

**VILLAGE OF ALGONQUIN
PLANNING AND ZONING COMMISSION
Meeting Minutes
William J. Ganek Municipal Center-Board Room
September 14, 2015
7:30 p.m.**

AGENDA ITEM 1: Roll Call to Establish a Quorum

Present: Chairperson Patrician; Commissioners Hoferle, Neuhalfen, Sturznickel, Szpekowski, Postelnick and Laipert.

Absent: None

Staff Members Present: Russ Farnum, Community Development Director, Katie Parkhurst, Senior Planner, Ben Mason, Senior Planner, and Brad Stewart, Village Attorney.

AGENDA ITEM 2: Approval of Minutes from the July 13, 2015 Meeting.

A motion by Commissioner Hoferle to approve the July 13, 2015 minutes as presented, was seconded by Commissioner Neuhalfen and a voice vote noted all ayes. The motion carried.

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

AGENDA ITEM 3: Consideration of a Request for a Final Plat of Subdivision, Final PUD and Special Use Permit

Case No. 2015-08. Buona Restaurant

Petitioner: Tim Hague, 6801 Investments LLC

OPEN PUBLIC HEARING AND ESTABLISH QUORUM

Mr. Farnum called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Hoferle, Neuhalfen, Sturznickel, Szpekowski, Postelnick and Laipert. Absent: None. Farnum announced a quorum was present.

PETITIONER COMMENTS

Mr. Stewart verified that proper notice of the meeting had been posted, and swore in the petitioners. Tim Hague represents 6801 Investments from River Forest, Jon Hague, Architect, and Conrad and Curt Hurst from Frontier Development. Tim Hague noted the property was at 501 S. Randall, they were proposing a 2-lot subdivision and PUD on a 1.87 acre site, that would include a Buona Restaurant. Mr. Hague outlined the history of the Buonavelonto family and their variety of restaurants. This proposal would include an outdoor patio with seating for about 40 people, and a drive through with 2 windows on the north lot, and a future building pad for about a 3500 square foot retail or restaurant building on the south lot.

There are 101 parking stalls for the entire site, and all the parking will be constructed at the same time as Buona Restaurant, with cross access and connections to adjacent parking lots. The building pad for the south building will just be left as grass until they are ready to build. The principals of 6801 Investments, and Frontier Development, have reviewed the Staff recommendations and agree, except they would like to propose three wall signs instead of the two otherwise allowed by the Code. They did reduce the height of the tower and removed one wall sign on the west elevation, as well as the large, painted wall panel signs, but Buona Restaurant wants to keep 2 wall signs on the tower, and one on the patio canopy.

STAFF COMMENTS

Ms. Parkhurst noted Mr. Hague gave a very complete outline and Parkhurst provided just a brief overview of the Staff comments and recommendation. Ms. Parkhurst noted that this proposal had high quality architecture, good pedestrian connections, plenty of parking, and adequate utilities already serviced the site. Staff recommended that the second building would have to return to PZC and the Board for review prior to construction, and the applicant would have to work with McHenry County on dedicating sufficient right-of-way for Randall Road expansion, since they were subdividing. Other than the signs, which were a sticking point, everything else complied. Staff had compiled a Finding of Fact and recommendation that were ready for Planning and Zoning Commission approval.

COMMISSION QUESTIONS/COMMENTS

Chairperson Patrician inquired if there were any Commissioner questions or comments.

Commissioner Hoferle asked if the glass in the windows was clear. Jon Hague answered yes, and noted that they would have continuous shades inside the windows to adjust for the sun.

Commissioner Szpekowski asked if there was a separate door to access the outdoor seating, and how the traffic flow worked for the drive through. Mr. Hague responded yes, there is a separate door, which is required for their liquor license requirements. Mr. Hague outlined the stacking and access for the drive through and noted there was stacking for 12 cars in the drive through lane.

Commissioner Postelnick asked about the egress gate from the outdoor dining, and if the parking was connected to the lot to the north. Mr. Hague responded the gate was required and would have emergency opening hardware similar to a panic bar, and the lot would be connected to that at Buffalo Wild Wings.

Commissioner Laipert asked if the three wall signs that were removed were the large painted Beer and Wine panels. Mr. Hague responded yes.

Commissioners Neuhaufen and Sturznickel had no questions or comments at this time.

Chair Patrician inquired where the stormwater retention and control were located on the plan.

Curt Hurst responded most of it was in pipes underground, and it flowed out into the storm pond on the south side of Lifetime Fitness.

PUBLIC COMMENT

Chairperson Patrician noted a letter from Sal Cribari. Chairperson Patrician called for public comments.

There were none, so Chairperson Patrician closed public comments.

CLOSE PUBLIC COMMENT

COMMISSION MOTION ON PETITION

Chairperson Patrician entertained a motion to approve the request.

Commissioner Szpekowski felt the Commission should maintain the sign code. Chair Patrician agreed and suggested that the Commission would forward to the Committee of the Whole a recommendation that since this was consistent with code, had a good aesthetic, and the tower would be a trademark, no further signs were necessary.

