

**VILLAGE OF HUNTLEY  
COMMITTEE OF THE WHOLE MEETING  
May 6, 2010  
MINUTES**

**CALL TO ORDER:**

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, May 6, 2010 at 7:00 p.m. in the Municipal Complex Village Board Room located at 10987 Main Street, Huntley, Illinois 60142.

**ATTENDANCE:**

**PRESENT:** Mayor Charles Sass; Trustees: Pam Fender, Jay Kadakia, Harry Leopold and John Piwko.

**ABSENT:** Trustees: Niko Kanakaris and Paul Mercer

**IN ATTENDANCE:** Village Manager David Johnson, Senior Assistant to the Village Manager Lisa Armour, Management Assistant Barbara Read, Senior Planner Charles Nordman and Village Attorney Mike Coppedge.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Mayor Sass.

**SPECIAL PRESENTATIONS:**

- a) Historic Preservation Month Proclamation

Mayor Sass read the following proclamation into the official record:

National Historic Preservation Month

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, "*Old is the New Green*" is the national theme for the celebration of Preservation Month; and

WHEREAS, "*Look at Local History*" is the theme throughout McHenry County, Illinois, being held in conjunction with National Historical Preservation Week;

NOW, THEREFORE, I, Charles H. Sass, Mayor of the Village of Huntley, do proclaim May 2010, as National Historic Preservation Month, and call upon the people of the Village to join their fellow citizens across McHenry County in recognizing and participating in this special observance.

- b) Pride in Preservation Awards

Ms. Donna Britton, Chairperson of the Historic Preservation Commission, reviewed a Power Point Presentation highlighting the Pride in Preservation Awards.

In concert with the celebration of May – National Historic Month, the Huntley Historic Preservation Commission presents the following nine (9) residential property owners with the second annual Pride in Preservation award in recognition of property enhancement and maintenance consistent with the essential character of the Village of Huntley thereby making a valuable contribution to the preservation of the historical, cultural, and architectural heritage of the neighborhood and overall community. Pride in Preservation signs were produced and are to be distributed to the following property owners for placement on their property.

- Roberto and Ann Barreto - 11103 Church Street
- Dennis and Sandra Boston - 11905 West Main Street
- Larry Goldberg - 11510 East Main Street
- Joseph and Margaret Manning - 11009 Myrtle Street
- Brent and Ingrid Mullane - 11608 Second Street
- Philip and Mary Post - 11610 East Main Street
- Joseph and Nicole Raclawski - 11212 Grove Street
- Thomas and Jennifer Panzloff - 12117 West Main Street
- William Zator - 11607 Second Street

The award winners received a certificate from the Mayor.

- c) Municipal Clerk's Week, May 2-8, 2010

Mayor Sass read the following proclamation into the official record:

PROCLAMATION HONORING  
MUNICIPAL CLERKS WEEK  
MAY 2 THROUGH MAY 8, 2010

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, I, Charles H. Sass, President of the Village of Huntley, do recognize the week of May 2 through May 8, 2010, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Rita McMahan, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Mayor Sass also commented that the Village of Huntley has a great Village Clerk, Rita McMahan.

- d) Safe Buildings Month, May 2010

Mayor Sass read the following proclamation into the official record:

PROCLAMATION  
IN HONOR OF SAFE BUILDINGS MONTH  
MAY, 2010

WHEREAS, the safety of the buildings we occupy daily is essential to the health, safety and welfare of the residents of Illinois; and

WHEREAS, among the world's most fundamental laws are those which provide safety standards for the construction of building in which people live, work, play and learn; and

WHEREAS, for construction and building codes to be effective and enforced, understanding and cooperation must exist between code officials and the people they serve; and

WHEREAS, building safety and fire prevention officials, architects, engineers, builders and others in the construction industry work year-round to ensure the safe construction of buildings; and

WHEREAS, countless lives have been saved because of the building safety codes adopted and enforced by local and state agencies; and

WHEREAS, Building Safety Month, sponsored by the International Code Council and the International Code Council Foundation, is an excellent opportunity to educate the public; and

WHEREAS, the observance of Building Safety Month is a perfect time to increase public awareness of the role building safety officials, local building departments, state and federal agencies play in protecting lives and property; and

WHEREAS, this year's theme, "Commemorating a 30-Year Legacy of Leadership" encourages all Illinois residents to raise public awareness of building safety; and

WHEREAS, everyone can take appropriate steps to ensure that the places where we live, work, play and learn are safe; and

WHEREAS, this year, during the observation of Building Safety Month, all Huntley residents are encouraged to consider projects to improve building safety at home and in the community and to recognize local building safety officials and the important role that they play in public safety.

THEREFORE, I, Charles H. Sass, president of the Village of Huntley do hereby proclaim May 2010 as Building Safety Month in the Village of Huntley and encourage all citizens to recognize the importance of improving building safety in the Village.

**PUBLIC COMMENTS:** None

**ITEMS FOR DISCUSSION:**

- a) Discussion – April 8, 2010 Village Board, April 15, 2010 Committee of the Whole, April 22, 2010 Liquor Commission Hearing and April 22, 2010 Village Board Meeting Minutes

Mayor Sass asked if the Committee had any comments or questions; there were none.

*It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the April 8, 2010 Village Board, April 15, 2010 Committee of the Whole, April 22, 2010 Liquor Commission Hearing and April 22, 2010 Village Board Meeting Minutes. It was agreed that the Liquor Commission Hearing Minutes would be removed from the Consent Agenda as Trustee Kanakaris would be abstaining.*

- b) Discussion – May 13, 2010 Bill List in the amount of \$278,098.10

Mayor Sass reported that included in the agenda packet was the May 13, 2010 Bill List. The Bill List has been reviewed by Staff. All is in order for Village Board approval at this time.

- Bill List - Detail Board Report \$278,098.10

Mayor Sass asked if the Committee had questions or comments; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the May 13, 2010 bill list in the amount of \$278,098.10.***

- c) Discussion – Quarterly Financial Reports – Transmittal of the First Quarter Financial Reports for the Village of Huntley – Revenue and Expense Report and Investment Report

Village Manager David Johnson reviewed a Power Point Presentation and reported that the first quarter activity has been slow but steady. Revenues are low due to cyclical property tax receipts and State of Illinois payment delays. Expenditures are within expected thresholds.

Notes to consider when reviewing this report:

#### Revenues

- 01-00-0-4025 Income Tax: The State of Illinois is currently four months behind in distributions to local governments. As of March 31, 2010 the Village has only received two payments for October and November 2009 vouchers. The State currently owes the Village \$704,560.74
- 01-00-0-4050 Cable Franchise Fees: This revenue line item includes the 4<sup>th</sup> quarter 2009 payment received in January 2010 (\$77,798.00). This revenue will be reversed after the completion of the 2009 audit.
- 01-00-5-4513 Farmers Market Grant: The Village was recently informed that no grant funds will be distributed in 2010.
- 12-00-8-4808 Investment Income: A certificate of deposit matured in January 2010 which will be allocated to 2009 after completion of the audit.

