

**VILLAGE OF HUNTLEY
PLANNING COMMISSION & ZONING BOARD OF APPEALS
JOINT MEETING**

Wednesday, September 24, 2008

MINUTES

5

CALL TO ORDER

10 Planning Commission Chairman Ron Hahn called to order the joint meeting of the Planning Commission and Zoning Board of Appeals of the Village of Huntley on Wednesday, September 24, 2008 at 7:01 pm in the Municipal Complex Village Board Room at 10987 Main St, Huntley, Illinois 60142. The room is handicap accessible.

ATTENDANCE

15 **PLANNING**

COMMISSIONERS: Chairman Ron Hahn; Commissioners Ruby Hornig, Russ Palermo, David Patterson, Len Stensing and Tom Kibort

20 **COMMISSIONERS**

ABSENT: Commissioner Dawn Ellison

ZONING BOARD:

Chairman Jack Tures; Members: Joe Manning, and Lou Stanczak, Christopher Habel, and Donald Bond

25 **ZONING BOARD**

MEMBERS ABSENT: Members Terri Martin and Lee Linnenkohl

ALSO PRESENT:

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Senior Planner Charles Nordman, Planner James Williams, Director of Development Services Lisa Armour, and Recording Secretary Kari Turco of Karick & Associates.

PETITIONS

35 **A. Petition No. 08-9.1, Deborah Nowotnik/Center Stage Dance Academy, 10631 Wolf Drive, Requesting approval of a Special Use Permit for Indoor Recreation (7:01-7:10).**

A public hearing was held in accordance with all applicable rules and regulations of the Village of Huntley and the State of Illinois.

40 Zoning Board of Appeals Chairman Tures swore in anyone wishing to speak to this petition.

Senior Planner Nordman presented the petition.

45 The petitioner is requesting approval of a Special Use Permit for Indoor Recreation to allow for a dance studio.

Location

10631 Wolf Drive
Huntley, IL 60142

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Petitioner

Deborah Nowotnik

2771 Melbourne Lane
Lake in the Hills, IL 60156

Development Summary

5 The petitioner is proposing to locate the Center Stage Dance Academy studio within the Wolf Drive Business Center. The Wolf Drive Business Center is located within the “M” Manufacturing zoning district. The Village’s Zoning Ordinance defines a dance studio as “Indoor Recreation” which requires the issuance of a Special Use Permit prior to locating in a Manufacturing district.

10 The tenant space the petitioner is proposing to locate is approximately 2,500 square feet in area and fronts Wolf Drive. Classes are offered for students ranging from 3 years of age through seniors. Adult and senior classes are generally offered Monday through Friday in the mornings and early afternoons (9AM - 2PM). All other classes are offered Monday through Friday after school and in the evenings (3:30 PM – 9 PM). Classes are also offered on Saturdays from 9 AM through 4 PM. Classes are not usually offered on Sundays. Class sizes average between 8-12 students with the largest classes ranging from 18-20 students.

The Village’s Zoning Code requires one parking space to be provided per three persons of capacity. The petitioner has indicated that not more than two classes are held at any one time and that the largest class size is approximately 20 students with 1 instructor leading each class. Therefore, the total capacity is approximately 42 persons requiring 13 parking spaces. Several daytime site visits have shown that adequate parking is available for use in close proximity of the petitioner’s tenant space.

Standards for Special Use Permit

25 The Planning Commission and Zoning Board of Appeals may recommend approval of a special use as provided herein upon determining and finding as fact the following:

1. The proposed use is necessary or desirable at the location involved to provide a service or facility, which will further the public convenience and contribute to the general welfare of the neighborhood or community.
2. The proposed use will not be detrimental to the value of the other properties or improvements in the vicinity.
3. The proposed use will comply with the regulations of the zoning district in which it is located and this chapter generally including, but not limited to, all lot yard and bulk regulations, parking and loading regulations, sign control regulations and flood plain regulations and all other applicable village ordinances.
4. The proposed use shall conform to any stipulations or conditions made a part of a special use permit issued for such use.

Planning Commission Chairman Hahn asked if the petitioner had anything to add to the presentation.

