

PLANNING AND ZONING COMMISSION MEETING

VILLAGE OF HOFFMAN ESTATES
COUNCIL CHAMBERS
1900 HASSELL ROAD
HOFFMAN ESTATES, IL 60169

MINUTES - MARCH 15, 2017

1. CALL TO ORDER: 7:00 P.M.

Members Present

Chairperson Combs	Lon Harner
Vice Chairman Caramelli	Nancy Trieb
Myrene Iozzo	Denise Wilson (Arrived 7:01 p.m.)
Lenard Henderson	Greg Ring
Tom Krettler	

Members Absent

Sharron Boxenbaum, Steve Wehofer (All Excused).

A quorum was present.

Administrative Personnel Present:

Jim Donahue, Senior Planner; Dan Ritter, Assistant Planner; Parth Joshi, Development Services Technician.

2. APPROVAL OF MINUTES:

Commissioner Krettler moved, seconded by Commissioner Henderson, to defer the March 1, 2017, meeting minutes. Voice Vote: 8 Ayes, 3 Absent (Boxenbaum, Wehofer, Wilson). Motion Carried.

3. CHAIRMAN'S REPORT

Chairperson Combs stated the request for preliminary and final site plan amendment for Hoffman Plaza was approved by the Village Board. The request for a preliminary and final plat of subdivision for Hoffman Plaza was continued.

4. OLD BUSINESS

None.

5. NEW BUSINESS - PUBLIC HEARING - REQUEST OF 5A7 LLC, ON BEHALF OF GOLDEN GOOSE ENTERPRISES LLC, FOR APPROVAL OF TEXT AMENDMENTS TO THE ZONING CODE TO AMEND SECTION 9-1-2 AND TO ADD SECTION 9-5-13 TO CREATE A NEW TN (TRADITIONAL NEIGHBORHOOD) DISTRICT AND FOR APPROVAL OF A TEXT AMENDMENT TO SECTION 9-8-3 REGARDING DEVELOPMENT REQUIREMENTS OF THE COMMERCIAL MIXED USE DISTRICT. (Petitioner Requests Deferral to April 5)

Commissioner Krettler moved, seconded by Commissioner Henderson, to open the hearing. Voice Vote: 9 Ayes, 2 Absent (Boxenbaum, Wehofer). Motion Carried.

Commissioner Krettler moved, seconded by Commissioner Henderson, to continue the hearing to April 5, 2017. Voice Vote: 9 Ayes, 2 Absent (Boxenbaum, Wehofer). Motion Carried.

5. NEW BUSINESS - PUBLIC HEARING - REQUEST OF 5A7 LLC (APPLICANT), ON BEHALF OF GOLDEN GOOSE ENTERPRISES LLC AND RUBINA REALTY CORPORATION (OWNER), FOR REZONING (UPON ANNEXATION) OF APPROXIMATELY 146 ACRES LOCATED ON THE WEST SIDE OF ILLINOIS ROUTE 59, AND EAST AND WEST SIDES OF OLD SUTTON ROAD, APPROXIMATELY 600 FEET NORTH OF HIGGINS ROAD (ILLINOIS ROUTE 72), TO A PROPOSED NEW TRADITIONAL NEIGHBORHOOD (TN) DISTRICT. (Petitioner Requests Deferral to April 5)

Commissioner Krettler moved, seconded by Commissioner Henderson, to open the hearing. Voice Vote: 9 Ayes, 2 Absent (Boxenbaum, Wehofer). Motion Carried.

Commissioner Krettler moved, seconded by Commissioner Henderson, to continue the hearing to April 5, 2017. Voice Vote: 9 Ayes, 2 Absent (Boxenbaum, Wehofer). Motion Carried.