#### Expenditures

- 01-10-2-6321 Computer Consultants: Board Room AV repairs
- 01-10-2-6486 Public Information: This line item includes \$9,809 for 2009 expenses which will be reversed after completion of the audit.
- 01-30-1-6075 Part-Time Salaries: This line item includes salaries paid to the part time custodians. Budget is in the full time line item.
- 01-60-1-6075 Part-Time Salaries  
10-80-1-6075 Part-Time Salaries (Water Fund)  
11-90-1-6075 Part-Time Salaries (Sewer Fund): These line items include salaries paid to winter seasonal snow plow drivers. Budget is in the full time line item (unfilled position).
- 01-60-4-7500 Capital: This is a 2009 expense that will be reversed after completion of the audit.

- 01-70-4-7500 Capital: This is a 2009 expense that will be reversed after completion of the audit.
- 03-50-3-6890 Dare Programs: This is a 2009 expense that will be reversed after the completion of the audit.
- 05-10-4-7600 Facility Expansion: This is a 2009 expense that will be reversed after the completion of the audit.
- 10-80-3-6635 Meters: Unfunded expense to replace meter reading system units that have failed Village-wide. Units have a lifespan of 8 – 10 years. The majority of these failures have been located in Sun City. These units are being replaced with new models that have a life span of 25 years.

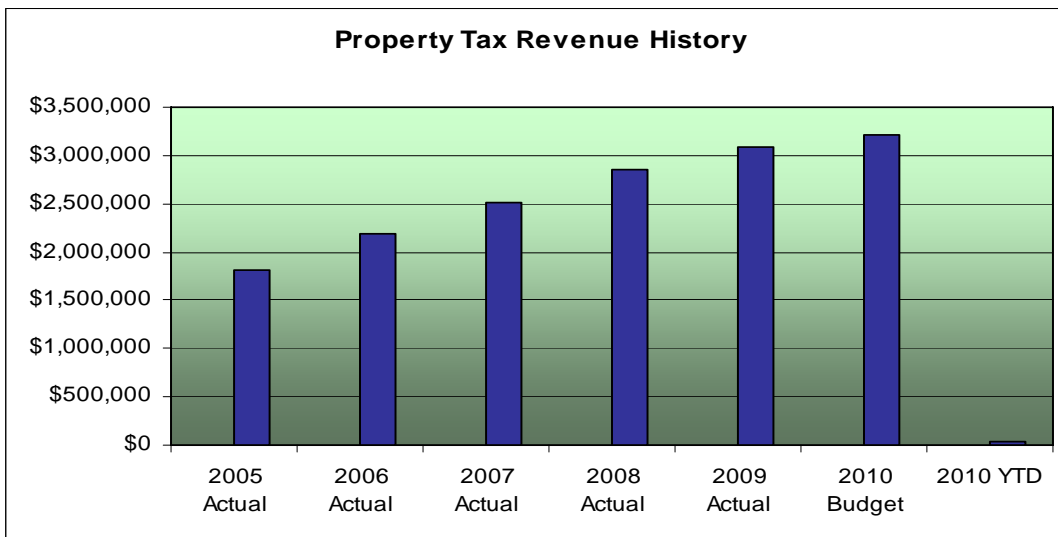
**Investment Report**

The Village’s investment report as of March 31, 2010 provides detail of the Village’s cash position by financial institution, maturity and allocation by fund. A liquid cash balance is required for operations at this time due to the cyclical revenues. All funds are fully insured and/or collateralized and placed in interest bearing accounts as allowed by State Statutes.

Village Manager Johnson reviewed the Analysis of Major Revenue Sources.

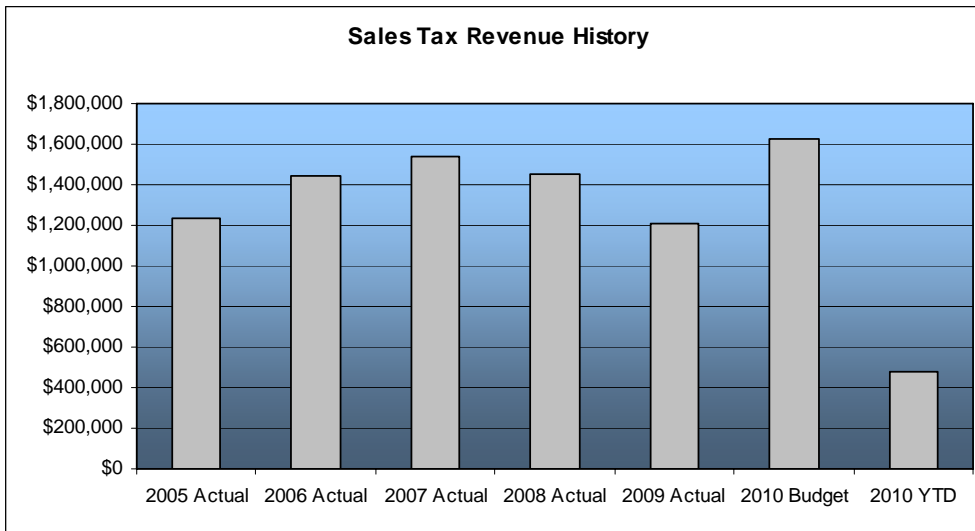
**Property Tax**

This revenue is derived from a tax levy on real estate valuations within the corporate limits of the Village of Huntley. Property tax revenues will be received beginning May 2010 through the end of November 2010. Property tax collections as of March 31, 2010 are \$27,395 or .85% of the total 2010 budget. This amount represents final distributions for 2009 received in January 2010.



