

**VILLAGE OF HUNTLEY**  
**PLAN COMMISSION MEETING**  
Monday, June 10, 2019  
MINUTES

5

**CALL TO ORDER**

Chairman Tom Kibort called to order the Village of Huntley Plan Commission meeting for June 10, 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 Tom Kibort led the Pledge of Allegiance.

**ROLL CALL**

15

**PLAN**

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

20

**COMMISSIONERS**

ABSENT: Commissioners Lori Nichols and Robert Chandler were absent.

25

ALSO PRESENT: Director of Development Services Charles Nordman and Development Manager Margo Griffin

4. Public Comments None.

5. Approval of Minutes

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A. Approval of the May 13, 2019 Plan Commission Meeting Minutes

No additions or corrections were noted.

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**A MOTION was made to approve the May 13, 2019 Plan Commission Meeting Minutes.**

**MOVED: Commissioner Hahn**

**SECONDED: Vice Chair Ellison**

**AYES: Commissioners Darci Chandler, Hahn, Vice Chair Ellison, and Chairman Kibort**

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**NAYS: None**

**ABSTAIN: Commissioner DeBaltz**

**MOTION CARRIED 4:0:1**

6. Public Hearing(s)

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A. Petition No. 19-6.1, St. Mary Catholic Church, owner and petitioner, 10307 Dundee Road, Request is for approval of an amendment to the Final Planned Unit Development for the subject property to allow a building addition and related site improvements in accordance with the site plan that has been submitted to, and is on file with, the Village of Huntley, pursuant to the requirements of the Huntley Zoning Ordinance, including specifically Section 156.204 et seq.

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A MOTION was made to open the public hearing to consider Petition No. 19-6.1.

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

10 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:

Margo Griffin, Development Manager  
Don Dixon, GeWalt Hamilton  
15 John Maurer, Wold Architects  
Rev. Max Striedl, St. Mary Church

### SUMMARY

20 Manager Griffin summarized the history of previous approvals for St. Mary Church and the staff report. The St. Mary Church site, zoned RE-1 (PUD) Residential Estate Planned Unit Development, received its initial required PUD approval on March 9, 2000 and a 22,981 square foot main sanctuary building was constructed which opened in November 2001. On March 27, 2003, the Village Board approved an amendment to the PUD accommodating revised landscaping for the site. The church was granted a second PUD amendment on September 25, 2005 for a parking lot expansion and new driveway to Huntley-Dundee Road. On December 15, 2011, the Village Board  
25 approved a third PUD amendment for a 32,000 square foot parish addition. A fourth PUD amendment was approved on November 5, 2015 for a maintenance building.

30 Manager Griffin stated the Church is currently proposing a ±1,973 square foot administrative office addition. This will require an amendment to the Final PUD (5<sup>th</sup> amendment) and necessitates a public hearing in accordance with Section 156.070(3.b) of the Zoning Ordinance. Parking relief is required to construct the office addition as proposed.

#### *Site Plan*

35 St. Mary Catholic Church is proposing a single-story, ±1,973 square foot office addition northwest of the main sanctuary building. The addition will consist of a work room, four (4) offices, and a vestibule leading to the outside. A small section of sidewalk will also be redesigned/constructed in the direct vicinity of the new addition.

#### *Building Elevations*

40 The exterior of the building will be constructed using face brick veneer and an asphalt-shingled multi-gabled roof to match the original building.

#### *Parking*

45 Manager Griffin reviewed the parking plan. The church recently submitted for a permit to complete the previously approved landbanked parking (106 spaces) and resurface the parking lot. The building addition and parking lot improvements will be completed simultaneously this summer. In addition to implementing the landbanked parking, the design of the parking lot has been reformatted in order to improve the flow of traffic.

50 The new ±1,973 square foot office addition will require six (6) additional parking spaces. As shown below, relief will be required to provide 695 parking spaces rather than the 701 required by the Zoning Ordinance. Similar relief was approved in 2011 for the construction of the parish center.

Review of Required Parking	
Previously Approved Required Parking	695
Total New Required Parking (for office addition)	6
Total Parking Spaces Required	701
5 Total Parking Spaces Provided	695
Parking Relief Required	6 spaces

10 *Stormwater Storage*  
 Manager Griffin reviewed the stormwater plans. The engineering provided for the drainage improvements at the north entrance of the site will help alleviate the flooding of the entrance drive during and after storm events. The supplemental stormwater storage basin will be connected to the existing detention basin at the south end of the site by means of additional storm sewer to be installed as part of the parking lot improvement project.

15 *Landscaping*  
 There is no proposed modification to the site’s landscaping.

20 *Lighting*  
 The reconfigured parking lot will maintain the locations of the existing parking lot lighting.

*Required Relief*  
 The plans, as presented, shall require the following relief from Zoning Ordinance requirements:

- 25 1. Relief is required to provide 695 parking spaces, rather than 701 parking spaces as required by the Zoning Ordinance.

**REQUESTED ACTION**

30 Manager Griffin concluded the presentation stating the petitioner requests a motion of the Plan Commission, to recommend approval of Petition No. 19-6.1 to amend the Final Planned Unit Development for St. Mary Catholic Church to allow a building addition and related site improvements in accordance with the site plan that has been submitted to, and is on file with, the Village of Huntley.

