

**VILLAGE OF HOFFMAN ESTATES
JULY 6, 2009**

RECEPTION(S)

- 1. CITIZEN POLICE ACADEMY RECEPTION –
6-7 P.M. - VILLAGE HALL ATRIUM**
- 2. CUB SCOUT PACK 100 RECEPTION –
6-7 P.M. – HENNESSY ROOM**

SPECIAL MEETING

- 1. SPECIAL PLANNING, BUILDING & ZONING
6:50 P.M. – BOARD ROOM**

LIQUOR COMMISSION MEETING

- 1. Liquor Commission Meeting –
6:55 P.M. – BOARD ROOM**



AGENDA

*Village of Hoffman Estates
First Meeting of the Month
Village Board of Trustees*

*Village of Hoffman Estates
1900 Hassell Road
Hoffman Estates, IL 60169
847/882-9100*

Board Room

July 6, 2009

7:00 p.m.

1. **CALL TO ORDER/ROLL CALL**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **RECOGNITION OF AUDIENCE**
4. **CONSENT AGENDA/OMNIBUS VOTE (Roll Call Vote)**
(All items under the Consent Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items unless a Trustee so requests. In that event, the discussion will be the first item of business after approval of the Consent Agenda).
 - A. Approval of Agenda
 - B. Approval of Minutes – June 15, 2009
 - C. Approval of the schedule of bills for July 6, 2009: \$6,259,796.65.
 - D. Request Board approval of Ordinance granting a variation to premises at 3720 Lexington Drive, Hoffman Estates.
 - E. Request Board approval of Resolution designating Village depositories.
 - F. Request Board authorization to contribute \$500 to participate in National Gas Model Franchise Agreement Project.
 - G. Request Board approval to extend the Police Department promotional eligibility roster under the last day of the fourth quarter of calendar year 2010.
 - H. Request Board authorization to award contract for fiber optic cabling and related services to connect the new Police Department building and Fire Station 21 to Pirtano Construction Company, Inc., Addison, IL, in an amount not to exceed \$207,696.
 - I. Request Board authorization to waive certain fees associated with the Hoffman Estates Park District's Party in the Park event on August 8, 2009.
 - J. Request Board authorization to declare \$594,821.36 as surplus funds in the Barrington-Higgins TIF Tax Allocation Fund and direct the Treasurer to remit said funds to the Cook County Treasurer for distribution.
 - K. Request Board authorization to award contract for the purchase of a replacement water remittance processor to Summit Financial Solutions, Inc. in an amount not to exceed \$14,421 (low bid) along with a five-year software and hardware maintenance agreement in the amount of \$2,514 annually.

4. CONSENT AGENDA/OMNIBUS VOTE (Roll Call Vote) – Continued

- L. Request Board authorization to:
 - 1) waive formal bidding; and
 - 2) award contract for an ongoing annual maintenance of VoIP phone system and related hardware and software to Sentinel Technologies, Inc. in an amount not to exceed \$39,305.
- M. Request Board acceptance of the Comprehensive Annual Financial Report for the year ended December 31, 2008.
- N. Request Board acceptance of the Auditor's Management Letter for the year ended December 31, 2008.

5. REPORTS

- A. **President's Report**
 - 1) Proclamation(s)
 - Cub Scout Pack 100 Day
 - Steven Anderson Day (20 Years Service)
 - Rebecca Kaszubski Day (20 Years Service)
 - Debra Gilles Day (15 Years Service)
 - Richard Pasternak Day (10 Years Service)
 - 2) Presentation(s)
 - Cub Scout Pack 100
 - Citizens Police Academy Graduates
- B. **Trustee Comments**
- C. **Village Manager's Report**
- D. **Village Clerk's Report**
- E. **Committee Reports – No Reports**

6. PLAN COMMISSION/ZONING BOARD OF APPEALS REPORTS

- A. **PLAN COMMISSION (Chairman Stanton)**
 - 1) Request by 675 West Golf Road, LLC for approval of a site plan amendment for improvements at the property located at 675 W. Golf Road for a proposed tenant, Sherwin Williams, with 5 conditions (see packets).
Voting: 7Ayes, 4 Absent
Motion carried.
- B. **ZONING BOARD OF APPEALS (Chairman Weaver)**
 - 1) Request by Rosendo Reyna, 391 Illinois Boulevard, for a variation from Section 9-3-2-C-2 to permit an additional ten foot (10') wide driveway that does not lead to an approved parking structure, with 2 conditions (see packets).
Voting: 4 Nays, 2 Ayes, 1 Absent
Motion failed.
(Immediate authorization to apply for permits is requested)

6. **PLAN COMMISSION/ZONING BOARD OF APPEALS REPORTS-Continued**

- 2) Request by Canterbury Fields Condo Association for a variation from Section 9-3-8-L-4 to permit a one-sided residential subdivision identification sign ("Canterbury Fields of Hoffman Estates") to be installed on the northwest corner of Shoe Factory Road and Delaney Drive and for the sign to be illuminated, with 2 conditions (see packets).

Voting: 4 Nays, 2 Ayes, 1 Absent

Motion failed.

(Immediate authorization to apply for permits is requested)

- 3) Request by I Z Hotel Management LLC d/b/a Comfort Inn (applicant) and Heidner Holdings, LLC (owner) for a temporary variation from Section 9-3-8-C-18 and a 120 square foot surface area variation from Section 9-3-8-M-10-D-4 to permit an existing double-sided freestanding sign advertising the hotel (presently Comfort Inn), 2075 N. Barrington Road, to remain in its existing location as an off-site sign and to be 320 square feet in total surface area instead of the maximum permitted 200 square feet, with 2 conditions (see packets).

Voting: 6 Ayes, 1 Absent

Motion carried.

(Immediate authorization to apply for permits is requested)

- 4) Request to accept a text amendment to Section 9-7-5-I (Signs in the EDA District) of the Zoning Code to add a new Section V.1.k. of the Prairie Stone Sign Requirements.

Voting: 6 Ayes, 1 Absent

Motion carried.

7. **ADDITIONAL BUSINESS** *(All other new business; those items not recommended by a majority of the Committee)*

A. Request Board approval of:

- 1) Village Entertainment District sign to be located on the north side of Hoffman Boulevard approximately 160 feet west of the Canadian National Railroad right-of-way and in accordance with the design and details provided; and
- 2) proposed amendment to the Cabela's Cost Recovery Agreement;
- 3) Village President to execute an Easement Agreement with the Prairie Stone POA for the Village to obtain rights to install and maintain the sign with an overhang above POA property, subject to finalization of the Easement Agreement terms with the POA.

7. **ADDITIONAL BUSINESS – Continued**

- B. Request Board approval of Ordinance amending Section 8-2-1, Fees, Section 8-3-21, License Classification, and Section 8-3-22, Number of Licenses, of Article 3, Alcoholic Liquors, of the Hoffman Estates Municipal Code (Class “H”).
- C. Request Board approval of Ordinance amending Article 3, Alcoholic Liquors, of the Hoffman Estates Municipal Code (BYOB).
- D. Request Board approval of Resolution approving a temporary moratorium on the enforcement of the regulations in Section 9-3-8-K-5 of the Hoffman Estates Municipal Code.

8. **ADJOURNMENT - *Executive Session – Land Acquisition (5 ILCS 120/2-(c)-(6))***

CONSENT AGENDA

MEETING: HOFFMAN ESTATES VILLAGE BOARD
DATE: JUNE 15, 2009
PLACE: COUNCIL CHAMBERS
MUNICIPAL BUILDING COMPLEX
1900 HASSELL ROAD
HOFFMAN ESTATES, ILLINOIS

1. CALL TO ORDER:

Village President William McLeod called the meeting to order at 8:00 p.m. The Village Clerk called the roll. Trustees present: Cary Collins, Ray Kincaid, Jackie Green, Anna Newell, Gary Pilafas, Karen Mills

A quorum was present.

ADMINISTRATIVE PERSONNEL PRESENT:

J. Norris, Village Manager
D. O'Malley, Deputy Village Manager
A. Janura, Corporation Counsel
M. Koplín, Asst. Village Manager-Development Services
P. Seger, HRM Director
D. Christensen, Emergency Management Coordinator
B. Gorvett, Fire Chief
C. Herdegen, Police Chief
K. Hari, Director Public Works
A. Garner, H&HS Director
R. Musiala, Asst. Financial Director
B. Anderson, Cable TV Coordinator
B. Suhajda, GG Intern

2. PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge was led by Trustee Collins.

3. RECOGNITION OF AUDIENCE:

Ed Grochowski, 995 Rosedale Lane, spoke of his concerns with limousines and taxi cabs parking on residential streets. He also talked about the trash and outside storage problems that he felt are at the T&T Apartment Complex.

4. CONSENT AGENDA/OMNIBUS VOTE:

Motion by Trustee Collins, seconded by Trustee Green, to approve Item 4.A.

4.A. Approval of Agenda

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Collins, seconded by Trustee Green, to approve Item 4.B.

4.B. Approval of Minutes –

- 1) Approval of Minutes of June 1, 2009.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Collins, seconded by Trustee Green, to approve Item 4.C.

4.C. Approval of the schedule of bills for June 15, 2009: \$5,298,694.00.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Collins, seconded by Trustee Green to approve Item 4.D.

4.D. Request Board approval of Ordinance No. 4117-2009, an ordinance amending the grant of a special use to Handelsen Productemaatschappij Deshouw BV (owner) and Advance Preschool (tenant) at 2320 W. Higgins Road in the Barrington Square Mall

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Collins, seconded by Trustee Green, to approve Item 4.E.

4.E. Request Board approval of Ordinance No. 4118-2009, an ordinance granting a variation to Handelsen Productemaatschappij Deshouw BV (owner) and America's Bar and Grill (tenant) at 2308 W. Higgins Road in the Barrington Square Mall.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Collins, seconded by Trustee Green, to approve Item 4.F.

4.F. Request Board approval of Resolution 1417-2009 providing for an eligibility study on the designation of a portion of the Village of Hoffman Estates as a Redevelopment Project Area and to induce development interest within such area.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Collins, seconded by Trustee Green, to approve Item 4.G.

4.G. Request Board approval of a Letter of Intent with IDOT for Palatine Road improvement project.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Collins, seconded by Trustee Green, to approve Item 4.H.

4.H. Request Board approval of an Intergovernmental Agreement with Pace Suburban US and Prairie Stone POA for installation of bus shelters in Prairie Stone Business Park.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

5. REPORTS:

5.A. President's Report

Proclamation(s)

Trustee Newell read the following proclamation:

Motion by Trustee Mills, seconded by Trustee Pilafas to concur with the proclamation proclaiming Friday, June 26, 2009 as Nella Kramer Day in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Ms. Kramer accepted her proclamation and was congratulated by the Board.

Trustee Green read the following proclamation:

Motion by Trustee Collins, seconded by Trustee Pilafas, to concur with the proclamation proclaiming Monday, June 29, 2009 as Mike Plocinski Day in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Mr. Hari accepted the proclamation for Mr. Plocinski.

Mayor McLeod read the following proclamation:

Motion by Trustee Collins, seconded by Trustee Pilafas, to concur with the proclamation proclaiming Sunday, June 28, 2009 as Vicki Richardson Day in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Ms. Richardson accepted her proclamation and was congratulated by the Board.

Mayor McLeod read the following proclamation:

Motion by Trustee Collins, seconded by Trustee Green, to concur with the proclamation proclaiming Monday, June 22, 2009 as Arthur L. Janura Day in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Mr. Janura accepted his proclamation and was congratulated by the Board.

Motion by Trustee Collins, seconded by Trustee Mills, to appoint Sharon Kimble to the sister Cities Commission. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Mills, to accept the resignation of Cathy Hehn with regrets from the Arts Commission. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Mills, to accept the resignation of Sarah Novey with regrets from the Youth Commission. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Mills seconded by Trustee Pilafas, to accept the resignation of Matthew Weilbacher with regrets from the Youth Commission. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to accept the resignation of Jina Hahn Spung with regrets from the Cultural Awareness Commission. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Mills, seconded by Trustee Kincaid to name the Public Works Facility Building after former Trustee Sue Kenely Rupnow. Voice vote taken. All ayes. Motion carried.

Mayor McLeod stated that he attended the dedication of new Fire Station 24, a block party on Silver Pine Drive, he thanked Lt. Paez for speaking at the Flag Day program and state Representative Crespo for speaking at Gigi's Play House.

5.B. Trustee Comments

Trustee Green stated she attended a fashion show for WINGS, a block party on Kelley Drive and the dedication of Station 24.

Trustee Newell stated she attended the block parties on Kelly Drive and Silver Pine Drive and the dedication of Station 24.

Trustee Pilafas stated that he has been coaching a lot of baseball.

Trustee Kincaid stated that he attended a golf fundraiser for Bear Necessities, the Kelly Drive block party and spoke of the concerns of the residents who live out west concerns about the delays caused by the CN trains.

Trustee Mills stated that she attended the dedication for Fire Station 24 and thanked everyone who was involved with the building, the WINGS Fashion Show, congratulated whoever is responsible for the nice articles that have been recently written about the Village and sent her condolences to Joanmarie Weremes.

Trustee Collins sent his condolences to Joanmarie Weremes, said that he was happy that the new Fire Station was opened and congratulated the Fire Department on the job that they did with the station.

5.C. Village Manager's Report

Mr. Norris announced that he was named President of the Illinois City Managers.

5.D. Village Clerk's Report

The Village Clerk had no report.

5.E. Treasurer's Report

Motion by Trustee Collins, seconded by Trustee Pilafas, to accept the April Treasurer's Report. Voice vote taken. All ayes. Motion carried.