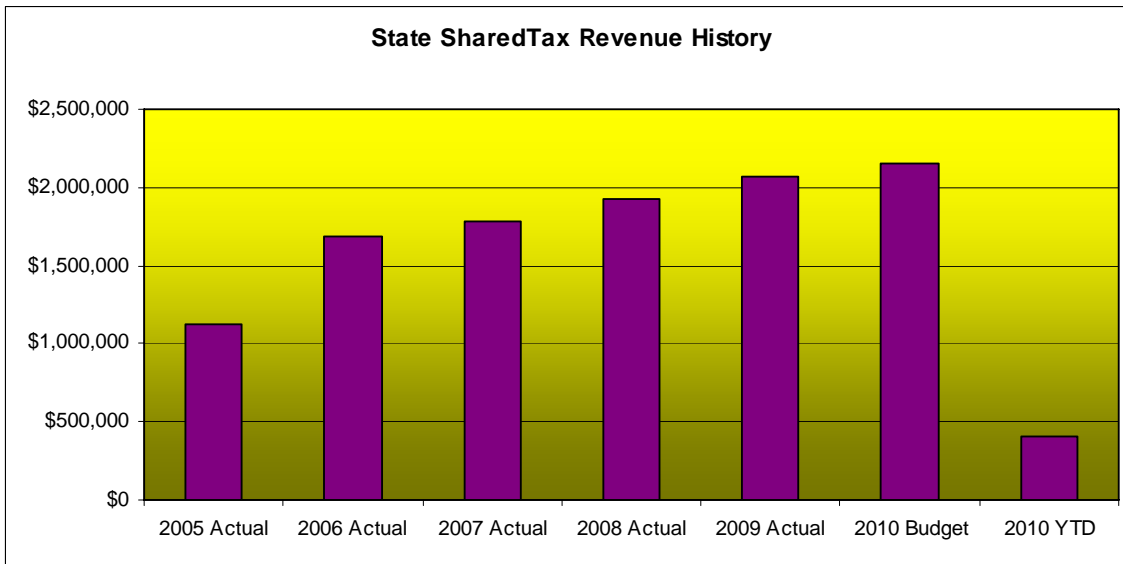
**Sales Tax**

Sales tax at a rate of 7% is collected on all retail sales within the Village, and the Village’s share of tax revenue is 1%. Collections and distributions are in arrears. Collections through March 31, 2010 are \$482,500 or 29.70% of the total 2010 budget. This report does not include amounts due to the TIF district because of a reporting lag from the State of Illinois Department of Revenue.



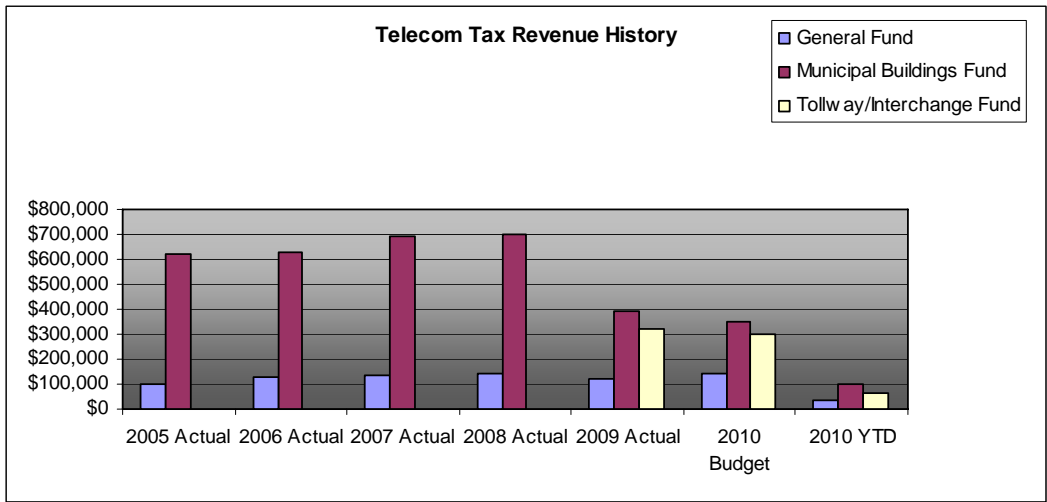
**State Shared Tax Revenues**

State shared revenues are comprised of Local Use Tax and Income Tax which are based on the Village’s State of Illinois certified population of 25,525 (Official Census population is 23,229). State Shared revenues also include Replacement Tax which is collected from corporations, trusts and public utilities. Collections as of March 31, 2010 are at \$411,906 or 19.10% of the total 2010 budget of \$2,156,669. The State of Illinois is four months behind in disbursements of income tax to local governments. Income tax revenues reported here are for October and November 2009.



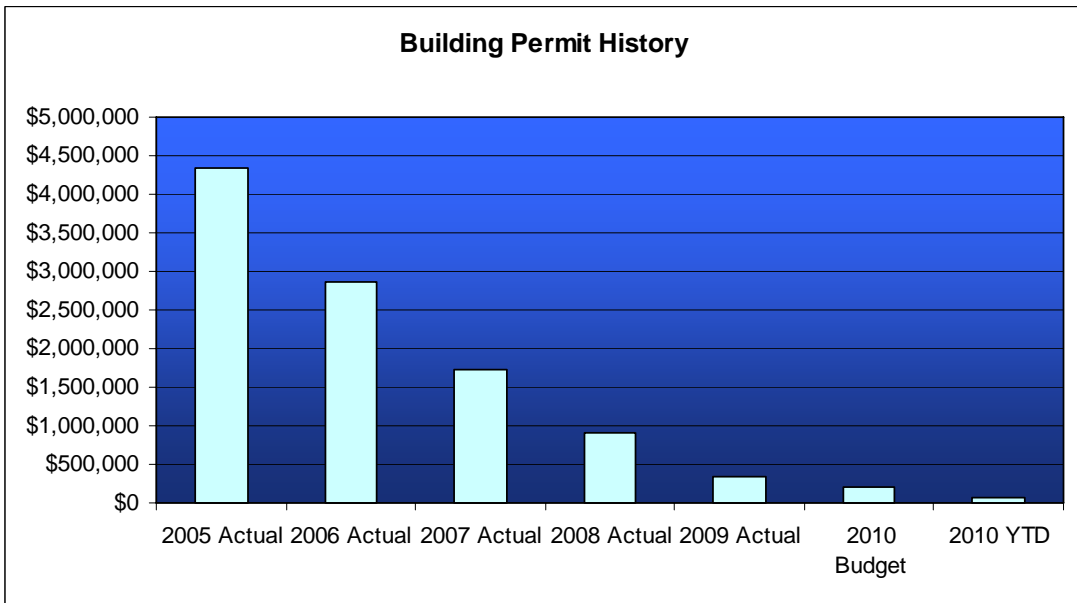
**Simplified Telecommunications Tax**

This tax is collected for the use of all of the public right-of-ways located within the Village by providers of telecommunications services. The Village of Huntley rate is 6% of gross receipts on local, long-distance, and wireless calls from each service address within the Village, and for services originating from or transmitted into the Village corporate limits. The 2010 budget allocation is as follows, General Fund: \$145,000, Municipal Buildings Fund: \$350,000, and Tollway/Interchange Fund: \$300,000. Revenues as of March 31, 2010 total \$200,268 or 25.19% of total 2010 budgeted amount of \$795,000.



