

VILLAGE OF HUNTLEY
PLAN COMMISSION MEETING
Monday, December 14, 2009
MINUTES

5

CALL TO ORDER

Plan Commission Chairman Ron Hahn called to order the meeting of the Plan Commission of the Village of Huntley on December 14, 2009 at 7:02 pm in the Municipal Complex Village Board Room at 10987 Main Street, Huntley, Illinois 60142. The room is handicap accessible.

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ATTENDANCE

PLAN

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COMMISSIONERS: Chairman Ron Hahn and Commissioners Tom Kibort, Len Stensing and Russ Palermo

COMMISSIONERS

ABSENT: Commissioners Ruby Hornig and Dawn Ellison

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ALSO PRESENT: Senior Assistant to the Village Manager Lisa Armour, Senior Planner Charles Nordman and Planner James Williams

3. Approval of Minutes

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A. Approval of the November 9, 2009 Plan Commission Meeting Minutes

A MOTION was made to approve the November 9, 2009 Plan Commission Minutes as written.

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MOVED: Commissioner Stensing

SECONDED: Commissioner Kibort

AYES: Commissioners Kibort, Stensing and Chairman Hahn

NAYS: None

ABSTAIN: Palermo

MOTION CARRIED 3:0:1

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4. Petitions

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A. Public Hearing for Petition No. 09-12.1, Stone Development Group, Inc./Huntley Professional Center LLC/Schiffmayer Plastics Corp. (co-petitioners), Lots 4 and 5 of Bakley's 14th Addition – Requesting (i) approval of Preliminary/Final Plat of Subdivision; and (ii) a Map Amendment from “M” Manufacturing to “O-1 PUD” General Office – Planned Unit Development; and (iii) granting of a Special Use Permit for Childcare; and (iv) Preliminary/Final Planned Unit Development for a Kids-R-Kids School of Quality Learning pursuant to the requirements of Section 156.120 of the Huntley Zoning Ordinance.

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Senior Planner Nordman reviewed a PowerPoint presentation outlining the petitioners' request.

The petitioners, Stone Development Group, Inc./Huntley Professional Center LLC/Schiffmayer Plastics Corporation are requesting review and recommendations from the Plan Commission for the following:

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1. Preliminary/Final Plat of Subdivision for the Huntley Professional Center
2. A Map Amendment to rezone Lots 2 and 3 of the Huntley Professional Center Subdivision from “M” Manufacturing to “O-1” General Office – Planned Unit Development
3. A Special Use Permit for Childcare for the Kids-R-Kids School of Quality Learning
4. Preliminary/Final Planned Unit Development for Kids-R-Kids on Lot 3 of the Huntley Professional Center.

Senior Planner Nordman stated the subject property is located at the northwest corner of the Ruth Road and Kiley Drive.

Senior Planer Nordman stated the petitioners are proposing a resubdivision of Lots 4 and 5 of Bakley’s 14th Addition. All proposed lots conform to the lot width and area requirements for the “O-1” General Office and “M” Manufacturing Zoning Districts. Senior Planner Nordman further explained that Lot 2 of the subdivision will not have frontage on a publicly dedicated street as required by Section 155.026 of the Subdivision Ordinance; however, access to the site will be provided from both Lot 1 and 3 by a recorded public access easement.

Senior Planner Nordman stated the Village Board previously approved a Plat of Subdivision for Phase I of the Huntley Professional Center on August 16, 2007; however, the petitioner did not record the plat within the required timeframe. The approval of the original Plat of Subdivision included an exemption to Section 155.030 of the Subdivision Ordinance for the burial of overhead utilities along Ruth Road.

Senior Planner Nordman continued with the petitioners’ request for a map amendment to rezone Lots 2 and 3 of the Huntley Professional Center Subdivision from “M” Manufacturing to “O-1 PUD” General Office – Planned Unit Development. The rezoning of Lot 1 was approved by the Village Board on August 16, 2007 as part of the Huntley Professional Center Planned Unit Development; Lot 2 will be a future Phase II of the Huntley Professional Center and Lot 3 is proposed for a Kids-R-Kids School of Quality Learning, subject to approval of the Special Use Permit.

