



Village of Algonquin
Minutes of the Committee of the Whole Meeting
Held On September 20, 2022
Village Board Room
2200 Harnish Dr. Algonquin, IL

AGENDA ITEM 1: Roll Call to Establish a Quorum

Trustee Dianis, Chairperson, called the Committee of the Whole meeting to order at 8:01 p.m.

Present: Trustees Jerry Glogowski, John Spella, Laura Brehmer, Maggie Auger, Brian Dianis, Robert Smith and President Debby Sosine.

A quorum was established

Staff Members Present: Village Manager, Tim Schloneger; Public Works Director, Bob Mitchard; Patrick Knapp, Senior Planner Community Development; Deputy Police Chief, Dennis Walker; Village Clerk, Fred Martin; and Village Attorney, Kelly Cahill.

AGENDA ITEM 2: Public Comment

None

AGENDA ITEM 3: Community Development

Mr. Schloneger:

A. Consider a Resolution Expressing the Village of Algonquin's Intent to Consider Designation of a Business District on Property within the Village, to Impose Business District Taxes, and to Induce Development within Such District and/or to Consider Other Incentive for the Property to Induce Development Interest

The proposed Resolution is an inducement Resolution expressing the Village's intent to consider designation of a Business District at the Algonquin Commons, to impose Business District taxes, and to induce development within such district and/or to consider other incentives for the property to induce development interest.

The Village is contemplating the formation of a business district to facilitate a commercial project at the Algonquin Commons that is anticipated to include the construction of 'The Link', a two-story indoor/outdoor dining and entertainment destination, 'The Field', an open space programmable for events and entertainment, 'The Playground', an outdoor playground amenity for children, and 'The Street', an outdoor programmable entertainment destination/plaza. The Village believes that it will not be economically feasible for the Developer to complete the Project in the extensive manner contemplated without the formation of the Business District and associated incentives to the Developer or without the use of other incentives.

As a means to encourage the Developer to pursue plans for the redevelopment of the Business District and to make such expenditures as are reasonably necessary in that regard with confidence that some or all of those Business District Project Costs and other costs may be reimbursable costs to facilitate the development of the property, subject to a written Business District Incentive Agreement between the Village and the Developer, and/or that those same costs may be reimbursable under an agreement for other incentives that might be entered into with the Village, the Village must pass an inducement resolution.

The resolution does not obligate the Village to create the Business District or enter into a Redevelopment Agreement or any other incentive agreement of any type with the developer, but establishes a baseline for which to evaluate any incentive in the future and signals our willingness and interest in partnering with Red Mountain Group in the best interest of the Algonquin Commons and Village.

It is the consensus of the Committee to move this on to the Village Board for approval.

B. Consider Establishing a Special Service Area #4 for the NorthPoint Algonquin Corporate Campus for Lots 2-6 and Outlots A, B, and C of the 1st Resubdivision of the NorthPoint Algonquin Corporate Campus Subdivision

NorthPoint Algonquin Corporate Campus requires the establishment of a dormant SSA (Special Service Area) that would be enacted should the owner of any property in the SSA fail to maintain the property.

An Ordinance (2022-O-20) to establish an SSA on the NorthPoint Algonquin Corporate Campus property was approved by the Village Board in April of 2022, however it is being repealed with this Ordinance because the

previous Ordinance established an SSA on the entirety of the NorthPoint Algonquin Corporate Campus Subdivision, referenced an already established Special Service Area Number, and referenced expired PINs. The establishment of this new, corrected SSA will resolve these scrivener's errors.

The Approval of the NorthPoint Algonquin Corporate Campus requires the establishment of a dormant SSA (Special Service Area) that would be enacted should the owner of any property in the SSA fail to maintain the property. The SSA would cover Lots 2-6 and Outlots A, B, and C of the 1st Resubdivision of the NorthPoint Algonquin Corporate Campus Subdivision. A separate SSA is proposed to be established on the remaining property in the NorthPoint Algonquin Corporate Campus.