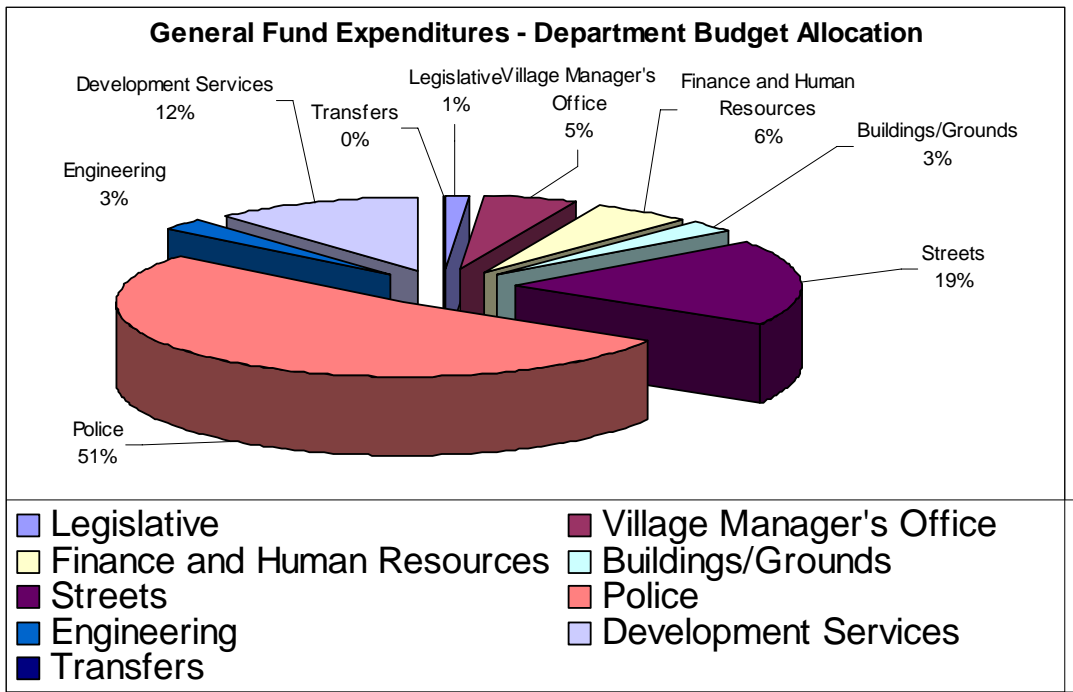
**Building Permits**

Building permits and administrative fees for the 2010 fiscal year are based on the construction of single-family homes and multi-family units. Fees are based on the square footage of the house or unit. Revenues as of March 31, 2010 are \$58,555 or 29.28% of a conservative budget amount of \$200,000.

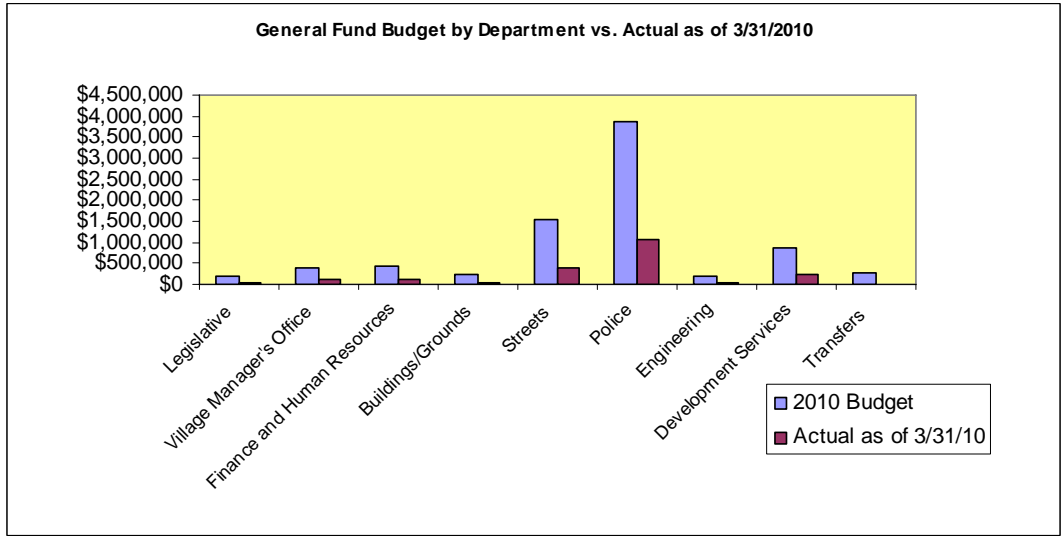


**Analysis of Major Expenditures through March 31, 2010**

The 2010 General Fund expenditure budget is \$8,350,070. Department expenditures through March 31, 2010 are \$2,056,915 or 24.63% of the budget expended to date.



All departments are within their respective 2010 budget limits for the first quarter.



Mayor Sass asked if the Committee had comments or questions.

Trustee Fender asked if it were normal to have the Police Department expenses account for half of the expenses; Village Manager Johnson reported that yes, it was common in most municipalities that a large percentage of expenditures are spent on public safety.

There were no other comments or questions.

***It was the consensus of the Committee of the Whole to forward the First Quarter Financial Reports for the Village of Huntley – Revenue and Expense Report and Investment Report on to the Village Board to accept and place on file.***

- d) Discussion – Resolution (R)2010-05.20 – Granting the issuance of a Temporary Use Permit to the Sun City Community Association of Huntley for the display of a Temporary Banner promoting the “Feeling Great is Ageless, Fitness, Fashion, Fun and More” Expo

Mayor Sass reported that the Sun City Community Association is requesting approval to display a temporary banner promoting the “Feeling Great is Ageless, Fitness, Fashion, Fun and More” Expo to be held on May 26, 2010. The proposed banner will measure 4 feet high by 12 feet wide (48 sq. ft.) and would be located on Sun City Community Association property at the northwest corner of Route 47 and Del Webb Boulevard. The request seeks permission to display the banner annually in May for the next five years (through 2015). This year the banner would be displayed from May 14 through May 27.

#### Staff Analysis

The Village Board previously approved a request for a “Feeling Great is Ageless, Fitness, Fashion, Fun and More” Expo banner on May 14, 2009.

Staff recommends the following conditions be applied should the Village Board approve the Temporary Use Permit:

1. A sign permit shall be obtained annually from the Development Services Department and applicable fees paid prior to each display period.
2. The Temporary Use Permit is not transferable to other events.
3. The banner shall be maintained in good condition at all times.

#### Financial Impact

The fee for a Temporary Sign Permit is \$75.00 plus 50 cents per square foot (48 sq. ft. = \$24.00) for a total of \$99.00. The petitioner is required to pay the Temporary Sign Permit fee each year prior to installing the banner.

#### Legal Analysis

The Village Board’s authorization for this request is required in accordance with Sign Code §156.125 Prohibited Signs, subparagraph (K) Banners and Flags.