35 Staff recommended the following conditions be applied should the Plan Commission forward a positive recommendation to the Village Board:

- 40 1. All public improvements and site development shall be in full compliance with the submitted plans (see list of exhibits) and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
- 45 2. The petitioners shall comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.
3. The Village of Huntley requires adherence to Illinois Drainage Law and best management practices for stormwater management.
4. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
5. The installation of the previously approved landbanked parking shall be completed prior to issuance of the certificate of occupancy for the new addition.
6. Any new mechanical equipment shall be screened to the full height of the equipment.
7. No building plans or permits are approved as part of this submittal.
- 50 8. No sign permits are approved as part of this submittal.

Manager Griffin introduced the Father Max Striedl and his architect and engineer for the project to answer any questions from the Commission.

Chairman Kibort asked if there any comments from members of the public. There were none.

Commissioner DeBaltz stated the project appeared to fit very well with the existing structure.

Vice Chair Ellison inquired if there would be any stained glass on this new addition, and Father Striedl said no because this was office space and the stained glass is used for church sanctuary areas.

Commissioner Hahn stated the parking lot expansion which will be occurring at the same time as this project is a welcome and needed addition. Commissioner Hahn also inquired about the stormwater issues and whether the new plan would fully address the past issues. Don Dixon, Engineer for GeWalt Hamilton responded, stating the new plan would provide extra storage and would also be repairing crushed underground drainage pipes when the parking lot is redone. He said, they do not anticipate any future flooding when they complete the project.

Commissioner Darci Chandler likes the addition and said the stormwater improvements are a big plus.

Chairman Kibort stated he was happy with the plan, but reminded the petitioner the Kane County Stormwater Ordinance would need to be followed with respect to any disturbance in the stormwater area.

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. 19-6.1**

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

**A MOTION was made to approve Petition No. 19-6.1, St. Mary Catholic Church, owner and petitioner, 10307 Dundee Road, Request is for approval of an amendment to the Final Planned Unit Development for the subject property to allow a building addition and related site improvements in accordance with the site plan that has been submitted to, and is on file with, the Village of Huntley, pursuant to the requirements of the Huntley Zoning Ordinance, including specifically Section 156.204 et seq., subject to the following conditions:**

- 1. All public improvements and site development shall be in full compliance with the submitted plans (see list of exhibits) and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.**
- 2. The petitioners shall comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.**
- 3. The Village of Huntley requires adherence to Illinois Drainage Law and best management practices for stormwater management.**
- 4. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.**
- 5. The installation of the previously approved landbanked parking shall be completed prior to issuance of the certificate of occupancy for the new addition.**

6. Any new mechanical equipment shall be screened to the full height of the equipment.
7. No building plans or permits are approved as part of this submittal.
8. No sign permits are approved as part of this submittal.

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

15            B. Petition No. 19-6.2, Huntley Reed LLC, owner and petitioner, Lot 3 of Rosati’s Resubdivision (±1.79-  
acres generally located north and east of the Route 47 and Reed Road intersection), Request is for  
approval of a Final Planned Unit Development for a ±9,070 square foot multi-tenant building, including  
any necessary relief, and a Special Use Permit for a Restaurant with a Drive-Through.

20            **A MOTION was made to open the public hearing to consider Petition No. 19-6.2.**

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

30            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:

35            Margo Griffin, Development Manager  
Henry Patel, Huntley Reed LLC  
Larry Farrenkopf, Architects 127

**SUMMARY**

40            Manager Griffin began with a PowerPoint presentation reviewing the particulars of the project. Huntley Reed  
LLC is requesting a Final Planned Unit Development, including necessary relief and a Special Use Permit for a  
Restaurant with a Drive-Through within the “B-3 (PUD) Shopping Center Business – Planned Unit Development  
to accommodate construction of a ±9,070 square foot building including a Starbuck’s restaurant with a drive-  
through lane and associated site improvements. The ±1.79-acre lot is located immediately north of the existing  
Walgreens (Lot 2) pharmacy and west of the recently approved 62,000 square foot Jewel-Osco.

45            **Site Plan**

50            Manager Griffin stated the proposed site plan for the ±9,070 square foot multi-tenant building includes parking  
for fifty-two (52) vehicles, with ten (10’) foot-wide stalls, which exceeds the required thirty-seven (37) parking  
spaces (four (4) per 1,000 square feet). The proposed site plan will narrow the landscape easement adjacent to  
Route 47 from 100 feet to 50 feet, thereby requiring relief. In addition, the bike path has been realigned to the  
west, and the landscape berm has been reconfigured. A new plat of easement and plat of vacation has been  
created in order to provide for the redesigned bike path.

### **Traffic Flow**

5 Manager Griffin reviewed traffic flow through the site. The proposed vehicular access to the site includes a full-access driveway on the existing Route 47 (west-east) access road on the north side of the site and the north-south internal access road running along the east side of the site. A site line study was conducted, ensuring the driveway on the east-west access roadway does not create a conflict with vehicles entering the development from Route 47. Additionally, cross-access from the Walgreens site to the south is provided via the drive aisle along the western portions of each respective building.