Commissioner Sturznickel moved and Commissioner Hoferle seconded a motion to recommend approval of the request for a Final Plat of Subdivision, Final PUD and Special Use Permit, for Buona Restaurant at 501 S. Randall Road, subject to the conditions submitted by Village Staff.

The Roll Call noted the following: Ayes: Chairperson Patrician; Commissioners Hoferle, Neuhalfen, Sturznickel, Szpekowski, Postelnick and Laipert. Nays: None. Absent: None. Motion carried 7-0.

CLOSE PUBLIC HEARING

AGENDA ITEM 4: Consideration of a Request for a Special Use Permit
Case No. 2015-06. 1202 South Main Street
Petitioner: Anthony Sarillo, Sarillo Development LLC

OPEN PUBLIC HEARING AND ESTABLISH QUORUM

Mr. Farnum called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Hoferle, Neuhalfen, Sturznickel, Szpekowski, Postelnick and Laipert. Absent: None.

PETITIONER COMMENTS

Mr. Stewart verified that proper notice of the meeting had been posted, and swore in the petitioners. Anthony Sarillo of Crystal Lake and the property owner, Umar Ahmad of Lake in the Hills, were present as petitioners. Mr. Sarillo gave an overview of the property, for a long time it was Luke's Hot Dog Stand, a business in the front half, with a live-in caretakers' apartment attached in the rear. Mr. Sarillo outlined the request for a special use is needed because the residence has not been used in nearly ten years. There would be very little change,

just a new use in the business part and complete remodeling. This was the only feasible option except for tearing everything down.

STAFF COMMENTS

Mr. Mason noted the special use was to re-establish the residential in the B-2 Business zoning district. This was different from some of the recent Old Town requests in that the residence was also on the ground floor, not the 2nd story, so it was a bit unique but clearly was a residential dwelling prior. If the commission recommends approval of the request, Staff provided Findings of Fact and conditions in its memorandum, which notably include a requirement for a Building Department walk through to determine the scope of improvements that needed to be completed.

COMMISSION QUESTIONS/COMMENTS

Commissioner Sturznickel asked if parking was sufficient. Mr. Sarillo noted there was ample parking in the back, with a garage, for the dwelling. All of the parking on the south and east sides was for the business.

Commissioner Neuhalphen asked what the business was going to be. Mr. Ahmad noted it was a health food store, and that he and his family were going to live in the residence.

Commissioner Postelnick asked if it was a health supplement store, or if it was going to be fresh foods or groceries. Mr. Ahmad noted it was more like a juice bar, with smoothies and fruit drinks. The kitchen hours would be 10 am to 9 pm.

Chair Patrician noted he had no questions, but noted his concern that there was not much residential around this building and was concerned about the ability to rent out the unit with no other residents nearby. Mr. Sarillo noted there were existing homes on the south and west sides of the building.

Commissioner Sturznickel noted it was vacant for 8, going on 10 years, and saw this as an improvement.

Chair Patrician noted that the extent of the remodeling would definitely require building permits.

Commissioner Neuhalphen noted that he lived above his business in Old Town, and found those business owners maintained their properties a lot better. He noted this request did not concern him and that there was a good benefit to the area.

Commissioner Hoferle noted the residence took a back seat to the business and was hardly known to be there. He concurred with Commissioner Neuhalphen.

PUBLIC COMMENT

Chairperson Patrician called for public comments.

There were none, so Chairperson Patrician closed public comments.

CLOSE PUBLIC COMMENT

COMMISSION MOTION ON PETITION

Chairperson Patrician entertained a motion to approve the request.

Commissioner Hoferle made a motion to approve the request, subject to the Finding of Fact and conditions outlined in the Staff recommendation, second by Neuhalfen. Motion passed 7-0 on a roll call vote.

CLOSE PUBLIC HEARING

AGENDA ITEM 5: Consideration of a Request for a Special Use Permit
Case No. 2015-07. BP Gas Station/Dunkin Donuts
Petitioner: Eric Carlson, ECA Architects and Planners

OPEN PUBLIC HEARING AND ESTABLISH QUORUM

Mr. Farnum called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Hoferle, Neuhalfen, Sturznickel, Szpekowski, Postelnick and Laipert. Absent: None. Farnum announced a quorum was present.

PETITIONER COMMENTS

Mr. Stewart verified that proper notice of the meeting had been posted, and swore in the petitioners. Eric Carlson is an architect from Geneva, and the property owner Vishnu Patel. Mr. Carlson explained the AM/PM lunch counter inside the BP gas station closed in 2011, and the petitioners would like to convert that area into the Dunkin Donuts. A drive through would be added to the east side of the building with the pickup window on the north side of the building. About seven parking stalls on the north side of the building would be converted to the drive aisle, and a landscaped outdoor seating area. All the building materials would match the existing building, and the parking would be replaced with nice landscaping. Dunkin is mostly drive-through business, with 60% of their business from the drive through. Other customers would park at the gas pumps like they do today, and there would still be substantial parking on the west and south sides of the building.