These special services include:

- the maintenance, restoration, preservation, and replanting of vegetation and landscaping
- the maintenance, repair, restoration, dredging, and removal of sediment or obstructions of and/or from any stormwater management, detention, or retention area within NorthPoint, as well as any cutting of grass or replanting of vegetation or landscaping within any of such areas within the NorthPoint as deemed necessary and appropriate
- the maintenance, restoration, repair, replacement of any subdivision monument sign as well as vegetation and landscaping proximate to such sign within NorthPoint as deemed necessary and appropriate
- the administrative, professionals', engineers', attorneys', consultants', and contractors' fees incurred by the Village relative to the provision of any of the above described special services as deemed appropriate

The term of the proposed Special Service Area will be perpetual and the nature of the special services is for new construction and/or maintenance with NorthPoint.

Based on this information, staff recommends that the Village Board approve the Ordinance proposing the establishment of Special Service Area Number 4 within the Village of Algonquin and providing for a Public Hearing and other procedures in connection therewith for the property commonly known as Lots 2-6 and Outlots A, B and C of the 1st Resubdivision of the NorthPoint Algonquin Corporate Campus Subdivision. It is in the best interest of the public to create a Special Service Area to levy special taxes against the area to finance special services, should they be required in the future.

It is the consensus of the Committee to move this on to the Village Board for approval.

C. Consider Establishing a Special Service Area #5 for the NorthPoint Algonquin Corporate Campus for Lot 1 and Outlot D of the 1st Resubdivision of the NorthPoint Algonquin Corporate Campus Subdivision

NorthPoint Algonquin Corporate Campus requires the establishment of a dormant SSA (Special Service Area) that would be enacted should the owner of any property in the SSA fail to maintain the property.

An Ordinance (2022-O-20) to establish an SSA on the NorthPoint Algonquin Corporate Campus property was approved by the Village Board in April of 2022, however it is being repealed with this Ordinance because the previous Ordinance established an SSA on the entirety of the NorthPoint Algonquin Corporate Campus Subdivision, referenced an already established Special Service Area Number, and referenced expired PINs. The establishment of this new, corrected SSA will resolve these scrivener's errors.

The Approval of the NorthPoint Algonquin Corporate Campus requires the establishment of a dormant SSA (Special Service Area) that would be enacted should the owner of any property in the SSA fail to maintain the property. The SSA would cover Lot 1 and Outlot D of the 1st Resubdivision of the NorthPoint Algonquin Corporate Campus Subdivision. Lot 1 and Outlot D are located in the future retail portion of the NorthPoint Algonquin Corporate Campus. A separate SSA is proposed to be established on the remaining property in the NorthPoint Algonquin Corporate Campus.

These special services include:

- the maintenance, restoration, preservation, and replanting of vegetation and landscaping;
- the maintenance, repair, restoration, dredging, and removal of sediment or obstructions of and/or from any stormwater management, detention, or retention area within NorthPoint, as well as any cutting of grass or replanting of vegetation or landscaping within any of such areas within the NorthPoint as deemed necessary and appropriate;
- the maintenance, restoration, repair, replacement of any subdivision monument sign as well as vegetation and landscaping proximate to such sign within NorthPoint as deemed necessary and appropriate;
- the administrative, professionals', engineers', attorneys', consultants', and contractors' fees incurred by the Village relative to the provision of any of the above described special services as deemed appropriate.

The term of the proposed Special Service Area will be perpetual and the nature of the special services is new construction and/or maintenance with NorthPoint.

Based on this information, staff recommends that the Village Board approve the Ordinance proposing the establishment of Special Service Area Number 5 within the Village of Algonquin and providing for a Public Hearing and other procedures in connection therewith for the property commonly known as Lot 1 and Outlot D

of the 1st Resubdivision of the NorthPoint Algonquin Corporate Campus Subdivision. It is in the best interest of the public to create a Special Service Area to levy special taxes against the area to finance special services, should they be required in the future.

It is the consensus of the Committee to move this on to the Village Board for approval.

D. Consider an Amendment to Ordinance 2004-O-08 (An Ordinance Granting Zoning Upon Annexation and Approving a Preliminary Planned Development for Certain Property Known as the Cosman / Lundstrom Property (Galleria Center)), approval of a Preliminary and Final Plat, a Preliminary Planned Development with Respect to a Portion of the Subject Property, a Final Planned Development for Lot 6a and 6b, and Approve a Special Use for a Drive-Through, and a Special Use for Open Air Dining for the Enclave Phase 1

Kensington Development Partners, the "Petitioner", is seeking approval of an amendment to Ordinance 2004-O-08 (An Ordinance Granting Zoning Upon Annexation and Approving a Preliminary Planned Development for Certain Property Known as the Cosman/Lundstrom property (Galleria Center)) and approval of a Preliminary and Final Plat of Subdivision, a Preliminary Planned Development, a Final Planned Development, a Special Use for a Drive- Through, and Special Uses for Open Air Dining for the First Phase of the Enclave, the "Request".