45 Ms. Deborah Nowotnik, the petitioner, said that she is very excited about opening her own place. She currently uses Lake in the Hills Park District and School District 158 facilities.

Chairman Hahn asked about signage for the business. Ms. Nowotnik stated the location of business would primarily be promoted through word of mouth and mailings to current clients.

50 Commissioner Patterson asked if the dog training facility was in the area of the proposed dance studio and was told it was in the lease space to the south of the proposed dance studio.

Chairman Hahn added that there is a lot of equipment sitting out at the end of this area and should be addressed by the Village.

5 Chairman Hahn opened the floor for audience questions or comments, but there were none.

Zoning Board of Appeals Chairman Tures asked for Member comments, but there were none.

10 **A motion was made to recommend approval of Petition No. 08-9.1, Deborah Nowotnik/Center Stage Dance Academy, 10631 Wolf Drive, Requesting approval of a Special Use Permit for Indoor Recreation, subject to the following conditions:**

1. **No building permits or Certificates of Occupancy are approved as part of this submittal.**
- 15 2. **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.**
- 20 3. **No signage is approved as part of the Special Use Permit. Any proposed signage will require the issuance of a sign permit by the Village's Development Services Department prior to installation**

25 **MOVED: Commissioner Stensing**
SECONDED: Commissioner Palermo
AYES: Commissioners Hornig, Patterson, Stensing, Kibort, Palermo, Chairman Hahn
NAYS: None
ABSTAIN: None
MOTION CARRIED 6:0:0

30 **MOVED: Member Stanczak**
SECONDED: Member Habel
AYES: Members Bond, Stanczak, Habel, Manning, Chairman Tures
NAYS: None
35 **ABSTAIN: None**
MOTION CARRIED 5:0:0

40 **B. Petition No. 08-9.2, Rubloff Huntley II, LLC, 54.6 acres, more or less, located north of Powers Road and East of IL Route 47, Requesting approval of (i) Preliminary Plat of Subdivision; (ii) Preliminary Planned Unit Development; and (iii) Approval of such other relief as may be necessary to allow for development in accordance with the site plan that has been submitted to, and is on file with, the Village of Huntley, all pursuant to the requirements of the Zoning Ordinance, including specifically Section 156.120 et seq (7:12-8:09).**

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A public hearing was held in accordance with all applicable rules and regulations of the Village of Huntley and the State of Illinois.

50 Zoning Board of Appeals Chairman Tures swore in anyone wishing to speak to this issue.

Senior Planner Nordman presented the petition.

Location

54.6 acres, more or less, located north of Powers Road and East of IL Route 47.

5 **Petitioner/Owner**

Rubloff Huntley II, LLC
2150 Lake Cook Road, Suite 320
Buffalo Grove, IL 60089

10 **Development Overview**

The Village Board approved the annexation, annexation agreement and rezoning of the subject site on December 14, 2006. The Annexation Agreement for the site provided for the rezoning of the property, but did not include any approvals of preliminary plat, preliminary planned unit development, or preliminary engineering. The Agreement further provided for the following:

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- Creation of a 100-foot greenbelt/landscape buffer along Route 47, a portion of which will be utilized for stormwater management.

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- Frontage trees and landscaping are required to be installed in the greenbelt buffer per the approved landscape plans, with a maintenance guarantee for all such materials kept in place for a period of three years after acceptance by the Village of Huntley.

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- Proposed to allow for a maximum of two drive-thru restaurants, a maximum of one drive-thru financial institution, and a maximum of one drive-thru pharmacy.

- The commercial/retail development will be developed in accordance with the Village’s Commercial Design Guidelines adopted January 19, 2006.

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The Planning Commission and Zoning Board of Appeals previously reviewed conceptual plans for the Phase I, II, and III of the overall development on June 28, 2006. Phase I is south of Powers Road and includes Home Depot; Phase III is the future townhome development. The preliminary plat and preliminary planned unit development (PUD) for Phase I was later reviewed and recommended for approval by the Planning Commission and Zoning Board of Appeals on October 25, 2006. The Village Board subsequently approved the preliminary plat and preliminary PUD on November 16, 2006. A final plat for Phase I and Final PUD for Home Depot were later reviewed by the Planning Commission on May 14, 2007 and approved by the Village Board on June 28, 2007.