5. NEW BUSINESS - PUBLIC MEETING - REQUEST OF 5A7 LLC (APPLICANT), ON BEHALF OF GOLDEN GOOSE ENTERPRISES LLC, PLUM FARMS 0SR72, AND RUBINS REALTY CORPORATION (OWNERS) FOR A PRELIMINARY AND FINAL PLAT OF SUBDIVISION FOR THE 186.348-ACRE FINAL PLAT OF PLUM FARMS SUBDIVISION, LOCATED AT THE NORTHWEST CORNER OF HIGGINS ROAD (ILLINOIS ROUTE 72) AND SUTTON ROAD (ILLINOIS ROUTE 59). (Petitioner Requests Deferral to April 5)

Commissioner Krettler moved, seconded by Commissioner Henderson, to continue the hearing to April 5, 2017. Voice Vote: 9 Ayes, 2 Absent (Boxenbaum, Wehofer). Motion Carried.

Chairperson reiterated to the audience that the above three items are not being heard tonight. Mr. Donahue stated the items regarding Route 72 and Route 59 have been deferred to the April 5, meeting.

5. NEW BUSINESS - PUBLIC HEARING - REQUEST OF CALATLANTIC HOMES (OWNER) TO CONSIDER A PRELIMINARY AND FINAL PLAT OF SUBDIVISION AND A PRELIMINARY AND FINAL SITE PLAN WITH VARIATIONS TO THE ZONING CODE FOR THE DEVELOPMENT OF A 108 LOT SINGLE-FAMILY SUBDIVISION ON A 34.94 ACRE PARCEL OF LAND LOCATED ON THE NORTHEAST CORNER OF ESSEX ROAD AND SHOE FACTORY ROAD.

Commissioner Krettler moved, seconded by Commissioner Henderson, to open the hearing. Voice Vote: 9 Ayes, 2 Absent (Boxenbaum, Wehofer). Motion Carried.

Chairperson Combs swore the petitioners in.

Omar Rodriguez (CalAtlantic Homes)

Rich Olson (Gary R. Weber Associates, Inc.) - landscape and site plans

Jim D'Alexander (Manhard Consulting) - civil engineering and surveying

Quinten Hoogenboom (Manhard Consulting) - civil engineer

Omar Rodriguez presented an overview of the project.

Jim Donahue presented an overview of the staff report.

Commissioner Harner has concerns about the additional traffic on Essex Drive entering Shoe Factory Road without a traffic signal. Mr. Donahue stated when Essex Drive and Beacon Pointe Drive were built, those roads were built to accommodate this development, which was known in 2005, and those roads were also built for the commercial property, as well as the office property on the north side of Beacon Pointe Drive. The lots on the north side of Beacon Pointe Drive that abut the Tollway are zoned office. Mr. Donahue further stated that currently, a traffic signal is not warranted and Cook County would not allow a signal because warrants have to be met to allow a traffic signal.

Commissioner Harner suggested for special events at the Sears Centre or the Northwest 4th Fest, the Police Department could control traffic at Essex Drive and Shoe Factory Road. Mr. Donahue stated he can discuss this with the Transportation Division to see if a Police Officer is warranted.

Commissioner Harner asked about the floor area ratio variation. Mr. Donahue stated only two models will trigger the variation, as well as one lot where a third model would be affected by the floor area ratio variation.

Commissioner Harner asked about the proposed HOA in relation to the dissolved White Oak HOA. Mr. Rodriguez stated the agreement obligates the builder to put a HOA in place. Mr. Rodriguez stated there is a backup SSA in place by the Village and asked if that language was added. Mr. Donahue stated he does not believe that language was added. Mr. Donahue stated there was never a formal HOA put in place in White Oak. Commissioner Harner stated that there was an HOA because he was a member. Mr. Donahue stated there is no common area in White Oak that the HOA is responsible for taking care of. Commissioner Harner stated there was to be a common area but then the HOA was removed. Commissioner Harner stated the White Oak HOA was disbanded, so what prevents Amber Meadows HOA to be disbanded. Mr. Donahue stated there is property that the HOA has to maintain. Mr. Donahue further stated that there was no common area in White Oak for the HOA to maintain. Commissioner Harner stated the White Oak signage was not approved so, therefore, there was no common area. Commissioner Harner asked if the signage for Amber Meadows is not approved, does that mean there is no HOA for Amber Meadows. Mr. Donahue stated there are outlots with landscaping that have to be maintained. Mr. Rodriguez stated as a reference, the two subdivisions immediately to the west were constructed by CalAtlantic and established HOAs, which are in good working order.