10 Internal traffic circulation includes two-way drive aisles and a one-way connection along the south side of the site providing counter-clockwise access to the drive-through lane along the east and north sides of the multi-tenant building. The drive-through lane configuration will provide stacking for approximately fourteen (14) vehicles. Staff advised the petitioner to remove the “escape” curb-cut shown on the east side of the Starbuck’s drive-through lane. In addition, the petitioner was advised to extend the drive-through curb a bit further south. Both recommendations will assist in keeping traffic flowing in an orderly and safe fashion during the high traffic morning rush, and will deter customers from “cutting in”.

### **Building Elevations**

20 Manager Griffin reviewed the architectural plans. The proposed building elevations consist of a combination of four (4) tones of brickwork, wood-grain composite exterior wall siding, with aluminum canopies above front (west-facing) doorways and drive-through window on the building’s north (side) elevation. Wall-mounted sconces are proposed along all four elevations. The Starbuck’s patio will be surrounded by 36” tall decorative black powder-coated aluminum fencing. The dumpster enclosure located on the east side of the site is constructed of masonry material matching the exterior of the principal building and includes vertical ribbed metal gates.

### **Landscaping**

25 Manager Griffin stated the proposed landscape plan depicts foundation landscaping and plantings within the parking lot islands and bump-outs as required by the Village’s Commercial Design Guidelines. Furthermore, in addition to irrigation of the subject site, the relocation of the bike bath and berm within the 100-foot landscape buffer adjacent to Route 47 will require re-establishing the landscaping installed as part of the Preliminary PUD.

30 The petitioner shall coordinate with Village Staff the final approval of the landscape plan including the reuse of any existing landscape materials. The proposed landscaping at the base of the monument sign is in conformance with the Sign Regulation requirements.

### **Lighting**

35 Parking lot lighting proposed for the site will utilize the same light fixture installed within the Walgreens (Lot 2) project. The lighting fixtures provide the requisite 2.0 foot-candle average for the parking area and the 0.5 foot-candle maximum at the property line (except for those overlapping adjacent commercial tenants).

### **Signage**

40 Manager Griffin reviewed the signage for the development project. The Rosati’s Resubdivision Planned Unit Development (PUD) approval included a ground sign design template specifying an 8’-3½”-tall masonry monument sign with a peaked top feature. The proposed 13’-1” tall multi-tenant masonry monument sign is 4’-8” taller than the sign template approved as part of the original PUD and deviates from the approved design, but is similar in design to the ground signage approved for Jewel/Osco.

45 The wall sign package proposed for the multi-tenant building includes wall signs on both the front and rear elevations (west and east) for all units, and for the north side (Starbuck’s unit). The Sign Ordinance allows one (1) wall sign per tenant or one (1) per street frontage is allowed; therefore, relief is required for the additional wall signs on the rear (east-facing) elevation of each tenant space and on the north elevation (Starbuck’s space).

50 No menu board signage, directional signage, or official Starbuck’s signage has been submitted for review; however, the location of the menu board is indicated on the site plan. As part of the Special Use Permit approval

process, the petitioner shall present the complete Starbuck’s sign package prior to the petition being reviewed by the Village Board.

**Required Relief**

5 Manager Griffin stated the proposed plans require Site Plan Review by the Plan Commission and Village Board. The plans, as presented, shall require the following relief part of the Final Planned Unit Development:

*Site Plan*

10 1. Fifty (50’) feet relief is required for the proposed fifty (50’) foot parking setback within the 100-foot Landscape Easement adjacent to Route 47.

*Signage*

15 1. The proposed 13’-1” tall multi-tenant masonry monument sign requires 4’-8” of relief from the ground sign template approved as part of the overall PUD for the commercial subdivision.  
2. The Sign Ordinance allows one (1) wall sign per tenant or one (1) per street frontage; therefore, relief is required for additional wall signs on the rear (east-facing) elevation of each of each tenant space and on the north elevation (Starbuck’s space).

**Village Board Conceptual Review**

20 Manager Griffin stated the Village Board reviewed conceptual plans for the project at their April 26, 2018 meeting and gave positive reviews for the project. Questions predominantly focused on traffic flow for the drive-through.

**Special Use Permit**

25 Manager Griffin discussed the process for reviewing a Special Use Permit. The Plan Commission must consider the standards identified in Section 156.068(E) of the Zoning Ordinance. No Special Use Permit shall be recommended or granted pursuant to Section 156.068(E) unless the applicant establishes the following (The petitioner’s responses to the standards are provided as an exhibit to this report):

- 30 (a) Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.
- (b) No Undue Adverse Impact. The proposed use, drainage and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety and general welfare.
- 35 (c) No Undue Interference with Surrounding Development. The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.
- (d) Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.
- 40 (e) No Undue Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential street.
- (f) No Undue Destruction of Significant Features. The proposed use and development will not result in the destruction, loss or damage of natural, scenic and historic feature of significant importance.
- 45 (g) Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

50 **REQUESTED ACTION**

Manager Griffin concluded the presentation stating the petitioner requests a motion of the Plan Commission, to recommend approval of Petition No. 19-6.2, for Lot 3 of Rosati's Resubdivision for a Final Planned Unit Development, including necessary relief, and a Special Use Permit to allow Restaurant with Drive-Through.