Senior Planner Nordman stated the Zoning Ordinance identifies “Childcare” as a Special Use in the “O-1” General Office District and, accordingly, Kids-R-Kids School of Quality Learning is also requesting approval of a Special Use Permit to allow construction of a facility on Lot 3 of the Huntley Professional Center Subdivision.

Senior Planner Nordman reviewed the request for Preliminary and Final Planned Unit Development for the subject site. He stated Phase I of the Huntley Professional Center was approved in August of 2007 and the petitioners are requesting Preliminary and Final PUD approval for Kids-R-Kids on Lot 3. No development is proposed at this time for Lots 2, 4 and 5.

Commissioner Dawn Ellison arrived at 7:10 p.m.

Senior Planner Nordman continued by explaining the proposed 16,250 square foot childcare center will be located on Lot 3 of the Huntley Professional Center, a 1.93-acre site fronting on Ruth Road. The site plan proposes 39 parking spaces, including two handicap spaces and an additional oversized parking space reserved for a Kids-R-Kids bus. Outdoor children’s play areas are proposed at the rear and sides of the building and will be enclosed with a six-foot tall aluminum fence. Equipment within the fenced enclosure will include play sets and shade pavilions. Existing retention/detention constructed as part of Phase I will be expanded to accommodate the proposed development to occur in Phase II.

Senior Planner Nordman reviewed the exterior materials for the child care facility including the primary red velour color brick veneer with white dentil moldings, charcoal color asphalt shingled roof and hunter green shutters. Senior Planner Nordman pointed out EIFS is proposed for the canopy end. The trash enclosure,

proposed at the northeast corner of the building, will be constructed of brick veneer to match the building with hardi-plank gates similar to trash enclosures approved for Phase I.

5 Senior Planner Nordman explained that the proposed 16,250 square foot building is required to provide 39 parking spaces and the petitioner is proposing to provide parking for 39 vehicles, including two handicap parking spaces. An additional oversized parking space is reserved for a Kids-R-Kids bus. Overflow parking for special events will be available in Phase I of the Huntley Professional Center. To allow shared parking, Huntley Professional Center, LLC has indicated the abutting parking lot on Phase I will be constructed concurrently with the Kids-R-Kids. The construction of this parking lot will also establish a second point of access to the Kids-R-Kids site. Shared parking is provided for in the CCR's for Huntley Professional Center, LLC.

15 Senior Planner Nordman stated the proposed parking lot lighting will utilize the same Arlington Series decorative light fixture the Village Board approved for use in Phase I of the Huntley Professional Center. Similar to Phase I, the use of the decorative fixture will result in the average illumination within the parking lot of less than the 2-footcandles required by the Zoning Ordinance.

20 Senior Planer Nordman stated the Village Forester has reviewed the proposed landscaping for the development and finds it in substantial conformance with the Landscape Ordinance.

25 Senior Planner Nordman stated the proposed Kids-R-Kids signage includes the use of one ground sign and one wall sign. The proposed ground sign will be located within a landscaped parking lot island adjacent to Ruth Road. The sign will measure 5 feet in height and will be constructed of brick veneer to match the building. The sign face will have an overall area of 12 square feet. The proposed wall sign will be located on the east building elevation, facing Ruth Road. The proposed sign will measure approximately 3 feet by 9 feet (27 square feet). Both signs conform to all requirements of the Sign Ordinance and Commercial Design Guidelines.

30 Senior Planner Nordman explained the Zoning Ordinance establishes specific criteria for the Plan Commission to review development applications. The following Standards for Review should be considered when reviewing this petition.

35 The Planning Commission may recommend approval of a Special Use 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.

