



**Village of Algonquin
Minutes of the Committee of the Whole Meeting
Held in Village Board Room
May 22, 2018**

AGENDA ITEM 1: Roll Call – Establish A Quorum

Present: Trustees Debby Sosine, Janis Jasper, Jerry Glogowski, Laura Brehmer, Jim Steigert.

Absent: John Spella and President Schmitt. A quorum was established.

Staff Members Present: Village Manager, Tim Schloneger; Assistant Village Manager, Mike Kumbara; Community Development Director, Russ Farnum, Senior Planner, Ben Mason; Public Works Director, Bob Mitchard; Police Chief, John Bucci; Village Clerk, Jerry Kautz and Attorney, Kelly Cahill.

Trustee Steigert, Chairman, called the Committee of the Whole meeting to order at 7:30 p.m.

AGENDA ITEM 2: Public Comment – Audience Participation

None

AGENDA ITEM 3: Community Development

A. Consider a Final PUD and Special Use Permit for Oberweis Dairy, 235 S. Randall Road

Ben Mason & Russ Farnum reporting:

Mr. Patrick Fitzgerald and Michael Aragona, Oberweis Dairy, has submitted a petition to for Final Planned Unit Development and Special Use Permit, to construct a 5,000 square foot restaurant building with outdoor seating and a drive-through. The subject property is located at 235 S. Randall Road and is currently a vacant lot. The parcel is situated directly north of Wendy's and south of BMO Bank.

The building will have a common entrances facing west toward the parking lot, but will offer three separate restaurants inside that are all owned by the Oberweis company: Oberweis Dairy; That Burger Joint; and Woodgrain Pizzeria.

The subject property is an outlot (Lot 4) in Kaper's East Subdivision, which was platted in 1989. Access to the site will be from the private frontage road to the east, which runs through the River Pointe Shopping Center and connects Stonegate Road with Algonquin Road. Similar to adjacent outlots on Randall Road, the parking lot is setback 50' feet from the existing Randall Road right-of-way however, it is important to note this parcel will have approximately half of its landscape setback acquired by the county as part of the Randall Road widening project. Regardless, the location of the parking lot and footprint of the building will maintain a street frontage compatible with the surrounding outlot parcels. Staff had concern about an earlier version of the parking lot configuration, which depicted perpendicular straight-in parking that would be more appropriate for two-way traffic aisles. Given this lot would be stripped for one-way traffic, the Village Engineer and Staff recommended converting the parking layout to diagonal stalls as reflected on the updated plans enclosed. The revised layout is more consistent with a one-way flow of vehicles and though the modifications resulted in a loss of 11 parking spaces, the developer has explained they could obtain a formal easement from the River Pointe Shopping Center owner to gain access to additional spaces for their exclusive use, but are comfortable with the initial amount of parking proposed. Per the village's zoning code, 15 spaces are required per 1,000 sf of restaurant space which would amount to a total of 75 spaces being required for a building of this size; given that approximately one-half of the interior space will be kitchen and staff areas, as well as the fact a drive-through ordering option will be available to service customers, Staff is comfortable there will be sufficient parking. The developer shall request their employees park across the frontage road in the main parking field of the River Pointe Shopping Center if parking ever becomes an issue. The property is required to provide stormwater detention and is proposing an underground storm

vault system similar to what the Buona Beef restaurant installed as part of their development a couple years ago. As an additional alternative, Public Works has suggested the developer could pay a stormwater fee-in-lieu to assist with restoration work to the off-site pond the property's runoff ultimately connects into and Village Staff is evaluating the feasibility of doing so in conjunction with the owner of the pond at this time.

Photometric Plan – The lighting plans shall be revised to address the Village Engineer's comments. In general, the light fixtures shall comply with village standards, and consist of metal halide or LED, flat black painted posts, downcast lights, and have bulbs flush with housing on 25-foot poles. Light fixtures shall not have a tilt. All wall-mounted lights on the building shall be shielded and downcast with the housing covering the lumens.

Landscape Plan – Landscaping treatments are proposed around the perimeter of the site, and there will be 10-foot landscape setbacks on both the north and south sides between the adjacent outlots. Foundation plantings are shown around the building where feasible. The developer shall address the comments and revisions noted in the Public Works review memo, notably the addition of landscape beds along the south property line.