The Enclave is located at the southeast corner of Randall Road and Commons Drive.

Kensington Development Partners presented their concept to the Committee of the Whole at the March 15, 2022 meeting.

The Planning and Zoning Commission reviewed the Petitioner's request for Approval of an amendment to Ordinance 2004-O-08 and approval of a Preliminary and Final Plat of Subdivision, a Preliminary Planned Development, a Final Planned Development, a Special Use for a Drive- Through, and Special Uses for Open Air Dining for the First Phase of the Enclave at the July 11, 2022, Planning and Zoning Commission Meeting.

The Petitioner then altered the Plat and expanded the size of the Preliminary Planned Development, which necessitated their return to the September 12, 2022, Planning and Zoning Commission Meeting due to an amended Request.

At the July 11, 2022, Planning and Zoning Commissioner Meeting, no one from the public made comment during the Public Hearing. The Planning and Zoning Commission accepted (approved 5-0) staff's findings as the findings of the Planning and Zoning Commission and recommended approval of an amendment to Ordinance 2004-O-08 and approval of the Request, subject to the conditions outlined in the staff report for Case No. PZ-2022-09.

At the September 12, 2022, Planning and Zoning Commissioner Meeting, one person had a question during the Public Hearing and was satisfied with the answer that the first phase of the Enclave would not be directly connected to the existing Willoughby Farms Subdivision. The Planning and Zoning Commission accepted (approved 4-0) staff's findings as the findings of the Planning and Zoning Commission and recommended approval of the Amended Request, subject to the conditions outlined in the staff report for Case No. PZ-2022-09.

The Board indicated they would not allow decorative string light in the outside eating areas.

With that change, it is the consensus of the Committee to move this on to the Village Board for approval.

E. Consider a Final Planned Development for Cooper's Hawk

Cooper's Hawk, the "Petitioner", is seeking approval of a Final (PUD) Planned Development on Lot 5 of the Enclave. The Enclave is located at the southeast corner of Randall Road and Commons Drive.

BACKGROUND:

Cooper's Hawk received preliminary approval of their plans and approval of a Special Use for open air dining at the July 11, 2022; they received a recommendation for Final PUD approval at the September 12, 2022, Planning & Zoning Commission meeting, as part of the Enclave Development, PZ-2022-09.

At the applicant's own risk, Cooper's Hawk applied for a Preliminary and Final PUD concurrently. As such, their preliminary plans were reviewed by staff and presented earlier this evening as a part of the overall Kensington "Enclave" development. Their final plans were submitted to staff shortly thereafter, were reviewed, and have also been included on tonight's agenda to be considered after a determination has been made on the overall development.

If the Village Board votes to approve the Preliminary PUD plans for Cooper's Hawk (subject to conditions) on September 20, 2022, the applicant seeks the subsequent final approval of their Final PUD plans for Lot 5 of the Enclave.

DISCUSSION:

Request- Cooper's Hawk, the "Petitioner", has applied for the approval of a Final PUD (Planned Development) for a 10,628 square foot restaurant located on Lot 5 of the Enclave as shown in the Final Plat of Subdivision as

"The Enclave" referred to herein as the "Subject Property". Their proposal includes a freestanding single-story restaurant with an exterior patio, private rooms, a tasting bar, retail component, and exterior improvements that include a parking lot, lighting, and landscaping.

Plat of Subdivision – The Subject Property is currently located in two larger parcels (PINs 03-05- 100-023 and 03-05-300-009). Once the Final Plat for the Enclave is approved by the Village Board and recorded, the Subject Property will become Lot 5 of the Enclave.

Elevations – The 10,628-square-foot restaurant includes indoor seating for 267 guests and an outdoor dining area for an additional 40 guests. The exterior of the restaurant will be constructed with a combination of earth-toned full-depth brick and fiberboard cement along with black metal finishes. The building includes a parapet wall that will conceal the rooftop units. The refuse area is attached to the northeast side of the building and is designed with materials to match the building.

