

VILLAGE OF HUNTLEY
PLAN COMMISSION MEETING
Monday, May 22, 2017
MINUTES

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CALL TO ORDER

Chairman Tom Kibort called to order the Village of Huntley Plan Commission meeting for May 22, 2017 at 6:30 pm in the Municipal Complex Village Board Room at 10987 Main Street, Huntley, Illinois 60142. The room is handicap accessible.

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PLEDGE OF ALLEGIANCE

Chairman Tom Kibort led the Pledge of Allegiance.

ROLL CALL

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PLAN

COMMISSIONERS: Commissioners Darci Chandler, Ron Hahn and Lori Nichols, Terra DeBaltz and Robert Chandler, Vice Chair Dawn Ellison and Chairman Tom Kibort

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COMMISSIONERS ABSENT:

None.

ALSO PRESENT:

Director of Development Services Charles Nordman, Village Manager David Johnson, Assistant Village Manager Lisa Armour, Village Attorney John Cowlin, Special Counsel Thomas Burney, and Certified Shorthand Reporter Joan Holub from Q and A Reporting

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4. Public Comments None.

5. Approval of Minutes

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A. Approval of the May 8, 2017 Plan Commission Meeting Minutes

Commission Darci Chandler noted that the motion was missing from petition 17-5.1. Chairman Kibort stated the minutes would be tabled until the next meeting so the minutes could be corrected.

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6. Public Hearing(s)

A. Petition No. 17-5.7, Village of Huntley, as petitioner – Request is for approval of amendments to Chapter 156: Zoning Ordinance of the Village of Huntley Code of Ordinances. The requested amendments propose to: (i) modify and add definitions to Article II Interpretations and Definitions, Section 156.011 Definitions; (ii) modify the purpose, add intent, and modify permitted uses and special uses in Article V Business and Non-Residential Districts, Section 156.046 ORI Office/Research/Industrial District; (iii) modify the purpose, add intent, and modify permitted uses and special uses in Article VI Planned Development District, Section 156.063 BP Business Park District; and (iv) add criteria for Plan Commission consideration to Article VII Special Use Permits, Section 156.068 Special Use Permits.

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A MOTION was made to open the public hearing to consider Petition No. 17-5.7.

MOVED: Commissioner Ellison
SECONDED: Commissioner Nichols

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AYES: Commissioners Darci Chandler, Hahn, Nichols, DeBaltz, and Robert Chandler, Vice Chair Ellison and Chairman Kibort

NAYS: None

ABSTAIN: None

5 **MOTION CARRIED 7:0:0**

Chairman Kibort stated that a public hearing is being conducted and all audience members that would like to speak tonight must be sworn in. Chairman Kibort asked anyone wishing to speak to stand and be sworn in. The following individuals were sworn in:

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Charles Nordman, Village of Huntley
Richard Turasky, 385 Airport Road, Suite 100, Elgin, IL

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Director Nordman stated the requested text amendments to the Zoning Ordinance are proposed to better promote the health, safety, morals, and general welfare of the community, to protect and conserve the value of buildings, and encourage the most appropriate use of land within the BP Business Park and ORI Office / Research / Industrial zoning districts.

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Director Nordman explained the amendments will update permitted and special uses within the BP and ORI zoning districts so that the uses align with the purpose and intent of each zoning district. Uses having some special impact or uniqueness will be changed from permitted to special uses so they can be reviewed for their location, design, configuration and special impact. Examples include, but are not limited to, golf courses, distribution, storage and warehousing, and childcare centers. The special use permit allows the Board of Trustees to impose conditions and limitations upon the premises benefited by the special use permit in order to prevent or minimize substantial or undue adverse effects upon neighboring properties or upon public facilities and services. In other cases, uses have been removed from the zoning districts that were either outdated or not in conformance with the purpose of the district. Such examples include, but are not limited to, a mushroom production barn, taxicab garage, and drive-through food service. Several uses are also being added to the districts that were not previously included. These uses include, but are not limited to, restaurants, microbrewery/winery, and gasoline service stations. Director Nordman stated the full listing of permitted and special uses within the BP and ORI zoning districts are attached to the staff report.

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Director Nordman stated that definitions will also be modified and/or added for uses that are currently vague or undefined within the Zoning Ordinance. These uses include Light Manufacturing, Motor/Rail Freight Terminal, Truck Terminal, Warehouse, Warehouse and Distribution, and Wholesaling.

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Director Nordman stated the standards and criteria for the Plan Commission's review of special uses will also be amended to clarify that water consumption and waste generation are factors to be considered when determining if a development will be served by adequate public facilities. The public benefit criteria will be amended to include job creation, aesthetics, and enhancement of the Village's reputation as factors for consideration by the Plan Commission.

STAFF ANALYSIS

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Statement of Need and Justification

Director Nordman stated that in accordance with Section 156.204(E)(6) of the Zoning Ordinance, a statement of need and justification shall be provided for the proposed text amendment. The following statement is provided to satisfy this requirement:

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The proposed text amendments are required to define uses within the Zoning Ordinance that are currently vague or undefined. Amendments to the BP and ORI zoning districts are proposed to better promote the

health, safety, morals, and general welfare of the community, to protect and conserve the value of buildings, and encourage the most appropriate use of land. To accomplish this, revisions are proposed to the “purpose” of each district and an “intent” has been added to both districts. Amendments to the permitted and special uses are proposed within each district to accomplish the “purpose” and “intent” of the zoning districts and to ensure that uses having some special impact or uniqueness are reviewed for their location, design, configuration and special impact.