Mr. DuCharme stated that for the month of April 2009 cash disbursements and transfers-out exceeded cash receipts and transfer-in for the operating funds by \$1,397,248 leaving a balance of cash and investments for the operating funds at \$26.0 million. For all of the Village finds, cash receipts and transfer-in exceeded cash disbursements and transfer-out by \$18,822,335. Overall, the total for cash and investments for all funds increased to \$201.1 million.

Motion by Trustee Mills, seconded by Trustee Collins, to accept the May Treasurer's Report. Voice vote taken. All ayes. Motion carried.

Mr. DuCharme stated that during the month of May cash disbursements and transfers-out exceeded cash receipts and transfers-in for the operating funds by \$1,978,823 leaving a balance of cash and investments for the operating funds at \$24.0 million. It should be noted that the receipt of Income Tax in the amount \$392,675 which would normally have been recorded to May revenue was not received from the State until June 1st, For all of the Village funds, cash disbursements and transfers-out exceeded cash receipts and transfer-in by \$3,681,456. Overall, the total for cash and investments for all funds decreased to \$197.4 million.

5.F. Committee Report

1) Finance

Trustee Collins stated that they would be meeting to request authorization to declare \$594,821.36 as surplus funds in the Barrington-Higgins TIF Tax Allocation Fund and direct the Treasurer to remit said funds to the Cook County Treasurer for distribution; request authorization to enter into an Intergovernmental Agreement with the Community Unit School District 300 for sharing of Illinois State Highway Authority fiber optic infrastructure; request authorization to award contract for the purchase of a replacement water remittance processor from _____ in the amount of \$_____ (low bid); request acceptance of the Comprehensive Annual Financial Report for the year ended December 31, 2008; request acceptance of the Auditor's Management Letter for the year ended December 31, 2008; request acceptance for the Finance and Information Systems Departments Monthly Reports.

2) Public Works & Utilities

Trustee Green stated that they would be meeting to request authorization to award contract for Engineering Services to conduct study for utilizing Poplar Creek Wells #21 and #22 as a source of emergency water supply for the Western Development Area to _____, in an amount not to exceed _____ (proposal award

under review); request acceptance of the Departments of Public Works and Development Services for the Transportation and Engineering Division Monthly Reports.

3) Public Health & Safety

Trustee Newell stated that they would be meeting to have a discussion regarding mobile food vendor regulations; request approval to enter into an Intergovernmental Agreement with the County of Cook for a public safety interoperable communication radio loan; request acceptance of the Police Department, Fire Department, Health & Human Services and Emergency Management Coordinator Monthly Reports and item in review for September, sprinkler compliance program.

6. PLAN COMMISSION/ZONING BOARD OF APPEALS REPORTS:

A. Zoning Board of Appeals

Motion by Trustee Mills, seconded by Trustee Collins, to concur with the Zoning Board of Appeals and approve the petitioner's request with immediate authorization to apply for permits.

6.A.1. Request by Lewis and Susan Bosher, 3720 Lexington Drive, for a ten square foot (10') variation from Section 9-3-6-J to permit a storage shed to be 160 square feet instead of the maximum permitted 150 square feet.

Discussion

Trustee Kincaid asked if we could address this ordinance.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

7. ADDITIONAL BUSINESS:

Motion by Trustee Mills, seconded by Trustee Collins, to approve Additional Business Items 7.A. through 7.D. by omnibus vote. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 7.A.

7.A. Resolution No.1418-2009 requesting a no-cash bid at the 2009 Cook County Scavenger Sale for Brookside Pond.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 7.B.

7.B. Ordinance No. 4119-2009 amending Section 5-5-7, Sworn Personnel, Hoffman Estates Police Department, of the Hoffman Estates Municipal Code.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 7.C.

7.C. Request Board approval of Village Board summer meeting schedule (July-August).

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 7.D.

7.D. Request authorization to award the following contracts for the new Police Building:

a) Ceramic/Porcelain Tile to Rieke Office Interiors, Elgin, IL, in an amount not to exceed \$198,500.00 (lowest responsible bid), and

b) Lockers to Carroll Seating Co., Elk Grove Village, IL, in an amount not to exceed \$256,000.00 (lowest responsible bid), and

c) Firing Range Equipment to Action Target, Inc., Prove, UT, in an amount not to exceed \$598,900.00 (lowest responsible bid).

8. ADJOURNMENT

Motion by Trustee Collins, seconded by Trustee Pilafas, to adjourn the meeting into Executive Session to review Closed Session Meeting minutes (5 ILCS 120/2-(c)-(21)). Time 8:35 p.m.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Collins, seconded by Trustee Newell, to adjourn the meeting. Time 8:52 p.m.

Roll Call:

Aye: Collins, Kincaid, Green, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Bev Romanoff
Village Clerk

Date Approved

ORDINANCE NO. _____ - 2009

VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE GRANTING A VARIATION TO
PREMISES AT 3720 LEXINGTON DRIVE, HOFFMAN ESTATES, ILLINOIS

WHEREAS, the Zoning Board of Appeals, at a public meeting duly called and held according to law on June 2, 2009, considered the request by Lewis and Susan Bosher, the owner of record of property legally described on Exhibit "A" and attached hereto and made a part hereof, to consider the request of a variation to permit the construction of a storage shed on the property located at 3720 Lexington Drive; and

WHEREAS, the Zoning Board of Appeals made certain Finding of Fact attached hereto and made a part hereof as Exhibit "B" and recommended approval of a variation to the Board of Trustees; and

WHEREAS, it appears that there are particular hardships and unique circumstances from the application of the strict letter of the Zoning Ordinance to the property in question and that the proposed variation has met the standards of 9-1-15-C of the Hoffman Estates Municipal Code; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: The Zoning Ordinance of the Village of Hoffman Estates be so varied as to permit the granting of a ten foot (10') variation from Section 9-3-6-J of the Hoffman Estates Municipal Code to permit a storage shed to be 160 square feet instead of the maximum permitted 150 square feet on the property commonly known as 3720 Lexington Drive.

Section 2: The Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 3: This Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2008

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2009.

EXHIBIT "A"

LEGAL DESCRIPTION:

P.I.N: 02-30-213-010

Lot 10, Block 20 in Winston Knolls 3, being a subdivision of parts of Section 19, 20, 29 and 30, all in Township 42 North, Range 10, East of the Third Principal Meridian in Cook County, Illinois.

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARING: June 2, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: June 15, 2009

PETITION: Hearing held at the request of Lewis and Susan Boshier to consider variations from the Zoning Code to permit the construction of a shed on the property located at 3720 Lexington Drive.

DISTRICT IN WHICH PROPERTY IS LOCATED: R-4, One Family Residential District

ZONING CODE SECTION(S) FOR VARIATION(S): 9-3-6-J

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Variation (9-1-15-C) were met.

MOTION: Request to grant Lewis and Susan Boshier at 3720 Lexington Drive, *a 10 square foot variation from Section 9-3-6-J to permit a storage shed to be 160 square feet instead of the maximum permitted 150 square feet.*

RECOMMENDATION: The Zoning Board of Appeals (ZBA) recommends approval of this request.

Mr. Boshier stated that the house was purchased in 1987 and was built in 1971. Due to drainage problems the original subdivision plan was changed and where four homes were planned became the back yard. There are 13 lots that touch the property which measures .77 acres. Since this lot is much larger than the others he has a lot of yard equipment, including a riding lawn mower. There is an existing 10'8" wide by 21½' long concrete slab that restricts the shed size to be 10 foot wide. In order for it to look right he needs to have a shed that fills up the width of the concrete slab. The current shed is roughly 150 square feet. At Home Depot and Lowes the sheds come in 120 or 160 square feet, the Village limit is 150 square feet. Lumber comes in 4 by 8 foot sheets in 2 foot increments therefore companies offer 10 by 12 or 10 by 16 size sheds. In order to have a 10 by 15 foot shed you would have to buy the lumber for a 10 by 16 and cut off a foot and throw it away. Mr. Boshier works for the largest forest products company in the world, International Paper, and deals with Green Peace and Sierra Club forestry issues.

The chosen shed is attractive and goes with the color of the house. There is a line of evergreens on the north side of the property which blocks the view of the shed from that side.

Two variations in the R-4 District for over-sized sheds have been approved; one in 2006 for 192 square feet and one in 2002 for 192 square feet.

No objections have been received from the neighbors.

AUDIENCE COMMENTS

None.

VOTE:
7 Ayes

ZONING BOARD OF APPEALS

Chairman William Weaver
Vice-Chairman Ronald Jehlik
Denise Wilson
Michael Ciffone
Masoom Ali
Donna Boomgarden
Michael Gaeta

*** IMMEDIATE AUTHORIZATION TO APPLY FOR PERMITS IS REQUESTED ***

**THIS VARIATION WILL EXPIRE UNLESS ACTED UPON WITHIN
ONE (1) YEAR OF VILLAGE BOARD APPROVAL**

FINDING OF FACT WRITTEN BY DENISE WILSON

RESOLUTION NO. _____ - 2009

**A RESOLUTION DESIGNATING
VILLAGE DEPOSITORIES**

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: That all prior resolutions designating financial institutions are hereby repealed.

Section 2: That the following financial institutions are hereby designated as depositories for Village funds:

- | | | |
|---|---|---|
| a. Charter Natl. Bank & Trust
2200 W. Higgins Road
Hoffman Estates, IL 60169 | b. Charter One Bank
71 S. Wacker Drive
Chicago, IL 60606 | c. EFS Bank
2019 Dean Street
St. Charles, IL 60174 |
| d. Hoffman Estates Comm.
Bank
1375 Palatine Road
Hoffman Estates, IL 60192 | e. Illinois Metro Investment
Fund
1616 E. Golf Road
Des Plaines, IL 60016 | f. JP Morgan Chase
55 W. Monroe Street
Chicago, IL 60603 |
| g. LaSalle Bank NA
135 S. LaSalle St. Suite 1840
Chicago, IL 60603 | h. MB Financial Bank
801 W. Madison Street
Chicago, IL 60607 | i. PMA Financial Network, Inc.
27545 Diehl Road – Suite 100
Warrenville, IL 60555 |
| j. US Bank – Illinois Funds
205 S. Fifth Street
Springfield, IL 62701 | k. Wells Fargo Bank N.A.
230 W. Monroe St. – 29 th Fl.
Chicago, IL 60606 | l. Bridgeview Bank Group
430 N. Milwaukee, Suite FF
Lincolnshire, IL 60069 |
| m. Citibank N.A.
444 N. Main Street
Glen Ellyn, IL 60137 | | |

Section 2: That the Village Treasurer shall secure two (2) copies of the most recent list of sworn statements of resources and liabilities of said depository and shall file said statements with the Village Clerk prior to making any deposit into said depository.

Section 3: That this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2009

Village President

ATTEST:

Village Clerk



VILLAGE MANAGER'S OFFICE

Memo

TO: President & Board of Trustees
FROM: James H. Norris, Village Manager
RE: VILLAGE BOARD AGENDA – ITEM 5-E – COMMITTEE REPORTS
DATE: July 1, 2009

Urgent

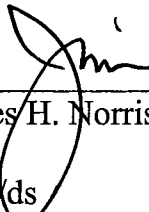
For Review

Please Reply

Due to the summer Board/Committee meeting schedule, the six (6) Village Board Committees are scheduled to meet on Monday, July 27, 2009. Since none of the draft agendas have any items on them other than the monthly reports, no draft agendas will be included in this Monday's Village Board meeting packets.

We will make sure, however, to get drafts of each of the Committee agendas to you as items are drafted and added to each specific agenda.

If you have any questions, please do not hesitate to contact me.



James H. Norris, Village Manager

JHN/ds

VILLAGE OF HOFFMAN ESTATES

MEMO

TO: President & Board of Trustees

FROM: Gary Stanton, Plan Commission Chairman

RE: **REQUEST BY 675 WEST GOLF ROAD, LLC FOR APPROVAL OF A SITE PLAN AMENDMENT FOR IMPROVEMENTS AT THE PROPERTY LOCATED AT 675 WEST GOLF ROAD FOR A PROPOSED TENANT - SHERWIN WILLIAMS - FINDING OF FACT**

DATE: July 2, 2009

Plan Commission Hearing Date: July 1, 2009

REQUEST

Mark Glazer, property owner and manager of 675 West Golf Road, LLC is requesting approval of a site plan amendment for improvements to the area on the southwest side of the building located at 675 West Golf Road to accommodate a proposed tenant - Sherwin Williams.

BACKGROUND

The building at 675 West Golf Road was constructed in 1971 and was remodeled in 2000 for Bay Furniture. Bay Furniture closed in 2006 and the building was subdivided into two spaces in 2007 for TigerDirect.com (now CompUSA), which occupies the larger of the two spaces. The other space is currently vacant. The building is approximately 29,300 square feet. The Crossroads Commons shopping center is on a separate parcel, but shares a common parking lot with the 675 West Golf Road property. Parking and cross access easements are in place.