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

1. All public improvements and site development must occur in full compliance with the submitted plans and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
- 10 2. The petitioners will comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.
3. The petitioner shall obtain final landscape approval of the Landscape Plan from the Development Services Department.
- 15 4. The petitioner shall work with Village Staff to address the re-use of existing landscape materials located in the existing landscape buffer along the frontage of Route 47.
5. Revise the landscape plan to replace the fourteen (14) Gro-Low Sumac with alternative ground cover.
6. The petitioner and staff shall coordinate the installation of landscaping within the Route 47 landscape buffer to ensure it does not obstruct view of the proposed ground signs.
- 20 7. All permanent and seasonal plantings must be replaced immediately upon decline.
8. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
9. No building plans or permits are approved as part of the submittal.
10. No sign permits are approved as part of the submittal.
11. Individual sanitary sewer services will be required for each unit outside of building.
- 25 12. The petitioner shall revise plans to extend the drive-through curb feature along the entire east side of the drive-through to the southeast corner of the building
13. The petitioner shall submit the complete sign plan for Starbuck's (including directional and menu board signage) prior to the petition being reviewed by the Village Board.
14. Any directional signage proposed on the site shall have a brick base to match the building.

30 Manager Griffin introduced Henry Patel and Larry Farenkopf to answer any comments from the Plan Commission.

35 Chairman Kibort asked if there any comments from members of the public. There were none.

Architect Larry Farrenkopf explained how he tried to make the building design compliment the design of the Jewel-Osco project. He also discussed the added parking in the front will allow for more intense uses such as restaurants, and should draw more shoppers to the shopping center.

40 Commissioner Darci Chandler stated she wasn't in favor of the dumpster location, and also thought it should be placed on an angle. Commissioner Chandler agrees the drive-through lane should have a narrower depressed curb for pedestrian access only (to allow workers to access the trash enclosure).

45 Commissioner Hahn stated he was not in favor of giving the petitioner any relief to go into the 100-foot landscape buffer. Director Nordman stated the Village Board did not have any issues with the requested relief during the Concept Plan review.

50 Vice Chair Ellison wasn't happy about the encroachment but understood the reasoning. She was also in favor of angling the trash enclosure. In addition, she liked the idea of putting the additional signage on the rear (facing the Jewel-Osco).



Chairman Kibort stated he was fine with the encroachment, and was happy to be getting a Starbucks drive-through. Chairman Kibort liked the design of the building and the circular window on the Starbucks unit. Manager Griffin said they have already heard from Starbucks that the window feature does not match with their plan and it will likely not be included in the final design.

5

Commissioner DeBaltz is excited to see the development on the north side of the Village, and said it is much needed. She doesn't mind the encroachment and likes the curved design of the bike path. The added parking spaces will likely be a welcome as the south Starbucks is very cramped on parking space. She complimented the architect on the building design.

10

Larry Farrenkopf reviewed several points brought up during the Public Hearing. He said the ground sign was designed to complement the Jewel-Osco sign, and it is smaller than Jewel's sign. They are fine with the comments on the curbing for the drive-through and will re-design for pedestrian "cut through" access. They will also work on angling the trash enclosure. In closing, he said the gro-low sumac has been removed from the landscape plans.

15

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

**20 A MOTION was made to close the public hearing to consider Petition No. 19-6.2**

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

25

**30 A MOTION was made to approve Petition No. 19-6.2, for Lot 3 of Rosati's Resubdivision for a Final Planned Unit Development, and a Special Use Permit to allow Restaurant with Drive-Through, including any necessary relief, pursuant to the requirements of Section 156.204 of the Huntley Zoning Ordinance, subject to the following conditions:**

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- 1. All public improvements and site development must occur in full compliance with the submitted plans and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.**
- 2. The petitioners will comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.**
- 3. The petitioner shall obtain final landscape approval of the Landscape Plan from the Development Services Department.**
- 4. The petitioner shall work with Village Staff to address the re-use of existing landscape materials located in the existing landscape buffer along the frontage of Route 47.**
- 45 5. Revise the landscape plan to replace the fourteen (14) Gro-Low Sumac with alternative ground cover.**
- 6. The petitioner and staff shall coordinate the installation of landscaping within the Route 47 landscape buffer to ensure it does not obstruct view of the proposed ground signs.**
- 7. All permanent and seasonal plantings must be replaced immediately upon decline.**
- 8. The petitioner is required to meet all development requirements of the Huntley Fire Protection**
- 50 District.**
- 9. No building plans or permits are approved as part of the submittal.**
- 10. No sign permits are approved as part of the submittal.**

11. Individual sanitary sewer services will be required for each unit outside of building.
12. The petitioner shall revise plans to extend the drive-through curb feature along the entire east side of the drive-through to the southeast corner of the building
13. The petitioner shall submit the complete sign plan for Starbuck’s (including directional and menu board signage) prior to the petition being reviewed by the Village Board.
14. Any directional signage proposed on the site shall have a brick base to match the building.