Signage – A monument sign is proposed along Randall Road, near the southwest corner of the site but no drawings have been provided at this time. The monument sign shall comply with the Village's Sign Code regulations, which include a maximum height of 10 feet from grade, maximum of two tenant panels and surface area maximum for signable copy of 128 square feet if double-faced. The ground sign shall be made of masonry materials to match the building and have a decorative stone cap.

Currently, the color building elevations show a total of ten (10) wall signs. The color building elevations will need to be revised to conform to the Village's regulations for wall signs. One wall sign is permitted per tenant, with the corner or end units being allowed a second sign. No stamped or painted logos are permitted on the surface of the buildings masonry.

Architecture – The developer has provided color renderings of the building, which show unique façade treatments for each of the three restaurant concepts. A common masonry foundation will run along the base of the entire building and help to unify the building visually. The shiplap siding on That Burger Joint in the middle of the building will help provide an earth tone color to contrast the lighter brick and stone color palette on the remainder of the building. Staff has concern though that the color of the brick proposed for the Oberweis and Woodgrain Pizzeria facades are in slightly different off-white tones, which will make the exterior look awkward; it is therefore recommended a common brick be used on both facades. Staff believes that while having three distinct façade treatments on a retail building of this small of a size is unique, it does serve to provide visual interest and reflects Oberweis' intention to present a sort of food-court offering to customers. Additionally, an outdoor seating area is proposed at the south end of the building, adjacent to the Oberweis Dairy tenant space, and shall have a decorative black wrought iron fence enclosure installed around the perimeter. On April 9, 2018 the Planning and Zoning Commission considered the petition and unanimously recommended approval (5-0) of the request for Final PUD and Special Use Permit for the drive through and outdoor seating, subject to the conditions listed by staff.

Staff concurs with the Planning and Zoning Commission and recommends approval of the Final PUD and Special Use Permit for the drive through and outdoor seating, with the following conditions:

1. That site construction shall not commence until a site development permit has been issued by the Village.

2. The Site Plan as prepared by Michael Aragona Architects with a latest revision date of May 1, 2018 shall be revised to incorporate comments from the May 18, 2018 Christopher Burke memo, the March 30, 2018 Public Works memo, and March 26, 2018 Police Department memo. The trash enclosures shall match the design of the building, consists of a masonry exterior, and includes space for recycling containers. The developer shall also consider making a sidewalk connection out to the new bike path McHenry County DOT will be installing in the Randall Road right-of-way.

3. The Engineering Plans as prepared by SpaceCo with a latest revision date of May 1, 2018 shall be revised to incorporate comments from the May 18, 2018 Christopher Burke memo, the

March 30, 2018 Public Works memo, and the March 19, 2018 Fire District memo, and March 26, 2018 Police Department memo.

4. The Photometric Plan as prepared by Michael Aragona Architects with a latest revision date of May 1, 2018 shall be revised to incorporate comments from the May 18, 2018 Christopher Burke memo, the March 30, 2018 Public Works memo, and the March 26, 2018 Police Department memo. The parking lot light fixtures shall meet village standards of metal halide or LED lights, the lens flush with the housing, flat black poles in addition, fixtures, and no exposed bulbs.

5. The Landscape Plan as prepared by McCallum Associates with a latest revision date of April 30, 2018 shall be revised to incorporate comments from the May 18, 2018 Christopher Burke memo and the March 30, 2018 Public Works memo. The enclosure around the outdoor seating shall consist of a decorative black wrought iron fence.

6. The building shall be constructed consistent with the architectural elevations prepared by Michael Aragona Architects with a latest revision date of May 1, 2018. The brick and mortar may not be painted at any point in the future. All roof mounted or ground located mechanical/electrical equipment shall be fully screened with an appropriate architectural element or landscaping. The same color brick shall be used on both the Oberweis and Woodgrain Pizzeria facades.

7. A maximum of one monument sign is permitted for the overall development and a total of two sign panels shall be allowed. The monument sign shall comply with the Village's Sign Code regulations, which include a maximum height of 10 feet from grade, maximum of two tenant panels and surface area maximum for signable copy of 128 square feet if double-faced. The ground sign shall be made of masonry materials to match the building and have a decorative stone cap.