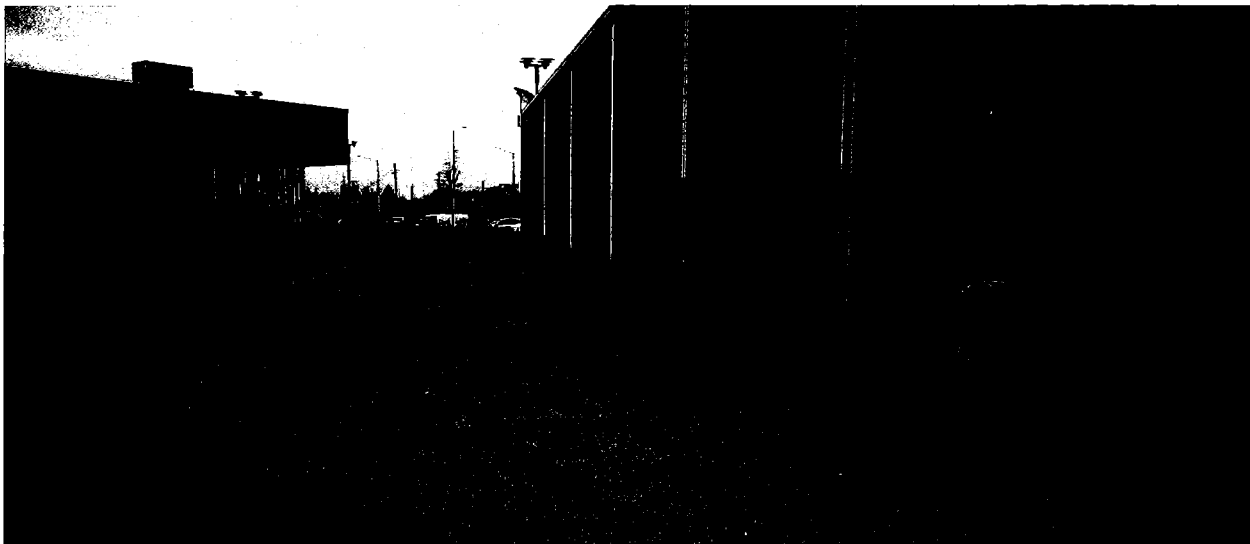
On April 6, 2009, the Village Board approved a site plan amendment for site improvements, including landscape islands, trees and other landscaping, relocation of a fire hydrant, and repaving and restriping of the pavement. The improvements were required as part of the Commercial Property Improvement Program. The pavement repairs were required due to its poor condition. Work on that project in the front parking lot and the rear service aisles has begun. The work in the area involved in this current site plan amendment is part of the overall parking lot project and would be completed as a second phase following a decision by the Village Board.

The property owner has submitted a proposed building permit application to divide the vacant tenant space into two spaces to accommodate a Sherwin Williams paint store in one of the spaces. The other space would remain vacant. The Sherwin Williams retail store is a permitted use for this zoning district.

PROPOSAL

Sherwin Williams is proposing to occupy 4,600 square feet of space in the building for a retail store and the tenant would require a loading dock. The tenant is not intending to occupy space in the rear of the building and the property owner is proposing to install a loading dock on the southwest side of the building. An 8 foot wide by 10 foot high overhead dock door would be added to the southwest elevation. Two aluminum doors would also be added on the southwest elevation, one would be located in the front sales area and the other would be next to the overhead door. The door by the loading dock would be used exclusively by employees. The main customer entrance would be through the double doors at the front of the building. Two ventilation grates would also be installed on the southwest building elevation. An awning is proposed over the proposed side door in the sales area and no signage would be allowed on the awning.

The loading dock would include a 6 foot wide concrete ramp, a raised 10 foot by 24 foot concrete delivery staging area, and a 10 foot by 40 foot striped loading zone, separated from the ramp and dock by a 2 foot wide concrete curb. Sherwin Williams is expected to receive deliveries in tailgate-loaded delivery trucks ranging from 22 to 35 feet in length. Pallets or crates would be unloaded and wheeled up the ramp onto the concrete staging area and into the building. Deliveries would be expected about once per week. Commercial customers could also use the loading zone to pick up larger orders of paint instead of in front of the building. Outdoor storage is not proposed and would not be allowed by the Zoning Code and a condition is proposed reiterating this provision.



Proposed Loading Dock Area

Parking

The proposed parking supply will decrease with this request by eight spaces from the site plan amendment approved in April 2009. Twelve spaces were approved along the side of the building and this proposal includes four spaces. The subject property and the Crossroads Commons Shopping Center are separate parcels, but share the same parking lot. The total number of spaces on both properties would be reduced from 206 to 198. The total square footage of both buildings combined is approximately 51,000 square feet. For a shopping center, the Subdivision Code recommends four parking spaces per 1,000 square feet of building space, which would amount to approximately 204 parking spaces. The parking ratio in this proposal would reduce from 4.04 to 3.88 per 1,000 square feet of building space.

Car counts were taken at varying times to determine the parking demand at this shopping center. Peak parking demand occurred during the early evening hours when the spaces directly in front of the Crossroads Commons Shopping Center tenants and the spaces directly across from CompUSA were generally full. However, 30-50 cars typically were parked in the lot during normal business hours. The spaces in the northwest two-thirds of the parking lot are usually empty. There is more than sufficient parking available to support the existing tenants plus the addition of Sherwin Williams, and the proposed reduction of parking involved in this proposal is negligible.

Traffic Circulation

The area between the two buildings is currently a mostly undefined swath of pavement, but was approved in the April 2009, site plan amendment to be modified into a one-way drive aisle with 12 parking spaces and landscaping. The drive aisle in this amendment will remain one-way leading to the back of the building. The delivery operations would follow the same one-way path around the building. The aisle is 16 feet wide between the nearest corners of the two buildings and then widens to 20 feet along the loading zone. Adequate space is available in the 20 foot wide travel lane for vehicle backing from the parking spaces.

Landscaping

The petitioner is proposing to install the same quantity of landscaping as approved in the April 2009, site plan amendment. Four shade trees and four beds of shrubs (and mulch and sod) would be installed in a new landscape island by the Crossroads Commons east building wall.

Screening

Consistent with the April 2009, plan, the installation of four shade trees near the loading dock will help to screen the loading zone activities. An existing 6 foot solid wood fence also helps to screen the area. The building elevation and rooftop would remain visible to several residences in the adjacent Highland Crossing Condominiums. Truck traffic and related noise is not anticipated to increase dramatically with this request.

Fire Department

The Fire Department has reviewed the proposal and the travel lane next to the loading dock meets the standards for a fire access lane and is acceptable. Adequate hydrant coverage will be provided. The hydrant located in the rear service aisle was approved to be relocated as part of the April 2009, site plan amendment, and this relocation is included in this amendment.

Stormwater Drainage

In accordance with a condition of approval of the April 2009, site plan amendment, the petitioner provided engineering plans prior to issuance of the parking lot building permit. The Engineering Division reviewed those plans and found them acceptable. The permit has been issued for the work in the front and rear areas of the property, and the work in this area between the buildings is on hold pending review of this amendment. The Engineering Division has reviewed this current proposal and it is a minor change that will not affect the stormwater drainage. The petitioner will be required to provide updated engineering plans for this area to amend the parking lot permit after the Village Board decision on the proposal.

Dumpster Enclosure

A dumpster enclosure is proposed near the loading dock to accommodate Sherwin Williams and possibly the future tenant of the remaining vacant space. Another larger enclosure exists behind the building.

Lighting

Lights are proposed on the building over the proposed new doors. Staff is recommending a condition that the light fixtures must be downcast to prevent glare onto adjacent properties per the Subdivision Code Section 10-5-3-G. No other changes to the site lighting are proposed.

DISCUSSION

The Village Board approved the site improvements for this property in April with a condition that the work be completed by September 30, 2009. Staff recommends that this deadline be repeated for this approval so that the work in this area of the property is completed by the same deadline as the rest of the property. If this amendment were to be denied, the prior approval (with 12 parking spaces and no loading dock) would need to be constructed by the same September 30, 2009, deadline.

PLAN COMMISSION DISCUSSION

The property owner, Dr. Mark Glazer, and the architect for the project, Mr. Thomas V. Scesniak, were present to request consideration for a new loading dock area for a proposed tenant, Sherwin Williams.

Mr. Scesniak presented the project and the changes from the site plan approved in April 2009. The landscaping area will reduce by a very small amount, approximately 27 square feet, but the quantities of plantings will remain the same. The drive aisle will still be a one way path leading to the back of the building.

Deliveries would be unloaded from 22 foot or 35 foot trucks in the striped loading zone and then taken by motorized cart up the ramp. Trucks would not back up onto the ramp or otherwise drive on the ramp. The ramp is only 6 feet wide and lower than a truck height and it is designed for a person to wheel carts up into the store.

The Plan Commission determined that the construction of the new doors in the building elevation would not damage the brick wall and the architect stated that such renovations are commonplace.

The Plan Commission also noted that the parking ratio with this request will slip slightly below the recommended 4 spaces per 1,000 square feet of floor space. However, this is a guideline and the parking supply is evaluated on a case-by-case basis. The parking supply is more than sufficient to support Sherwin Williams. The parking supply will be evaluated again when a new tenant is proposed in the remaining vacant space in this building, as with any other proposed business.

The Plan Commission had questions regarding the remaining L-shaped vacant tenant space. The narrow portion of the space is 18 feet wide. The architect stated that the space can be leased, and that they have had discussions with a few potential lessors; such as a doctor's office, other offices, and some retailers that do not need a wide space.

The architect stated that the dumpster enclosure will be a board-on-board wood enclosure similar to the other enclosure on the property. The enclosure will need to comply with the Building and Zoning Codes.

The light fixtures installed above the new doors will be entirely downcast to prevent glare.

Mr. Scesniak stated that they should meet the deadline to complete the site improvements on the entire property by the conditional deadline of September 30, 2009. The concrete curb work is underway and the landscaping will be installed at a later date more appropriate for planting. Sherwin Williams expects occupancy by October 15, 2009, and Mr. Scesniak stated that this deadline is feasible.

Mr. Scesniak stated that the parking lot permit would be amended so that the engineering plans match the approved layout. This would occur soon after the Village Board meeting so that the construction work already underway can continue uninterrupted.

The Plan Commission recommended approval by a vote of 7-0.

AUDIENCE PARTICIPATION

None.

MOTION - Vice Chairman Thoren moved (seconded by Commissioner Vandenberg) that the Plan Commission recommend to the Village Board approval of a request by 675 West Golf Road, LLC for a site plan amendment for improvements at the property located at 675 West Golf Road for a proposed tenant - Sherwin Williams, in accordance with the petitioner's plans, subject to the conditions in staff memo #1 dated June 26, 2009:

1. Regarding project timing, an extension of time is granted under Section 10-2-1-B of the Subdivision Code to allow completion of all site improvements no later than September 30, 2009, instead of the original deadline of February 21, 2009. Failure to complete the work within that timeframe will result in citations being issued until the work is complete. The following items shall be completed to ensure this final completion date is met.
 - a. The petitioner shall provide modified engineering plans for the parking lot permit prior to any work occurring in this area of the property.
 - b. Fire lanes shall be designated and signed as determined necessary by the Fire Department prior to final occupancy for Sherwin Williams.
2. The petitioner shall provide construction cost information for the work to the Department of Development Services to allow verification of compliance with the Subdivision Code requirements. The future occupancy of the vacant building space shall be reassessed to determine additional site work required, unless a sufficient credit is identified by the Village for the proposed work included in this project.
3. All proposed light fixtures shall be downcast to prevent glare per Subdivision Code Section 10-5-3-G. If the Department of Development Services determines there are any glare problems with lighting on the building, the petitioner shall adjust the lights to alleviate the problem.
4. Per Zoning Code Section 9-8-2-E, no outside sale, servicing, storage, or display of goods or materials shall be allowed, including in the loading dock area.
5. No signs are approved through the site plan approval.

Roll Call Vote:

- 7 Ayes: Commissioners Iozza, Porzak, Vandenberg, Combs, Henderson, Vice Chairman Thoren, Chairman Stanton
- 4 Absent: Commissioners Boxenbaum, Danowski, Krettler, Zahrebelski

Motion carried.

JE/kr

cc: J. Norris, M. Koplin, P. Gugliotta, M. Hankey, G. Salavitch, R. Gotha, B. Skowronski, D. Plass, R. Norton, Petitioner

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARING: June 30, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: July 6, 2009

PETITION: Hearing held at the request of Rosendo Reyna to consider variations from the Zoning Code to permit the retention of a driveway that does not lead to an approved parking structure on the property located at 391 Illinois Boulevard.

DISTRICT IN WHICH PROPERTY IS LOCATED: R-3, One Family Residential District

ZONING CODE SECTION(S) FOR VARIATION(S): 9-3-2-C-2

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Variation (9-1-15-C) were **not** met.

MOTION: Request to grant Rosendo Reyna of 391 Illinois Boulevard, *a variation from Section 9-3-2-C-2 to permit an additional 10 foot wide driveway that does not lead to an approved parking structure.*

1. A section of the driveway shall be removed at the house foundation extending six (6) feet from the house face and landscaping shall be installed in this area. Landscaping shall be reviewed and approved by the Department of Development Services prior to installation.
2. Repairs to bring the existing condition of the driveway to Village code standards shall be completed in accordance with a timeframe to be established by the Code Enforcement Division. The pavement on the property shall continue to be maintained to Village Code standards.

RECOMMENDATION: The Zoning Board of Appeals (ZBA) recommends **denial** of this request.

The petitioners, Ms. Patricia Reyna and her father Mr. Rosendo Reyna, stated their primary reasons for requesting the variation is due to Mr. Reyna's status as a handicapped veteran and the cost of removing the driveway. The subject driveway is a few feet closer to the front door than the sidewalk from the other driveway. Chairman Weaver noted that the Village Board has typically denied such requests, but has approved a couple cases where the petitioner has a severe handicap.

A standard condition has been included requiring removal of a portion of the driveway at the house foundation. If the variation is approved, Department of Development Services staff would work with the petitioner to remove a small portion of the driveway at or near the house foundation to replace with landscaping. In this case, a sidewalk/patio along the front of the house is different from other driveway variation requests where an asphalt driveway leads directly to the house foundation. There may be little driveway that can be removed while still providing sidewalk access to the front door and around to the fence entrance to the side yard.

The other driveway allows access directly to the rear door. Nearly the entire rear yard is paved with asphalt or concrete pads, which is not ideal, but there is no pervious lot coverage requirement in the Code for the property. The petitioner stated that their rear yard is often icy and dangerous in the winter, as it sits slightly lower than the surrounding properties. The ZBA noted that the removal of pavement and installation of grass or landscaping in the rear yard would likely help to alleviate the drainage problems. The rear door could then be safe to access in the winter for Mr. Reyna.