Mayor Sass asked if the Committee had any comments or questions; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Resolution (R)2010-05.20 – Granting the issuance of a Temporary Use Permit to the Sun City Community Association of Huntley for the display of a Temporary Banner promoting the “Feeling Great is Ageless, Fitness, Fashion, Fun and More” Expo.***

- e) Discussion – Resolution (R)2010-05.21 – Granting the issuance of a Temporary Use Permit to the Shepherd of the Prairie Church for the display of a Temporary Banner advertising their Vacation Bible School

Mayor Sass reported that Shepherd of the Prairie Church located at 10805 Main Street, is requesting approval to display a temporary banner advertising their annual Vacation Bible School. The proposed banner will measure 4 feet high by 8 feet wide (32 sq. ft.) and will be located along Main Street. The request seeks permission to display the banner annually for the next five years (through 2015). This year the banner would be displayed from June 28 through July 29.

### Staff Analysis

Staff recommends the following conditions be applied should the Village Board approve the Temporary Use Permit:

1. A sign permit shall be obtained from the Development Services Department prior to each display period; fees to be waived.
2. The Temporary Use Permit is not transferable to other events.
3. The banner shall be maintained in good condition at all times.

### Financial Impact

The petitioner is seeking a waiver of the permit fees for the temporary banner. The fee is \$75.00 plus 50 cents per square foot (32 sq. ft. = \$16.00) for a total of \$91.00. The Village Board previously waived the fee for a banner request approved earlier this year for the church's pre-school program.

### Legal Analysis

The Village Board's authorization for this request is required in accordance with Sign Code §156.125 Prohibited Signs, subparagraph (K) Banners and Flags.

Mayor Sass asked if the Committee had comments or questions; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Resolution (R)2010-05.21 – Granting the issuance of a Temporary Use Permit to the Shepherd of the Prairie Church for the display of a Temporary Banner advertising their Vacation Bible School.***

- f) Discussion – Resolution (R)2010-05.22 - Granting the issuance of Temporary Use Permit to the Huntley Area Public Library District for the installation of a temporary banner promoting their Summer Reading Program

Mayor Sass reported that the Huntley Area Public Library located at 11000 Ruth Road, is requesting approval to display a temporary banner promoting their summer reading program. The proposed banner will measure 4 feet high by 8.5 feet wide (34 sq. ft.) and will be placed facing the Main Street and Ruth Road intersection. The request seeks permission to display the banner annually for approximately the same time period for the next five years (through 2015). This year the banner would be displayed from June 7 through August 9, 2010.

### Staff Analysis

The Village Board previously approved a request for a summer reading program banner on May 14, 2009.

Staff recommends the following conditions be applied should the Village Board approve the Temporary Use Permit:

1. A sign permit shall be obtained from the Development Services Department prior each display period.
2. The Temporary Use Permit is not transferable to other events.
3. The banner shall be maintained in good condition at all times.

### Financial Impact

Permit fees are not collected from the Huntley Area Public Library District.

Legal Analysis

The Village Board’s authorization for this request is required in accordance with Sign Code §156.125 Prohibited Signs, subparagraph (K) Banners and Flags.

Mayor Sass asked if the Committee had any comments or questions; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Resolution (R)2010-05.22 - Granting the issuance of Temporary Use Permit to the Huntley Area Public Library District for the installation of a temporary banner promoting their Summer Reading Program.***

- g) Discussion – Ordinance (O) 2010-05.18 – An Ordinance Approving a Special Use Permit for CarDunAl Dog Obedience Training Club at 10773 Wolf Drive

Senior Assistant to the Village Manager Lisa Armour reviewed a Power Point Presentation and reported that CarDunAl Obedience Dog Training Club was founded in 1963 and most recently has been located at 10643 Wolf Drive within the “M”-PUD” Manufacturing – Planned Unit Development zoned Wolf Business Center. The present location was accommodated under the Special Use Permit received in May 2006 per Village of Huntley Ordinance No. 2006-05.56. CarDunAl is now requesting a Special Use Permit to allow the relocation of their canine training facility to 10773 Wolf Drive.

The Wolf Business Park consists of two buildings, with CarDunAl’s present location within a 5,000 square foot lease space at the southeast corner of the east building. CarDunAl is now requesting a Special Use Permit to allow for the relocation of their operation to a 17,500 square foot lease space at the southwest corner of the west building. In addition, the petitioners are requesting to amend the hours of operation specified in their original business plan as follows:

	Monday through Friday	Saturday and Sunday
Original - 10643 Wolf Drive	5 pm to 10 pm	7 am to 10 pm
Proposed - 10773 Wolf Drive	8 am to 10 pm	7 am to 7 pm

CarDunAl would also be holding special event trials at their new location. The events are licensed by the American Kennel Club and would be held as frequently as once a month. Events are typically held on Saturdays and/or Sundays and could potentially generate as many as 100+ cars per day. A typical training class is expected to generate approximately 40 cars per session.

Staff Analysis

The parking area nearest CarDunAl’s new location provides approximately 129 spaces. The entire Wolf Business Park has 482 parking spaces; however, several spaces are frequently occupied by vehicles associated with the other businesses operating in the Wolf Business Park.

Plan Commission Action

The Plan Commission reviewed the petition and held a pubic hearing at their April 12, 2010 meeting. Having fully heard and considered the testimony, the Plan Commission unanimously recommended approval of a Special Use Permit by a vote of 5-0, subject to the following conditions:

1. Hours of Operation shall be 8 am to 10 pm, Monday through Friday and 7 am to 7 pm, Saturday and Sunday.
2. No building unit construction permits, plans or Certificates of Occupancy are approved as part of this submittal.

3. No products shall be sold on the subject premises except such products distributed in the normal course of business of the principal use and no outdoor display is permitted and/or approved as part of this submittal.
4. No overnight and/or extended boarding of animals is permitted and/or approved as part of this submittal.
5. No Signage is approved as part of the Special Use Permit.

Ms. Armour reported that Mr. John Opatrny was in attendance to answer questions.

Mayor Sass asked if the Committee had comments or questions; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Ordinance (O) 2010-05.18 – An Ordinance Approving a Special Use Permit for CarDunAl Dog Obedience Training Club at 10773 Wolf Drive.***

- h) Discussion – Ordinance (O)2010-05.19 – Granting approval for 11015 Route 47, Huntley Collision Center/Enterprise Auto Rental, to be considered legal non-conforming and relief for a ground sign

Senior Assistant to the Village Manager Lisa Armour reviewed a Power Point Presentation and reported that due to the widening of Route 47, the Illinois Department of Transportation (IDOT) acquired additional right-of-way from the property at 11015 Route 47. The property is zoned “B-2” Highway Service and is currently the site of Enterprise Rent-A-Car with Huntley Collision on the lot adjacent to the west. The property is currently considered to be non-conforming in accordance with Section 156.180 of the Zoning Code.

The Route 47 widening and right-of-way acquisition will create a non-conforming setback for the building occupied by Enterprise Rent-A-Car and will necessitate setback relief to relocate the existing ground sign.