Commissioner Harner asked what is the Village's policy on HOAs. Mr. Donahue stated the Village would look for an HOA only if there are common elements that need to be maintained. Bradwell Estates has no common elements and, therefore, has no HOA. Bergman Pointe has common areas and signs that have to be maintained, and the Village then required an HOA.

Commissioner Harner had a question on the method used to calculate the number of children in the subdivision. Mr. Rodriguez stated they typically use whatever method the Village prescribes. In this instance, the Naperville formula was used, which is a well-known, almost universal formula for calculating student generation.

Commissioner Harner asked why there is no LEED certification. Mr. Rodriguez stated LEED certification is a tricky issue, in which the goals change fairly regularly. Mr. Rodriguez stated there are national energy code standards in which they abide by. Mr. Rodriguez stated in his experience, LEED certification is more commercial-driven.

Commissioner Harner asked the petitioner what they are doing to make the subdivision more sustainable. Mr. Rodriguez stated MWRD has a number of clean water and infiltration requirements, which was enacted in 2012, and this subdivision is subject to that. Commissioner Harner asked about the lighting in the homes. Mr. Rodriguez stated they have to meet energy use standards, which are stringent. The homes will include high efficiency furnaces and water heaters and low flow toilets, which are standards today.

Commissioner Harner asked how Amber Meadows compares to White Oak. Mr. Rodriguez stated the more appropriate subdivision to compare Amber Meadows to is Beacon Pointe 1, which was designed to the same standards constructed by CalAtlantic. Mr. Rodriguez stated Amber Meadows has an array to products that is comparable to White Oak. Mr. Rodriguez further stated streetscape, community aesthetic, buffering, and monumentation are complementary to a community.

Commissioner Harner asked Mr. Rodriguez if they are considering putting monuments on Wrightwood Drive and onto Belmont, when opened. Mr. Rodriguez stated there are no plans to monuments to the east. Commissioner Harner asked why there will be two monuments on Essex Drive. Mr. Rodriguez stated that is no different from any other community, and cited Beacon Pointe and Haverford as examples.

Commissioner Trieb asked because the houses abut from one section to the next, is there going to be fencing or landscaping to divide the backyards. Mr. Rodriguez stated no, but every lot will have standard survey practices. There will be a tree in the rear yard, but not defining the rear yards using fencing.

Commissioner Trieb asked how the on-street parking will be managed. Mr. Rodriguez stated the on-street parking is per Village ordinance, which allows parking on one side of the street.

Commissioner Henderson asked if the HOA is responsible for the area between the houses and fire station. Mr. Rodriguez stated yes, there is some landscaping between the property line between the fire station and the homes. The HOA has the ability to replace and maintain the landscaping if it is not properly maintained. The landscaping is designed as a landscaping buffer between the homes and the fire station.

Commissioner Henderson stated that when the homeowner purchases the property who is responsible for the area between their house and the fire station. Mr. Rodriguez stated the homeowner has that obligation, but in the event that the homeowner does not, the HOA has the ability to step in and replace the landscaping. Commissioner Henderson asked if the homeowner is not available and the HOA has to step in to replace the landscaping, why does it have to cost the entire subdivision through the HOA and why not just be an HOA controlled area. Mr. Rodriguez stated the area is not designed as a common area and there is no access. Once an HOA area is created, then you have to maintain the area. Commissioner Henderson has some concern about the behavior of some of the other HOAs in the Village. Mr. Donahue stated the area between the houses and the fire station is not an outlot because there is no access to the area. Mr. Donahue further stated that each homeowner signs a Statement of Awareness when they purchase a lot, which will include a statement that certain lots have landscaping there and will be the homeowner's responsibility.

Commissioner Henderson asked if there will only be one cable provider. Mr. Rodriguez stated that is part of a tri-party agreement between the utility companies and the cable provider. One set of cable lines are installed, which is typically Comcast, but the other cable providers have the right to lease those lines.