8. The wall sign plans as prepared by Direct Sign Systems with a latest revision date of March 12, 2018 shall be revised to conform to the Village's Sign Code regulations that permit one (1) wall sign per tenant. End or corner unit tenants shall be permitted a second wall sign. No stamped or painted logos are permitted on the surface of the building's masonry.

Discussion: Several issues were brought up by members including building and brick colors. They were shown samples of what is proposed. There was concern regarding parking spaces and overflow parking. Since overflow would be mean crossing the frontage drive, members asked if a safety cross walks would be added. There were no plans at this time was the reply. Storm water drainage would be provided by an underground vault that would allow excess water to be released to an offsite pond across from Lifetime Fitness. Another question of would there be cross access to the next door properties. Answer is no. The time period for this project would be five months after breaking ground. All three businesses within this building will open at the same time. Tim Schloneger suggested to the members that staff would work closely with Oberweis to resolve these issues.

The consensus from the Committee of the Whole was to move forward to the Board for approval

B. Consider a Special Use Permit for Markwalder Animal Care Clinic, 230 Stonegate Road

Ben Mason reporting:

The petitioner, Dr. Dan Markwalder, Algonquin Animal Care Clinic, has applied for a Special Use Permit to allow for the addition of overnight pet kennel boarding at the existing vet clinic located at 230 Stonegate Road. The vet clinic was originally approved as a PUD in 1997. The petitioner has submitted a petition to add kennel / boarding services. To accommodate the kennel service, a small 714 square foot addition will be added to the south end of the building in an area that is currently a fenced enclosure. A second, 353 square foot addition will be added to the front of the building to provide some additional office space and allow for minor reconfiguration of the existing floor plan and exam room areas. The subject property is zoned B-2, General Retail and an indoor animal shelter/kennel is allowed as a special use in any B-1, B-2, 1-1, or 1-2 Districts. The proposed overnight boarding service will be accessory to and support the business' primary veterinarian services. The petitioner has designated the interior room that will be added on to the south side of the building as the 'Kennel Boarding Room'. An outdoor exercise and relief area will be fenced in directly adjacent to the indoor kennel room, and allow the dogs to be taken outside during the day. The petitioner is requesting the privacy fence be allowed to be 8-foot tall due to the

potential for dogs to jump over and clear a standard 6-foot tall fence; Staff supplies the request in order to limit any issues with dogs potentially escaping from the exercise area.

The building additions are proposed to include rooflines that are compatible with the existing building design, brick exteriors with soldier course rows above the windows and below the eaves, all to match the original architecture. The petitioner shall add landscaping in the 10-foot perimeter area between the outdoor exercise area and south property line. On May 14, 2018 the Planning and Zoning Commission considered the petition and unanimously recommended approval (7-0) of the request for a Special Use Permit to allow overnight kennel boarding services, subject to the conditions listed by staff.

Staff recommends approval of the Special Use Permit for overnight boarding and kennel services at the Algonquin Animal Care Clinic, consistent with the findings of fact listed in the staff report and with the following conditions:

1. The petitioner shall apply for and obtain necessary building permits for the new construction and outdoor fence enclosure area.
2. The building additions shall be consistent with the design of the architectural elevations provided by Linden Group Architects, dated April 25, 2018.
3. The fence enclosure shall be allowed to be eight (8) foot tall to prevent dogs from jumping over and out of the outdoor exercise area.
4. The fence shall be an earth tone color, to complement the brick exterior of the building.
5. The petitioner shall add landscaping in the 10-foot perimeter area between the outdoor exercise area and south property line.
6. Except for emergency purposes, dogs boarded overnight shall not be allowed outside between 9:00pm in the evening and the opening of regular business hours in the morning at 7:00am.
7. Any waste outside the building shall be cleaned up immediately and stored in an airtight manner until it can be properly disposed of through the waste hauler's regular pick-up.

Discussion: Basically, the one question from the Committee was is there enough parking for the increase in space. Dr. Markwalder explained that there is adequate parking noting that the extra boarding is for patients that need additional care after medical treatment. There will be no general boarding of dogs. Trustee Sosine did add that she had used their services and was very pleased and will approve.

