

**VILLAGE OF ALGONQUIN  
PLANNING AND ZONING COMMISSION  
Meeting Minutes  
William J. Ganek Municipal Center-Board Room  
August 14, 2017  
7:30 p.m.**

**AGENDA ITEM 1:**

Roll Call to Establish a Quorum

Present:

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

Absent:

None.

Staff Members Present:

Katie Parkhurst, Senior Planner; Ben Mason, Senior Planner; and Kelly Cahill, Village Attorney.

**AGENDA ITEM 2:**

Approval of Minutes from the July 10, 2017 Meeting.

A motion by Commissioner Hoferle to approve the July 10, 2017 minutes as presented was seconded by Commissioner Neuhalfen and a voice vote noted all ayes. The motion carried.

**AGENDA ITEM 3:**

Public Comment

There was no one wishing to make any public comment.

**AGENDA ITEM 4:** Request for a Final PUD and Plat of Subdivision

**Case No. 2017-06 River Bluff Estates**

Petitioner: Eric Gulbrandsen, Transformation Builders

**OPEN PUBLIC HEARING AND ESTABLISH QUORUM**

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

**PETITIONER COMMENTS**

Ms. Cahill verified that proper notice of the meeting had been posted. Ms. Cahill swore in the petitioners. Representing the development was Eric Gulbrandsen, property owner/developer and Tom McCabe, Engineer. Mr. McCabe explained the proposal is a 6 lot subdivision between North River Road and Highland Avenue. The lots will conform to the Zoning Ordinance in terms of lot sizes. Sanitary sewer will be provided by a private sewer main on North River Road for the 3 lots on N. River. Developer will pay a fee-in-lieu of detention and use best management practices to slow and clean the water before discharging into the Fox River. Each lot will come in with separate permits due to the trees and topography on site, each house will be sited carefully. Two private wells will be added for the lots on North River Road, plus one existing well. Three lots on Highland Avenue will be served by Village water and sewer. Mr. Gulbrandsen is planning to build one house for himself and sell the other lots. Mr. McCabe stated that there is a discrepancy with a corner lot line so they will move the setback further to account for any discrepancy.

Mr. Gulbrandsen stated that he submitted a house rendering for a potential home to be built on Highland Avenue. Staff is requiring brick on the front and sides of the homes. Mr. Gulbrandsen stated that the rear of the homes really faces the river and he is asking that brick not be a requirement because he would prefer a lake style home with siding and decks. Another issue is the minimum side yard of 7.5 feet instead of 10 feet because he would like the option of side-load garages.

#### **STAFF COMMENTS**

Mr. Mason apologized for the technology difficulty with the TV this evening. Mr. Mason reviewed his staff memorandum dated August 14, 2017. The property is approximately 7 acres and consists of 3 lots. The request is for a Final Plat of Subdivision approval for 6 lots and Final PUD approval. Mr. Mason reviewed the staff concerns with the development plans. Staff feels the 7.5-foot setback is acceptable. Staff is still recommending brick/stone as the major design feature on the front and sides of the homes to be consistent with other new subdivisions. The Village is compromising on allowing the lots on North River Road to have private wells as long as the developer pays a fee in-lieu of the cost to install a watermain along the property on North River Road. The existing home on property and other buildings need to be demolished prior to plat being recorded. Phasing of work will require a site development permit for the overall subdivision and then each lot will need their own site development permit. The overall site development permit will require the initial stormwater to be addressed. All lot purchasers will be responsible for paying the appropriate tree mitigation fees and engineering costs.

#### **COMMISSION QUESTIONS/COMMENTS**

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

Commissioner Hoferle inquired about construction of the lots on North River Road and the direction the house faces. Who will review the architectural elevations? Mr. Mason stated that staff will review based on the Village architectural standards and those approved through this PUD. Mr. Hoferle asked who determines the front and rear of the homes. Mr. Gulbrandsen stated the homes will all be custom. Mr. Hoferle does not understand the point of masonry facing up the hill if that is the front of the house. Mr. Gulbrandsen shared an elevation of one of the proposed homes that shows all the decks on the façade facing the road and river. Mr. Mason stated that staff was not aware the rear of the home would face the street.

Commissioner Szpekowski stated the rear of the houses should be attractive. Commissioner Szpekowski inquired how the lots on North River Road would all share the river access and river property. Mr. McCabe explained that the 3 lots on North River Road would essentially have the lots lines cross the street and extend to the river. Each lot would have a piece of property to have their docks. Petitioner Szpekowski stated the preservation of trees is important.

Commissioner Postelnick questioned how the rear of the house can face the road and how that will be handled.

Commissioner Neuhalphen stated he is in agreement with the other commissioners that the building materials do not have to be brick or stone, he likes the diversity. He inquired about the size of the docks. Mr. Gulbrandsen stated that they will follow the rules to build docks, they can only be a certain size.