Commissioner Krettler stated that at least 50% of the homes will have some brick. Mr. Rodriguez stated that they manage to be sure that 50% of the homes have brick, and that is also part of the permitting process with the Village.

Commissioner Krettlar asked about the utilities to be installed. Mr. Rodriguez stated they install the wet utilities (sanitary sewer, storm sewer, and watermain) and dry utilities (electric, cable, and phone), which the builder pays for.

Commissioner Ring had no questions.

Commissioner Iozzo asked if the median on Essex Drive will be removed so it will be a four lane street. Mr. Rodriguez stated just a 100 foot opening so the cars can enter and exit from Shoe Factory Road. The balance of the median that is there will stay.

Commissioner Iozzo asked about the possibility of Cook County expanding Shoe Factory Road. Mr. Donahue states this information will be in the Statement of Awareness that every homeowner signs.

Commissioner Wilson asked if the possible realigning of Shoe Factory Road factored into this subdivision. Mr. Donahue stated there is existing right of way for the Shoe Factory Road widening and the petitioner is also giving additional right of way for the Shoe Factory Road widening.

Commissioner Wilson asked about the drainage. Mr. Rodriguez stated because this site was taken through a design and approval process over a decade ago, it was treated as part 2 of a larger subdivision that included Beacon Pointe 1. The dry bottom pond immediately to the north is where the water flows. From there, the water goes to the large pond in Beacon Pointe 1. This is all a part of a network of ponds originally designed and approved as part of the construction of Beacon Pointe 1.

Commissioner Wilson asked if the lots within the Amber Meadows subdivision are designed so the water will flow on top of the soil from property to property into the large pond in Beacon Pointe 1. Mr. Rodriguez stated there is a storm sewer system, with a network of roads and rear yard storm sewers. The subdivision is designed so that except in the event of heavy, heavy rain, the system is designed so the storm sewer system picks up the water below ground, then takes the water to the ponds, and then ultimately out. Mr. Rodriguez stated the grading of the yards will be such that all the water will be driven to the ponds.

Vice Chairman Caramelli had concerns about the construction equipment, noise, and traffic affecting the neighboring subdivisions. Vice Chairman Caramelli stated that the area around Beverly Road and Shoe Factory Road has been neglected and is now crumbling because of truck traffic from the other subdivisions, and would like reassurance that these road issues will be addressed. Vice Chairman Caramelli stated he would like the petitioner to contribute to the assurance that these roads get repaired. Mr. Donahue stated there is a Traffic Impact Fee that is assessed on every building permit. Mr. Rodriguez reiterated that every new home built has Traffic Impact Fees because they impact schools, sanitary, water, and traffic. Mr. Rodriguez stated they agree to pay all the fees as part of the subdivision.

Chairperson Combs asked staff if the Statement of Awareness will be recorded separately. Mr. Donahue stated yes. Chairperson Combs requested a mention that there will be an HOA to be formed in the Statement of Awareness. Mr. Rodriguez stated he has no issue adding the HOA formation information to the Statement of Awareness. Chairperson Combs also requested to add in the Statement of Awareness what the proposed initial assessments will be and the initial special assessment for the closing contribution. Mr. Rodriguez stated the closing contribution is stated in the Declarations that will get recorded for the property. Mr. Donahue stated the HOA formation can be added but the initial assessment is something staff does not want in a recorded Village document because the Village has no control over the assessment fees.

Chairperson Combs stated in the condition of approval in the staff report, recording of deed to the Park District is mentioned, but there is nothing about requiring the recording of the deed to the HOA for the two outlots. Mr. Donahue stated he could add this to the conditions of approval. Mr. Rodriguez stated the outlots are not typically deeded over until they are fully constructed and established. If a condition of approval is added, the outlots must be deeded over upon final acceptance of the subdivision by the Village.

Chairperson Combs asked if there any legal access easement that would give the homeowners legal access to enter upon the property to get to the landscape easement. Mr. Donahue stated there is language on the plat that the HOA has the right to enter the homeowners' property.