50 The Plan Commission shall review and evaluate the Preliminary Planned Unit Development in terms of whether the proposal:

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.
6. Represents a creative approach in land development.
- 5 7. The design is compatible with adjacent properties and neighborhood.

The Plan Commission shall review and evaluate the Final Planned Unit Development in terms of whether the proposal:

- 10 1. Is in general conformance with the previously approved preliminary Planned Unit Development plans.
2. By virtue of its imaginative and creative design and benefits to the Village, justifies the intended variations from the strict interpretation of the Subdivision Ordinance.
- 15 3. Requires additional conditions and restrictions to protect the public health.

Senior Planner Nordman stated the following relief is requested as part of this petition:

- 20 1. Section 155.026(D) requires all lots abut a publicly dedicated street. The petitioner is requesting relief for Lot 2 to not abut a publicly dedicated street. Rather, access to the site will be provided from both Lot 1 and 3 by a recorded public access easement.
- 25 2. Section 156.106(C)(6) of the Zoning Ordinance requires an average minimum illumination of 2-footcandles within parking lots. The petitioner is requesting relief to provide an average illumination of 0.6 footcandles within the parking lot. This is consistent with Village Board approval for Phase I of the Huntley Professional Center.

Senior Planner Nordman stated a motion is requested of the Planning Commission, by the petitioner, to recommend approval of Petition No. 09-12.1, Requesting (i) approval of Preliminary/Final Plat of Subdivision; and (ii) a Map Amendment from “M” Manufacturing to “O-1 PUD” General Office – Planned Unit Development; and (iii) granting of a Special Use Permit for Childcare; and (iv) Preliminary/Final Planned Unit Development for a Kids-R-Kids School of Quality Learning pursuant to the requirements of Section 156.120 of the Huntley Zoning Ordinance

Staff recommends the following conditions be applied should the Planning Commission forward a positive recommendation to the Village Board:

- 35 1. The vehicular drive aisle shown on Lot 3 as “Future Drive for Access to Office Park” shall be constructed concurrently with the Kids-R-Kids site improvements.
- 40 2. In accordance with Section 155.221(A)(5) of the Subdivision Ordinance, upon approval by the Village Board the petitioner shall record the Final Plat with the Recorder of McHenry County within three months.
3. The air conditioner compressors to be located at the southeast corner of the building shall be fully screened from view with dense landscaping.
4. Landscaping shall be added adjacent to the seven southern most parking spaces on the Kids-R-Kids site.
- 45 5. Any lighting for the ground sign shall be fully shielded so that the light source is not visible from adjacent properties or streets.
6. Refractors shall be added to parking lot light fixtures if Village Staff determine glare from the light fixtures to be a nuisances to surrounding properties.
- 50 7. The construction trailer associated with Kids-R-Kids shall be removed from the site prior to the issuance of a Certificate of Occupancy for the building.
8. All fencing on the Kids-R-Kids site shall be Ameristar Montage 5/8” Picket.

9. 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.
10. The petitioners will comply with all final engineering revisions to be approved by the Village Engineer.
11. All easements and or license agreements required for off-site utilities, including plats of easement and the design for the storm water facilities, necessary to support development must be obtained prior to the execution of the Plat of Subdivision.
12. The Village of Huntley will require adherence to Illinois drainage law and best management practices for stormwater management. The petitioner, 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.
13. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
14. The petitioner shall obtain final approval of the Landscape Plan from the Village prior to the execution of the plat documents.
15. No building plans or permits are approved as part of this submittal.
16. No sign permits are approved as part of this submittal.

20 Jaron Stone, Stone Development Corp., addressed the Plan Commission stating he had nothing to add to Staff’s presentation.

James Doherty, Principal with Huntley Development Group, 1424 Cabot Lane, Schaumburg, Illinois 60193, and owner of Huntley Professional Center – Phase 1, addressed the Plan Commission and stated he was working with Kids-R-Kids and believed there were no objections to the project’s conditions of approval.

Chairman Hahn asked if the Plan Commissioners had any questions for the petitioners.

