

**VILLAGE OF ALGONQUIN
PLANNING AND ZONING COMMISSION
Meeting Minutes
Algonquin Village Hall Board Room
December 10, 2007**

AGENDA ITEM 1: Roll Call to Establish a Quorum

Present: Chairperson Auger; Commissioners Hoferle, Neuhalfen, Patrician, Sabatine, Sturznickel, and Szpekowski

Absent: None

Staff Members Present: Jeff Mihelich, Assistant Village Manager; Katherine Parkhurst, Senior Planner; Kelly Cahill, Village Attorney; and Kimberly Nix, Recording Secretary.

AGENDA ITEM 2: Approval of Minutes from the November 12, 2007 Meeting
Chairperson Auger entertained a motion to approve the November 12, 2007 minutes. Commissioner Sturznickel moved and Commissioner Hoferle seconded a motion to approve the minutes as presented. The voice vote noted all the ayes and the motion carried.

Chairperson Auger noted that the following items would be brought before the Planning and Zoning Commission for consideration this evening.

- Consideration of a Request for Annexation, Zoning Upon Annexation to R-1E PUD, Preliminary Planned Unit Development and Preliminary Plat of Subdivision.
Case No. 2007-18. The Coves Phase 4
- Consideration of a Request for Zoning Ordinance Updates – Adult Uses and Special Uses
Case No. 2007-19. Zoning Ordinance Updates

AGENDA ITEM 3: Consideration of a Request for Annexation, Zoning Upon Annexation to R-1E PUD, Preliminary Planned Unit Development and Preliminary Plat of Subdivision.
Case No. 2007-18. The Coves Phase 4

OPEN PUBLIC HEARING AND ESTABLISH QUORUM

Ms. Nix called roll to verify a quorum. Present: Chairperson Auger; Commissioners Hoferle, Neuhalfen, Patrician, Sabatine, Sturznickel, and Szpekowski. Attorney Cahill noted that proper legal notice was provided in accordance with state statutes and Village ordinances. Attorney Cahill then swore in the following petitioners: Mr. Ryan Trottier, Par Development; Mr. Adam Neisendorf, Par Development; and Mr. Mike Anderson, Haeger Engineering.

PETITIONER COMMENTS

Representing The Coves Phase 4 was Ryan Trottier, Par Development. Mr. Trottier submitted a petition for annexation, zoning upon annexation to R-1E PUD, preliminary planned unit development and preliminary plat of subdivision for the Coves Phase 4, which is located east of Par Drive and south of Reserve Drive. The proposed subdivision will consist of 34 townhome units within 9 buildings. The proposed Phase 4 townhome units are compatible with the townhome units of Phase 3. The site design is also consistent with the existing design of Phase 3; a buffer will be created to separate the proposed townhome units from the existing single-family homes in Phase 2. A buffer will also separate the townhome units from the electrical substation. The townhome units in Phase 4 will encompass 3 levels, with each unit consisting of approximately 1,900 square feet.

STAFF AND COMMISSION COMMENTS

Mrs. Katherine Parkhurst gave an overview of her memorandum of December 10, 2007.

The townhome units in The Coves Phase 4 present an elevation different from those units in Phase 3, but are complimentary to these existing townhome units. The landscaping provides a large, defined buffer to screen the electrical substation. In addition, the Fiscal Impact Study of The Coves shows surplus revenue for School District 158, therefore benefiting these schools.

The staff recommended approval of the request for annexation, zoning upon annexation, preliminary planned development and preliminary plat of subdivision for The Coves Phase 4, consistent with the findings of fact presented by the petitioner.

Commissioner Hoferle asked if the townhome units will have full dimensional face brick, to which Mr. Trottier stated that they would. Commissioner Hoferle also wondered why Par Development opted to design tri-level townhome units, rather than bi-level units, as found in Phase 3. Mr. Trottier explained that the tri-level units were constructed in Cary and have been quite successful in that area; therefore, Par Development believes that the tri-level units will also be a successful final addition to The Coves development. In addition, Commissioner Hoferle inquired as to the reason for not off-setting the buildings. Mr. Trottier said that off-setting the buildings could reduce on-street parking. Finally, Commissioner Hoferle asked if Teska has any environmental issues with the proposed Phase 4, to which Mr. Trottier stated that the Illinois Department of Natural Resources has approved of the site plan. In addition, Mrs. Parkhurst stated that the actual location of the Algonquin Hanging Fen is far enough away from Phase 4 and this should not create any problems.

Commissioner Szpekowski questioned the distance between Phase 4 and the existing single-family homes in Phase 2. Mr. Trottier explained that the townhome units will be approximately 150 feet away from the nearest neighboring single-family home. Commissioner Szpekowski also asked if there are any health and safety issues pertaining to the electrical substation near Phase 4, to which Mr. Mihelich stated that there have not been any issues with the electrical

substation among residents living in the existing development; therefore, there are no anticipated health or safety issues for Phase 4.