#### Staff Analysis

As a result of the Route 47 widening, the building occupied by Enterprise is setback 22.19 feet from the right-of-way/property line or 7.81-feet closer than the 30’ minimum front yard setback required under the “B-2” Highway Service zoning district. The property owner is requesting confirmation from the Village that the proximity of the site’s building to the property line will be considered legal, non-conforming.

The petitioner is also requesting approval to relocate the existing Huntley Collision/Enterprise ground sign. The ground sign is currently located on McHenry County Conservation District property and, as a result, is considered an off-premise sign. As proposed, the sign will be relocated to the remaining triangular shaped area of grass in front of the Enterprise building. The sign would be located on the petitioner’s property; however, the sign will not meet the 10-foot setback required by the Sign Ordinance. The sign will be setback approximately 3-feet from the front property line, therefore requiring relief to encroach into the required 10-foot setback.

Upon completion of the Route 47 project, the property owner has indicated that they would like to purchase additional property at the intersection of Route 47 and Main Street and relocate the ground sign to a more permanent location which meets all applicable requirements.

Should the Village Board approve the legal, non-conformity for the building setback and relief for the ground sign to encroach into the required setback, Staff recommends the following conditions of approval:

1. In accordance with the signed Easement Agreement between the petitioner and the adjoining property owner (Jankowski), the petitioner shall continue to work with the adjoining property owner to pave the driveway accessing Route 47. In the case that the petitioner purchases the adjoining property, the petitioner shall pave the gravel driveway within six months of acquiring the property.

#### Financial Impact

The petitioner is seeking a waiver of the permit fees to relocate the ground sign. The fee is \$40.00 plus 50 cents per square foot (96 sq. ft. = \$48.00) for a total of \$88.00. The Village Board has previously waived sign permit fees for signs that must be relocated as a result of the Route 47 widening project.

Ms. Armour reported that Ms. Laura Ball from Huntley Collision was in attendance to answer questions.

Mayor Sass asked if the Committee had comments or questions.

Trustee Fender asked if something could be done about the change in grade to the south of the Enterprise building. Ms. Ball stated that the IDOT is still working in that area but noted that the grade change is actually less now than it was before the building was removed. Village Manager Johnson reported that the Village will follow up with IDOT.

Mayor Sass asked if there were any other questions or comments; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Ordinance (O)2010-05.19 – Granting approval for 11015 Route 47, Huntley Collision Center/Enterprise Auto Rental, to be considered legal non-conforming and relief for a ground sign.***

- i) Discussion – Ordinance (O)2010-05.20 – An Ordinance approving Site Plan Review and Preliminary/Final Planned Unit Development for a building addition and site improvements; denying a Special Use Permit to modify a parking lot in the R-2 Single Family Residence District; and approving Relief from the 2003 International Building Code, as amended, and the 2003 International Fire Code, as amended, requiring an automatic sprinkler system to be installed within the existing structure

Senior Assistant to the Village Manager Lisa Armour reviewed a Power Point Presentation and reported the following for the petition from O'Connor Funeral Home:

#### Development History

##### *2003 Text Amendment and Special Use Permit*

During the summer of 2003, the petitioner requested a Text Amendment and Special Use Permit to allow the construction of a parking lot on property zoned “R-2” Single Family (11110 Grove Street). The petitioner proposed to tear down a house and garage located at 11110 Grove Street to create additional parking for his funeral home business. A Grove Street access to the parking lot was also requested as part of the petition. After two meetings with both advisory boards, the petitioner’s

request received positive recommendations for approval; however, both the Plan Commission and Zoning Board of Appeals added a condition that Grove Street access not be part of the project. The Village Board reviewed the proposal on August 14, 2003 and denied the petition as presented. The Village Board recommended the petitioner revise the plan to exclude the parking lot access to Grove Street.

#### *2005 Text Amendment and Special Use Permit*

In the summer of 2005, the petitioner returned to request a Text Amendment to the Village's Zoning Ordinance to allow a parking lot as a Special Use in "R-2" Single Family Residence District and a Special Use Permit to allow the construction of a parking lot at 11110 Grove Street. This time the proposal did not include parking lot access to Grove Street. The Village Board approved the request on September 8, 2005 (Ordinance No. 2005-09.74).

#### *2007 Conceptual Review*

On December 13, 2007, the petitioner presented a conceptual site plan to the Village Board that involved the remodeling of the existing funeral home structure to include an approximate 5,000 square foot addition on the southwest portion of the structure. The project included razing the Hansmann property and garage to the west (11605 East Main Street), reconfiguring the parking area (resulting in a total of ±44 parking spaces) and connection of a drive aisle to access Grove Street.

As part of the December 2007 review, the Village Board recommended the petitioner speak to the neighbors about parking and landscape buffering and develop a master plan for the funeral home that included neighboring lots. The Village Board did not express any objection to the demolition of the Hansmann house located at 11605 Main Street. Following discussion, a consensus was reached to refer the petition to the Plan Commission to begin the formal review process; however, the petitioner put plans on hold and did not proceed with the formal review process.

#### *2009 Conceptual Review*

On August 20, 2009, the petitioner presented the current proposed plan to the Village Board. Following discussion, a consensus was reached to refer the petition to the Plan Commission to begin the formal review process. The Village Board encouraged the petitioner to discuss the project with surrounding residents before returning with a formal application. Additionally, the Village Board stated the following comments and concerns:

- The new building should be tied in better to the existing building. *The petitioner has stated that the existing structure will be resided to match the addition.*
- The current concrete ramp along Main Street should be removed, as there will be a new accessible entrance in the rear. *The petitioner has stated that he would like the ramp to remain.*
- Entrance on Grove Street was not viewed favorably.
- The Village Board did not express any objection to the demolition of the Hansmann house located at 11605 Main Street

Subsequently, the Plan Commission reviewed the proposed conceptual plan at their January 25, 2010, meeting. The Plan Commission stated the following comments and concerns:

- The Grove Street parking lot entrance was not supported.
- The Commission supported keeping the ramp located on the northeast corner of the existing structure.

### Development Summary

The petitioner is proposing to demolish the existing residence at 11605 Main Street (Hansmann property) to allow for a 5,492 square foot addition to the James A. O'Connor Funeral Home. The plan would reconfigure and expand the existing parking lot to provide spaces for 50 vehicles. The plan also proposes to create new parking lot access from both Main Street and Grove Street. As presented, the petition requires approval of the following development actions by the Village Board:

- Special Use Permit: A Special Use Permit is required to modify the parking lot located at 11110 Grove Street in the R-2 Single Family Residence.
- Site Plan Review: Site Plan Review is required as a result of the building addition exceeding 5,000 square feet; the expansion of the parking lot; and the funeral home abutting a residential district.
- Preliminary/Final Planned Unit Development: The Zoning Ordinance requires a Planned Unit Development (PUD) to have at least 80,000 square feet of land area, or such lesser size as may be determined acceptable by the Plan Commission and Village Board of Trustees. Staff recommends this petition be processed as a PUD to provide the oversight the property requires to ensure compatibility with surrounding properties and to accommodate the relief required as part of this application.