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Preliminary Plat of Subdivision

The proposed Preliminary Plat of Subdivision for Huntley Crossings Phase II provides for the following lot configuration:

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<i>Lot</i>	<i>Gross Acres</i>	<i>Use</i>
Lot 1	2.285 Ac.	Outlot for Future Retail Development
Lot 2	2.359 Ac.	Outlot for Future Retail Development - Proposed Bank
Lot 3	2.225 Ac.	Outlot for Future Retail Development
Lot 4	2.219 Ac.	Outlot for Future Retail Development
Lot 5	2.065 Ac.	Outlot for Future Retail Development
Lot 6	1.819 Ac.	Outlot for Future Retail Development
Lot 7	1.982 Ac.	Outlot for Future Retail Development
Lot 8	20.365 Ac.	Future Inline Retail and General Merchandise (Anchor Pad)

<i>Lot</i>	<i>Gross Acres</i>	<i>Use</i>
Lot 9	9.660 Ac.	Future Inline Retail
Lot 10	2.771 Ac.	Stormwater Management Easement
Lot 11	4.913 Ac.	Stormwater Management Easement
R.O.W. Dedication	2.026 Ac.	R.O.W. Dedication for Powers Road
Total	54.690 Ac.	

All proposed lots conform to the 200 foot lot width requirement for the “B-3” Shopping Center Business District. All proposed lots, with exception to Lot 6, also conform to the 80,000 square feet (1.837 Ac.) minimum lot area required in the “B-3” Shopping Center Business District. Lot 6 measures 79,235 square feet (1.819 acres). Staff notes the additional area needed to meet the minimum required lot area for Lot 6 can be gained by slightly shifting the lot line between Lots 5 and 6. Therefore, a recommended condition of approval has been included in “Planning Commission and Zoning Board of Appeals Requested Action” that stipulates additional area be added to Lot 6 so that the gross area is no less than the required 80,000 square feet.

Preliminary Planned Unit Development

The petitioner is owner of 54.6 acres, more or less, east of Route 47 and north of Powers Road. The property is more commonly know as phase II of the Huntley Crossings commercial development. The preliminary plat and preliminary PUD establishes the frame work for the overall development of the 54.6 acre site.

The proposed development will create seven (7) lots along Route 47 (Lots 1-7) and a 20.365 acre and 9.660 acre site for “big box” and inline retail. Vehicular access to the site will be provided from Powers Road and a full signalized access at Regency Parkway. The Regency Parkway access is currently under construction to accommodate access to Wal-Mart. An internal north-south access drive will run adjacent to the rear of outlots and will connect with the Huntley Grove commercial development. Much of the required IL Route 47, Regency Square and Powers Road improvements are presently under construction as part of the Huntley Grove and Huntley Crossings (phase I) developments. Lots 1-7 will not have direct access to Route 47.

It is anticipated that Final PUD approval will be sought for individual lots when users are identified for each site. Specific details pertaining to building architecture and parking lot landscaping will be provided as part of an application for Final PUD approval and will be reviewed by the Planning Commission and approved by the Village Board of Trustees. This is similar to the process that is being utilized at Tucker Development’s Huntley Grove, Phase I of Huntley Crossings and Rosati’s Commercial Development.

Phase One of Development

The petitioner has proposed to develop the property in phases. Phase one of development will include overall site grading for outlots only and construction of the north/south access drive adjacent to the rear of outlots (Lots 1-7). Additionally, plantings for the Route 47 100’ landscape setback will be installed by the petitioner as part of the initial phase of development. Lots 8 and 9 will be developed as a phase two.

Lighting

The petitioner is proposing to utilize the same GreenBriar style parking lot light fixture used in the big box/inline retail parking lots for Huntley Grove and phase I of Huntley Crossings. A photometric plan and fixture cutsheet has been provided as exhibits to this report. Parking lot light fixtures for outlots

will be reviewed in conjunction with Final PUD plans for each of the outlots. Decorative parking lot light fixtures are required to be used on outlots in accordance with the Village's Commercial Design Guidelines. It is recommended that WLS 261 prairie style fixtures are used for outlots to match the parking lot fixtures used on outlots of the abutting Huntley Grove commercial development.