Vice Chair Ellison included one additional condition with her motion prior to the vote:

15. The dumpster enclosures shall be angled in order to improve truck access to the dumpsters.

**MOVED:** Vice Chair Ellison  
**SECONDED:** Commissioner Darci Chandler  
**AYES:** Vice Chair Ellison, Commissioners Darci Chandler, DeBaltz, and Chairman Kibort  
**NAYS:** Commissioner Hahn  
**ABSTAIN:** None  
**MOTION CARRIED 4:1:0**

C. Petition No. 19-6.3, Village of Huntley, petitioner, Request is for approval of amendments to Section 156.106, entitled “Parking” of Article XII, entitled “Parking and Loading Requirements,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code to modify the size of parking spaces and aisle widths

**A MOTION was made to open the public hearing to consider Petition No. 19-6.3.**

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

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:

Charles Nordman, Director of Development Services

**SUMMARY**

Director Nordman reviewed the history of the proposed text amendment. Over the past several years the Village Board has requested that new developments increase the width of parking stalls and drive aisles within new parking lots. When considering Final Planned Unit Developments or Site Plan Reviews the Village Board has made it a condition of approval that parking spaces are a minimum of ten (10) feet in width, rather than minimum nine (9) feet currently required by the Zoning Ordinance. The Village Board has also required that the width of parking lot drive aisles are increased to no less than twenty-five (25) feet, rather than the minimum twenty-four (24) feet currently required by the ordinance.

**STAFF ANALYSIS**

Section 156.106(C)(13) of the Zoning Ordinance shall be amended as follows:

- (13) Size of Parking Spaces and Aisle widths. Each parking space and aisle width shall conform to the minimum dimensions contained in the following chart:

TABLE XII-1  
PARKING STALL DIMENSIONS

PARKING ANGLE*	STALL WIDTH**	STALL LENGTH**	STALL HEIGHT	ONE-WAY AISLE WIDTH	TWO-WAY AISLE WIDTH
90°	<del>9.0'</del> <u>10'</u>	19.0'	8'-2"	<del>24'</del> <u>25'</u>	<del>24'</del> <u>25'</u>
60°	<del>9.0'</del> <u>10'</u>	19.0'	8'-2"	16'	<del>24'</del> <u>25'</u>
45°	<del>9.0'</del> <u>10'</u>	19.0'	8'-2"	14'	<del>24'</del> <u>25'</u>
PARALLEL (0°)	<del>9.0'</del> <u>10'</u>	23.0'	8'-2"	20'	<del>24'</del> <u>25'</u>

\* DIMENSIONS FOR PARKING PROVIDED AT PARKING ANGLES OTHER THAN THOSE PROVIDED ABOVE MAY BE INTERPOLATED BUT REQUIRE APPROVAL BY THE VILLAGE MANAGER.

\*\* PARKING LOTS APPROVED PRIOR TO (INSERT DATE OF ORDINANCE) MAY MAINTAIN THEIR EXISTING PARKING STALL DIMENSIONS PROVIDED THAT ANY EXPANSION OF A PARKING LOT OR RECONFIGURATION OF PARKING STALLS AND/OR DRIVE AISLES SHALL REQUIRE CONFORMANCE TO THE ABOVE DIMENSIONS.

~~\*\* STALL LENGTH DIMENSIONS FOR NON-PARALLEL STALLS ON THE PERIMETER OF A PARKING LOT MAY BE REDUCED TO 17.5' TO ALLOW 1.5' OF OVERHANG INTO ADJUTING LANDSCAPED AREAS; PROVIDED THAT SUCH REDUCTION DOES RESULT IN THE OBSTRUCTION OF A MINIMUM SIX (6') FOOT WIDE SIDEWALK AND/OR YARD REQUIRED IN THE APPLICABLE DISTRICT.~~

- (1) *For any use which provides 20 or more parking spaces*, sufficient space and facilities shall be provided for the parking of bicycles. Such space and facilities shall be located so as to minimize the conflict of bicycle circulation with that of both pedestrians and motor vehicles.
- (2) *Handicapped Requirements:* Total number of parking spaces for disabled drivers shall conform to the design standards of standard parking spaces and to the statutes of the State of Illinois, as found in the Illinois Accessibility Code.

**REQUESTED ACTION**

A motion of the Plan Commission is requested, to recommend approval of Petition No. 19-6.3, amending Section 156.106, entitled "Parking" of Article XII, entitled "Parking and Loading Requirements," of Chapter 156, entitled "Zoning Code," of Title XV, entitled "Land Usage" of the Huntley Code to modify parking stall dimensions.

Chairman Kibort asked the Plan Commission if anyone had any comments or concerns, and all commissioners were in favor of the amendment.

**A MOTION was made to close the public hearing to consider Petition No. 19-6.1**

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

A MOTION was made to approve Petition No. 19-6.3, amending Section 156.106, entitled “Parking” of Article XII, entitled “Parking and Loading Requirements,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code to modify parking stall dimensions.