Consensus was to pass this item mon to the Board for approval.

C. Consider a Re-zoning, Final PUD and Special Use Permit for Fox 14 Marina, 811 N. Harrison Street

Ben Mason reporting:

Garry and Kim Zack, owners of Fox 14 Marina, purchased the former Ericson Marine property in 2017 and have worked over the past year to clean up the site, dispose of abandoned boats, and refresh the overall image of the property. The marina property is located at 811 N. Harrison Street and consists of 10 buildings on 5.83 acres as depicted on the attached Property in Question map. The property is currently zoned R-1, Residential and received a Special Use permit in 1986 for the marina use.

The Zack's have submitted a petition for re-zoning the marina property to B-1, Business to accommodate their future plans for converting an existing pavilion shelter into a restaurant / grill that would offer indoor and outdoor seating as the weather allows. B-1 zoning would allow the petitioner to request a liquor license for a restaurant, as well as the business' interest to sell packaged beer and wine from the marina's ship store. A tavern where alcoholic liquors are sold to be consumed on the premises is not allowed under B-1 zoning and shall be prohibited on the marina property. The restaurant use being proposed would be appropriate under B-1 zoning as the petitioner's simply would like to offer a casual grill atmosphere where their customers can sit and enjoy the riverfront, rather than a boisterous bar with loud music and late hours. Staff therefore supports and is comfortable with the restaurant component as the owners of the marina intend to be a good neighbor and respectful of the community.

The petitioners are requesting a Special Use Permit for outdoor dining, as well as for the continued use of the property as a marina under the new B-1, Business zoning designation. In regard to the restaurant, Final permit / construction drawings would be required to be submitted for review and approval by the Community Development Department, however Staff supports the proposed renderings provided the brick foundation be carried around all four sides of the building and the metal roof is an earth tone color that complements the brick on the building. The petitioner shall be required to provide material samples of the brick and roof prior to obtaining any building permits. The petitioner shall be required to submit floodplain delineation for their property for review by the Village's Building Department, to determine if the proposed construction would be located in a floodplain and whether compensatory storage would be required.

The village requires 15 parking spaces per 1,000 square feet of restaurant, therefore based on the proposed size of the building the petitioner is proposing approximately 30 spaces would be required for restaurant patrons. Staff believes that on-site parking will be sufficient due to the fact there would be a mix of existing customers from the marina in addition to the general public; however, it is recommended that as a condition of approval buildings 5 and 7 be demolished and converted to additional parking prior to the Village issuing any construction permits for the restaurant.

Furthermore, it is recommended that the petitioner shall be required to pave / blacktop the off-site boat storage lot across Harrison Street and designate vehicle parking for restaurant patrons if, in the opinion of the Village, a lack of parking ever becomes an issue.

The petitioners are proposing to retain a residential structure on the south end of the property, and would like to have the ability to rent it out to an employee or family member associated with the marina. Staff is comfortable with residential or commercial use of the structure as it was built as a single-family house and the previous marina owner had gutted the building for potentially converting it to indoor boat storage.

There is a sign the petitioners are proposing at the northeast corner of the property to help designate the business name / location for boaters on the river. The Village's Sign Code does not allow for new pole signs, however the petitioner is proposing to re-use a sign pole remaining from the previous marina and Staff therefore supports their continued use of the pole provided the new sign panel dimensions do not extend beyond the length of the top crossbar and are consistent with the renderings as depicted on the plan provided by Q.T. Signs dated March 2, 2018.

On May 14, 2018 the Planning and Zoning Commission considered the petition and unanimously recommended approval (7-0) of the request for Re-zoning of Parcels 2, 7, 8, 9 from R-1 Residential 1 to B-1 Business, subject to the conditions listed by staff.

1. The property owner shall apply for and obtain a demolition permit from the Building Department prior to removing any buildings on the site.

2. Buildings #5 and #7 shall be demolished and converted to additional parking prior to the Village issuing any building any building permits for the future restaurant.

3. The petitioner shall be required to submit a floodplain delineation for the property for review by the Village's Building Department, to determine if the proposed construction of the new restaurant building would be located in a floodplain and whether compensatory storage would be required.