Commissioner Laipert inquired how the sanitary sewer works on North River Road. Mr. McCabe explained that it is a low pressure force main and each house has a grinder pump. The system is private until it reaches East Algonquin Road.

Chairperson Patrician inquired about the staff review of building standards for each house as part of the building permit. He feels the orientation of the house is acceptable, but should meet Village standards.

## **PUBLIC COMMENT**

Chairperson Patrician called for public comments. Each person was sworn in by Ms. Cahill prior to speaking.

Jeff Brooks, 9 Echo Woods Drive, stated he has lived in Algonquin for a long time. His father, a builder, built his home on Echo Woods and it was an interesting process. This area is very unique due to the trees. He wanted his house to face the water, but was told it needed to face the street. There are also a lot of natural springs in this area and that may impact the construction. There is a lot of water in this area that flows over the land and this needs to be considered very carefully. The petitioner has already altered the water in the area and he has cut down significant trees on the site. His biggest concern is the flow of water. Having separation between the houses is important, having them close together in the woods is not attractive. This is a beautiful area and he would like to see it remain that way. The grinder pump sewer system is great and works fine. The Village maintains once it gets to Algonquin Road. This is not a typical subdivision, please do not treat it as one.

Mrs. Parkhurst noted that Village code requires a house to front on the public street. Staff has addressed the tree removal on site.

Eric Stratton and Diane Stratton, 1121 North River Road, stated the back of the house facing the road does not make any sense, please maintain that the front of the house faces the street. Mr. Stratton wishes to echo the comments that Mr. Brooks stated regarding the water running down the hillside, that is the main concern. There is a creek behind their house started with a natural spring. This creek has been rerouted by the developer and put in a pipe and that is not sufficient to handle the volume of water. This is now flowing into their yard and they are concerned about it flooding their house. The lot line is an issue as two different surveyors have looked at the property and determined that the plat the Stratton's have is accurate. Mr. Mason stated that the petitioner and the other property owner need to submit historical data and surveys to determine what is accurate. This is a requirement of Mr. Gulbrandsen to submit further information for the Village Engineer to review and determine where the lot line should be. Mr. Stratton stated he is glad to hear the abandoned house will be demolished as that is an eyesore. Mr. Mason stated the demolition needs to occur before any other permits will be issued. Mr. Stratton stated the property should be maintained according to Village codes and it has not been. He requested that the Village enforce property maintenance on this property. Ms. Stratton inquired about the tree replacement, the existing trees are huge, how do you replace that? Chairperson Patrician and Mr. Mason explained that the trees are replaced by diameter. A tree survey is required and the diameter of trees lost need to be replaced with numerous new trees and/or pay a tree mitigation fee. Ms. Stratton inquired about the impact on loss of shade. Ms. Cahill explained that the lot is zoned for residential development and they have constitutional due right to develop the land. Ms. Cahill stated that the Village can consider the house orientation although staff has not reviewed or considered this as that was not presented on the plans. Ms. Stratton asked to see the elevation drawing of the house that was submitted.

Chairperson Patrician inquired that Village codes do require the front of the house face the street. Mrs. Parkhurst stated yes and that staff would further look into the matter.

Stacey Brooks, 9 Echo Woods, inquired about the loss of trees and the idea that minimum amount of trees be distributed, how does that work if the house barely fits within the side yard setbacks. She stated that they built their house with very minimal tree loss because maintaining the trees was critical to them. Concern that many trees have been removed already. Chairperson Patrician stated that the priority is to retain the trees within reason, then replace the trees, then pay the fee if the trees cannot be preserved or replaced. Ms. Brooks feels that the Village should embrace the environment and the trees and not make it a new subdivision. She again expressed concern with the water flow.

Mr. McCabe responded to the questions stating the trees that were removed were dead ash trees, approved by the Village arborist. Mr. McCabe stated they looked at a cul-de-sac design which would have removed significantly more trees. Mr. Gulbrandsen announced the house elevation he shared during the meeting is one that a customer wishes to build. Chairperson Patrician asked if Mr. Gulbrandsen understood the front of the house needs to face North River Road. Mr. Gulbrandsen stated yes.

## **CLOSE PUBLIC COMMENT**

## **COMMISSION MOTION ON PETITION**

Commissioner Hoferle expressed concern about front and rear elevations and review according to the code. Mr. Mason stated that staff will review according to code regarding what constitutes the front of the homes. Mr. Mason asked for clarification on the materials that should be included. Commissioner Hoferle requested premium siding be used for the front or the elevation facing the road, he does not want to require brick. Commissioner Szpekowski stated there could be features with brick.

Chairperson Patrician inquired about the stormwater concerns and the fee in lieu. Mr. Mason stated the Village Engineer is comfortable with the fee in lieu of detention, for the typical pond. The fee is set by the Kane County Stormwater Ordinance. However, there still needs to be some stormwater diversion or bypass provided in the new development to ensure the water conditions do not change from current conditions to after development. The developer still needs to address this condition as their proposal does not satisfy the Village Engineer. Each new lot will also need to have BMP's on their lot.