The amendments to Section 156.068 are intended to clarify that water consumption and waste generation shall be considered when determining if a development is served by adequate public facilities and the Public Benefit criteria shall include the consideration of job creation, aesthetics, and enhancement of the Village’s reputation.

Standards for Amendments

Director Nordman stated that in accordance with Section 156.211(2)(E) of the Zoning Ordinance, the wisdom of amending the Zoning Ordinance is a matter committed to the legislative discretion of the Board of Trustees and is not dictated on any set standard.

ACTION REQUESTED

Director Nordman stated a motion of the Plan Commission is requested, to recommend approval of Petition No. 17-5.7, Village of Huntley, as petitioner – Request is for approval of amendments to Chapter 156: Zoning Ordinance of the Village of Huntley Code of Ordinances. The requested amendments propose to: (i) modify and add definitions to Article II Interpretations and Definitions, Section 156.011 Definitions; (ii) modify the purpose, add intent, and modify permitted uses and special uses in Article V Business and Non-Residential Districts, Section 156.046 ORI Office/Research/Industrial District; (iii) modify the purpose, add intent, and modify permitted uses and special uses in Article VI Planned Development District, Section 156.063 BP Business Park District; and (iv) add criteria for Plan Commission consideration to Article VII Special Use Permits, Section 156.068 Special Use Permits.

Director Nordman stated the legal notice was published in the Northwest Herald and courtesy letters were sent by certified mailed to all property owners of BP and ORI zoned property. Notice was also provided to other property owners near the tollway interchange.

Mr. Rich Turasky stated he represented ownership of the Huntley Outlet Mall. Mr. Turasky stated he received the notice last week.

Mr. Turasky stated that he requests the amendment be withdrawn or continued so that he can further discuss the amendments with village officials.

Mr. Turasky stated it was their intent to redevelop the property as ORI zoned property.

Chairman Kibort stated a letter was also submitted by Mr. Turasky and it will be made part of the record.

Director Nordman stated the letter submitted by Mr. Turasky was from Huntley Investments Partners and dated May 22, 2017.

Mr. Preston Kaye, 12545 Farm Hill Drive, stated he was not sworn in. Chairman Kibort proceeded to swear in Mr. Kaye.

Mr. Kaye asked if the amendments would affect requirements for water inflow and outflow for existing buildings.

Director Nordman stated the amendments pertain to land uses and not specific construction codes.

Special Counsel Burney stated that although not required by law, Mr. Turasky’s attorney was provided a copy of the legal notice on May 8, 2017. Special Counsel Burney stated that he and Director Nordman both emailed the amendments to mall representatives on May 15 and May 16.

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Special Counsel Burney stated the Village would request that the request for continuance be denied.

Special Counsel Burney continued by stating that the Outlet Mall is zoned C-2 and none of the rights that the Outlet Mall owners currently have are being implicated by these proposed text amendments.

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Commissioner Darci Chandler stated that she believed the amendments bring more clarity for what the Village would like to see.

Commissioner Hahn stated he did not have a problem with the amendments and believed the Plan Commission should move forward with amendments.

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Commission Ellison agreed the amendments provide more clarity and are consistent with routine amendments that are made to the Zoning Ordinance.

Commissioner Nichols stated that she was in agreement with what has been said by the other Commissioners.

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Commissioner Robert Chandler stated he also agreed with the other Commissioners.

Chairman Kibort stated he did not see any reason to delay taking action on the request.

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Chairman requested a motion to close the public hearing if there were no other comments.

A MOTION was made to close the public hearing to consider Petition No. 17-5.7.

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MOVED: Commissioner Ellison
SECONDED: Commissioner DeBaltz
AYES: Commissioners Darci Chandler, Hahn, Nichols, DeBaltz, and Robert Chandler, Vice Chair Ellison and Chairman Kibort
NAYS: None
ABSTAIN: None
MOTION CARRIED 7:0:0

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A MOTION was made to recommend approval of Petition No. 17-5.7, Village of Huntley, as petitioner – Request is for approval of amendments to Chapter 156: Zoning Ordinance of the Village of Huntley Code of Ordinances. The requested amendments propose to: (i) modify and add definitions to Article II Interpretations and Definitions, Section 156.011 Definitions; (ii) modify the purpose, add intent, and modify permitted uses and special uses in Article V Business and Non-Residential Districts, Section 156.046 ORI Office/Research/Industrial District; (iii) modify the purpose, add intent, and modify permitted uses and special uses in Article VI Planned Development District, Section 156.063 BP Business Park District; and (iv) add criteria for Plan Commission consideration to Article VII Special Use Permits, Section 156.068 Special Use Permits.

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MOVED: Commissioner Ellison

SECONDED: Commissioner Nichols
AYES: Commissioners Darci Chandler, Hahn, Nichols, DeBaltz, and Robert Chandler, Vice Chair Ellison and Chairman Kibort
NAYS: None
5 **ABSTAIN:** None
MOTION CARRIED 7:0:0

7. Discussion

10 Director Nordman stated the next meeting is scheduled for June 12, 2017.

8. Adjournment

At 7:04 pm, a MOTION was made to adjourn the May 22, 2017 Plan Commission meeting.

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MOVED: Vice Chair Ellison
SECONDED: Commissioner Nichols
AYES: Commissioners Darci Chandler, Hahn, Nichols, DeBaltz, and Robert Chandler, Vice Chair Ellison and Chairman Kibort
20 **NAYS:** None
ABSTAIN: None
MOTION CARRIED 7:0:0

Respectfully submitted,

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Charles Nordman
Director of Development Services
Village of Huntley