

VILLAGE OF HUNTLEY
PLAN COMMISSION MEETING
Monday, March 25, 2019
MINUTES

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CALL TO ORDER

Chairman Thomas Kibort called to order the Village of Huntley Plan Commission meeting for March 25, 2019 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 Kibort led the Pledge of Allegiance.

ROLL CALL

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PLAN

COMMISSIONERS: Commissioners Darci Chandler, Terra DeBaltz, Vice Chair Dawn Ellison, and Chairman Thomas Kibort

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COMMISSIONERS

ABSENT: Commissioners Ron Hahn, Lori Nichols, and Robert Chandler

ALSO PRESENT:

Director of Development Services Charles Nordman and Development Manager Margo Griffin

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4. Public Comments None.

5. Approval of Minutes

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A. Approval of the February 25, 2019 Plan Commission Meeting Minutes

A MOTION was made to approve the February 25, 2019 Plan Commission Meeting Minutes as written.

MOVED: Vice Chair Ellison

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SECONDED: Commissioner DeBaltz

AYES: Commissioners Darci Chandler, Terra DeBaltz, Vice Chair Dawn Ellison, and Chairman Thomas Kibort

NAYS: None

ABSTAIN: None

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MOTION CARRIED 4:0:0

6. Petition(s)

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A. Petition No. 19-3.1, Lennar Communities of Chicago LLC, petitioner and owner, Requesting approval of a certificate of correction to the Final Plat of Talamore – Pod 5 to reduce the minimum rear yard setback and minimum setback between rear building lines.

DEVELOPMENT SUMMARY

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Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that on December 20, 2018, the Village Board approved a minor amendment to the Final Planned Unit Development (PUD) for Pod 5 to allow the Andaré single-family product and reduction in certain transition fees. At that time,

it was also discussed that Lennar may return at a later date to request a reduction to the minimum rear yard setback and minimum setback between rear building lines to allow for sunrooms on the rear of the homes. The Andaré single-family product was also built in Pod 2 (Pod 2 is located on Ackman Road, east of Tomaso Sports Park).

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As part of the Preliminary and Final Planned Unit Development for Pod 5, the petitioner was granted variances from the Huntley Zoning Ordinance lot standard and bulk regulations which were reflected on the recorded Final Plat of Subdivision and Final PUD Ordinance for Pod 5. The following table compares the setbacks that were approved as part of the Final Plat/Final PUD and the proposed modifications.

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	APPROVED SETBACK	PROPOSED SETBACK
Minimum front yard setback	10 feet	No change proposed.
Minimum rear yard setback	15 feet	<i>5 feet</i>
Total minimum side yard setback	14 feet	No change proposed.
Minimum side yard setback	5 feet	No change proposed.
Minimum side yard abutting a street	10 feet	No change proposed.
Maximum building height	35 feet	No change proposed.
Minimum setback between rear building lines	50 feet	<i>40 feet</i>

The reduction to the rear yard setbacks will allow sunrooms to be added to the majority of lots within Pod 5 while providing no less than 40 feet between the rear of homes. Pod 5 includes greenspace behind all homes which varies in width throughout the subdivision. In most areas the width of the greenspace allows the 50-foot setback between the rear of homes even when the rear yard setback is reduced to 5 feet; however, there are six areas (see exhibit) that cannot meet the 50-foot setback when sunrooms are added to the homes. In these six areas a 40-foot setback would be provided between the rear of the homes. Staff notes, a 40-foot setback is provided between the rear of homes in Pod 2 where the Andaré product has also been built.

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The requested certificate of correction is necessary to modify the setbacks that were recorded on the Final Plat for Pod 5. All other elements of the final plat (lots, easements, common area, etc.) will remain unchanged.

Action Requested

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The petitioners request a motion of the Plan Commission, to recommend approval of Petition No. 19-3.1, Lennar Communities of Chicago LLC, petitioner and owner, Requesting approval of a certificate of correction to the Final Plat of Talamore – Pod 5 to reduce the minimum rear yard setback and minimum setback between rear building lines.

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Rick Murphy, Lennar, stated the proposed modifications to the plat would provide greater flexibility to add sunrooms to the rear of homes.

Vice Chair Ellison stated that a 5 foot rear yard setback is too little. Director Nordman explained that 40 feet would still separate the rear of the homes.

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Chairman Kibort asked if there were any additional questions or comments from members of the Plan Commission. There were none.

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A MOTION was made to recommend approval of Petition No. 19-3.1, Lennar Communities of Chicago LLC, petitioner and owner, Requesting approval of a certificate of correction to the Final Plat of Talamore – Pod 5 to reduce the minimum rear yard setback and minimum setback between rear building lines.

MOVED: Vice Chair Ellison
SECONDED: Commissioner Darci Chandler
AYES: Commissioners Darci Chandler, DeBaltz, Vice Chair Ellison, and Chairman Kibort
NAYS: None
5 **ABSTAIN:** None
MOTION CARRIED 4:0:0

7. Public Hearing(s)

- 10 A. Petition No. 19.3.2, Village of Huntley, petitioner, Requesting a Text Amendment to Chapter 156:
Zoning Ordinance of the Village of Huntley Code of Ordinances, specifically to: (i) add a definition
for a Development Agreement to Article II Interpretations and Definitions, Section 156.011
Definitions; (ii) modify Article VI, Planned Development District (PDD) of Chapter 156; (iii) modify
15 Article VII, Special Use Permits of Chapter 156; (iv) modify Article VIII, Planned Unit Development
of Chapter 156; (v) modify Article XI, General Regulations of Chapter 156; and (vi) modify Article
XIII Sign Regulations of Chapter 156

A MOTION was made to open the public hearing to consider Petition No. 19-1.1.