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

15            D. Petition No. 19-6.4, Village of Huntley, petitioner, Request is for approval of amendments to Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code regarding establishments engaged in the retail sale of tobacco and alternative nicotine products.

A MOTION was made to open the public hearing to consider Petition No. 19-6.4.

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

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:

30    Charles Nordman, Village of Huntley

#### **SUMMARY**

35    Director Nordman reviewed the history of the proposed text amendment. The Village Board previously imposed a moratorium on tobacco specialty retail business, including cigarette, smoke, cigar, and vape shops. Currently, five such shops are located within the Village. The Village Board reviewed the existing uses and zoning classification for such establishments at the March 14, 2019 Village Board meeting and provided policy direction to staff to move forward with zoning text amendments that create a definition for tobacco and vape shops, reduce the zoning districts such a use is permitted in, and distinguish between sales of such items as a primary or accessory use.

#### **STAFF ANALYSIS**

45    Director Nordman reviewed the specifics of the existing ordinance as it relates to this petition. The Zoning Ordinance currently identifies “cigar, cigarette, and tobacco stores” as a permitted use in several zoning districts. A title change to “tobacco and vape shops” is proposed that is intended to reflect recent trends in the retail sale of tobacco products and vaping technology for alternative sources of nicotine. Supplementary regulations for tobacco and vape shops are proposed to clarify that all products containing nicotine are to be treated similarly. The definition for a tobacco and vape shop would be an establishment engaged in the retail sale and display of tobacco products and tobacco paraphernalia. Tobacco products would be further defined to include all tobacco and alternative nicotine products.

Director Nordman reviewed the proposed changes to the Zoning Code. It is proposed that such establishments, currently a permitted use in the B-1, B-2, B-3, C-1, and C-2 zoning districts, be limited to the C-2 zoning district (Regency Square and Village Green). These areas are not located adjacent to any residential neighborhoods, thereby reducing the potential for tobacco and alternative nicotine sales to minors, and reducing the risk of negative aesthetic impacts, blight, and the loss of property values of residential neighborhoods in close proximity to such uses.

The minimum distance between any two tobacco and vape shops is proposed to be one thousand (1,000) feet, as measured from front door to front door. The minimum distance between any tobacco and vape shop, and any lot, premises, or building used primarily as a school, child care facility, or for the education or recreation of children under 18 years of age shall also be proposed to be one thousand (1,000 feet), as measured from the front door of the shop to the nearest property line of the facility. This separation requirement would not apply to any tobacco and vape shop established as an accessory use.

The zoning district changes would result in four of the five existing establishments becoming nonconforming uses which may continue, subject to the regulations that govern such uses. The establishment located on Princeton Drive would remain conforming, as it is located in the C-2 district.

The specific amendments to the Zoning Ordinance are as follows:

Section 156.011, entitled "Definitions" of Article II, entitled "Interpretations and Definitions," of Chapter 156, entitled "Zoning Code," of Title XV, entitled "Land Usage" of the Huntley Code is hereby amended in part, to add a new definition of "Tobacco and Vape Shops," as follows:

§ 156.011 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

\* \* \*

**TOBACCO AND VAPE SHOPS: An establishment engaged in the retail sale and display of tobacco products and tobacco paraphernalia. Tobacco and vape shops also include smoke lounges. A smoke lounge is a retail establishment that is dedicated in whole or in part to entertaining smokers and users of tobacco products and tobacco paraphernalia. Smoke lounges include any establishment that allows a customer to purchase, take delivery of, and smoke or use tobacco products and/or tobacco paraphernalia on the premises. For purposes of this Chapter, the terms "tobacco product" and "tobacco paraphernalia" shall have the following meanings:**

**(a)Tobacco product shall mean any product in leaf, flake, plug, liquid, or any other form that is made from or derived from tobacco or otherwise contains nicotine derived from the tobacco plant or any other source, which is intended to enable human consumption of the tobacco or nicotine in the product, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. Tobacco products includes, but is not limited to, cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, and e-liquids such as propylene glycol, glycerin, nicotine, flavorings, or other products for use in electronic cigarettes, personal vaporizers, or electronic nicotine delivery systems. The term "tobacco product" excludes any product that has been specifically approved by the**

United States Food and Drug Administration (FDA) for sale as a tobacco/smoking cessation aid.

5 (b) Tobacco paraphernalia shall mean cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, smoking or vaping devices, and any other item designed for the smoking or ingestion of tobacco products. Tobacco paraphernalia also includes electronic cigarettes, personal vaporizers, electronic nicotine delivery systems, or any item designed to aerosolize or atomize liquid solutions that simulate smoking. Devices classified as tobacco paraphernalia include but are not limited to the following: pipes, 10 punctured metal bowls, bong, water bong, electric pipes, e-cigarettes, e-cigarette juice, vaporizers, hookahs, and devices for holding burning material. Lighters and matches shall be excluded from the definition of tobacco paraphernalia.