The drive through lane would have stacking room for 8 vehicles, and the outdoor seating would be 4 or 5 tables, totaling about 16 people. The hours would be 4 am to 11 pm. The petitioner had no concerns with the Staff recommendations and conditions.

STAFF COMMENTS

Ms. Parkhurst gave an overview of the proposal and noted the BP gas station and car wash was approved with the original Briarwood Center development in 2001. The proposal at hand was to add the drive through and outdoor seating. There would be a reduction in parking but there is plenty of parking remaining on-site.

Ms. Parkhurst noted the petitioner completed a traffic study which showed there was ample room for stacking and that 65% of the Dunkin customers are already driving by the site. The addition of the drive through will reduce the landscaping by one tree, but there are other dead trees and shrubs on site which will also be replaced, and the approval of the landscaping changes will add a fresh look to the site. The proposal includes a new wall sign that is a replacement for an advertising panel that was approved with the original development.

The Findings of Fact outline that this proposal is surrounded by commercial areas and the proposal will not be detrimental to property values. Approval, with the conditions outlined by Staff, is recommended.

COMMISSION QUESTIONS/COMMENTS

Commissioner Sturznickel asked if the solar power on the canopy roof was still working. Mr. Patel answered there was not any solar panels on the roof.

Commissioner Hoferle asked how much indoor seating was available. Mr. Carlson noted it was only 8-10 seats, there was not much indoor, and Dunkin draws a different dynamic than other food users.

Commissioner Szpekowski asked where Dunkin would be inside the building. Mr. Carlson responded in the old Wild Bean Coffee area, to the left when you walk in the door.

Commissioner Postelnick asked if Dunkin knew they had 4 stores in 3 miles.

Chair Patrician asked if they would have other food like the breakfast sandwiches or the Baskin Robbins addition. Mr. Patel answered site selection locations were up to Dunkin but he had done similar stores in Bartlett, Gurnee and Lindenhurst. It would be a full service menu but no Baskin Robbins items.

PUBLIC COMMENT

Chairperson Patrician called for public comments.

There were none, so Chairperson Patrician closed public comments.

CLOSE PUBLIC COMMENT

COMMISSION MOTION ON PETITION

Chairperson Patrician entertained a motion to approve the request.

Commissioner Szpekowski made a motion to approve the request, subject to the Finding of Fact and conditions outlined in the Staff recommendation, second by Commissioner Postelnick. Motion passed 7-0 on a roll call vote.

CLOSE PUBLIC HEARING

AGENDA ITEM 6: Consideration of a Request for a Request for a Final PUD

Case No. 2015-05. Walmart Lot 5

Petitioner: Robert Brownson, Oxford Real Estate Equities LLC

ESTABLISH QUORUM

Mr. Farnum called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Hoferle, Neuhalten, Sturznickel, Szpekowski, Postelnick and Laipert. Absent: None. Farnum noted a quorum was present.

PETITIONER COMMENTS

Mr. Patrician noted this was not a public hearing item, and asked the petitioners to come forward. John McVickers of Oxford Development and Tracy Richard of Manhard Engineering were present for the petitioner. McVickers outlined the request for final PUD approval for a lot in front of WalMart in Millbrook Marketplace. Mr. McVickers outlined Oxford's history in Algonquin including development of Target and several outlots in Woods Creek Commons.

STAFF COMMENTS

Ben Mason outlined the request for a new building on Lot 5 of Millbrook Marketplace including Mattress Firm and AT&T cell phone store. The site had proper access and connections to adjacent sites, and good pedestrian connections with sidewalks through the site. Staff felt there was too much parking provided but AT&T claimed they need 15-20 stalls for their staff at peak times. The site complies with the landscaping and the setbacks from Randall Road. Staff recommended approval with the conditions in the staff report.

COMMISSION QUESTIONS/COMMENTS

Commissioners had no questions of the petitioners. *Chair Patrician* asked about mattress storage and whether they would be allowed truckload sales. Mason responded that the recommendations included no mattress storage outside, and any special events needed approval. No balloons or banners or other outdoor attention getters were allowed.

Chair Patrician asked if there were any public comments, there were none.

COMMISSION MOTION

Chair Patrician asked for a motion on the request. Commissioner Sturznickel moved to approve the request, subject to the Staff recommendations and conditions, seconded by Commissioner Laipert. Motion passed 7-0 on a roll call vote.

AGENDA ITEM 7: New/Old Business

Commissioner Szpekowski noted she saw insulation in the windows of the new Joann Fabric store. Staff would look into it. Commissioner Sturznickel noted the fountains looked good and had worked all summer.

AGENDA ITEM 8: Adjournment

A motion to adjourn the meeting by Commissioner Sturznickel received a second by Commissioner Hoferle, and a voice vote noted all ayes. The motion carried and the meeting was adjourned at 8:55 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Russ Farnum", followed by a long horizontal line extending to the right.

Russ Farnum
Community Development Director/Recording Secretary