Staff explained that the other driveway leading to the rear yard would not be allowed if it were proposed today, but it is another existing situation that is nonconforming. If the variation request is denied, the petitioner could choose to remove *either* driveway; staff chose to address the smaller driveway that involves the least cost to remove for the petitioner.

This request was initiated by the Street Project and one other driveway is being removed on Illinois Boulevard without requesting a variation.

The petitioner stated that cost is a major factor in removing any pavement to comply with the regulations. They would like to construct a garage eventually as well, but financially it is not an option at this time.

The property is not allowed two curb cuts per a Building Code requirement, which is not addressed by the Zoning Board of Appeals. A waiver from this requirement will be addressed separately.

AUDIENCE COMMENTS

None.

VOTE:

2 Ayes (Jehlik, Weaver)
4 Nays (Ali, Boomgarden, Gaeta, Wilson)
1 Absent (Ciffone)

MOTION FAILED

ZONING BOARD OF APPEALS

Chairman William Weaver
Vice-Chairman Ronald Jehlik
Denise Wilson
Michael Ciffone
Masoom Ali
Donna Boomgarden
Michael Gaeta

**THIS VARIATION WILL EXPIRE UNLESS ACTED UPON WITHIN
ONE (1) YEAR OF VILLAGE BOARD APPROVAL**

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

VILLAGE OF HOFFMAN ESTATES

Memo

TO: William Weaver, Zoning Board of Appeals Chairman
FROM: Josh Edwards, Assistant Planner *JAE*
RE: 391 ILLINOIS BOULEVARD – VARIATION TO RETAIN AN EXISTING
NONCONFORMING DRIVEWAY
DATE: June 25, 2009
HEARING DATE: June 30, 2009

1. REQUEST SUMMARY

Request by Rosendo Reyna for a variation to allow a driveway that does not lead to an approved parking structure.

2. BACKGROUND

Illinois Boulevard is currently being resurfaced as part of the Village's Street Revitalization Project. One aspect of this program is to identify nonconforming driveways and to require that they be brought up to current code standards. The Zoning Code requires that a driveway lead only to an approved parking structure, and several nonconforming driveways have been removed or modified through this program in the last few years, including four identified this year including this property. The petitioner was informed of the requirement to remove the nonconforming driveways in the early stages of the Street Project this spring.

This property has been identified as having two nonconforming driveways, since neither lead to an approved parking structure. The property lacks a garage. However, prior legal opinion has determined that the Village cannot deny vehicular access to a residence and therefore only one driveway is being considered under this request. The driveway leading to the front of the house involves the least amount of cost and work to remove and a variation is required to retain this driveway. The other driveway leads to the rear of the house and to a concrete pad for a garage that was never built. The installation of both driveways and concrete pads was completed by a previous owner.

The property is legal nonconforming with regard to the lack of a garage, since there has never been a garage (attached or detached) on the property. At this time, because the

street project work only involves the driveway apron, a variation is not being considered for the lack of a garage. However, should the petitioner make any additions or modifications to their home in the future, a garage would need to be added in accordance with the code.

3. **PETITIONER PROPOSAL**

The petitioner is seeking a variation to retain an existing nonconforming driveway that leads to the front of the house and does not lead to a garage. The petitioner has stated a desire to retain vehicular access close to the front door of the house. Both driveways are connected to the front door by a sidewalk and steps, however, the subject driveway is approximately five feet closer the front door. The pavement in the rear of the property leads directly to the rear door of the house.

4. **SITE CONDITIONS**

- a) The subject property is zoned R-3, One Family Residential District.
- b) The surrounding properties in the neighborhood are also zoned R-3, One Family Residential District.
- c) The subject property is located in the Parcel C neighborhood.

5. **APPLICABLE REQUIREMENTS**

Section 9-3-2-C-2 (p. CD9:28:1) states that a driveway shall be permitted in a front yard provided that it leads to an approved parking structure (i.e. garage).

Not a Zoning Board item; the Village Board will consider:

Section 11-3-5-D of the Building Code allows a property to have two driveway curb cuts only if it is a corner lot of more than 20,000 square feet or a corner lot with at least 150 feet of frontage, one curb cut per street, provided the driveways lead to a code compliant garage. Though this provision is not under the purview of the Zoning Board, the Village Board will need to separately consider a waiver to this Building Code Section for both driveways to remain.

6. **ADJACENT OWNERS COMMENTS**

- a) Standard notification letters have been mailed with no written comments received at the time of this writing.
- b) A Statement of Awareness was received from 395 Illinois Boulevard (adjacent to the northeast side yard).

7. VARIATION HISTORY

Subject property

There is no variation history.

Similar variations in the Village

Ordinance No. 3768-2005 – 1045 Aspen Street – A variation was granted to permit an existing driveway that does not lead to an approved parking structure, with no conditions. The property is a corner lot and is zoned R-2, One Family Residential District.

Ordinance No. 3743-2007 – 540 Hawthorn Lane – A variation was granted to permit an existing driveway that does not lead to an approved parking structure. The driveway must be removed at such time as it falls into disrepair and a portion of the driveway was required to be replaced with landscaping along the house foundation. The property is a corner lot and is zoned R-2, One Family Residential District.

Denied variations or conditions for removal of nonconforming driveways

- a) August 21, 2000 - 1165 Apple Street - **Denial** of a request to allow a driveway with two curb cuts that does not lead to an approved parking structure.
- b) November 19, 2001 – 530 Arlington Street – **Denial** of a request to permit an existing concrete drive that does not lead to an approved parking structure.
- c) December 3, 2001 – 655 Illinois Blvd – Request to permit an existing concrete drive that does not lead to an approved parking structure was **denied** by the Zoning Board. The case was remanded by the Village Board back to Zoning Board of Appeals. The case never came back to the Zoning Board.
- d) June 3, 2002 – 1165 Ash Road – **Denial** of a request to permit an existing driveway that does not lead to an approved parking structure.
- e) Ordinance 3482-2003 – 280 Newark Lane – Request to permit an existing driveway that does not lead to an approved parking structure. Variation granted for front porch with the condition that the existing driveway be removed by June 1, 2004. (*The driveway has since been removed.*)
- f) September 7, 2004 – 1140 Ash Road – **Denial** of a request to permit an existing driveway that does not lead to an approved parking structure.
- g) October 3, 2005 – 1020 Aspen Street – Request to permit an existing driveway that does not lead to an approved parking structure. Variance granted to allow an existing driveway that does not lead to an approved parking structure with the

condition that the driveway be angled back within one year so that it meets current regulations.

- h) January 19, 2009 – 1490 Elizabeth Court – **Denial** of a request to permit an existing driveway that does not lead to an approved parking structure. The Planning, Building, and Zoning Committee subsequently approved a time extension on February 9, 2009 to extend the deadline to remove the driveway until September 30, 2009.

8. ENGINEERING COMMENTS

The Engineering Division has reviewed the petitioner's proposal and determined that the asphalt on both driveways is in poor condition. A condition is proposed that the pavement be maintained, and the Code Enforcement Division will inspect the property as part of their standard residential inspection program.

9. IMMEDIATE AUTHORIZATION TO APPLY FOR PERMIT

The petitioner **does not** request immediate authorization to apply for permits. A demolition permit would be required to remove all or a portion of the driveway.

10. DEVELOPMENT SERVICES COMMENTS

The Village has generally denied variation requests for driveways that do not lead to a garage. The Village has been phasing out such existing nonconforming driveways and requires the homeowner to correct the nonconformities when building permits are obtained. In this case, the Street Revitalization Project work scheduled for Illinois Boulevard requires that the property be brought into compliance.

If the variation is denied, removal of the nonconforming driveway would be required. The driveway leading to the front of the house can be reduced to a sidewalk to allow pedestrian access to the front door from the public sidewalk, which other homeowners have opted to do when their nonconforming driveways have been removed. The other driveway would continue to provide access to the front and rear doors as well as provide a significant amount of off-street parking. The other driveway is connected to the front door by a sidewalk and the paved area of the rear yard allows direct vehicular access to the rear door.

When granting a variation to retain a nonconforming driveway, typically the Village has conditionally required a section of driveway to be removed along the house foundation and landscaping to be installed. Such a condition is proposed. Another proposed condition requires that the driveway be repaired and continue to be maintained to meet Village code standards.

11. **MOTION**

Should the Zoning Board find that the Standards for a Variation are met the following motion is provided with two conditions:

A variation from Section 9-3-2-C-2 to permit an additional 10 foot wide driveway that does not lead to an approved parking structure.

1. A section of the driveway shall be removed at the house foundation extending six (6) feet from the house face and landscaping shall be installed in this area. Landscaping shall be reviewed and approved by the Department of Development Services prior to installation.
2. Repairs to bring the existing condition of the driveway to Village code standards shall be completed in accordance with a timeframe to be established by the Code Enforcement Division. The pavement on the property shall continue to be maintained to Village Code standards.

*****Zoning Board action is not necessary for this item*****

Village Board consideration is necessary for the following motion:

A waiver from Section 11-3-5-D of the Building Code to allow a second driveway curb cut on a property that is not a corner lot of more than 20,000 square feet nor a corner lot with at least 150 feet of frontage.

cc: Corporation Counsel, D. O'Malley, D. Plass, R. Norton, Petitioner

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

REQUEST FOR RESIDENTIAL VARIATION HEARING

FOR VILLAGE USE ONLY

Hearing Fee \$ _____ Date Paid _____ Received By _____

Hearing Date: 6/30/09 Time: 7:30pm Legal Published 6/15/09

Receipt Number _____ Check No. _____ Zoning District R-3

PLEASE PRINT OR TYPE

Use additional sheets as necessary

1. Property Owner(s) Name* Rosendo Reyna

E-Mail Address _____ Fax _____

Owner's Address 391 Illinois Blvd Phone 224) 636-1948

City Hoffman Estates State IL Zip 60194

Subject Property's Address (if different):

2. Person applying if other than owner*:

Name Patricia Reyna Company _____

E-Mail Address _____ Fax _____

Address 391 Illinois Blvd Phone 224 636 1949

City Hoffman Estates State IL Zip 60194

3. Property Index Number (PIN) 07-22-107-003-

4. Zoning District _____

5. Briefly describe the improvement that needs a variation.

Keep a second driveway on ~~an~~ mine property, that was there at time purchase.

* If "owner" is an entity other than an individual(s), then an Economic Disclosure Statement must also be filed.

6. Other options that would not require a variation?

NA

7. Is the applicant the original owner? YES How long has the applicant resided at this address? 1842 Did the condition that instituted this request for a variation exist at the time the applicant purchased this property? If yes, please describe.

Yes; the two driveways were present at time of purchased

8. Describe existing materials and proposed construction materials indicating if proposed construction will match or blend with the existing structure.

NA

9. Estimated total project cost NA

10. Removal/ relocation of trees, driveway approaches, utilities required? Will the proposed construction require removal/ relocation of trees, driveway apron, utilities, other? If yes, please describe.

NA

11. An Immediate Authorization to Apply for Permits allows the Code Enforcement Division to begin the building permit review process prior to the adoption of the Ordinance by the Village Board. The Immediate Authorization makes it possible for you to expedite the plan review process by approximately two weeks. Contact the Code Enforcement Division at 847/781-2631 to discuss the building permit application and review process.

Please check one of the following

Yes, I request Immediate Authorization to Apply for Permits upon approval of my application by the Village Board, allowing me to begin the building permit review process prior to adoption of the Ordinance approving my variation.

Or

No, I do not request Immediate Authorization to Apply for Permits.

12. Existing Conditions

Front, Side, Rear Yard Setback, Height, or Other Variation	Present Condition	Required	Proposed
Front of house driveway	driveway exist	due to handicap homeowner.	NA

13. I, the undersigned, certify the information and submissions provided accurately represent the current conditions and proposed improvement(s) requiring a variation.