Chairperson Auger asked what the anticipated starting price per unit would be, to which Mr. Trottier stated that each unit would start at \$230,000.

Commissioner Patrician inquired about the recent market condition and its potential impact on sales in Phase 4. Mr. Trottier explained that sales results were positive for the townhome units in Cary; therefore, Par Development anticipates similar results for Phase 4. Commissioner Patrician also asked Mr. Trottier to provide him with a more detailed lay out of the "tri-level" concept. Mr. Trottier explained that the bottom level will be an English basement and one example of its use could be a den. Commissioner Patrician asked how storm water issues would be addressed, to which Mrs. Parkhurst stated that the proposed plans were preliminary and more details, including the size of ponds and other storm water maintenance issues, would be required for Par Development's request for a Final PUD.

OPEN PUBLIC COMMENT

There was no one wishing to make comments.

CLOSE PUBLIC COMMENT

COMMISSION MOTION ON PETITION

Chairperson Auger entertained a motion to accept the request for Annexation, Zoning upon Annexation to R-1E PUD, Preliminary PUD and Preliminary Plat of Subdivision for The Coves Phase 4. *Commissioner Hoferle* moved and *Commissioner Patrician* seconded a motion to recommend approval of the request for Annexation, Zoning upon Annexation to R-1E PUD, Preliminary PUD and Preliminary Plat of Subdivision for the Coves Phase 4, consistent with the plans submitted by the petitioner, the conditions recommended by staff and the findings of fact as presented to the Commission. The Roll Call noted the following: Ayes: Chairperson Auger, Commissioners Hoferle, Neuhalfen, Patrician, Sabatine, Sturznickel and Szpekowski. Nays: None. Motioned carried.

AGENDA ITEM 4: Consideration of a Request for Zoning Ordinance Updates – Adult Uses and Special Uses

Case No. 2007-19. Zoning Ordinance Updates

OPEN PUBLIC HEARING AND ESTABLISH QUORUM

Ms. Nix called roll to verify a quorum. Present: Chairperson Auger; Commissioners Hoferle, Neuhalfen, Patrician, Sabatine, Sturznickel, and Szpekowski. Attorney Cahill noted that proper legal notice was provided in accordance with state statutes and Village ordinances.

PETITIONER COMMENTS

Representing the Village of Algonquin was Mr. Jeff Mihelich, Assistant Village Manager. Mr. Mihelich submitted a petition for two amendments in the zoning ordinance regarding special uses and adult uses.

STAFF AND COMMISSION COMMENTS

Mr. Jeff Mihelich gave an overview of his memorandum of December 7, 2007. Under the proposed new Special Use Permits ordinance amendment, approved land developments cannot be changed unless these changes are approved by the Village Board. Under the proposed new Adult Uses ordinance amendment, an adult business will be defined as "any establishment in which 25 percent or more of its stock and trade or business activity is sexual in nature". This definition is more specific; therefore, enforcement of this ordinance will be much easier to carry out.

The staff recommended approval of the zoning ordinance amendments.

Commissioner Sturznickel asked where businesses could open adult establishments. Mr. Mihelich responded by saying that the modified ordinance will still grant the Village the authority to determine where adult establishments can be built. The Zoning Ordinance requires a Special Use Permit for adult uses and these are only allowed in I-2 zoning districts. Without a favorable property site, adult establishments may be deterred from opening in Algonquin. Commissioner Sturznickel questioned whether tattoo parlors can be classified as adult establishments, to which Mr. Mihelich stated that they can only be classified as such if "25 percent or more of its stock and trade or business activity" is sexually-based.

OPEN PUBLIC COMMENT

There was no one wishing to make comments.

CLOSE PUBLIC COMMENT

COMMISSION MOTION ON PETITION

Chairperson Auger entertained a motion to approve the request for updates to the Zoning Ordinance sections regarding Adult Uses and Special Uses. *Commissioner Sturznickel* and *Commissioner Hoferle* seconded a motion to recommend approval of the request for updates to the Zoning Ordinance sections regarding Adult Uses and Special Uses with the finding of fact that the proposed amendments would enhance the property values and create consistency with state statutes. The Roll Call noted the following: Ayes: Chairperson Auger; Commissioners Hoferle, Neuhalfen, Patrician, Sabatine, Sturznickel, and Szpekowski. Nays: None. Motion carried.

AGENDA ITEM 5: New/Old Business

Items discussed include:

- Log cabin construction on Hillside View.
- Cucina Bella's outside eating extension.
- Mimi's Café opening.

- Brunswick Bowling Alley status.

AGENDA ITEM 6: Adjournment

Chairperson Auger entertained a motion to adjourn the meeting. *Commissioner Szpekowski* motioned and *Commissioner Sabatine* seconded to adjourn the meeting. The voice vote noted all ayes. The motion carried, and the meeting was adjourned at 8:07 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Kimberly A. Nix".

Kimberly Nix, Recording Secretary