### *Building Addition*

The proposed building addition will add 5,492 square feet to the existing 3,100 square foot funeral home. The proposed single-story addition will provide a new lobby, lounge, restrooms, garage, and chapel space. The addition and existing structure will be finished with hardi-board siding. The existing garage and trash enclosure will remain as existing.

As proposed, the building addition will provide similar setbacks along Main Street and Myrtle Street as the existing funeral home. Since the existing funeral home encroaches into the required setbacks along Main Street and Myrtle Street, the structure is considered nonconforming. For the building addition to match the same setbacks as the existing structure, the following relief is required:

- Reducing the required front yard setback from 30'-0" to 17'-3" (note: existing structure is setback 17'-3" Main Street)
- Reducing the required setback abutting a street (Myrtle) from 20'-0" to 16'-0" (note: existing structure is setback 12'-0")

### *Parking*

The proposed site improvements include an expansion and reconfiguration of the parking lot. The proposed expansion would create new driveways on Main Street and Grove Street and the reconfigured parking lot will provide 50 parking spaces. The current parking lot provides 42 parking spaces. The Zoning Ordinance requires four spaces per 1,000 gross square feet plus one space per 100 square feet of chapel space. The proposed addition will result in the overall building totaling 8,608 square feet of which 1,581 square feet will be dedicated to chapel space, therefore requiring 50 parking spaces. The proposed site plan complies with parking requirements for a funeral home.

In addition to providing vehicular parking, the Zoning Ordinance requires that facilities be provided for the parking of bicycles in any parking lot containing 20 or more parking spaces. The petitioner is requesting the following relief from this requirement:

- The petitioner has indicated the funeral home has not experienced a need to provide bicycle parking for clientele visiting the funeral home and is therefore requesting relief from Section 156.106(C)(14) of the Zoning Ordinance to not provide a bicycle rack.

### *Landscaping*

The proposed landscape plan will add foundation plantings around the new addition and parking lot screening adjacent to Myrtle Street. Much of the existing landscaping on the site would remain, with exception to the removal of plant materials necessary to allow the parking lot access to Grove Street. The proposed landscape plan also calls for extending the existing 6-foot tall white PVC fence along the new Main Street driveway and towards Grove Street. The plan indicates the fence in both locations would extend to the property lines on Grove Street and Main Street; however, the Zoning Ordinance requires the fence to be setback a minimum of 30-feet from the Grove Street property line and Main Street property line. As a result, the petitioner must revise plans to set the fence 30-feet back from the Grove and Main Street property lines.

### *Lighting*

The petitioner is requesting approval to utilize the existing parking lot lighting to illuminate the reconfigured parking lot. There is an existing light pole in the southwest parking lot that is proposed to remain. There is also an existing light pole in the eastern most parking lot that would be relocated to accommodate the new parking lot configuration.

### *Signage*

A new wall sign is proposed on the south elevation of the building addition, adjacent to the building's main entrance. The proposed sign is non-illuminated and will measure 27-inches in height by 120-inches in width for a total area of 22.5 square feet. No other wall signs are located on the building. The existing ground sign along Main Street will remain. The following relief is required for the proposed wall sign:

- Section 156.136 of the Zoning Ordinance requires wall signs to be located on a street frontage face of a building. Relief is required to allow a wall sign on a building elevation that does not face a street frontage.

### Plan Commission Action

The Plan Commission conducted a public hearing for the petition at their March 8, 2010, meeting. The Commission heard testimony from the petitioner and five (5) residents. The testimony provided by three residents, including the property owner immediately south of the Grove Street parking lot, supported the expansion of the funeral home and Grove Street access. Two residents expressed concern regarding the demolition of the Hansmann structure and the Grove Street access.

Following testimony and discussion, the Plan Commission recommended the following:

- A motion to recommend approval of the Special Use Permit for the driveway access to the Grove Street parking lot failed by a vote of 1-3.
- A motion to recommend approval of the Site Plan Permit subject to conditions, including the removal of the Grove Street access from the plans, passed by a vote of 3-1.
- A motion to recommend approval of the Preliminary/Final Planned Unit Development subject to conditions, including the removal of the Grove Street parking lot access from the plans, passed by a vote of 3:1:0.

The Plan Commission's conditions of approval are as follows:

1. The demolition of the single family residence at 11605 E. Main Street shall require approval from the Village Board and a demolition permit from the Development Services Department.
2. The 6-foot tall PVC fence shall be setback 30-feet from the Main Street and Grove Street property lines.

3. All public improvements and site development must occur in full compliance with all applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
4. The petitioners will comply with all final engineering revisions to be approved by the Village Engineer.
5. The Village of Huntley will require adherence to Illinois drainage law and best management practices for stormwater management. The petitioner, its agents and assignees, are responsible for not increasing the rate of stormwater runoff and will be required, to the extent practicable, to minimize any increase in runoff volume through “retention” and design of multi stage outlet structures.
6. The petitioner shall obtain final approval of the Landscape Plan from the Development Services Department.
7. No building plans or permits are approved as part of this submittal.
8. No sign permits are approved as part of this submittal.
9. No Grove Street access to the site.

#### Request for Relief from Fire Sprinkler System for the Existing Structure

In accordance with Section 903.2 and 903.6 of the 2003 International Building Code Amendments, an automatic fire sprinkler system is required for the existing building and addition (This requirement does not change as part of the currently proposed Building Code amendments). The petitioner will install a sprinkler system within the 5,492 square foot addition; however, the petitioner is requesting relief to not install a sprinkler system within the existing structure. Rather, the petitioner would provide a form of fire separation between the new and existing building. The petitioner has cited the extensive cost for retrofitting the existing building as the reason for the requested relief.

It is not within the authority of the Plan Commission to consider relief from Building Code requirements; therefore, the Plan Commission did not provide a recommendation regarding this matter.

#### Staff Analysis

Staff recommends the following condition, in addition to those recommended by the Plan Commission, be applied should the Village Board approve the petition as presented:

1. A form of fire separation acceptable to the Development Services Department and Huntley Fire Protection District shall be installed between the existing structure and building addition.

Ms. Armour reported that Mr. Walter Leucht and his architect Mr. David TeBrake were in attendance to answer questions.

Mayor Sass asked if the Committee had comments or questions.