Owner's Signature Rosendo Reyna

Name (Please Print) Rosendo Reyna

Applicant's Signature Patricia Reyna

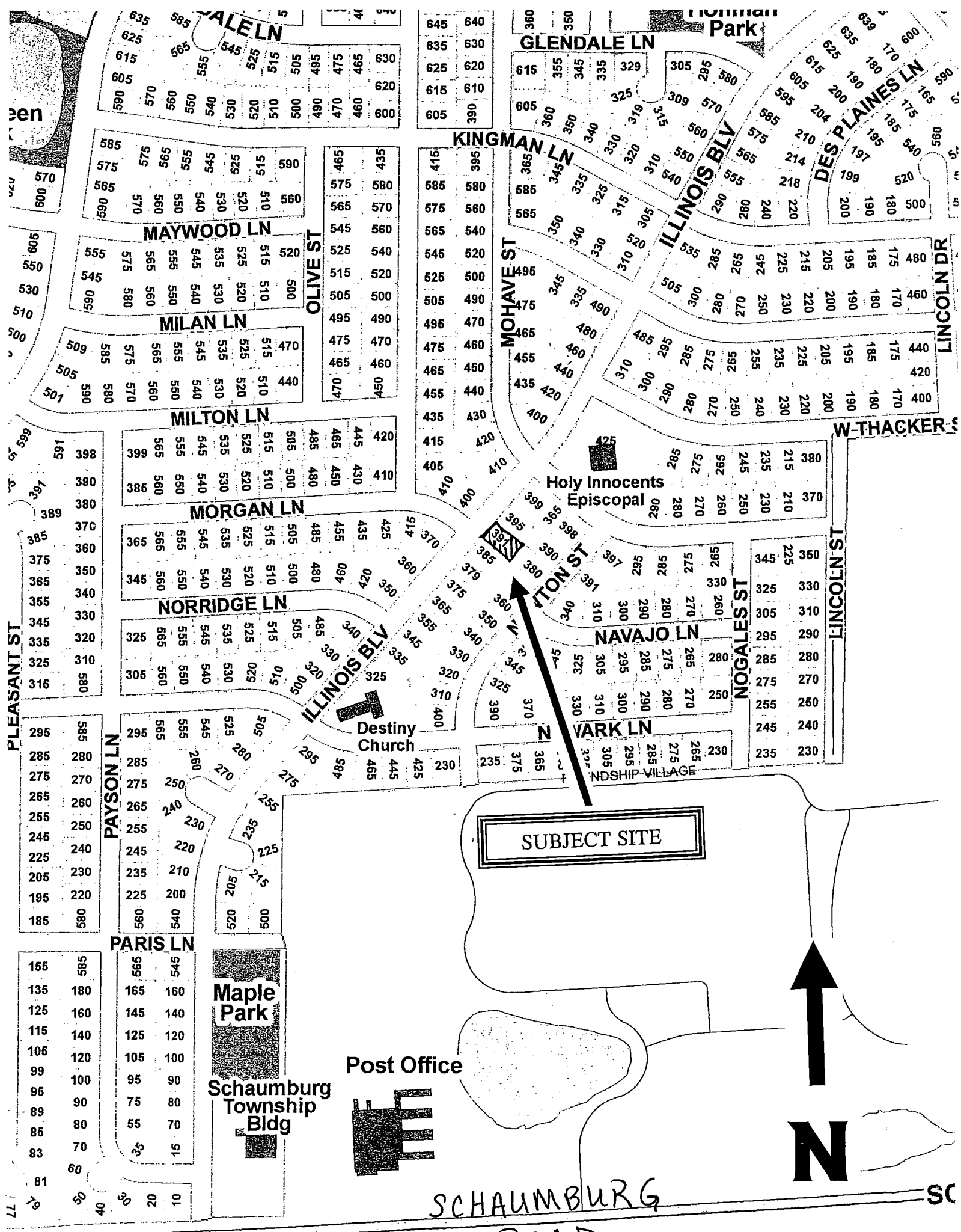
Name (Please Print) Patricia Reyna

6.8.2009

To whom it May Concern;

This is a petition to keep a second driveway at 391 Illinois Blvd in Hoffman Estates IL 60194. The reason for the petition is that the homeowner Rosendo Reyna Jr is a disabled veteran of the United States of America who has some health issues and having the second driveway which is closer and safer to his home front door. The home was purchased with this driveway and we are asking the Village of Hoffman Estates to allow the keeping of the second driveway.

Sincerely,
Rosendo Reyna
Rosendo Reyna



SUBJECT SITE



SCHAUMBURG ROAD

Post Office

Maple Park
Schaumburg Township Bldg

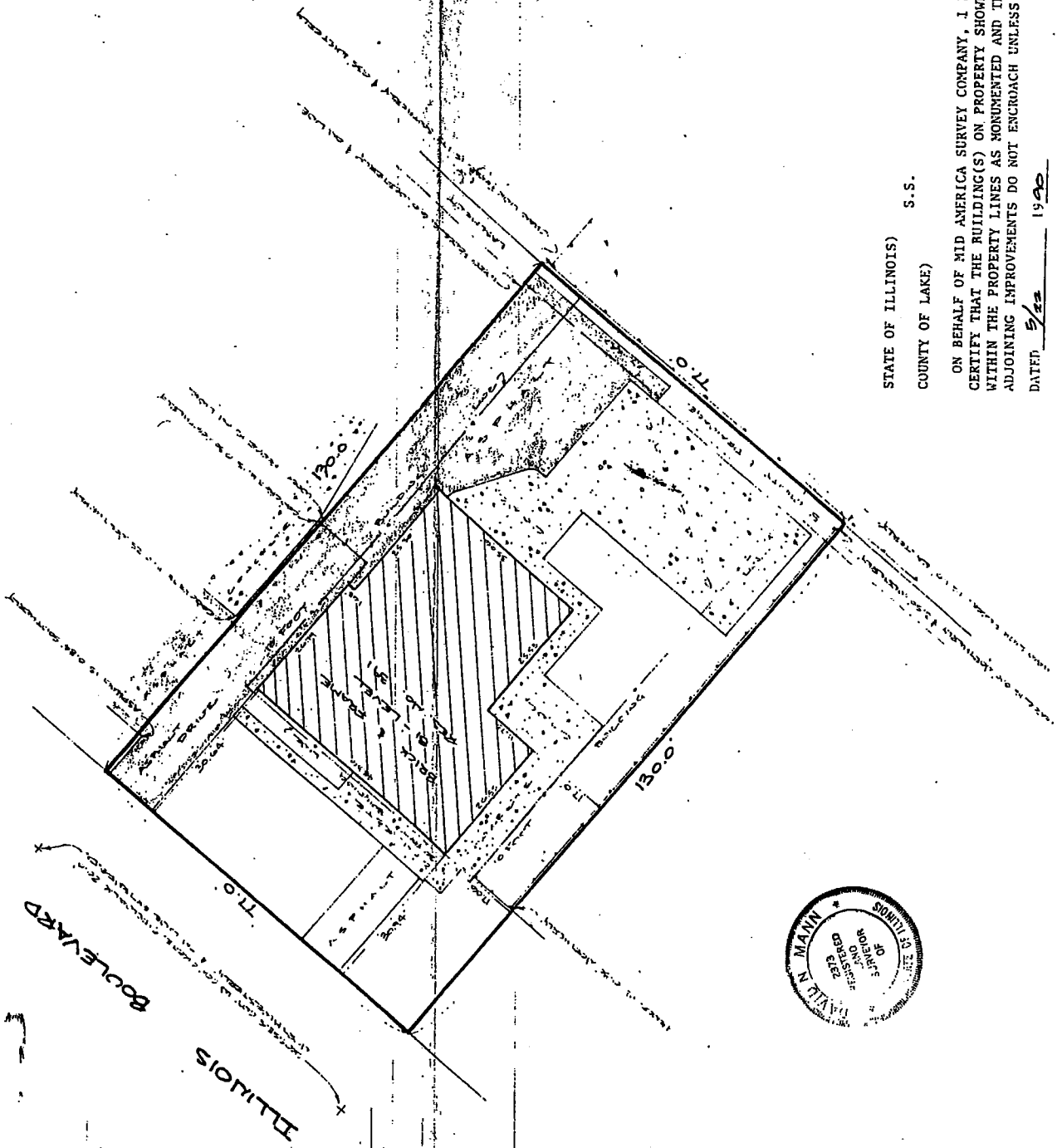
Holy Innocents Episcopal

Destiny Church

635	585	545	515	505	475	465	630
625	565	525	515	505	475	465	620
615	555	515	515	505	475	465	610
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590	535	515	515	505	475	465	590
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480	395	515	515	505	475	465	450
475	385	515	515	505	475	465	440
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465	365	515	515	505	475	465	420
460	355	515	515	505	475	465	410
455	345	515	515	505	475	465	400
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445	325	515	515	505	475	465	380
440	315	515	515	505	475	465	370
435	305	515	515	505	475	465	360
430	295	515	515	505	475	465	350
425	285	515	515	505	475	465	340
420	275	515	515	505	475	465	330
415	265	515	515	505	475	465	320
410	255	515	515	505	475	465	310
405	245	515	515	505	475	465	300
400	235	515	515	505	475	465	290
395	225	515	515	505	475	465	280
390	215	515	515	505	475	465	270
385	205	515	515	505	475	465	260
380	195	515	515	505	475	465	250
375	185	515	515	505	475	465	240
370	175	515	515	505	475	465	230
365	165	515	515	505	475	465	220
360	155	515	515	505	475	465	210
355	145	515	515	505	475	465	200
350	135	515	515	505	475	465	190
345	125	515	515	505	475	465	180
340	115	515	515	505	475	465	170
335	105	515	515	505	475	465	160
330	95	515	515	505	475	465	150
325	85	515	515	505	475	465	140
320	75	515	515	505	475	465	130
315	65	515	515	505	475	465	120
310	55	515	515	505	475	465	110
305	45	515	515	505	475	465	100
300	35	515	515	505	475	465	90
295	25	515	515	505	475	465	80
290	15	515	515	505	475	465	70
285	5	515	515	505	475	465	60
280		515	515	505	475	465	50
275		515	515	505	475	465	40
270		515	515	505	475	465	30
265		515	515	505	475	465	20
260		515	515	505	475	465	10
255		515	515	505	475	465	05
250		515	515	505	475	465	00
245		515	515	505	475	465	95
240		515	515	505	475	465	90
235		515	515	505	475	465	85
230		515	515	505	475	465	80
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220		515	515	505	475	465	70
215		515	515	505	475	465	65
210		515	515	505	475	465	60
205		515	515	505	475	465	55
200		515	515	505	475	465	50
195		515	515	505	475	465	45
190		515	515	505	475	465	40
185		515	515	505	475	465	35
180		515	515	505	475	465	30
175		515	515	505	475	465	25
170		515	515	505	475	465	20
165		515	515	505	475	465	15
160		515	515	505	475	465	10
155		515	515	505	475	465	05
150		515	515	505	475	465	00
145		515	515	505	475	465	95
140		515	515	505	475	465	90
135		515	515	505	475	465	85
130		515	515	505	475	465	80
125		515	515	505	475	465	75
120		515	515	505	475	465	70
115		515	515	505	475	465	65
110		515	515	505	475	465	60
105		515	515	505	475	465	55
100		515	515	505	475	465	50
95		515	515	505	475	465	45
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85		515	515	505	475	465	35
80		515	515	505	475	465	30
75		515	515	505	475	465	25
70		515	515	505	475	465	20
65		515	515	505	475	465	15
60		515	515	505	475	465	10
55		515	515	505	475	465	05
50		515	515	505	475	465	00
45		515	515	505	475	465	95
40		515	515	505	475	465	90
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10		515	515	505	475	465	60
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		515	515	505	475	465	15
		515	515	505	475	465	10
		515	515	505	475	465	05
		515	515	505	475	465	00

PLAT OF SURVEY

LOT 3 IN BLOCK 64 IN HOFFMAN ESTATE V, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 22 AND THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON JULY 24, 1937, AS DOCUMENT NO. 1750156, IN COOK COUNTY, ILLINOIS.

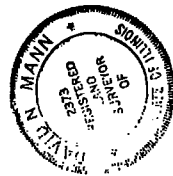


STATE OF ILLINOIS)
 COUNTY OF LAKE)

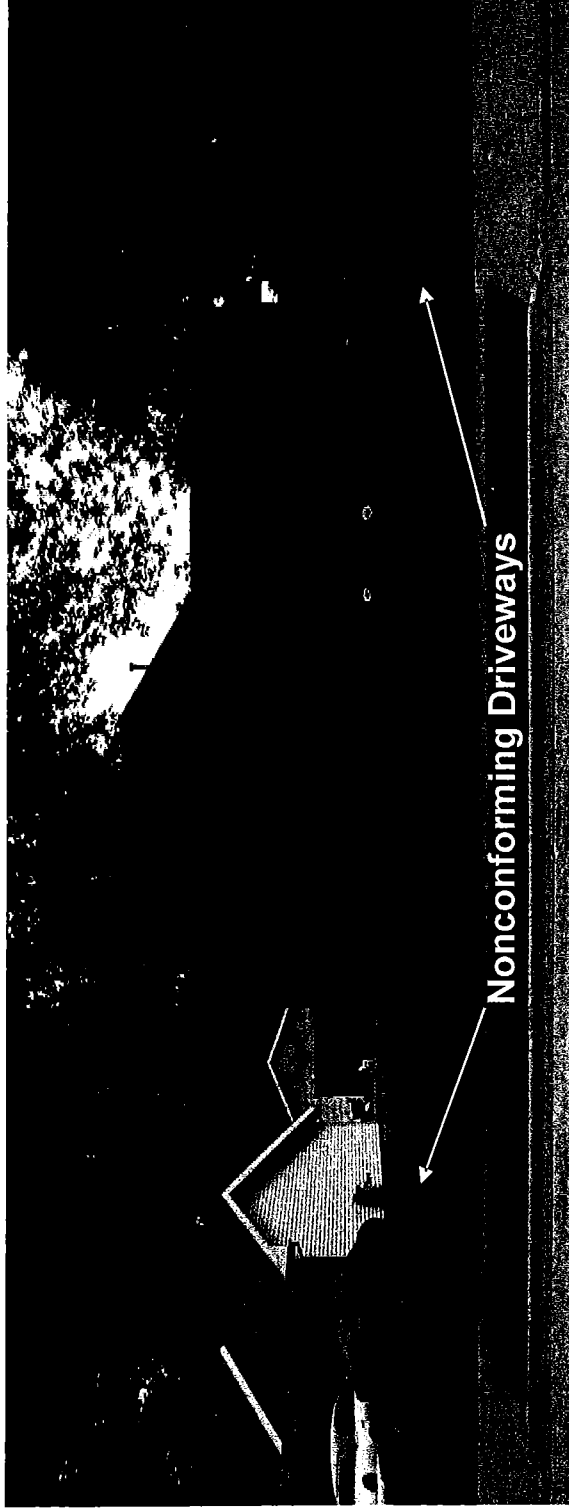
S.S.

ON BEHALF OF MID AMERICA SURVEY COMPANY, I HEREBY CERTIFY THAT THE BUILDING(S) ON PROPERTY SHOWN ARE WITHIN THE PROPERTY LINES AS MONUMENTED AND THAT THE ADJOINING IMPROVEMENTS DO NOT ENCROACH UNLESS SHOWN.