30 Commissioner Ellison stated she did not have any concerns.

Commissioner Kibort asked about the issue of the seven land-banked parking spaces which arose when the concept plan for the project was discussed on November 9th.

35 Mr. Doherty explained they decided to install the seven parking spaces along the southern property line to compensate for the parking spaces that were lost when a landscaped island was added to the row of parking closest to Ruth Road.

40 Dan Bertoni, Kids-R-Kids owner, stated he had an issue with Condition of Approval #8 which required all fencing on the Kids-R-Kids site shall be Ameristar Montage 5/8” Picket. Mr. Bertoni stated that other Kids-R-Kids facilities have vinyl coated chain link fencing around the play areas to provide an additional safety measure.

45 Commissioner Kibort stated he understood Mr. Bertoni’s concern and suggested Village Staff investigate the issue.

Senior Planner Nordman stated the Village’s Design Guidelines discourage use of chain link-type fences, but removal of the word “All” from Condition of Approval #8 may provide flexibility for a fence system to be designed to address Mr. Bertoni’s concerns. Later it was proposed to replace the word “All” with “Perimeter”.

50 Bob Fennell, President, Wildridge Town Home Association, stated he has concerns about the safety of the Phase I portion of the property. Mr. Fennell stated that he believed the detention ponds pose a hazard to

5 children in the area. Mr. Fennell referred to a letter he sent to Huntley Professional Center LLC and the Village of Huntley noting his concerns and requesting barriers be installed to prevent access to the detention ponds. Mr. Fennell stated other than “No Trespassing” signs being installed, nothing has been done to prevent access to the property and he would like the issue addressed along with assurances the development of Phase II will occur in an expedient manner to avoid a similar situation.

10 Mr. Doherty responded to Mr. Fennell’s concerns by stating a stockpile of dirt the children were playing on has been removed. He further stated that his inspections of the property have shown no evidence of footprints around the detention ponds. Mr. Doherty stated he has contacted the police department and was told that no trespassing signs needed to be installed for them to remove people from the property. Mr. Doherty stated that he did not believe a fence would deter trespassers from entering the subject parcel.

Commissioner Kibort suggested installation of temporary orange snow-type fencing around the ponds.

15 Senior Assistant Armour asked what the depth of the ponds is believed to be. Mr. Doherty responded that the smaller pond is approximately four feet deep and the larger pond may have a depth of between 6 and 7 feet.

20 Commissioner Ellison remarked there are many unfenced detention ponds in the Village.

Mr. Fennell stated that he believed the detention pond on the subject property is more dangerous because the property is undeveloped.

25 Commissioner Kibort requested Staff investigate whether the ponds are graded appropriately with safety ledges.

Mr. Doherty stated the detention ponds are constructed to meet design requirements and he will investigate measures to prevent access to the property.

30 Dan Bertoni stated his desire to begin construction as expediently as possible and open by August 2010.

Kimberly Hopkins, representing Learning Tree Child Care Center, and Michelle Clark, owner of Goddard School in Lake-in-the-Hills, addressed the Plan Commission.

35 Ms. Hopkins asked if the Village of Huntley used any type of need-in-the-community survey, similar to what is implemented in Batavia, to determine the level of need for various business sectors. Ms. Hopkins continued by reviewing statistics and data supporting her belief the child care market in the immediate area is oversaturated. Ms. Hopkins further explained there are eleven child care centers currently operating within five miles of the proposed Kids-R-Kids site. She stated the number of existing facilities combined with fewer housing starts and increased unemployment has resulted in the supply of child care out-pacing the need for child care in the area.

40 Michelle Clark reiterated Ms. Hopkins’ concerns regarding an oversaturated child care market and the bad economy creating a situation where the local supply of child care is greater than demand. Ms. Clark also questioned if the 39-stall parking area proposed by Kids-R-Kids was sufficient to serve the facility’s proposed thirteen classrooms.

