

**VILLAGE OF ALGONQUIN  
PLANNING AND ZONING COMMISSION  
Meeting Minutes  
Algonquin Village Hall Board Room  
August 8, 2011**

**AGENDA ITEM 1:** Roll Call to Establish a Quorum

Present: Chairperson Patrician; Commissioners Sabatine, Sturznickel, Szpekowski and Zaplatynsky.

Absent: Commissioners Hoferle and Neuhalfen.

Staff Members Present: Russ Farnum, Community Development Director; Katie Parkhurst, Senior Planner; Ben Mason, Senior Planner; Kelly Cahill, Village Attorney; and Kimberly Nix, Recording Secretary.

**AGENDA ITEM 2:** Approval of Minutes from the July 20, 2011 Meeting.

Chairperson Patrician entertained a motion to approve the July 20, 2011 minutes as presented. *Commissioner Sturznickel* motioned and *Commissioner Sabatine* seconded a motion to approve the minutes as presented. The voice vote noted all ayes and the motion carried.

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

- Consideration of a Request for a Special Use Permit. **(Case No. 2011-05. No Limit Arcade)**
- Consideration of a Request for a Special Use Permit. **(Case No. 2011-06. School of Expressive Arts and Learning)**
- Consideration of a Request for a Zoning Ordinance Amendment. **(Case No. 2011-08. Zoning Ordinance Amendment of Business Park Zoning District)**

**AGENDA ITEM 3:** Consideration of a Request for a Special Use Permit.

**Case No. 2011-05. No Limit Arcade**

**OPEN PUBLIC HEARING AND ESTABLISH QUORUM**

Ms. Nix called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Sabatine, Sturznickel, Szpekowski and Zaplatynsky. Absent: Commissioners Hoferle and Neuhalfen.

**PETITIONER COMMENTS**

Ms. Cahill swore in the petitioners and verified that proper notice of the meeting had been posted. Representing No Limit Arcade was Mark Battaglia, owner and Kevin Slota, owner.

The petitioners gave a brief overview of the classical arcade they wish to open in the Winding Creek Center.

### **STAFF AND COMMISSION QUESTIONS/COMMENTS**

Mr. Ben Mason gave a brief overview of his memorandum of August 8, 2011. He explained that No Limit Arcade will operate from 10 a.m. to 11 p.m. Sunday through Thursday, and 10 a.m. to 1 a.m. Friday and Saturday. Patrons will pay a flat admission fee and can play an unlimited amount of games. The arcade will be family oriented, and a video surveillance system will be set up outside to deter patrons from loitering. He said staff recommends approval of the Special Use Permit for the arcade.

*Commissioner Sturznickel* asked who would maintain the security camera, to which Mr. Mason said it would be reviewed by the business owners. Commissioner Sturznickel then asked if the arcade will have any type of redemption system. Mr. Battaglia said no.

*Commissioner Zaplatynsky* asked if there were ratings on the games. The petitioners said there are ratings for such games and they are confident about 85% of their games carry an "All Ages" rating. Commissioner Zaplatynsky wondered if the language regarding the bike racks should be changed to state the petitioners *will* install the racks, to which they agreed.

*Commissioner Sabatine* wondered if there would be a time limit on each machine. Mr. Battaglia said yes, but that patrons can play as many times as they wished.

*Commissioner Szpekowski* asked if there would be an age limit children must meet to be in the arcade without the supervision of their parent(s), to which the petitioners said they would determine what the state law is regarding this matter and post signs in the business to reflect it.

*Chairperson Patrician* asked if loitering was a big concern, to which Mr. Mason said it was a concern of the Algonquin Police Department; therefore, a security camera is required. Chairperson Patrician then asked if patrons will pay a one-time entry fee, and then be able to come and go from the arcade throughout the day. The petitioners said they may stamp patrons so they may re-enter the same day. Chairperson Patrician wondered if a cap could be placed on the amount of mature games in the arcade in the future, to which Mr. Mason said such a condition could be considered.

### **PUBLIC COMMENT**

Ms. Cahill swore in Ms. Nichole Rutzen. Ms. Rutzen expressed her concerns with the traffic pattern through the adjacent townhome community, as well as the arcade's hours of operation on Fridays and Saturdays.

Ms. Cahill then swore in Ms. Deborah Dent. Ms. Dent stated her concern with the traffic pattern around Winding Creek Center, and also with the arcade's hours of operation.

Ms. Cahill also swore in Ms. Michelle Campbell. Ms. Campbell was concerned with the arcade's hours of operation. She also suggested a modification of the existing parking lot at the

development, to which Mr. Mason explained that McHenry County has jurisdiction of Algonquin Road and a separate curb but would not be permissible.

Finally, Ms. Cahill swore in Ms. Audra Whitesell. Ms. Whitesell owns Smooch Boutique, a business in Winding Creek Center, and stated she is in support of the potential arcade.

## **CLOSE PUBLIC COMMENT**

*Commissioner Sturznickel* wondered if the petitioners were concerned with the possibility of attracting pedophiles to the arcade, to which they said no.

*Chairperson Patrician* asked if there will be a sign-in sheet or pictures taken upon entrance to the arcade, to which the petitioners said no since the security camera will be in place.

*Commissioner Sabatine* suggested staff research the extent of existing traffic problems, to which Mr. Mason said he will discuss this with the Algonquin Police Department.