DATED 5/22 1940



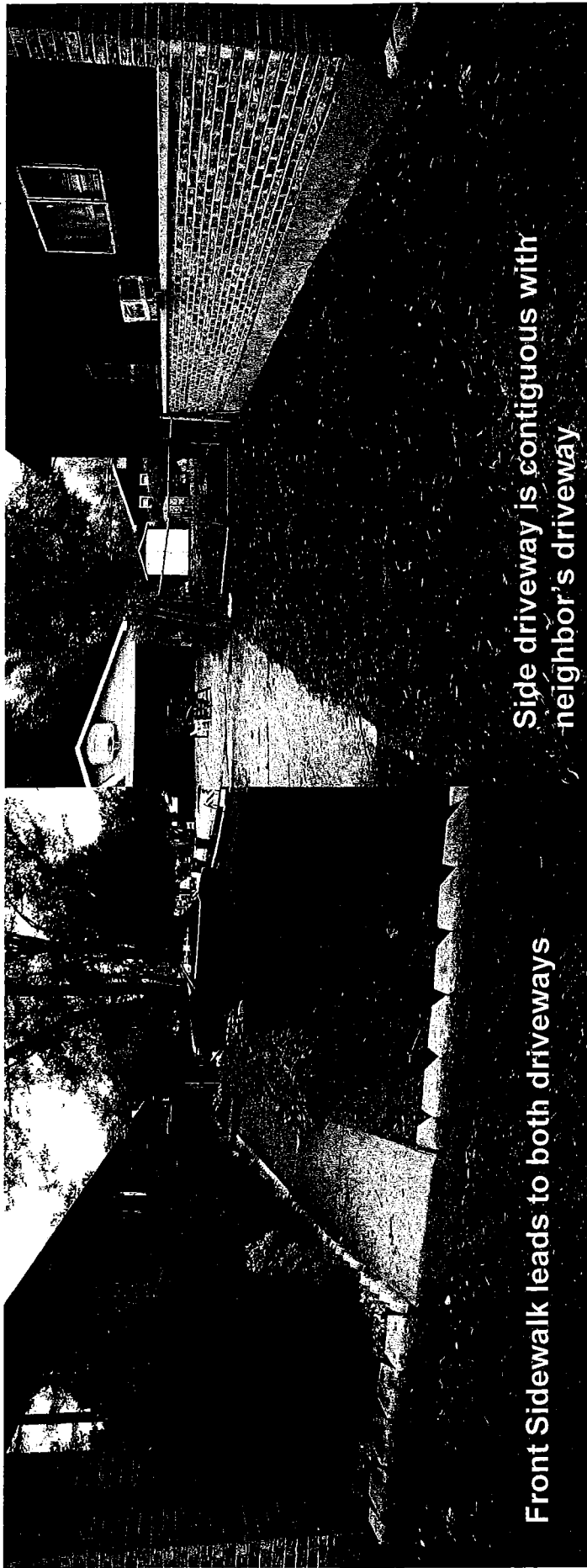
391 Illinois Boulevard



Nonconforming Driveways



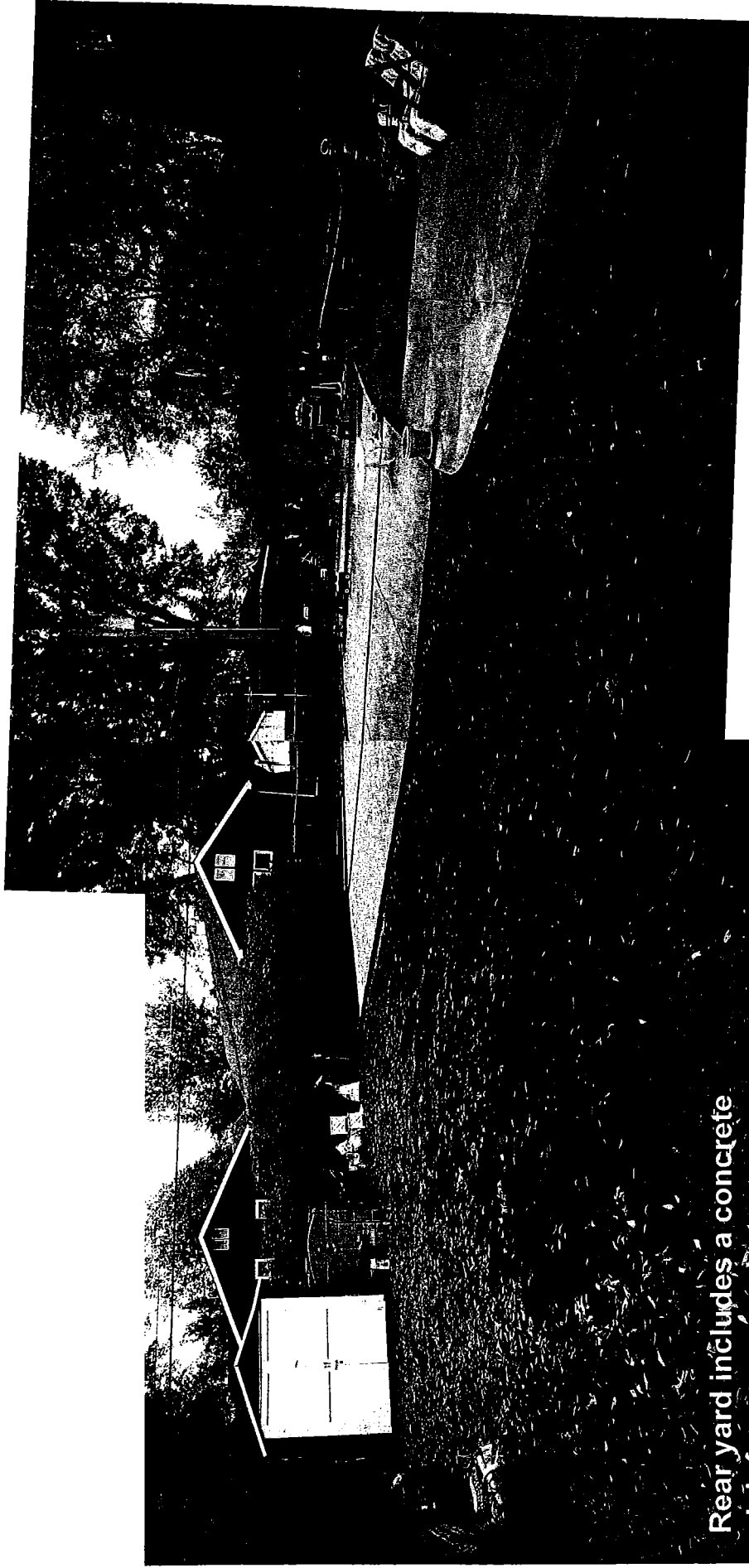
391 Illinois Boulevard



Side driveway is contiguous with neighbor's driveway

Front Sidewalk leads to both driveways

391 Illinois Boulevard



Rear yard includes a concrete slab for a garage, but no garage

391 Illinois Boulevard



1 inch = 50 feet

Planning Division
Village of Hoffman Estates
June 2009

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARINGS: May 19, 2009 and June 30, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: July 6, 2009; the request was remanded from the June 1, 2009 Village Board meeting

PETITION: Hearing held at the request of Canterbury Fields Condo Association to consider variations from the Zoning Code to permit signage on the property located at the northwest corner of Shoe Factory Road and Delaney Drive.

DISTRICT IN WHICH PROPERTY IS LOCATED: R-10, Attached Single Family Residential District

ZONING CODE SECTION(S) FOR VARIATION(S): 9-3-8-L-4

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Variation (9-1-15-C) were **not** met.

MOTION: Request to grant Canterbury Fields Condo Association *a variation from Section 9-3-8-L-4 to permit a one-sided residential subdivision identification sign ("Canterbury Fields of Hoffman Estates") to be installed on the northwest corner of Shoe Factory Road and Delaney Drive and for the sign to be illuminated.* The following conditions shall apply:

1. As part of the final Village inspection of the sign illumination, at the direction of Code Enforcement staff, the petitioner shall adjust the lights to ensure glare will not be evident on surrounding property and/or adjacent streets.
2. The sign illumination shall be turned off and not operated between the hours of 11:00 p.m. and 6:00 a.m.

RECOMMENDATION: The Zoning Board of Appeals (ZBA) recommends **denial** of this request.

This request was remanded from the Village Board on June 1, 2009 because only four Zoning Board members were present at the first Zoning Board hearing (2 Ayes, 2 Nays, and 3 Absent). The Village Board wanted the benefit of more Zoning Board members voting on the proposal.

The petitioners, Mr. Quattrochi (property manager for Canterbury Fields Condominium Association) and Bob Hammett (representative for the Canterbury Fields Condominium Association) are requesting to add a freestanding sign on the northwest corner of Delaney Drive and Shoe Factory Road to identify this intersection as another entrance into the subdivision; particularly for visitors traveling from the tollway exit onto westbound Shoe Factory Road.

There are two existing illuminated signs for Canterbury Fields Condominium Association at the main entrance of Maureen Drive and Shoe Factory Road and both signs are constructed of brick walls with etched lettering in concrete. The petitioner claims there is a safety issue; the traffic traveling the speed limit on Shoe Factory Road comes over a hill quickly and the Delaney Drive and Maureen Drive entrances can be overlooked; and an additional sign would help identify the Delaney Drive entrance as part of Canterbury Fields.

The ZBA noted that this sign will direct subdivision traffic away from the main entrance, which is not desirable. A large Park District park is also planned (construction has begun on the 150-space parking lot) at the north end of this subdivision, and the subdivision was designed specifically to direct the majority of traffic to the Maureen Drive entrance, and not the Delaney Drive entrance. Ryland Homes installed the two large brick wall signs at the main Maureen Drive entrance because this street was designed to be the main entrance, with a traffic light, and mirrors the Canterbury Farms signage on the southeast corner of the intersection. The Delaney Drive entrance was designed and intended as a minor, limited access entrance for residents in the eastern half of the subdivision. This proposed sign would likely cause westbound traffic that is going to the park to turn into the subdivision at Delaney Drive, which is not a direct route to the park like the Maureen Drive entrance.

The street signs of both entrances are clearly visible at both intersections.

It is safer to make a right turn into the subdivision at the Maureen Drive entrance where a traffic signal exists than at the Delaney Drive entrance where traffic is traveling on Shoe Factory Road at fairly high speed, and the proposed sign could encourage more traffic to make such a traffic movement.

The Zoning Code permits a sign at two separate entrances when there is an 80 foot right-of-way. In this case, Delaney Drive is only a 66 foot right-of-way.

Several subdivision ID signs have been approved at other residential subdivisions, including others in the western area of the Village. This subdivision, however, was designed to encourage traffic to enter at the Maureen Drive entrance. The lack of a subdivision ID sign at the Delaney Drive entrance will not inhibit visitors from entering at either entrance.

The ZBA did not support this request.

AUDIENCE COMMENTS

None.

VOTE:

2 Ayes (Ali, Weaver)

4 Nays (Boomgarden, Gaeta, Jehlik, Wilson)

1 Absent (Ciffone)

MOTION FAILED

ZONING BOARD OF APPEALS

Chairman William Weaver

Vice-Chairman Ronald Jehlik

Denise Wilson

Michael Ciffone

Masoom Ali

Donna Boomgarden

Michael Gaeta

*** IMMEDIATE AUTHORIZATION TO APPLY FOR PERMITS IS REQUESTED ***

**THIS VARIATION WILL EXPIRE UNLESS ACTED UPON WITHIN
ONE (1) YEAR OF VILLAGE BOARD APPROVAL**

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

VILLAGE OF HOFFMAN ESTATES

Memo

TO: William Weaver, Zoning Board of Appeals Chairman
FROM: Josh Edwards, Assistant Planner *JAE*
RE: REQUEST BY CANTERBURY FIELDS CONDO ASSOCIATION FOR
SIGN VARIATIONS FOR A ONE-SIDED SUBDIVISION
IDENTIFICATION SIGN AT THE DELANEY DRIVE ENTRANCE TO
THE CANTERBURY FIELDS SUBDIVISION

DATE: June 25, 2009
HEARING DATE: June 30, 2009

1. UPDATE

On May 19, 2009, the Zoning Board recommended denial of the sign with a vote of 2 aye, 2 nay, and 3 absent. On June 1, 2009, the Village Board, after voting to deny the variation, then reconsidered their vote at the request of the petitioner and voted to remand the request to the Zoning Board primarily so that a larger quorum of the Zoning Board could consider and make a recommendation on the sign variation. As of this writing, no changes have been formally submitted to staff from the original request. If there are any changes, they will be presented by the petitioner at the Zoning Board meeting.

2. REQUEST SUMMARY

The petitioner requests approval of variations to permit the installation of a one-sided subdivision identification sign at the Delaney Drive entrance to the Canterbury Fields subdivision and for the sign to be illuminated.

3. BACKGROUND

The Canterbury Fields subdivision was approved by the Village Board in 2001 and includes 55 condominium buildings and 271 units. Canterbury Fields has two entrances from Shoe Factory Road; one at Maureen Drive and the other at Delaney Drive. Two subdivision signs exist at the Maureen Drive entrance and no signs exist at the Delaney Drive entrance.

4. **PETITIONER PROPOSAL**

The petitioner is proposing to install a one-sided subdivision identification sign at the northwest corner of Shoe Factory Road and Delaney Drive to identify this intersection as an entrance to the Canterbury Fields subdivision. The Zoning Code does not permit a sign at this location because the Delaney Drive right-of-way is less than the minimum required 80 feet.

The proposed wood panel sign is 18.7 square feet (7 feet wide by 2 feet 8 inches high) and would be mounted to two wooden posts. The posts are narrow enough to not be included in the sign surface area. The sign is approximately 5 feet high at the top of the posts and would be set back approximately 20 feet from the property line along Delaney Drive. The sign size, height, and zoning setback comply with the zoning requirements. The petitioner is requesting a variation to allow the sign to be illuminated.

5. **SITE CONDITIONS**

- a) The subject property is zoned R-10, Attached Single Family Residential District, and is approximately 47 acres.
- b) To the west of Canterbury Fields are single family houses in the City of Elgin. To the north is an undeveloped parcel and future park zoned R-1, One Family Residential District, beyond which is a ComEd substation. To the east is Haverford Place zoned RAA, Residential Active Adult. To the south across Shoe Factory Road is Canterbury Farms zoned R-6, One Family Residential District.

