VILLAGE OF ALGONQUIN
PLANNING AND ZONING COMMISSION
Meeting Minutes
Algonquin Village Hall Board Room
September 12, 2011

AGENDA ITEM 1:	Roll Call to Establish a Quorum
Present:	Chairperson Patrician; Commissioners Hoferle, Neuhalfen, Sabatine, Sturznickel, Szpekowski and Zaplatynsky.
Absent:	None.
Staff Members Present:	Russ Farnum, Community Development Director; Kelly Cahill, Village Attorney; and Kimberly Nix, Recording Secretary.

AGENDA ITEM 2: Approval of Minutes from the August 8, 2011 Meeting.

Chairperson Patrician entertained a motion to approve the August 8, 2011 minutes as presented. *Commissioner Szpekowski* 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 an amendment to the Annexation Agreement and PUD for Grand Reserve. **(Case No. 2011-09. Grand Reserve Algonquin LLC (Petry Development))**

AGENDA ITEM 3: Consideration of a Request for an amendment to the Annexation Agreement and PUD for Grand Reserve

Case No. 2011-09. Grand Reserve Algonquin LLC (Petry Development)

OPEN PUBLIC HEARING AND ESTABLISH QUORUM

Ms. Nix called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Hoferle, Neuhalfen, Sabatine, Sturznickel, Szpekowski and Zaplatynsky. Absent: None.

PETITIONER COMMENTS

Ms. Cahill swore in the petitioner and verified that proper notice of the meeting had been posted. Representing Grand Reserve Algonquin LLC was Philip Darrow, General Counsel for Petry Development.

Mr. Darrow gave a brief overview of the Grand Reserve subdivision. He explained that the proposed amendment will be in compliance with federal law on age restricted communities, and it will put Grand Reserve on par with other similar communities in the area. The developer will also streamline the Covenants and form one (1) master association.

STAFF AND COMMISSION QUESTIONS/COMMENTS

Mr. Russ Farnum gave a brief overview of his memorandum of September 9, 2011. He explained that the changes to the agreement will add long term value to the community. He assured the Commission that due to the strict covenants and the age restriction, it should be difficult to distinguish between a rental house and one that is owner occupied. He added that the amendment also includes a right-of-way dedication for the extension of County Line Road. Staff recommends approval of the amendments.

Commissioner Hoferle asked if the leased units will be age restricted as well, to which Mr. Darrow said yes. Commissioner Hoferle wondered how the developer would ensure a trustee owner was at least 55 years old. Mr. Darrow explained that the association will keep a database, and this information would be verified at the time of sale.

Commissioner Szpekowski wondered how the petition was handled, to which Mr. Darrow explained that it was signed at a meeting held for the residents of Grand Reserve. She inquired about the association, to which Mr. Darrow explained that there will be one (1) master association after the amendment is approved.

Chairperson Patrician asked the petitioner if he knew what the rental units would be leased for, to which Mr. Darrow did not know. Chairperson Patrician if there are interested parties that cannot purchase in Grand Reserve due to the current age restrictions. Mr. Darrow said that this is a possibility. Chairperson Patrician then asked for a history of the current restrictions. Mr. Farnum said that the previous developer wrote them that way. Finally, Chairperson Patrician asked how the developer would regulate units that are owned by children under 55 years of age who purchase for their age qualifying parents. Mr. Darrow explained that the occupants will be required to sign an affidavit.

Commissioner Zaplatynsky wondered when the developer is gone, who will regulate the restrictions. Mr. Darrow said the Covenants will regulate the restrictions at that point.

Commissioner Sturznickel asked how proof of age will be provided, to which Mr. Darrow said that will be verified by residency cards. Commissioner Sturznickel then asked how many homes were represented in the signed petition. Mr. Darrow said it represents 22 of the 38 occupied homes.

PUBLIC COMMENT

Ms. Cahill swore in Ms. Patricia Zelko. Ms. Zelko stated that she is not comfortable with the developer leasing some of the units.

Ms. Cahill then swore in Mrs. Francis Hayes. Mrs. Hayes did not think that residents who are at least 55 years old will be moving into a rental house, just to move out in six (6) months; they tend to stay longer. She liked the idea that children could buy and protect a home for their parents under the amendment.

Mr. Darrow mentioned that the developer's goal is to drive sales by leasing some of the vacant, existing homes.

Commissioner Zaplatynsky asked if six (6) months is the norm for leasing agreements, to which Mr. Darrow explained that this timeline takes into consideration seasonal leasing.

Ms. Cahill also swore in Ms. Lenore Ricker, who said she would like "good" people to occupy the leased units. Mr. Darrow said that he has never heard of any problems with leasing in other similar communities.

Commissioner Sturznickel wondered if the leasing periods should be for one (1) year, rather than six (6) months.

Commissioner Neuhalfen thought that the six (6) month lease would be fine, and that leasing will be very beneficial to the community in times where foreclosures are at an all-time high.

Ms. Cahill swore in Mr. Bill Hayes. Mr. Hayes said that the benefits in this amendment far outweigh any negatives.

Commissioner Szpekowski thought that the amendment is a good thing and pointed out there are still age restrictions for this community.

CLOSE PUBLIC COMMENT

COMMISSION MOTION ON PETITION

Chairperson Patrician entertained a motion to approve the request for an amendment to the Annexation Agreement and PUD for Grand Reserve *Commissioner Hoferle* moved and *Commissioner Sturznickel* seconded a motion to approve the request for an Annexation Agreement and PUD Grand Reserve, 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 Hoferle, Neuhalfen, Sabatine, Sturznickel and Szpekowski and Zaplatynsky. Nays: None. Motioned carried.

AGENDA ITEM 4: New/Old Business

- Planning Commissioner Workshop
- Riverside Plaza
- Western Bypass

AGENDA ITEM 5: Adjournment

Chairperson Patrician entertained a motion to adjourn the meeting. *Commissioner Hoferle* motioned and *Commissioner Sabatine* seconded a motion to adjourn the meeting. The voice vote noted all ayes. The motion carried, and the meeting was adjourned at 8:13 p.m.

Respectfully Submitted,

Kimberly A. Nix

Kimberly Nix, Recording Secretary