## **COMMISSION MOTION ON PETITION**

Chairperson Patrician entertained a motion to approve the request for a Special Use Permit for No Limit Arcade, with a change to require the installation of bicycle racks per condition #7 and an added condition that 85% of the games in the arcade will have an "All Ages" rating. *Commissioner Sturznickel* moved and *Commissioner Szpekowski* seconded a motion to approve the request for a Special Use Permit for No Limit Arcade, consistent with the plans submitted by the petitioner, the findings of fact listed in the August 8, 2011 Community Development memorandum, and the conditions recommended by staff, including the modifications proposed by Chairperson Patrician. The Roll Call noted the following: Ayes: Chairperson Patrician; Commissioners Sabatine, Sturznickel and Szpekowski and Zaplatynsky. Nays: None. Absent: Commissioners Hoferle and Neuhalfen. Motioned carried.

**AGENDA ITEM 4:** Consideration of a Request for a Special Use Permit.

**Case No. 2011-06. School of Expressive Arts and Learning**

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

Ms. Nix called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Sabatine, Sturznickel, Szpekowski and Zaplatynsky. Absent: Commissioners Hoferle and Neuhalfen.

## **PETITIONER COMMENTS**

Ms. Cahill swore in the petitioners and verified that proper notice of the meeting had been posted. Representing School of Expressive Arts and Learning was Karen Larsen, co-founder and Gary Rothbart, Rothbart Construction Realty. Ms. Larsen gave a brief overview of the school. She explained the school offers alternative schooling for students who have difficulty functioning in public schools. The school is approved by the State Board of Education.

## **STAFF AND COMMISSION QUESTIONS/COMMENTS**

Mrs. Katie Parkhurst gave a brief overview of her memorandum of August 8, 2011. The school will be located in the last available tenant space in the Rothbart building. The school plans on beginning in this building, then moving to currently nonexistent building #3 as it grows.

*Commissioner Szpekowski* asked how the transportation would work, to which Ms. Larsen explained buses will be on a schedule and will pick students up at their homes and return them to their homes after school is over. Commissioner Szpekowski wondered if the school works with local school districts. Ms. Larsen said yes, they currently work with 64 school districts.

*Commissioner Sabatine* asked where the students are dismissed to at the end of the school day, to which Ms. Larsen replied their homes. He also asked if the school requires special approval by the State. Ms. Larsen said it is approved by the State.

*Commissioner Zaplatynsky* asked for further explanation of the 3 year period for the Special Use Permit. Mrs. Parkhurst explained that it is set up that way in anticipation of the school's future expansion.

*Commissioner Sturznickel* stated that "therapeutic" could mean a wide range of students. Ms. Larsen explained that the students must be ambulatory, with no physical or severe mental disabilities. Commissioner Sturznickel then asked if volunteers help at the school, to which Ms. Larsen said no.

*Chairperson Patrician* asked if students would have to pay to attend the school, or if they would be placed there by the State, to which Ms. Larsen said they would be placed in the school, as it is State funded.

#### **PUBLIC COMMENT**

There was no one wishing to make a comment.

#### **CLOSE PUBLIC COMMENT**

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

Chairperson Patrician entertained a motion to approve the request for a Special Use Permit for the School of Expressive Arts and Learning. *Commissioner Szpekowski* moved and *Commissioner Sabatine* seconded a motion to approve the request for a Special Use Permit for the School of Expressive Arts and Learning, 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 Patrician; Commissioners Sabatine, Sturznickel and Szpekowski and Zaplatynsky. Nays: None. Absent: Commissioners Hoferle and Neuhalfen. Motioned carried.

#### **AGENDA ITEM 5: Consideration of a Request for a Zoning Ordinance Amendment**

##### **Case No. 2011-08. Zoning Ordinance Amendment of Business Park Zoning District**

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

Ms. Nix called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Sabatine, Sturznickel, Szpekowski and Zaplatynsky. Absent: Commissioners Hoferle and Neuhalfen.

## **PETITIONER COMMENTS**

Ms. Cahill verified that proper notice of the meeting had been posted. Representing the Village of Algonquin was Russ Farnum, Community Development Director.

## **STAFF AND COMMISSION QUESTIONS/COMMENTS**

Mr. Farnum gave a brief overview of his memorandum of August 4, 2011. He explained the Village updated the Business Park Zoning District; specifically, the church property on Boyer Road.

*Commissioner Sturznickel* asked how the church property is currently taxed, to which Mr. Farnum explained it is taxed on its leasable value. *Commissioner Sturznickel* also asked for further explanation of the changes to the Village's outdoor storage requirements. Mr. Farnum said the Village is moving the screening requirements to a different section in the chapter.

## **PUBLIC COMMENT**

There was no one wishing to make a comment.

## **CLOSE PUBLIC COMMENT**

## **COMMISSION MOTION ON PETITION**

Chairperson Patrician entertained a motion to approve the request for a Zoning Ordinance Amendment of Business Park Zoning District. *Commissioner Zaplatynsky* moved and *Commissioner Sturznickel* seconded a motion to approve the proposed amendments to the Village of Algonquin Zoning Ordinance, Section 21.10, Industrial Districts, Paragraph F, B-P Business Park District. The Roll Call noted the following: Ayes: Chairperson Patrician; Commissioners Sabatine, Sturznickel and Szpekowski and Zaplatynsky. Nays: None. Absent: Commissioners Hoferle and Neuhalfen. Motioned carried.

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

- iPads
- Riverside Plaza
- Algonquin Post Offices

## **AGENDA ITEM 7: Adjournment**

Chairperson Patrician entertained a motion to adjourn the meeting. *Commissioner Sabatine* motioned and *Commissioner Szpekowski* seconded a motion to adjourn the meeting. The voice vote noted all ayes. The motion carried, and the meeting was adjourned at 9:15 p.m.

Respectfully Submitted,

  
Kimberly Nix, Recording Secretary