Signage – The Sign Package for Cooper's Hawk includes two wall signs that both comply with the Village's Sign Code.

A standard monument sign design for each Enclave Lot has been provided by Kensington Development Partners and will have been approved as part of the overall Enclave Case No. PZ- 2022-09. Each Lot in the Enclave will have their own individual, but matching, monument sign along the Randall Road frontage. The monument sign meets the Village's Sign Code.

Site Plan & Engineering – The final site plan for the Subject Property includes 159 parking stalls which exceeds the Village's parking requirement by 23 parking stalls. However, this site is viewed as part of a larger Development and the parking will be shared amongst the users. As part of the 159 parking stalls, 4 of the stalls are dedicated take-out spaces on the south side of the building. The Photometric Plan includes 25' tall light poles with shielded lights that can dim to 33% in unoccupied mode. All light poles are located in landscaped islands and meet the Dark Sky Requirements of the Village.

A sidewalk connection will be provided along the east side of the site to connect to the sidewalk on the west side of the Frontage Road and a connection will also be provided on the west side to connect to the future bike path along the east side of Randall Road. Two bike racks have been provided on-site that will facilitate bike parking for four bikes.

The overall developer of the Enclave will bring all utilities to the site. Stormwater will be managed in Lots 6a and 6b at the north end of the Enclave.

It is the consensus of the Committee to move this on to the Village Board for approval.

F. Consider a Final Planned Development for BJs Brewhouse & Brewery

BJ's Restaurants, Inc., the "Petitioner", is seeking approval of a Final (PUD) Planned Development on Lot 4 of the Enclave. The Enclave is located at the southeast corner of Randall Road and Commons Drive.

BJ's Restaurant received preliminary approval of their plans and approval of a Special Use for open air dining at the July 11, 2022 Planning & Zoning Commission meeting; they received a recommendation for Final PUD approval at the September 12, 2022, Planning & Zoning Commission meeting, as part of the Enclave Development, PZ-2022-09.

At the applicant's own risk, BJ's Restaurant applied for a Preliminary and Final PUD concurrently. As such, their preliminary plans were reviewed by staff and presented earlier this evening as a part of the overall Kensington "Enclave" development. Their final plans were submitted to staff shortly thereafter, were reviewed, and have also been included on tonight's agenda to be considered after a determination has been made on the overall development.

If the Village Board votes to approve the Preliminary PUD plans for BJ's Restaurant (subject to conditions) on September 20, 2022, the applicant seeks the subsequent final approval of their Final PUD plans for Lot 4 of the Enclave.

Request– BJ's Restaurants, Inc., the "Petitioner", has applied for the approval of a Final PUD (Planned Development) for 7,447 square foot restaurant located on Lot 4 of the Enclave as shown in the Final Plat of Subdivision as "The Enclave" referred to herein as the "Subject Property". Their proposal includes a freestanding single-story restaurant with an exterior patio, a retail component, and exterior improvements that include a parking lot, lighting, and landscaping. Plat of Subdivision – The Subject Property is currently located inside a larger parcel (PIN 03-05- 100-023). Once the Final Plat for the Enclave is approved by the Village Board and recorded, the Subject Property will become Lot 4 of the Enclave.

Elevations – The 7,447 square foot restaurant includes indoor seating for 257 guests and an outdoor dining area for an additional 48 guests. The restaurant will be constructed using a combination of earth-toned full-depth brick and black metal finishes. The building includes a parapet wall that will conceal the rooftop units. The refuse area is attached to the southeast side of the building and is designed with materials to match the building.

Signage – The Sign/Brand Package for BJ's Restaurant and Brewhouse includes two wall signs and a "Take Out" sign that each complies with the Village's Sign Code.

A standard monument sign design for each Enclave outlot has been provided by Kensington Development Partners and will have been approved as part of the overall Enclave Case No. PZ- 2022-09. Each Lot in the Enclave will have their own individual, but matching, monument sign along the Randall Road frontage. The monument sign meets the Village's Sign Code.

Site Plan & Engineering – The final site plan for the Subject Property includes 143 parking stalls, which exceeds the Village's parking requirement by 28 parking stalls. However, this site is viewed as part of a larger development and the parking will be shared amongst the users. As part of the 143 parking stalls, 6 of the stalls are dedicated take-out spaces on the north side of the building.