4. The restaurant building shall be constructed consistent with the elevation dated April 6, 2018. The brick foundation shall be carried around all four sides of the building and the metal roof shall be an earth tone color that complements the brick on the building. The petitioner shall be required to provide material samples of the brick and roof prior to obtaining any building permits.

5. The petitioner shall be required to pave / blacktop the current gravel area located on the off-site boat storage lot on the west side of N. Harrison Street to designate vehicle parking for restaurant patrons if, in the opinion of the Village, lack of parking ever becomes an issue for the restaurant use.

6. The property owner shall install parking lot lighting when the restaurant building is constructed and the fixtures shall be required to conform to the village's standards. The parking lot light fixtures shall have metal halide or LED lights, the lens flush with the housing, flat black poles and fixtures, and no exposed bulbs.

7. The property owner shall apply for and obtain a liquor license from the Village prior to offering for sale packaged beer and wine from the ship store and / or at the future restaurant building.

8. The petitioner shall be required to apply for and obtain a sign permit from the Building Department for the proposed pole sign as depicted on the rendering by Q.T. Signs dated March 2, 2018. The sign panel shall not extend beyond the length of the top crossbar.

9. The single-family residential structure located on the marina property with an address of 801 N. Harrison Street shall be allowed to remain in use as a residence for an employee or family member of the marina.

Discussion: Trustee Glogowski said the neighbors he talked with are pleased that the property but was concerned about the floodplain and parking. Ms. Sosine asked if the demolition would impact the trees. Mr. Zack responded they are very familiar with the floodplain issues and the trees were next to the area that would be parking, so they would not be torn down. Ms. Jasper asked if they sold liquor at the Fox River Grove location? The reply was they have a tavern next door to the Fox River Grove location and they don't sell liquor at the Marina.

Consensus of the Committee of the Whole was to move on to the Board for approval.

D. Consider the Following Special Event Permits:

Russ Farnum reporting:

Other than the potential for amplified music, the Algonquin Commons and AAPLD events do not require Board approval:

1. Algonquin Commons

Touch a Truck, June 10;

Outdoor Movie Nights June 2, 16, 23 and 30;

Cruise Nights every Tuesday through September 11;

2. Algonquin Area Library District Tent Events

June 15 Outdoor Concert;

July 31-August 3 Storytelling festival and outdoor concert;

3. Trails Swim Team Invitational at Lions Pool

June 23 Swim Tournament and Raffle

Consensus was to approve all events including those that need Board action

AGENDA ITEM 4: General Administration

A. Consider an Agreement with CityFront Innovations

Mike Kumbera & Tim Schloneger reporting:

The agreement with CityFront Innovations is a step towards establishing the Village of Algonquin as a "smart city." By using artificially intelligent (AI) technology, we believe we can improve the quality of services we deliver, and the way we communicate with our citizens, businesses and visitors. The successful implementation of this technology will allow us to extend community engagement, increase transparency, expand and create real time answers to questions, rapidly aggregate data, and pave the way for a more efficient and responsive government.

By entering into the agreement, the Village of Algonquin will become one of the first municipal governments in the nation to embrace an artificially intelligent Smart City mobile application and platform. Because we will be on the forefront of developing and implementing new applications, there is risk in the project's ultimate success. We will not be purchasing off-the-shelf software that has already sold millions of units. With this in mind, the Village has negotiated a Public-Private Partnership that will allow the Village to capitalize on the upside of a successful project. Through the Agreement, CityFront will pay a 10% one-time (Net Revenue) royalty for any city/village/township that purchases the CityFront FOIA Request Module, until it has paid the Village a total of \$100,000. This revenue sharing will compensate the Village for its work in developing the new application for this technology. The Village has been nationally recognized for our implementations of ESRI GIS software and CityWorks asset management. Our team has the proven track record and unique skill set necessary to make this initiative a success. Therefore, I

believe while there is risk in developing something new, the upside on so many fronts make it a worthwhile investment of public dollars.

The total year one cost for the CityFront app and Natural Language Voice Command FOIA Request will be \$75,000.