Chairperson Combs asked if there was a Traffic Study done for this subdivision. Mr. Donahue stated an initial Traffic Study was done when the overall subdivision was approved in 2005. The Traffic Study has not been updated since that time.

Chairperson Combs stated there are lots that have landscape easements on them, and that lots 100, 75, 76, 65, and 166 should be included on the HOA covenants list. Mr. Rodriguez stated they can work with Village staff to make this correction.

Chairperson Combs asked if the subdivision signage will be illuminated. Mr. Rodriguez stated no.

Chairperson Combs stated page 1 of the Preliminary and Final Site Plan Addendum Residential, the estimated construction date of September 2016 should be changed. Mr. Rodriguez stated the date will be revised. Chairperson Combs stated page 2, the base price of a home stops at \$305,704 and the testimony today says the base price of a home would be in the high \$300,000s. Mr. Rodriguez stated that submittal was submitted a while back and will be updated.

Commissioner Krettler asked if the whole subdivision is in School District U-46. Mr. Donahue stated the whole subdivision is in U-46.

Commissioner Henderson stated lots 8-12 have the responsibility of maintaining their landscape easement, and if they do not, the HOA can maintain it for the homeowner and charge the homeowner. Mr. Rodriguez stated yes.

Commissioner Harner stated in Exhibit C, the operating agreement is entered into East Dundee. Mr. Rodriguez stated East Dundee is CalAtlantic's corporate office. Mr. Rodriguez will check on this with their attorney to be sure this is correct.

Commissioner Harner asked who is responsible for Beverly Road. Mr. Donahue stated Beverly Road is a Village road. Mr. Donahue further stated that for every building permit issued, there is a Traffic Impact Fee that is assessed so the Village can build up a reserve to do repairs in the western area. Tom Buckley, 5928 Eton Drive, was sworn in by Chairperson Combs. Mr. Buckley asked when the landscape buffers will be built. Mr. Olson stated soon after the mass grading is done and the road are installed. Mr. Buckley stated the intersection of Rohrssen and Shoe Factory Roads has a traffic signal, so could this intersection be improved and access to Amber Meadows come from this intersection. Mr. Rodriguez stated the Village has been working with Cook County in the past and that Cook County has a plan in place and access to Amber Meadows was originally anticipated from Essex Drive. Mr. Donahue stated a previous plan was aligning Rohrssen Road and Beverly Road. Mr. Donahue reiterated that is Cook County.

Robert Miller, 1843 Steffen Drive, was sworn in by Chairperson Combs. Mr. Miller asked when construction will begin. Mr. Rodriguez stated after Village approvals and the permits issued, earthwork will begin in either in April or May 2017, and will probably be a four year buildout. Mr. Miller asked if there will be basements in the homes. Mr. Rodriguez stated basements will be standard for the homes. Mr. Miller asked if the HOA will be similar to Haverford Place where a third party will do the grounds maintenance. Mr. Rodriguez stated the individual lots will strictly be up to the homeowner. The third party will maintain the common areas (buffers, monuments, etc.).

Ronald Reinberger, 5850 Haverford Way, was sworn in by Chairperson Combs. Mr. Reinberger has concerns about speeding and the amount of traffic on Essex Drive. Mr. Donahue stated the Police Department is aware of the speeding on Essex Drive, and the Village's Transportation Division will work with the Police Department.

Diane Janicki, 2025 Bonita Lane, was sworn in by Chairperson Combs. Ms. Janicki has concerns about the low base prices of the homes in Amber Meadows and what those prices will do to their property in Beacon Pointe. Mr. Rodriguez pulled resales in Beacon Pointe for the last two years, and the average home sales for \$110/square foot. Mr. Rodriguez further stated the homes in Amber Meadows will sell at a 20% premium to the \$110/square foot. Ms. Janicki asked why it will take four years to sell 108 homes. Mr. Rodriguez stated in today's market, selling two homes a month is doing well. Ms. Janicki has concerns about the amount of traffic using Beacon Pointe Drive. Mr. Rodriguez stated construction, damage and access to streets, are all monitored by the Village. Mr. Rodriguez stated CalAtlantic constructed Beacon Pointe Drive as part of the original subdivision and it included the construction of Amber Meadows. Ms. Janicki stated because of the traffic, there should be a traffic signal at Essex Drive and Shoe Factory Road.