The Photometric Plan includes 25' tall light poles that are all located in landscaped islands and meet the Dark Sky Requirements of the Village.

A sidewalk connection will be provided along the east side of the site to connect to the sidewalk on the west side of the Frontage Road and a connection will also be provided on the west side to connect to the future bike path along the east side of Randall Road. Two bike racks have been provided on-site that will facilitate bike parking for four bikes.

The overall developer of the Enclave will bring all utilities to the site. Stormwater will be managed in Lots 6a and 6b at the north end of the Enclave.

It is the consensus of the Committee to move this on to the Village Board for approval.

G. Consider a Final Planned Development for Raising Cane's

Raising Cane's Restaurants, L.L.C., the "Petitioner", is seeking approval of a Final (PUD) Planned Development on Lot 1 of the Enclave. The Enclave is located at the southeast corner of Randall Road and Commons Drive. Raising Cane's received preliminary approval of their plans and approval of a Special Use for open air dining at the July 11, 2022 Planning & Zoning Commission meeting; they received a recommendation for Final PUD approval at the September 12, 2022, Planning & Zoning Commission meeting, as part of the Enclave Development, PZ-2022-09.

At the applicant's own risk, Raising Cane's applied for a Preliminary and Final PUD concurrently.

As such, their preliminary plans were reviewed by staff and presented earlier this evening as a part of the overall Kensington "Enclave" development. Their final plans were submitted to staff shortly thereafter, were reviewed, and have also been included on tonight's agenda to be considered after a determination has been made on the overall development.

If the Village Board votes to approve the Preliminary PUD plans for Raising Cane's (subject to conditions) on September 20, 2022, the applicant seeks the subsequent final approval of their Final PUD plans for Lot 1 of the Enclave.

Request– Raising Cane's Restaurants, L.L.C., the "Petitioner", applied for approval of a Final Planned Development for a fast-casual restaurant located on Lot 1 of the Enclave as shown in the Final Plat of Subdivision as "The Enclave" referred to herein as the "Subject Property". Their proposal includes a freestanding single-story restaurant with an exterior patio, dual drive-through lanes, and exterior improvements that include a parking lot, exterior lighting, and landscaping.

Plat of Subdivision – The Subject Property is currently located inside a larger parcel (PIN 03-05- 100-023). Once the Final Plat for the Enclave is approved by the Village Board and recorded, the Subject Property will become Lot 1 of the Enclave.

Elevations – The 3,331-square-foot restaurant includes indoor seating for approximately 72 guests and an outdoor dining area for an additional 54 guests. Staff has received a written commitment that the exterior of the restaurant will be constructed with a combination of earth-toned full-depth masonry and black metal finishes. Staff will require that the elevations be revised to reflect the full-depth masonry. The restaurant includes a parapet wall that will conceal the rooftop units. The refuse area is detached and located to the east side of the building and will be constructed with the same materials as the rest of the building.

Signage – The Sign/Brand Package for Raising Cane's includes two wall signs and two window signs that comply with the Village's Sign Code.

There are 2 drive-through menu boards and one pre-sell menu board that individually comply with the sign code maximum of 50 square feet, but combined do exceed the requirement. However, there are dual drive-through lanes which necessitates 2 drive-through signs. The pre-sell menu board will also give the users a chance to preview the menu which will help minimize stacking.

String lights are included under the outdoor dining canopy on the exterior elevations. Per the Village Sign Code, string lights are prohibited.

It is the consensus of the Committee to move this on to the Village Board for approval, with Trustee Glogowski dissenting.

AGENDA ITEM 4: General Administration

A. Consider Certain Items as Surplus

Staff recommends the declaration of surplus for 57 devices that are requested to be declared surplus. Equipment is replaced annually and re-sold. The Village will recover \$14,360.00 from the reselling of these phones, which is 70% (\$20,300) of the total cost for phones upgrade program. Total cost to upgrade 57 accounts is \$5,900. Damaged devices and protective cases account for the difference.

It is the consensus of the Committee to move this on to the Village Board for approval.

