5 minutes and should be limited to concerns or comments regarding issues that are relevant to Planning and Zoning Commission business and not on the regular agenda for discussion.

ADJOURNMENT

The meeting was adjourned at 8:45pm.