\* \* \*

15 SECTION III: Article XI, entitled “General Regulations,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended to add a new Section 156.90, as follows:

20 ARTICLE XI  
GENERAL REGULATIONS

\* \* \*

25 § 156.090 TOBACCO AND VAPE SHOPS

30 (a) Location. Tobacco and vape shops may be established as a principal use only in the zoning districts specified by this Chapter. Tobacco and vape shops also may be established as an accessory use in other zoning districts, but only if: (i) they are subordinate in purpose to the principal use served, such that display and storage of tobacco products and/or tobacco paraphernalia utilizes less than 2 percent of the gross floor area of the principal structure or 200 square feet, whichever is less; (ii) they are customarily and traditionally incidental to the principal use, such as in the case of a grocery store, convenience store, or similar retail use; and (iii) the principal use is an authorized permitted or special use in the zoning district where it is located.

35 (b) Spacing. The minimum distance between any two tobacco and vape shops shall be one thousand (1,000) feet, as measured from front door to front door. This spacing requirement shall not apply to any tobacco and vape shop that is established as an accessory use in compliance with paragraph (a) above.

40 (c) Separation. The minimum distance between any tobacco and vape shop and any lot, premises, or building used primarily as a school, child care facility, or for the education or recreation of children under 18 years of age shall be one thousand (1,000 feet), as measured from the front door of the shop to the nearest property line of the facility. This separation requirement shall not apply to any tobacco and vape shop that is established as an accessory use in compliance with paragraph (a) above.

45

SECTION IV: Section 156.037, entitled “B-1 Neighborhood Convenience District” of Article V, entitled “Business and Non-Residential Districts,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

5           **§ 156.037        (B-1) NEIGHBORHOOD CONVENIENCE DISTRICT**

\*            \*            \*

10            (B)    *Uses.*

              (1) *Permitted Uses.*

\*            \*            \*

15            RETAIL SALES - Bakery, Bookstore, ~~Cigar, Cigarette & tobacco store~~, Craft shop, Drug store, Florist sales, Fruit & vegetable market – retail, Furniture sales (new), Gift shop, Grocery shop (convenience center), Health food & vitamin store, Hearing aid store, Hobby shop, Jewelry - retail, Liquor store, Stationary store, Watch/clock (sales and repair)

\*            \*            \*

25            SECTION V: Section 156.038, entitled “B-2 Highway Service District” of Article V, entitled “Business and Non-Residential Districts,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

**§ 156.038        (B-2) HIGHWAY SERVICE DISTRICT**

\*            \*            \*

30            (B)    *Uses.*

              (1) *Permitted Uses.*

\*            \*            \*

40            RETAIL SALES - Antique sales, Appliance sales, Art supply store, Auto accessory store, Bait shop, Bakery, Bicycle shop, Bookstore, Camera shop, ~~Cigar, cigarette & tobacco store~~, Clothing store, Craft shop, Drug store, Floor covering sales, Florist sales, Fruit & vegetable market - retail, Furniture sales (new), Gift shop, Grocery shop (convenience center), Grocery store (retail), Hardware store (retail), Health food & vitamin store, Hearing aid store, Hobby shop, Household furnishing shop, Jewelry (retail), Leather goods, Liquor store, Magazine & newsstand, Meat market, Music (instrument & record store), Paint & wallpaper store, Pet shop, Picture frame shop, Souvenir (curio shop), Sporting goods, Stationary store, Swimming pool & assoc. fixtures, Toy store, Typewriter sales, Watch/clock (sales and repair)

\*            \*            \*

SECTION VI: Section 156.039, entitled “B-3 Shopping Center Business District” of Article V, entitled “Business and Non-Residential Districts,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

5           **§ 156.039           (B-3) SHOPPING CENTER BUSINESS DISTRICT**

\*           \*           \*

10           (B)   *Uses.*

          (1) *Permitted Uses.*

\*           \*           \*

15           RETAIL SALES - Antique sales, Appliance sales, Army-Navy surplus supply,  
Art gallery-art studio sales, Art supply store, Auto accessory store, Bakery,  
20           Bicycle shop, Bookstore, Camera shop, ~~Cigar, cigarette & tobacco store,~~  
Clothing store, Craft shop, Department store, Drug store, Dry goods store –  
retail, Fish market – retail, Floor covering sales, Florist sales, Fruit & vegetable  
25           market – retail, Furniture sales (used), Gift shop, Grocery shop (convenience  
center), Grocery store (retail), Hardware store, Health food & vitamin store,  
Hearing aid store, Hobby shop, Household furnishing shop, Jewelry (retail),  
30           Junior Department Store (variety store), Leather goods, Liquor store, Magazine  
& newsstand, Meat market, Music (instrument & record store), Paint &  
wallpaper store, Pet shop, Picture frame shop, Souvenir (curio shop), Sporting  
goods, Stationary store, Swimming pool & assoc. fixtures, Toy store, Typewrite  
sales, Watch/clock (sales and repair)

\*           \*           \*

30           SECTION VII: Section 156.060, entitled “C-1 Neighborhood Retail District” of Article VI, entitled  
“Planned Development District,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of  
the Huntley Code is hereby amended in part as follows:

35           **§ 156.060           (C-1) NEIGHBORHOOD RETAIL DISTRICT**

\*           \*           \*

40           (B)   *Uses.*

          (1) *Permitted Uses.*

\*           \*           \*

45           RETAIL SALES - Antique sales, Appliance sales, Art gallery—art studio sales,  
Art supply store, Auto accessory store, Bakery, Bicycle shop, Bookstore, Camera  
shop, ~~Cigar, cigarette & tobacco store,~~ Clothing store, Craft studio, Department  
store, Drug store, Fish market— retail, Floor covering sales, Florist sales, Fruit &  
50           vegetable market—retail, Furniture sales (new), Gift shop, Grocery shop  
(convenience center), Grocery store (retail), Hardware store (retail), Health food  
store, Hearing aid store , Household furnishings shop, Jewelry (retail), Leather  
goods, Liquor store, Magazine & newsstand, Meat market, Music, instrument &



record store, Paint & wallpaper store, Pet shop, Picture frame shop, Souvenir (curio shop), Sporting goods, Stationery store, Swimming pool & assoc. fixtures, Toy store, Typewriter sales, Upholstery shop, Watch, clock (sales & repair)

\* \* \*

5

SECTION VIII: Section 156.061, entitled “C-2 Regional Retail District” of Article VI, entitled “Planned Development District,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

10

**§ 156.061 (C-2) REGIONAL RETAIL DISTRICT**

\* \* \*

15

(B) *Uses.*

(1) *Permitted Uses.*

20

\* \* \*

RETAIL SALES - Antique sales, Appliance sales, Art gallery-art studio sales, Art supply store, Auto accessory store, Bakery, Bicycle shop, Bookstore, Camera shop, ~~Cigar, cigarette & tobacco store~~ **Tobacco and vape shops**, Clothing store, Craft studio, Department store, Drug store, Fish market—retail, Floor covering sales, Florist sales, Fruit & vegetable market—retail, Furniture sales (new), Gift shop, Grocery shop (convenience center), Grocery store (retail), Hardware store (retail), Health food store, Hearing aid store , Household furnishings shop, Jewelry (retail), Leather goods, Liquor store, Magazine & newsstand, Meat market, Music, instrument & record store, Paint & wallpaper store, Pet shop, Picture frame shop, Souvenir (curio shop), Sporting goods, Stationery store, Swimming pool & assoc. fixtures, Toy store, Typewriter sales, Upholstery shop, Watch, clock (sales & repair)

35

\* \* \*

SECTION IX: Section 156.121, entitled “Prohibited Signs” of Article XIII, entitled “Sign Regulations,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

40

**§ 156.121 PROHIBITED SIGNS.**

It shall be unlawful for any person to install or maintain any signs, poster, advertisement, or notice when it is:

45

**(Q) Neon tube lighting, strings of lights, or light emitting diode (LED) lighting outlining or illuminating the features of a building or a structure including, but not limited to windows.**

50

SECTION X: Table 2, entitled “Uses Permitted in Zoning Districts” as set forth in the Appendices to Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

**TABLE 2: USES PERMITTED IN ZONING DISTRICTS**

RE-1	RE-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	0-1	HC	M	ORI		
							X	X	X	X						Cigar, Cigarette & Tobacco Store

5

**SECTION XI:** Table 3, entitled “Uses Permitted in Planned Development District” as set forth in the Appendices to Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is hereby amended in part as follows:

10

**TABLE 3: USES PERMITTED IN PLANNED DEVELOPMENT DISTRICT**

ER	ER-1	ER-2	SF-1	SF-2	MF-1	MF-2	C-1	C-2	O	BP	P		
							X	X					Cigar, Cigarette & Tobacco Store <u>Tobacco and Vape Shops</u>

**REQUESTED ACTION**

15

A motion of the Plan Commission is requested, to recommend approval of Petition No. 19-6.4, amending Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code regarding establishments engaged in the retail sale of tobacco and alternative nicotine products.

20

Chairman Kibort asked the Plan Commission if anyone had any comments or concerns, and all commissioners were in favor of the amendment.

**A MOTION was made to close the public hearing to consider Petition No. 19-6.4**

25

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

30

**A MOTION was made to approve Petition No. 19-6.4, amending Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code regarding establishments engaged in the retail sale of tobacco and alternative nicotine products.**

35

- MOVED:** Commissioner DeBaltz
- SECONDED:** Commissioner Darci Chandler
- AYES:** Vice Chair Ellison, Commissioners Darci Chandler, Hahn, DeBaltz, and Chairman Kibort

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

5

7. Discussion

Director Nordman stated the next regularly scheduled Plan Commission meeting is scheduled for Monday, June 24, 2019.

10

8. Adjournment

**At 8:12 pm, a MOTION was made to adjourn the June 10, 2019 Plan Commission meeting.**

15

**MOVED:** Commissioner Darci Chandler  
**SECONDED:** Vice Chair Ellison  
**AYES:** Commissioners Darci Chandler, DeBaltz, Hahn, Vice Chair Ellison, and Chairman Kibort

20

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

Respectfully submitted,

*Margo Griffin*

25

Development Manager  
Village of Huntley