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Landscaping

Plantings for the Route 47 100' landscape setback will be installed by the petitioner as part of the initial phase of development. The overall design of the landscape buffer is similar to phase I of Huntley Crossings and will include areas for stormwater management.

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Parking

Required parking ratios are provided within the Annexation Agreement for the property. Staff will verify that the required number of parking are provided as final PUD plans are provided for each of the lots.

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Signage

In accordance with the Annexation Agreement for the property, the petitioner is permitted one shopping center monument sign at the Regency Parkway entrance. The proposed PUD plan indicates that two shopping center signs will be installed on the site. The sign located at Powers Road (Sign "B") must be removed from the plan. The individual outlots are permitted one (1) six foot tall monument sign to identify the user/users located on the lot and the petitioner included an example of the design for the shopping center monument sign and outlot monument signs with Planning Commissioner and Zoning members packets this evening. The template for the proposed signage matches the signage approved with Phase I of Huntley Crossings.

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Preliminary Engineering Plans

The Village Engineer has reviewed the engineering and site plans and has provided comments to the petitioner. No issues were identified that would result in significant changes to the site plan presented as part of this petition. Additional comments will be provided as engineering plans are finalized throughout the Final PUD approval process.

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Standards for Review of Preliminary Planned Unit Developments

In accordance with Section 156.124 of the Village's Zoning Ordinance, the Planning Commission and Zoning Board of Appeals shall review and evaluate the Preliminary Planned Unit Development based on the following criteria:

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The Plan Commission shall review and evaluate the preliminary PUD in terms of whether the proposal:

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1. Is compatible with the Village of Huntley Comprehensive Plan and Community Goals.
2. Promotes high standards in design, site planning and construction.
3. Provides a safe and desirable living environment.
4. Preserves natural features of the site.
5. Provides adequate open space for recreation and other community purposes.
- 45 6. Represents a creative approach in land development.
7. The design is compatible with adjacent properties and neighborhood.

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The Zoning Board of Appeals shall review and evaluate the preliminary PUD in terms of whether the proposal:

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1. Is compatible with the Village Comprehensive Plan and Community Goals.
2. Provides for land uses, both initial and potential, which will be compatible with existing surrounding land uses.

3. Provides zoning which will be compatible with existing surrounding zoning.
4. By virtue of its benefits to the village and creative design, justifies the intended variations from the strict interpretation of this chapter, and justifies specific special uses requested.
5. Protects the public health, safety, convenience and general welfare.

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Planning Commission Chairman Hahn asked if Regency Parkway and the access drive would not be fully lighted, and the petitioner, Bruce Danley, said there would be stop signs.

Chairman Hahn asked that if in the future it is busy enough, will it be signaled.

10 Mr. Danley stated that it would be up to IDOT, who said they'd watch it because it's within 400' of one of their intersections.

Chairman Hahn asked about forcing the traffic down the access drive, and he was told the traffic west on Powers Road would have no left turn.

Chairman Hahn asked if there would be a realignment of Lots 5 and 6, and the petitioner said it would be no problem to make that change.

15 Chairman Hahn asked about landscape warranties, and Senior Planner Nordman said that it is a Village condition the petitioner maintain the landscaping for three years and five years on native plantings.

The petitioner added that they are planning a first-class shopping center so it is their intent to keep it that way for the tenants.

20 Chairman Hahn asked if the retention pond was increased in size, and it was explained that it is now the correct and appropriate size for the entire development.

Chairman Hahn asked if the petitioner had any knowledge about Home Depot changes their delayed schedule.

25 The petitioner stated that retailers are looking forward, past the current economic conditions. He also indicated that there is big box interest, especially with Wal-Mart coming in.

Commissioner Kibort asked that the landscape maintenance be added as conditions of approval numbers 17 (5-year management of natives) and 18 (3-year management of non-natives).

30 Commissioner Stensing asked if Powers Road would be worked on, and he was told it was under construction now. He asked if it would be closed to the homeowners that reside back behind the new development, and he was told that there is a traffic plan. He then asked if the traffic plan included a right-in/right-out after its completion, and he was told that is correct.