Chairperson Patrician clarified that the approval this evening would be for the subdivision plat and not necessarily the orientation of the homes.

Chairperson Patrician entertained a motion to approve the request for a Final PUD and Plat of Subdivision for River Bluff Estates. Commissioner Sturznickel moved and Commissioner Neuhalfen seconded a motion to recommend approval of the request, consistent with the findings of fact listed in the August 14, 2017 Community Development memorandum, the conditions recommended by staff, and the plans submitted by the developer and the condition that premium building materials, such as hardi board, wood siding or masonry, be used on the exterior of the homes, no vinyl or aluminum siding.

The Roll Call noted the following: Ayes: Chairperson Patrician; Commissioners Hoferle, Laipert, Neuhaufen, Sturznickel, and Szpekowski. Nays: Postelnick. Absent: None. Motion carried 6-1.

## **CLOSE PUBLIC HEARING**

**AGENDA ITEM 5:** Request for a Special Use Permit

**Case No. 2017-08 Kids Island Learning Center, 1600 E. Algonquin Road**

**Petitioner:** Krzysztof Szczepaniec, Kids Island Learning Center

## **OPEN PUBLIC HEARING AND ESTABLISH QUORUM**

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

## **PETITIONER COMMENTS**

Ms. Cahill verified that proper notice of the meeting had been posted. Ms. Cahill swore in the petitioner. Representing the petitioner was Mr. Krzysztof Szczepaniec, business owner. The business is a learning and day care center for children ages 2-12 years old. In addition to typical daycare, the older students will be able to get help with homework before or after regular school hours. The business has three other locations and ninety percent of students are from Polish-speaking families. Children are taught in Polish and English, with a greater emphasis on English as they prepare to enter kindergarten in the local public school system. The business would be open 7am to 6pm, Monday through Saturday. The rear portion of the building which was originally designed as a warehouse would be converted into an indoor play area. There will also be an outdoor playground.

## **STAFF COMMENTS**

Ms. Parkhurst reviewed her staff report for the Commission. The property is zoned B-2 PUD, and a daycare use would be allowed with a Special Use Permit. The building was formerly Rec Room Furniture, which closed in 2008. No exterior changes are proposed however a new outdoor play area would be added on the east side of the building and be fenced in. The business will be required to follow the Village's sign ordinance regulations and any commercial vans or vehicles would be required to be parked back away from Ryan Parkway.

## **COMMISSION QUESTIONS/COMMENTS**

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

Commissioner Sturznickel asked if there are windows on the building, to which the petitioner stated yes there are and each classroom will likely have two large windows. Commissioner Sturznickel asked if there will be a fence around the outdoor playground, to which the petitioner stated yes. Commissioner Sturznickel asked if security cameras will be installed, to which the petitioner stated yes there will be some in the hallways and common spaces but not in the individual classrooms.

Commissioner Laipert asked how children will be dropped off, to which the petitioner explained people will park and walk their children to a secure door at the front entrance.

Commissioner Neuhalphen asked what is the maximum number of students the building can accommodate, to which the petitioner stated the capacity will be 200 children.

Commissioner Szpekowski asked if the goal of the daycare is to get kids ready to enter the public school system, to which the petitioner stated yes and students are taught in English once they reach four years old.

Commissioner Hoferle asked if the existing parking lot will be sufficient, to which the petitioner stated yes and explained drop off times are spread out between 7:00-9:30am and pick up times are spread out between 2:30-6:00pm.

Chairperson Patrician asked what are the tuition rates, to which the petitioner stated \$200 per week for full time day care and \$155 per week for enrollment in the after-school learning program only. Chairperson Patrician asked how many employees there will be, to which the petitioner stated approximately 25.

#### **PUBLIC COMMENT**

Chairperson Patrician called for public comments. There was none.

#### **CLOSE PUBLIC COMMENT**

#### **COMMISSION MOTION ON PETITION**

Chairperson Patrician entertained a motion to approve the request for a Special Use Permit for Kids Island Learning Center at 1600 East Algonquin Road. Commissioner Szpekowski moved and Commissioner Sturznickel seconded a motion to recommend approval of the request, consistent with the findings of fact listed in the August 14, 2017 Community Development memorandum, the conditions recommended by staff, and the plans submitted by the developer.

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

#### **CLOSE PUBLIC HEARING**

#### **AGENDA ITEM 6: New/Old Business**

There will be a meeting in September.

#### **AGENDA ITEM 7: Adjournment**

A motion to adjourn the meeting was made by Commissioner Szpekowski and seconded by Commissioner Sturznickel, a voice vote noted all ayes. The motion carried and the meeting was adjourned at 9:40 p.m.

Respectfully Submitted,



Katherine T. Parkhurst, AICP  
Senior Planner