Trustee Fender asked how many “reliefs” the petitioner was requesting. Village Manager Johnson stated that the petitioner is requesting relief from the front setback, Myrtle Street setback and Fire Suppression relief for the existing building. Trustee Fender asked what the recommendation was for the Grove Street parking lot entrance. Village Manager Johnson stated that the recommendation is to deny that request. Trustee Fender asked what portions of the existing building would change; Village Manager Johnson reported that the existing building would remain as is today except for the installation of siding. Trustee Fender asked the age of the existing building; Mr. Leucht stated that it was built in the early 1900’s. Trustee Fender asked about the status of the existing ramp; Mr. Leucht stated that he would like to keep it but that it was the decision of the Village Board.

Village Manager Johnson reported that the Petitioner, Staff and the Huntley Fire Protection District met to discuss fire suppression in the building and all three parties find the request, as presented, acceptable.

Trustee Leopold stated that he believed that the ramp should be removed as the facility will have a new accessible entrance. Mr. Leucht stated that he would like to keep the ramp due to the cost to remove the structure and the existing section of the building that the ramp enters will be used as the business office and if not in place, clients might need to pass through the area where visitation would be occurring in order to get to the business office to make arrangements. Trustee Leopold asked how often it would be utilized in that scenario. Trustee Leopold stated that he would like the ramp removed for aesthetics and believes it would be a mistake to leave it in its location.

Trustee Piwko asked if the existing building will be resided with the same material as the addition; Mr. Leucht stated that the existing building would have the same siding as the addition. Trustee Piwko stated that he did not have an issue leaving the existing ramp on the building.

Trustee Kadakia asked the petitioner what the problem was to remove the ramp. Mr. Leucht stated that he would lose about \$50,000. Mr. TeBrake explained that the ramp probably cost Mr. Leucht about \$50,000 to install.

Trustee Fender asked to see photographs of the existing ramp. Mr. TeBrake showed the Committee current photos.

Mayor Sass noted that he had no problem with allowing the existing ramp to remain.

Trustee Fender stated that she had no problem with allowing the existing ramp to remain.

Trustee Kadakia stated that he had no problem with allowing the existing ramp to remain.

Mayor Sass asked if there were any other comments or questions from the Committee; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for consideration Ordinance (O)2010-05.20 – An Ordinance approving Site Plan Review and Preliminary/Final Planned Unit Development for a building addition and site improvements; denying a Special Use Permit to modify a parking lot in the R-2 Single Family Residence District; and approving Relief from the 2003 International Building Code, as amended, and the 2003 International Fire Code, as amended, requiring an automatic sprinkler system to be installed within the existing structure. It was also decided that this item will not be included under the Consent Agenda and will require a separate vote.***

- j) Discussion – Resolution (R)2010-05.23 – In Support for the Location of an Amtrak Station in the Village of Huntley

Mayor Sass reported that the proposed Amtrak rail service from Chicago to Dubuque, Iowa initiates the possibility for the establishment of an Amtrak station to be located in Huntley.

U.S. Congressman Don Manzullo has requested that Governor Pat Quinn consider a train stop in McHenry County as part of this new rail service.

Staff Analysis

The proposed resolution supports Congressman Manzullo's request and further encourages the Amtrak station to be located in the Village of Huntley.

Mayor Sass reported that the original Resolution found in the Packet has been revised and was distributed at the dais prior to the meeting.

Mayor Sass asked if the Committee had comments or questions; there were none.

**It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Resolution (R)2010-05.23 – Resolution Supporting a McHenry County Station Location in Huntley for Amtrak Inter-City Rail Service on Route A: Amtrak-Metra-UP-CN.**

- k) Discussion – Resolution (R)2010-05.24 – A Resolution Agreeing to Review and Consider the McHenry County Water Resources Action Plan Model Policies

Village Manager David Johnson reported that in follow up to the April 29, 2010 presentation by Ms. Cassandra McKinney, McHenry County's Water Resource Manager, this resolution is before the Committee of the Whole for discussion.

Village Manager Johnson reported that in 2007, McHenry County established the Groundwater Protection Action Plan Task Force. This task force was composed of municipal representatives, township representatives, residents, county staff, local businesses, and environmental groups and charged with the duty to establish groundwater protection policies.

The McHenry County Water Resources Action Plan Model Policies were created to be a compilation of the best available information for consistent groundwater protection.

Staff Analysis

This comprehensive document includes: Water Quantity and Water Quality Protection, Water Supply Planning, Water Supply Contingency Planning and Education/Outreach information.

The Village of Huntley has been a leader in water resource management. Staff will review the document and report back to the Village Board on policies which may be beneficial to incorporate into Village programs or requirements.

Mayor Sass asked if the Committee had any comments or questions; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Resolution (R)2010-05.24 – A Resolution Agreeing to Review and Consider the McHenry County Water Resources Action Plan Model Policies.***

**VILLAGE ATTORNEY'S REPORT:** None

**VILLAGE MANAGER'S REPORT:**

Village Manager Johnson reported that the Illinois Commerce Commission requires the appointment of a representative from the Village to act as an agent with regards to the Mill Street highway-rail grade crossing improvements project. Village Manager Johnson noted that the Committee received information this evening at the dais and would like this added to the May 13, 2010 Village Board Agenda.

Mayor Sass asked if the Committee had any comments or questions; there were none.

*It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the Appointment of the Village Manager to act as the Designated Agent in the Processing of the Stipulated Agreement with the Illinois Commerce Commission for the Mill Street rail crossing improvements.*

**VILLAGE PRESIDENT'S REPORT:**

Mayor Sass reported that the McCOG Annual Meeting will be in Spring Grove and information will be included in the Board's packet.

Mayor Sass announced that a special farmers' market will be held on May 8 from 8 a.m.–1 p.m. The regular weekly markets will begin on June 5<sup>th</sup>.

Mayor Sass reported that the Village hosted a business seminar on May 5<sup>th</sup> for any local business; approximately 30 people attended.

**UNFINISHED BUSINESS:**           None

**NEW BUSINESS:**   None

**EXECUTIVE SESSION:**

**A MOTION was made at 8:22 p.m. to enter into Executive Session for the purpose of b) Contractual.**

**MOTION:**   Trustee Piwko  
**SECOND:**   Trustee Kadakia  
**The Voice Vote noted all ayes and the motion carried.**

**A MOTION was made at 8:27 p.m. to exit Executive Session.**

**MOTION:**   Trustee Leopold  
**SECOND:**   Trustee Piwko  
**The Voice Vote noted all ayes and the motion carried.**

**POSSIBLE ACTION ON ANY CLOSED SESSION ITEM:**   None

**ADJOURNMENT:**

**There being no further business to discuss, a MOTION was made to adjourn the meeting at 8:28 p.m.**

**MOTION:**   Trustee Kadakia  
**SECOND:**   Trustee Piwko  
**The Voice Vote noted all ayes and the motion carried.**

Respectfully submitted,

Barbara Read  
Recording Secretary