Roger Brunn, 1851 Eton Drive, was sworn in by Chairperson Combs. Mr. Brunn asked where construction traffic will enter the Amber Meadows subdivision. Mr. Rodriguez stated construction will access from both Beacon Pointe Drive and Essex Drive, depending on where the actual construction is occurring. Mr. Brunn asked if the sump pumps will have access to storm sewer with PVC pipes. Mr. Rodriguez stated yes. Mr. Brunn asked where is the HOA going to hold their meetings. Mr. Rodriguez guessed at the fire station, where they have facilities in the basement. However, the HOA could hold a meeting wherever they choose to hold a meeting.

Kenneth Leonard, 5852 Leeds Road, was sworn in by Chairperson Combs. Mr. Leonard had concerns about the roundabout being destroyed by construction trucks. Mr. Rodriguez stated the roundabout was designed to accommodate construction traffic. Mr. Rodriguez stated if the construction trucks are having a hard time maneuvering the roundabout, then the trucks will access from the south. Mr. Leonard what are the warrants that would allow a traffic signal at Essex Drive and Shoe Factory Road. Mr. Donahue stated there are car counts and Village's Transportation Division would have those counts.

Matt Barnes, 2009 Cabrillo Lane, was sworn in by Chairperson Combs. Mr. Barnes asked if School District U-46 was contacted regarding the extra children. Mr. Rodriguez stated these numbers were incorporated in U-46 planning over 10 years ago. Mr. Barnes asked how many homes have to be sold in order to start building the homes. Mr. Rodriguez stated one home.

Commissioner Krettlar moved, seconded by Commissioner Henderson, to close the hearing. Voice Vote: 9 Ayes, 2 Absent (Boxenbaum, Wehofer). Motion Carried.

Chairperson Combs asked staff for the update to the conditions of approval. Mr. Donahue stated he can add the following to condition #9: "The homeowners association will accept ownership of the outlots shall be completed as designed and conveyed according to Village code."

Chairperson Combs added there is no condition of approval about the formation of the HOA timeline. Mr. Rodriguez stated the HOA will be formed before closure on the first home. The HOA will be developer managed in the beginning.

Commissioner Krettler asked if the HOA gets turned over to the residents when there is percentage of homes sold. Mr. Rodriguez stated, per state requirement, a percentage or period of time for the HOA to be turned over to the residents.

MOTION: Vice Chairman Caramelli moved (seconded by Commissioner Krettler) to approve a request by CalAtlantic Homes (owner) to consider a preliminary and final plat of subdivision and a preliminary and final site plan with variations to the Zoning Code for the development of a 108 lot single-family subdivision (Amber Meadows) located at the northeast corner of Shoe Factory Road and Essex Drive, with the recommended conditions in the staff report and to amend condition #9 to reflect staff's addition.

Chairperson Combs asked the petitioner if he accepts the conditions of approval, to which Mr. Rodriguez stated yes.

Roll Call Vote:

Aye: Harner, Henderson, Iozzo, Krettler, Trieb, Ring, Wilson, Vice Chairman Caramelli, Chairperson Combs

Nay: None

Absent: Boxenbaum, Wehofer

Motion Carried.

Mr. Ritter stated that this will go to a Village Board meeting on March 20, 2017.

6. STAFF REPORT

Mr. Ritter stated the next meeting is April 5, and will have at least three items on the agenda.

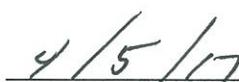
7. MOTION TO ADJOURN

Commissioner Krettler moved, seconded by Commissioner Henderson, to adjourn the meeting at 8:45 p.m. Voice Vote: 9 Ayes, 2 Absent (Boxenbaum, Wehofer). Motion Carried.

Minutes prepared by Kathy Redelmann, Development Services Administrative Assistant



Chairperson's Approval



Date Approved