CityFront would like to offer a Public-Private Partnership opportunity for the Village of Algonquin. If the \$75,000 year one payment is made by the Village, CityFront will pay a 10% one-time (Net Revenue) royalty for any city/village/township that purchases the CityFront FOIA Request Module, until CityFront has paid the Village a total of \$100,000.

Payment Terms Pilot Test Rate

- Year 1 Payment (May 15, 2018) \$75,000
- Year 2 Payment (May 15, 2019) \$95,000
- Annual Licensing Renewal for CityFront Experience Mobile (\$20,000) and FOIA Platform (\$30,000) for years 3 and on \$50,000

During discussion, several Members were concerned of where the funds will come since this is not in the current approved annual budget. Mr. Kumbera said there were several areas of savings that can be used to provide funding. He stated he will send the strategy to each Member within the next day. Mr. Schloneger added that due to several vacancies not intended to be filled within staffing can provide enough funding for this project. Ms. Sosine responded to the other Committee Members that Staff has always been able to provide funding from the budget for projects such as this.

The consensus of the Committee of the Whole was to move this project to the next Board for approval.

AGENDA ITEM 5: Public Works & Safety

A. Consider an Agreement with Morrow Brothers Ford for the Purchase of a Police Interceptor Utility AWD

Chief Bucci reporting:

He is requesting permission to move forth with the purchase of a Ford Utility (SUV), with a total cost of \$39,845 (\$28,890 for vehicle and \$10,955 for additional equipment, lights, markings, etc.) This vehicle is a replacement vehicle for squad that was "totaled" while responding "code" (lights and sirens) in an attempt to apprehend a Felony suspect. Squad 01 had been assigned to the patrol division and was a 2017 Ford Explorer, semi-marked. SUV. As of this time, we are utilizing squads 86 and 87 as replacement vehicles that are both scheduled to be replaced in this current budget year. The police department is in need. of this vehicle as it creates a shortage to the scheduled fleet if not replaced. Replacement of this vehicle will bring the fleet to the originally scheduled vehicle allotment. Not replacing the vehicle will create additional mileage and usage to vehicles in the fleet which has proven to create additional maintenance and reapers and increases the potential for vehicles being out of service on a more consistent basis.

We have received a check from insurance during FY 17/18 for \$27,297.03 for the total loss of Squad 01 to apply to this purchase. It is our intent to apply cost-savings realized during the current fiscal year to fund the difference. However, given the proximity to the fiscal year start, we are initially requesting that the difference come from existing fund balance.

Consensus of the Committee of the Whole was to move this item to the Board for approval.

B. Consider an Agreement with Christopher Burke Engineering for Civil Engineering Work Associated with the Harrison Street Bridge Improvements, Crystal Creek Streambank Improvements and the Association River Walk

Bob Mitchard reporting:

Staff is asking for approval of this engineering agreement with Christopher B. Burke Engineering Ltd. for the civil engineering work associated with the Harrison Street bridge improvements, the

Crystal Creek streambank improvements and the associated Riverwalk, including landscape in addition, hardscape features. The scope of services in this large project will include the following:

- Task 1 Plan Preparation
- Task 2 Floodway Permitting
- Task 3 LOMR (Letter of Map Revision) Submittal
- Task 4 Agency Coordination and Project Meetings
- Task 5 Wetland/Waters of the US Permitting
- The scope of services details are further itemized in the agreement.

This project design was unbudgeted due to the dynamic and overlapping changes to the original downtown proposed schedule. However, there will be an excess of funds remaining in the budget from Phase 1B design services, as well as a surplus in other line items of the Street Improvement Fund due to savings that we have experienced in good construction bids received so far this year. Therefore, it is our recommendation that the Committee of the Whole take action to move this matter forward to the Village Board for approval of an agreement with CBBEL for Consulting Engineering Service for the Harrison Street Bridge and Crystal Creek Improvements in an amount not to exceed \$176,031.00.

There was consensus of the Committee of the Whole was to forward this agreement to the Board for approval.

AGENDA ITEM 6: Executive Session

None

AGENDA ITEM 7: Other Business

None

AGENDA ITEM 8 Adjournment

There being no further business, the Committee of the Whole meeting was adjourned at 9:15 p.m.

Submitted: Jerry Kautz, Village Clerk