45 Ms. Hopkins referenced Community Coordinated Child Care (4-C), an independent child care referral service, which has experienced a significant reduction in the number of families seeking child care referrals as another indication that demand for child care is significantly lower than the available supply.

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Plan Commission Chairman Hahn thanked Ms. Hopkins and Ms. Clark for attending the meeting this evening.

A motion was made by the Plan Commission to recommend approval of Petition No. 09-12.1, (i) approval of Preliminary/Final Plat of Subdivision; and (ii) a Map Amendment from “M” Manufacturing to “O-1 PUD” General Office – Planned Unit Development; and (iii) granting of a Special Use Permit for Childcare; and (iv) Preliminary/Final Planned Unit Development for a Kids-R-Kids School of Quality Learning pursuant to the requirements of Section 156.120 of the Huntley Zoning Ordinance, subject to the following conditions.

1. The vehicular drive aisle shown on Lot 3 as “Future Drive for Access to Office Park” shall be constructed concurrently with the Kids-R-Kids site improvements.
2. In accordance with Section 155.221(A)(5) of the Subdivision Ordinance, upon approval by the Village Board the petitioner shall record the Final Plat with the Recorder of McHenry County within three months.
3. The air conditioner compressors to be located at the southeast corner of the building shall be fully screened from view with dense landscaping.
4. Landscaping shall be added adjacent to the seven southern most parking spaces on the Kids-R-Kids site.
5. Any lighting for the ground sign shall be fully shielded so that the light source is not visible from adjacent properties or streets.
6. Refractors shall be added to parking lot light fixtures if Village Staff determine glare from the light fixtures to be a nuisances to surrounding properties.
7. The construction trailer associated with Kids-R-Kids shall be removed from the site prior to the issuance of a Certificate of Occupancy for the building.
8. Perimeter fencing on the Kids-R-Kids site shall be Ameristar Montage 5/8” Picket.
9. 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.
10. The petitioners will comply with all final engineering revisions to be approved by the Village Engineer.
11. All easements and or license agreements required for off-site utilities, including plats of easement and the design for the storm water facilities, necessary to support development must be obtained prior to the execution of the Plat of Subdivision.
12. The Village of Huntley will require adherence to Illinois drainage law and best management practices for stormwater management. The petitioner, 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.
13. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
14. The petitioner shall obtain final approval of the Landscape Plan from the Village prior to the execution of the plat documents.
15. No building plans or permits are approved as part of this submittal.
16. No sign permits are approved as part of this submittal.
17. The Petitioner shall work with Staff to find an acceptable solution for extending the decorative fence below grade so that children and toys are not able to fit under the fence. Any such extension shall match the color of the decorative fence.
18. The Petitioner shall work with Staff to install temporary safety fence around the existing detention ponds on the property.

MOVED: Commissioner Kibort
SECONDED: Commissioner Stensing
AYES: Commissioners: Stensing, Kibort, Ellison, Palermo, Chairman Hahn
NAYS: None
5 **ABSTAIN:** None
MOTION CARRIED 5:0:0

5. Discussion

10 Senior Planner Nordman reminded the Plan Commission of the scheduled Downtown Revitalization Plan community workshop scheduled for tomorrow evening, Tuesday, December 15th, beginning at 6:00 p.m. in the Village Board Room. Additionally, Senior Planner Nordman also mentioned the Proposed Meeting Dates Calendar Year 2010, included in this evening's meeting packet, has a new meeting start time of 6:30 p.m.

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6. Adjournment

At 8:27 pm, a MOTION was made to adjourn the December 14, 2009 Plan Commission meeting.

20 **MOVED:** Commissioner Ellison
SECONDED: Commissioner Kibort
AYES: Commissioners Stensing, Kibort, Ellison, Palermo, and Chairman Hahn
NAYS: None
ABSTAIN: None
25 **MOTION CARRIED** 5:0:0

Respectfully submitted,

James Williams

Planner

30 Village of Huntley