B. Consider a Resolution Designating Funds for the Purchase of Two (2) 2023 Ford Police Interceptor Hybrid Vehicles and Associated Items

Staff is proposing to purchase two (2) 2023 Ford Police Interceptor Hybrid vehicles at a total not-to-exceed cost of \$170,000 (\$85,000/each), in which delivery/payment is expected in FY 23/24. This total cost includes the vehicle plus all accessories such as light bars, equipment, computers, printers, cameras, DVR, radar, and graphics. These vehicles will replace two (2) 2017 Ford Police Interceptor Utility vehicles (#02 and #03), all which meet replacement criteria based on age, mileage, reliability, and service history.

Proposed Vehicle Purchase Not to Exceed Amount Replacing:

- 2023 Ford Police SUV Hybrid \$85,000 2017 Ford Police SUV (#02)
- 2023 Ford Police SUV Hybrid \$85,000 2017 Ford Police SUV (#03)

TOTAL: \$170,000

With this action, the Village will designate funds for this purchase that will be reflected in our financial statements. Once we are able to take delivery and make payment in a future fiscal year (FY 23/24), we would make this draw from the designated fund balance and zero out the liability. By entering into a purchase agreement now, we are able to lock-in our spot for purchase and avoid the ever-growing backlog for this equipment.

Staff recommends that the Committee of the Whole forward this item to the Village Board for approval by Resolution(s) at their meeting on October 4, 2022.

It is the consensus of the Committee to move this on to the Village Board for approval.

AGENDA ITEM 5: Public Works & Safety

Mr. Mitchard:

A. Consider an Agreement with Inland Environmental for the Asbestos Abatement at the Algonquin State Bank Building

The Village purchased the Algonquin State Bank building on South Main Street, staff has been working on addressing environmental issues in the building and on the site. The Village hired True North Consultants to perform a Phase 1 Environmental study of the building and property. One of the items that they addressed was identifying where asbestos was located in the building in anticipation of demolishing the structure.

Their report was sent to three contractors who perform asbestos abatement. We received 2 proposals, the third had issues with getting the proposal to us so they were disqualified.

The two proposals are attached, one from Inland Environmental and the other from NES Environmental.

Inland performed the Asbestos abatement for the 20 E. Washington building/Doctor's office that was recently demolished and where we are currently building a new parking lot. They did a very good job and there were **no** issues with the demolition contractor finding additional material potentially driving the demo cost up. Inland's proposal for the Algonquin State Bank building is \$40,320.00.

NES Environmental has not done work for the Village and their base price was \$34,000.95. They have notations in the proposal for three alternatives that could drive the cost up. We have concerns with the potential price increase.

We are therefore recommending that the Village award the asbestos abatement work to Inland Environmental in the amount of \$40,320.00 due to our prior experience and the good work they did on the 20 E. Washington building.

It is the consensus of the Committee to move this on to the Village Board for approval.

B. Consider an Agreement with Christopher Burke Engineering for the Construction Oversight of Services for Kelliher & Willoughby Park Pickleball and Tennis Court Construction

Included in your packet is a proposal from Christopher Burke Engineering for construction management services in the amount of \$24,975.00 for Kelliher & Willoughby Farms Park Tennis/Pickleball Court Project. Construction management services for this project were passed as part of the 2022–2023 FY budget in account 06900300-42232, Park Improvement Fund, in the amount of \$45,000.00. Construction for this project involves changing the tennis courts at Kelliher park to pickleball courts as well as installing underdrains, re-constructing the tennis courts at Willoughby Farms Park as well as installing underdrains, and installing a wind screen around the pickleball court in Stoneybrook Park.

CBBEL was the design engineer for this project. Therefore, they are intimate with the plan set and the required inspection time needed to ensure a quality built project. They are also familiar with the specifications needed to construct the project in order to review and approve materials and shop drawings.

Thus, it is our recommendation that the Committee of the Whole take action to move this matter forward to the Village Board for approval of construction management services for Kelliher & Willoughby Farms Park Tennis/Pickleball Court Project to Christopher Burke Engineering for \$24,975.00.

It is the consensus of the Committee to move this on to the Village Board for approval.

AGENDA ITEM 6: Executive Session
None

AGENDA ITEM 7: Other Business
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AGENDA ITEM 8: Adjournment
There being no further business, Chairperson Dianis adjourned the meeting at 9:07 p.m.

Submitted: _____
Fred Martin, Village Clerk