6. **APPLICABLE REQUIREMENTS**

Section 9-3-8-L-4 *Residential Subdivision Identification Sign* (p. CD9:47) states that the property may have one permanent identification sign at a maximum of two entrances, one each at the entrances at Maureen Drive and Delaney Drive. However, a sign is permitted only at the intersection of two rights-of-way each of which is 80 feet or more in width. The Delaney Drive right-of-way is less than 80 feet in width, therefore a subdivision identification sign in this location requires a variation. A subdivision identification sign shall be a maximum of 96 square feet, a maximum six feet in height, set back a minimum 10 feet from any property line, and shall not be illuminated.

7. **VARIATION HISTORY**

Subject Property Variations

Ordinance 3325-2001 – Shoe Factory Road & Maureen Drive – Ryland Homes – The Village Board approved a variation to permit a second residential subdivision identification sign where one is permitted and approved a 222 square foot variation to allow a 270 square foot monument sign with a text area not greater than 43 square feet. This ordinance also approved a decorative fence in a front yard to be

112 feet long instead of the maximum permitted 8 feet and to allow a decorative fence in a front yard to be 76 feet long instead of the maximum permitted 8 feet.

Similar Variations

Approved

- a) Ordinance 3286-2001 – Canterbury Farms (Shoe Factory Road & Maureen Drive) – Ryland Homes – The Village Board approved a variation to permit a second residential subdivision identification sign where one is permitted and approved a 222 square foot variation to allow a 270 square foot monument sign with a text area not greater than 43 square feet.
- b) Ordinance 3324-2001 – Highland Woods (Algonquin Road & Ela Road) – Highland Woods Homeowners Association – The Village Board approved a variation to illuminate a residential subdivision identification sign previously permitted by Ordinance 1903-1987.
- c) Ordinance 3442-2002 – 1658 Foltz Drive, Hilldale Green (Huntington Boulevard & Della Drive) – Homeowners Association – The Village Board approved a variation to permit a residential subdivision monument sign where one right-of-way is 66 feet in width instead of the required 80 feet in width.
- d) Ordinance 3528-2003 - Haverford Place (Shoe Factory Road & Eaton Road; Essex Drive & Haverford Way) – Ryland Homes – The Village Board approved variations to permit two signs at each intersection to be located at rights-of-way where one of which is not 80 feet or more in width, and to allow the two signs to be 144.66 square feet each, (96 square feet permitted), with a text area not to exceed 36.5 square feet and to allow a 1 foot height variation to permit the signs to be 7 feet high instead of the maximum allowed 6 feet.
- e) Ordinance 3690-2004 – Yorkshire Woods Subdivision (McDonough Road & Nicholson Drive; McDonough Road & Heron Way) - Dartmoor Homes – The Village Board approved variations to permit four (4) residential subdivision identification signs instead of one (1) at intersections where the right-of-way is 66 feet (minimum 80 feet required) and to allow the signs to be 115 square feet each (96 square feet permitted) with the text area not to exceed 11 square feet.
- f) Ordinance 3920-2007 & 3921-2007 – Beacon Pointe Subdivision (Essex Drive & Beacon Pointe Drive; Essex Drive & Chatham Drive) – Ryland Homes – The Village Board approved variations to permit four (4) residential subdivision identification signs instead of one (1) at intersections where the right-of-way is 66 feet (minimum 80 feet required) and to allow the signs to be 152 square feet each (96 square feet permitted), 9 feet 8 inches in height (maximum 6 feet permitted), with the text area not to exceed 6 square feet. The signs at the Beacon Pointe Drive entrance were granted variations to be

set back 2 feet 6 inches, and the signs at the Chatham Drive entrance were granted variations to be set back 7 feet (minimum 10 feet required).

No Action by Village Board

Kimball Hill Homes – 2004 – White Oak (Shoe Factory Road & Rohrssen Road) – The Village Board denied a site plan amendment request, which included residential subdivision identification signs; therefore, no action was taken on the zoning variations for the signs. The request was for the number of signs (3 instead of 1), their location, size, illumination and to permit the company logo on the signs.

8. ADJACENT OWNER COMMENTS

Standard notification letters have been sent and no comments have been received.

9. IMMEDIATE AUTHORIZATION TO APPLY FOR PERMIT(S)

The petitioner has requested an Immediate Authorization to Apply for Permits.

10. DEVELOPMENT SERVICES COMMENTS

The Village Board has granted variations for identification signs at several subdivisions, including the nearby Canterbury Farms and Haverford Place.

11. MOTION

Should the Zoning Board find that the Standards for a Variation are met, the following motion is provided with two conditions:

A variation from Section 9-3-8-L-4 to permit a one-sided residential subdivision identification sign (“Canterbury Fields of Hoffman Estates”) to be installed on the northwest corner of Shoe Factory Road and Delaney Drive and for the sign to be illuminated.

1. As part of the final Village inspection of the sign illumination, at the direction of Code Enforcement staff, the petitioner shall adjust the lights to ensure glare will not be evident on surrounding property and/or adjacent streets.
2. The sign illumination shall be turned off and not operated between the hours of 11:00 p.m. and 6:00 a.m.

cc: Corporation Counsel, D. O'Malley, D. Plass, R. Norton, Petitioner

**VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS**

REQUEST FOR SIGN VARIATION HEARING

FOR VILLAGE USE ONLY

Hearing Fee \$ _____ Date Paid _____ Received By _____

Hearing Date: 5/29/09 Time: 7:35 Legal Published 5/4/09

Receipt Number _____ Check No. _____ Zoning District R-10

Height, Surface Area, Setback, Quantity or Other Variation	Existing Sign	Requirements	Proposed Sign

APPLICANT (PLEASE PRINT OR TYPE)

Use additional sheets as necessary

1. Name of Property Owner(s)* CANTERBURY FIELDS CONDO ASSN

E-Mail Address jeremy@stellar-properties-inc.com Fax 630-876-0153

Owner's Address _____ Phone _____

City _____ State _____ Zip _____

Subject Property's Address (if different): Northwest BERM AT DELANEY + SHOE FACTORY RD

2. Person applying if other than owner:* Agent

Name Jeremy Quattrochi Company Stellar Properties

E-Mail Address jeremy@stellar-properties-inc.com Fax 630-876-0153

Address 1269 BISON TRAIL Phone 630-876-5328

City CAROL Stream State IL Zip 60188

3. Property Index Number (PIN) N/A

* If "owner" is an entity other than an individual(s), then an Economic Disclosure Statement must also be filed.

4. Will any trees or landscaping be removed? If yes, please describe.

No

5. Describe the sign(s) and the reasons a variation would be appropriate using the Standards for Variation (attached) as a guide. (e.g. An existing sign requires a 5-foot setback variation. A hardship was caused by a street-widening project that reduced the front yard by 10 feet.)

Sign will be 1-sided Canterbury Fields of Hoffman Estates
7' wide 2'8" tall, 18 inches above ground mounted on 6x6
treated (black) timbers / Back ground sandblasted wood weathered
GRAY, Border + lettering raised (black) see Attached

6. An Immediate Authorization to Apply for Permits allows the Code Enforcement Division to begin the building permit review process prior to the adoption of the Ordinance by the Village Board. The Immediate Authorization makes it possible for you to expedite the plan review process by approximately two weeks. Contact the Code Enforcement Division at 847/781-2631 to discuss the building permit application and review process.

Please check one of the following

Yes, I request Immediate Authorization to Apply for Permits upon approval of my application by the Village Board, allowing me to begin the building permit review process prior to adoption of the Ordinance approving my variation.

Or

No, I do not request Immediate Authorization to Apply for Permits.

7. I, the undersigned, certify the information and submissions provided accurately represent the current conditions and proposed improvement(s) requiring a variation.

Applicant's Signature Jeremy Quasthochi
Name (Please Print) Jeremy Quasthochi

April 23, 2009

Zoning Board of Appeals

Via: Josh Edwards, Assistant Planner

Dear Board,

I am the property manager of Canterbury Fields Condominium Association in Hoffman Estates. Canterbury Fields is a community of 271 townhome style homes. The "main" entrance is on Maureen off of Shoe Factory, however the more popular entrance is actually .20 mile east on Delaney and Shoe Factory. The Board of Directors is requesting a wood blasted sign with the same script as the two existing "signs" carved into the monuments on Maureen preferably illuminated if possible. It will have a grey color with Black letters to again match the walls.

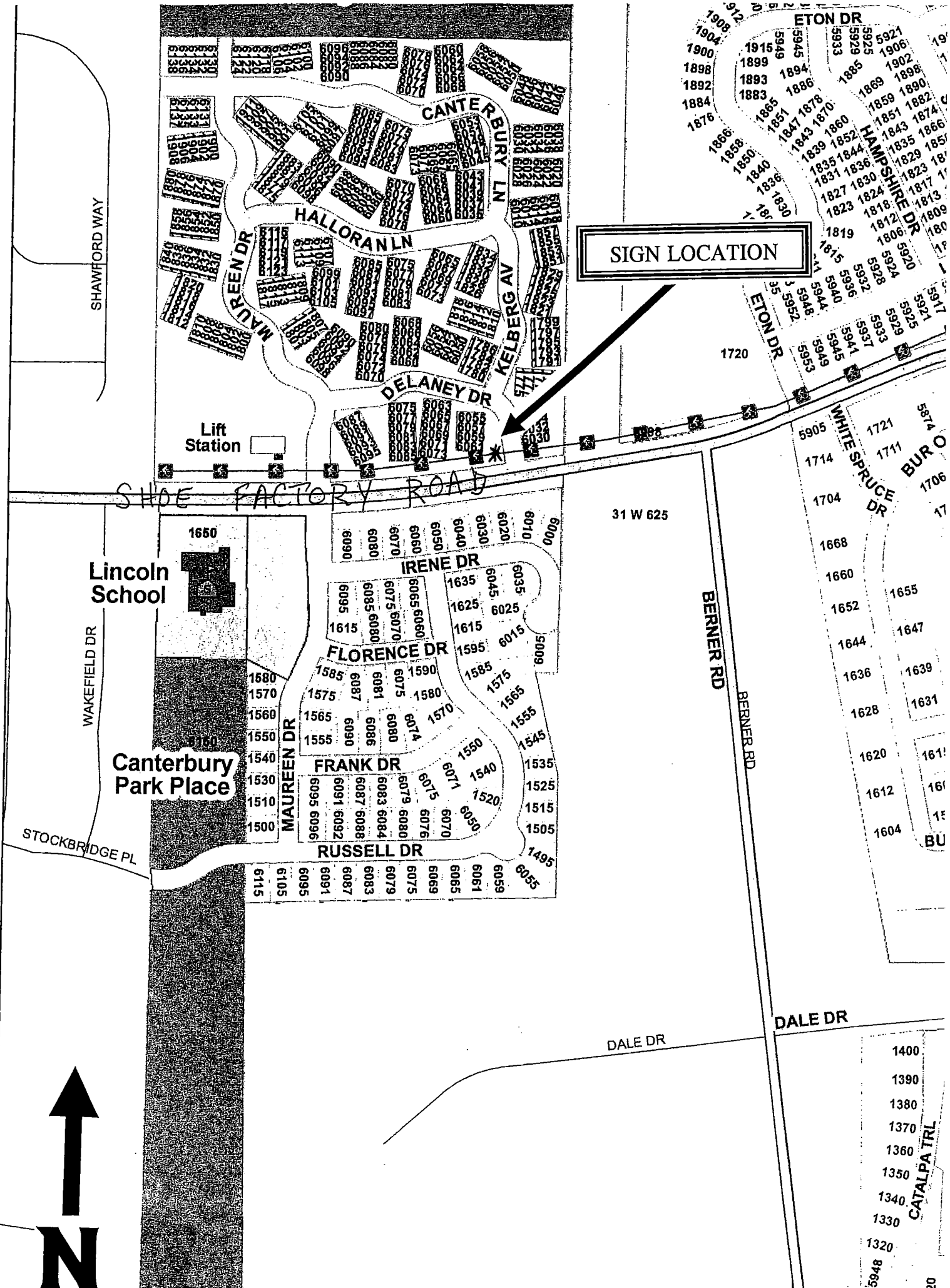
The two existing "signs" are set back from Shoe Factory and are not very visible or clearly identify the community. This new sign would be only one side angled towards Shoe Factory Rd on the berm 29 feet from the roads, which well behind the necessary setback requirements. It would be 7 feet long by 1.5 feet tall mounted on 2- 4x4 posts. Delaney only permits a west exit so there is no hazard with any site lines plus the fact it is on a berm. The sign would greatly assist guests and visitors the fact they are entering *Canterbury Fields of Hoffman Estates*. There would be no negative impact but would assist with identifying Canterbury Fields which is essential since Maureen comes up very fast from down the hill on Shoe Factory. The width of Shoe Factory is adequate for the code but Delaney is not wide enough. This request is similar to our neighbors at Haverford and a number of other communities in Hoffman Estates.

I will be on hand at the meeting on May 19th for further explanation and questions.

Thank you in advance for your cooperation.