20 **MOVED:** Commission Darci Chandler
SECONDED: Commissioner DeBaltz
AYES: Commissioners Darci Chandler, DeBaltz, and Vice Chair Ellison, and Chairman
Kibort
NAYS: None
25 **ABSTAIN:** None
MOTION CARRIED 4:0:0

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
30 following individual was sworn in:

Margo Griffin, Development Manager

SUMMARY

35 Development Manager Griffin reviewed a Power Point presentation and reported that the proposed text
amendments to the Zoning Ordinance would provide the Village with the option to require a Development
Agreement with the landowner for land zoned in either a Planned Development District (PDD), developed as a
Planned Unit Development or as a Special Use. A Development Agreement is a written agreement recorded
against the property entered into between the Corporate Authorities of the Village and the legal owner of the
40 property subject to the Development Agreement and its lender evidencing the terms and conditions pertaining to
the development of the property.

A Development Agreement would govern such matters including but not limited to: architecture; landscaping;
lighting; parking including land banking of required parking; covenants governing the dedication and long term
45 maintenance of open space; timing and sequence on the installation of public improvements and infrastructure;
permitted uses; accessory uses, structures and obstructions; bulk requirements; impact fees, dedications and
contributions; fences; regulations over certain business; storage areas; maintenance of unimproved sites and
condition of unimproved lots; and other matters pertaining to the use and development of the land.

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STAFF ANALYSIS

Statement of Need and Justification

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:

The proposed text amendments are required to define a Development Agreement and to provide for the opportunity to utilize such an agreement for the Village to better promote the health, safety, morals, and general welfare of the community, to regulate the use and development of property through the exercise of its zoning authority and subdivision authority within the incorporated limits of the Village and to exercise its subdivision authority within the jurisdictional area outside of its incorporated limits.

Standards for Amendments

In accordance with Section 156.211(E) of the Zoning Ordinance, amending the Zoning Ordinance is a matter committed to the legislative discretion of the Board of Trustees and is not dictated by any set standard.

REQUESTED ACTION

A motion of the Plan Commission is requested, to recommend approval of Petition No. 19-3.2, Requesting a Text Amendment to Chapter 156: Zoning Ordinance of the Village of Huntley Code of Ordinances, specifically to: (i) add a definition for a Development Agreement to Article II Interpretations and Definitions, Section 156.011 Definitions; (ii) modify Article VI, Planned Development District (PDD) of Chapter 156; (iii) modify Article VII, Special Use Permits of Chapter 156; (iv) modify Article VIII, Planned Unit Development of Chapter 156; (v) modify Article XI, General Regulations of Chapter 156; and (vi) modify Article XIII Sign Regulations of Chapter 156

Vice Chair Ellison asked if the amendment would provide greater flexibility for the Village to negotiate with a developer. Manager Griffin explained an agreement would be similar in nature to an annexation agreement and would be written agreement between the Village and the owner of the property. The agreement would also be recorded against the property.

Chairman Kibort asked if there were any additional questions or comments from members of the Plan Commission. There were none.

A MOTION was made to close the public hearing to consider Petition No. 19-3.2.

- MOVED: Commission Darci Chandler**
- SECONDED: Commissioner DeBaltz**
- AYES: Commissioners Darci Chandler, DeBaltz, and Vice Chair Ellison, and Chairman Kibort**
- NAYS: None**
- ABSTAIN: None**
- MOTION CARRIED 4:0:0**

A MOTION was made to recommend approval of Petition No. 19.3.2, Village of Huntley, petitioner, Requesting a Text Amendment to Chapter 156: Zoning Ordinance of the Village of Huntley Code of Ordinances, specifically to: (i) add a definition for a Development Agreement to Article II Interpretations and Definitions, Section 156.011 Definitions; (ii) modify Article VI, Planned Development District (PDD) of Chapter 156; (iii) modify Article VII, Special Use Permits of Chapter 156; (iv) modify Article VIII, Planned Unit Development of Chapter 156; (v) modify Article XI, General Regulations of Chapter 156; and (vi) modify Article XIII Sign Regulations of Chapter 156.

MOVED: Commissioner DeBaltz
SECONDED: Vice Chair Ellison
AYES: Commissioners Darci Chandler, DeBaltz, and Vice Chair Ellison, and Chairman Kibort
5 **NAYS:** None
ABSTAIN: None
MOTION CARRIED 4:0:0

7. Discussion

10 Director Nordman stated the next meeting is scheduled for Monday, April 8, 2019.

8. Adjournment

15 **At 6:57 pm, a MOTION was made to adjourn the March 25, 2019 Plan Commission meeting.**

MOVED: Vice Chair Ellison
SECONDED: Commissioner Darci Chandler
20 **AYES:** Commissioners Darci Chandler, DeBaltz, Vice Chair Dawn Ellison, and Chairman Thomas Kibort
NAYS: None
ABSTAIN: None
MOTION CARRIED 4:0:0

25 Respectfully submitted,

Charles Nordman

Director of Development Services
Village of Huntley