Commissioner Patterson asked about vegetation in the parking lot dividers, and it was explained that a preliminary plan would not include those details but the Commission would have a chance to see it as the outlots came in for separate approval.

35 Chairman Hahn opened the floor for audience questions and comments.

Zoning Board of Appeals Chairman Tures swore in all who wished to speak on the issue.

Mr. Robert King of 41 W 572 Powers Road stated that his property is south of Phase III on Powers Road and asked what type of landscaping is planned around the townhomes as buffers.

40 Director of Development Services Lisa Armour confirmed that 182 units were approved for that Phase but they'll come in with their plans and buffering will be a part of that plan.

Mr. King commented that at the far eastern end of his property, ComEd is planning to run power lines, but Mr. Danley stated that Hallmark Homes, who is the developer for the townhomes, has no current plans for Phase III due to the economy.

Chairman Hahn suggested Mr. King remain posted through the Village of Huntley's website and attend future meetings.

5 Mr. Graham Knott of 41 W 651 Powers Road stated that when he first saw this plan, there were no plans to restrict left-hand turns but rather had a potential light at a later date. Restricting the left-hand turn affects 80% of the residents down there and would require a six-mile detour or take the access road past four outlots. Why not leave the left-hand turn?

Mr. Danley stated that IDOT holds approval authorization for all of Route 47.

Mr. Knott added that he didn't think a lot of thought was put into two lights within 250' of each other.

10 Commissioner Stensing asked who the frontage road would be maintained by, and he was told the Declarations would require management for the center.

Mr. Knott commented that Phase III will bring 182 townhomes and at least 182 more cars going down the Access Road makes no sense, and it was explained by the petitioner that there is an overall road plan for that development back behind Phase III that includes another exit.

Mr. Knott asked why the plan calls for a private parcel to be used for the Access Road.

15 Kevin Harder from Smith Engineering stated that the original intent was to seek a signal there, but IDOT's study said it doesn't meet the requirements for it. There are fewer curb cuts on the Access Road, and it is not perfect but it is IDOT requirements. We can go back to IDOT for another analysis, but it is not warranted at this time.

Chairman Hahn suggested that when it becomes a problem, the Village can go back to IDOT.

20 Director of Development Services Lisa Armour added that a connection will be made behind there through Regency and up to Kruetzer and out to Route 47.

Mr. Knott noted that "potential realignment of Powers Road" is printed on the plan, and Mr. Harder from Smith Engineering stated that it is designed for a connection to Regency and will be up to the Village of Huntley.

25 Mr. Knott requested that the Village watch the area and see that the eastern boundary road goes through to Kruetzer for the residents' access.

Chairman Hahn asked staff to add a condition to keep the opportunity open.

30 Zoning Board of Appeals Chairman Tures swore in additional individuals that requested to speaking to this issue.

Mrs. Dorothy Vrenious of 12716 Oakgrove stated that Sun City is at the end of Powers Road. The traffic and lights coming into her house are a concern. The lights from the stores and the parking lot lights come right into her bedroom window. Del Webb put in tall evergreen to block the street light from coming into the bedroom window.

35 Chairman Hahn acknowledged a valid concern and stated that the 100' setback should help that considerably and asked if the lights are bothering her now.

Mrs. Vrenious said no but her concern is the bright lights from the whole shopping center.

40 Chairman Hahn explained that the parking lot lights that are approved shine light downward instead of outward.

Mrs. Vrenious complained about the motorcycle noise and the traffic noise now from Powers Road and asked if it would become worse.

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Chairman Hahn stated that as Route 47 becomes busier, speed limits will be lowered in time and Powers Road itself is being lowered in elevation so the lights will be less intrusive.

5 Mr. Harder, from Smith Engineering, agreed that the headlights will hit the backside of the berm rather than the top of it, which will help the situation.

Mrs. Vrenious stated that she wanted her concern noted on behalf of all Sun City residents.

10 Zoning Board of Appeals Chairman Tures asked the members for their comments.

Member Bond asked if a drive-thru restaurant is being contemplated, and he was told there was nothing planned yet but they would like to keep the opportunity open.

15 Member Bond asked what big boxes were interested, and he was told that general merchandise and apparel stores were considering the area.

Member Manning recognized the legitimacy of the two residents regarding Powers Road.

20 **A motion was made to approve Petition No. 08-9.2, Rubloff Huntley II, LLC, 54.6 acres, more or less, located north of Powers Road and East of IL Route 47, Requesting approval of (i) Preliminary Plat of Subdivision; (ii) Preliminary Planned Unit Development; and (iii) Approval of such other relief as may be necessary to allow for development in accordance with the site plan that has been submitted to, and is on file with, the Village of Huntley, all pursuant to the requirements of the Zoning Ordinance, including specifically Section 156.120 et seq., subject to the following conditions:**

- 25 1. All public improvement and site development must occur in full compliance with all applicable Village Municipal Services (Engineering, Public Works, Planning and Building) and approved Annexation Agreement site design standards, practices and permit requirements.
- 30 2. The developer will comply with all final engineering revisions to be approved by the Village Engineer.
3. The final Landscape Plan requires approval from the Huntley Development Services Department Staff and the Village Forester.
- 35 4. Additional area shall be added to Lot 6 so the gross area of the lot is no less than the required 80,000 square feet.
5. The sign located at Powers Road (Sign "B") shall be removed from the plan.
6. In accordance with the annexation agreement for the property, the petitioner shall obtain final approval of the engineering plans from the Village Engineer prior to the start of any grading activities on the site.
- 40 7. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
8. The Village of Huntley will require adherence to Illinois drainage law and best management practices for stormwater management. Rubloff Huntley II LLC, its agents and assignees is 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.
- 45 9. Bicycle racks shall be provided in accordance with §156.073(C)(1(a)) of the Zoning Ordinance.
- 50 10. The sidewalk shall be installed along the north-south access drive concurrently with the installation of the driveway.

11. Textured pedestrian crossing areas of colored concrete, brick or other material shall be used.
12. Planter boxes or foundation plantings are required along the front elevation of the big-box and inline retail.
13. Parking lot lighting shall comply with Section 156.073(C)(7) of the Zoning Ordinance and the Village' Commercial Design Guidelines.
14. Final Planned Unit Development Plans shall conform to the Village's Commercial Design Guidelines.
15. Landscape irrigation shall be installed as part of phase one improvements in all areas where landscaping will be installed. Irrigation for future perimeter landscaping and for individual lots shall be required as part of Final PUD plans.
16. In accordance with the Annexation Agreement for the site, the Developer shall keep in place a maintenance guarantee for all frontage trees and landscaping within the Route 47 Greenbelt Buffer for a period of three (3) years from the date of acceptance by the Village in an amount to be approved by the Village and reasonably equivalent to the reasonable costs of maintaining such frontage trees and landscaping.
17. The petitioner shall provide a five year maintenance plan for all native plantings.

MOVED: Commissioner Kibort
SECONDED: Commissioner Patterson
AYES: Commissioners Palermo, Kibort, Stensing, Patterson, Hornig, Chairman Hahn

NAYS: None
ABSTAIN: None
MOTION CARRIED 6:0:0

MOVED: Member Stanczak
SECONDED: Member Habel
AYES: Members Manning, Habel, Stanczak, Bond, Chairman Tures
NAYS: None
ABSTAIN: None
MOTION CARRIED 5:0:0

DISCUSSION

ADJOURNMENT

At 8:10 pm, A MOTION was made to adjourn the Joint Planning Commission's September 24, 2008 meeting

MOVED: Commissioner Hornig
SECONDED: Commissioner Kibort
AYES: ALL
NAYS: None
ABSTAIN: None
MOTION CARRIED 6:0:0

At 8:10 pm, A MOTION was made to adjourn the Zoning Board of Appeals' September 24, 2008 meeting

MOVED: Member Stanczak
SECONDED: Member Manning

AYES: **ALL**
NAYS: **None**
ABSTAIN: **None**
MOTION CARRIED **5:0:0**

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Respectfully submitted,

Kari L. Turco

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Kari L. Turco
Recording Secretary
Karick & Associates

This document is subject to correction as noted on the next meeting's minutes.