Sincerely,

Jeremy Quattrochi and the Board of Directors for Canterbury Fields Condominium Association



SIGN LOCATION

Lincoln School

Canterbury Park Place

Lift Station

SHOE FACTORY ROAD

31 W 625

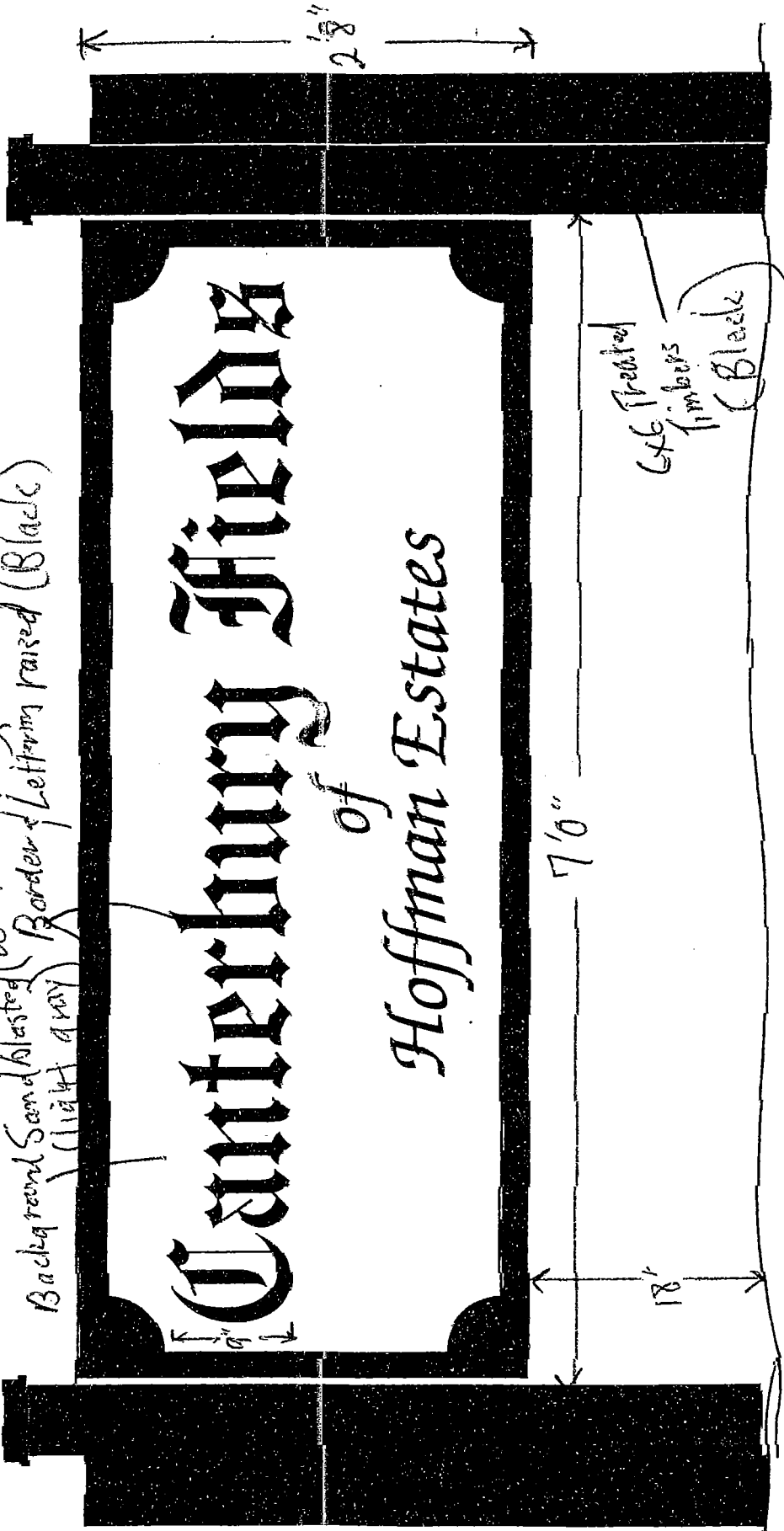
BERNER RD

DALE DR

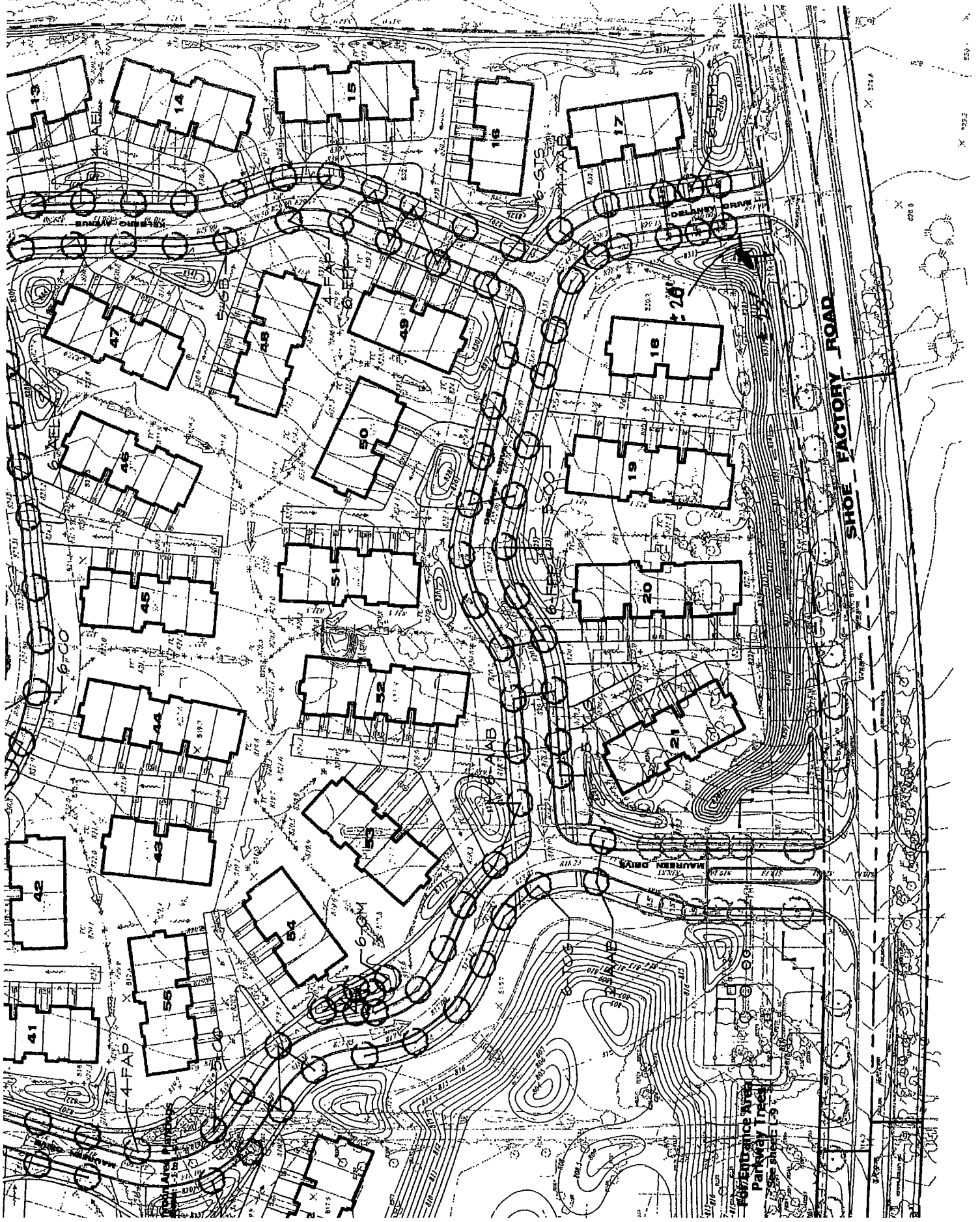
CATALPA TRL

1400
1390
1380
1370
1360
1350
1340
1330
1320
5948

Background Sandblasted (Weathered effect)
(Light gray)
Border & Lettering raised (Black)



Camberbury Fields
of
Hoffman Estates

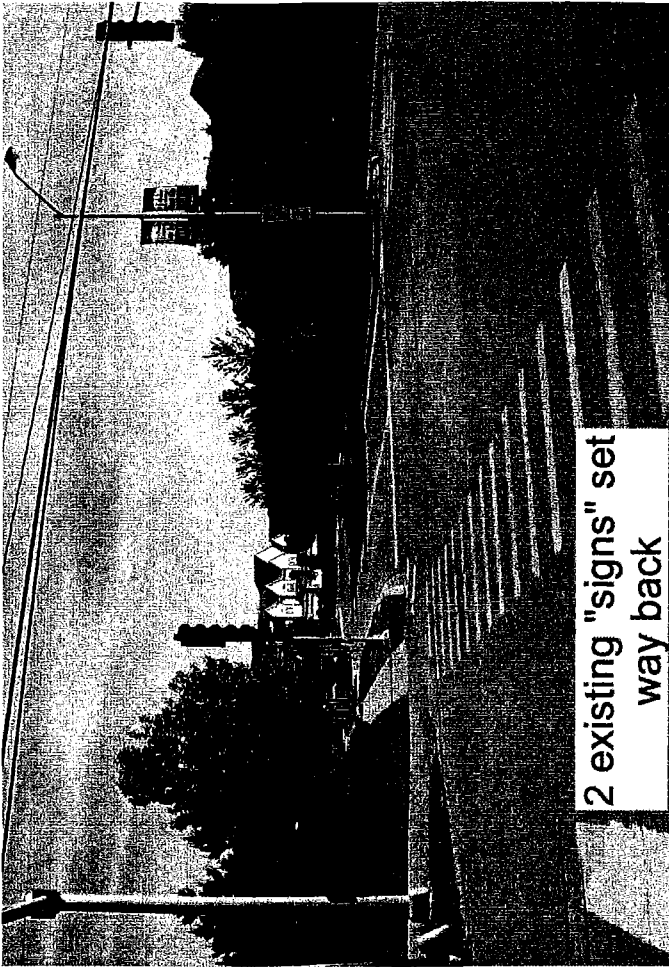


Canterbury Fields



1 inch = 300 feet

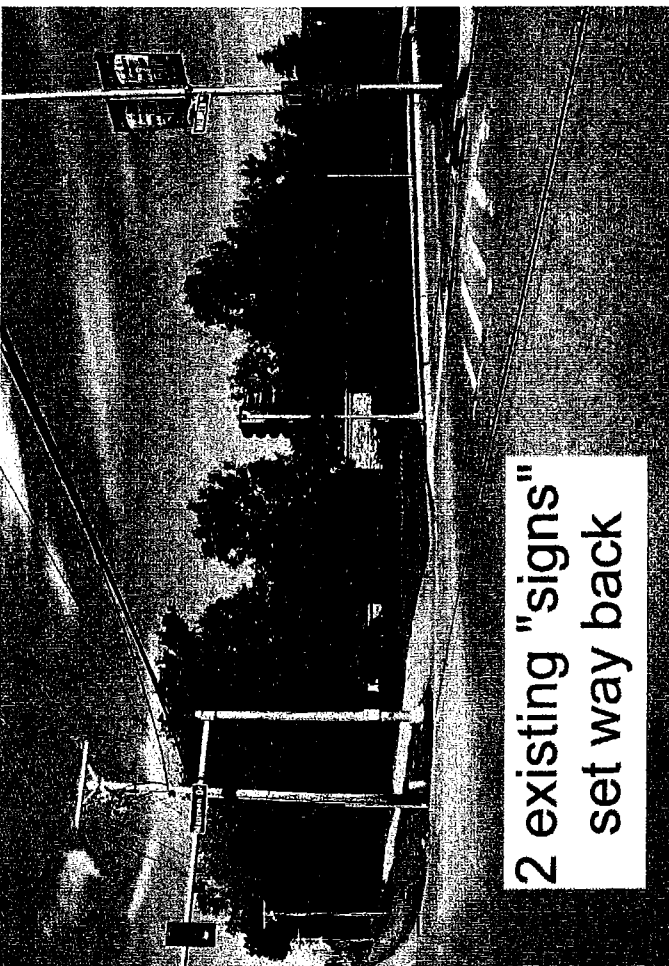
Planning Division
Village of Hoffman Estates
April 2009



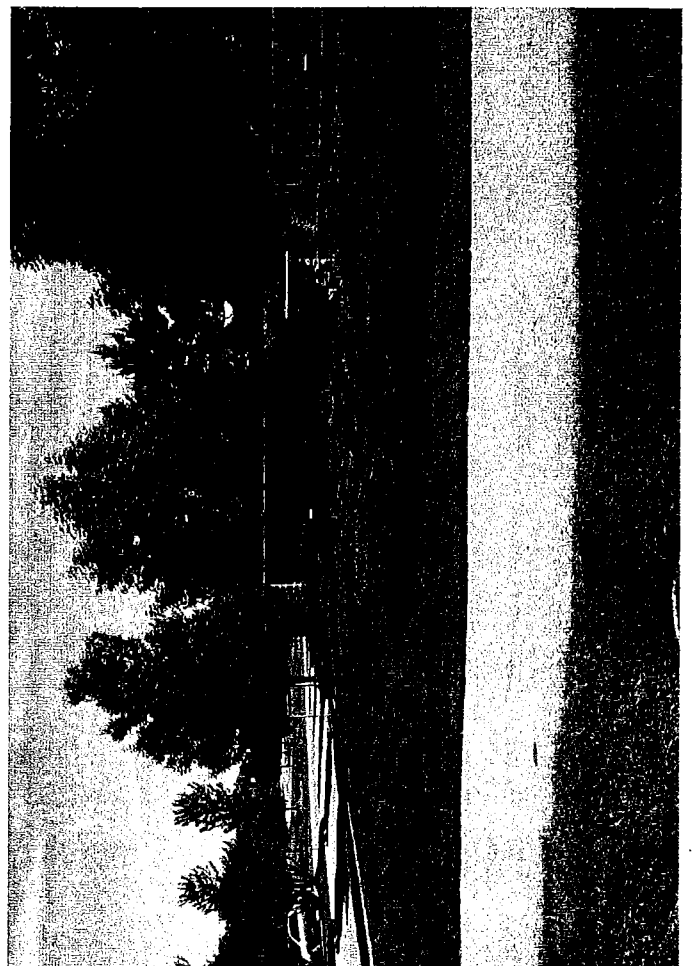
2 existing "signs" set way back

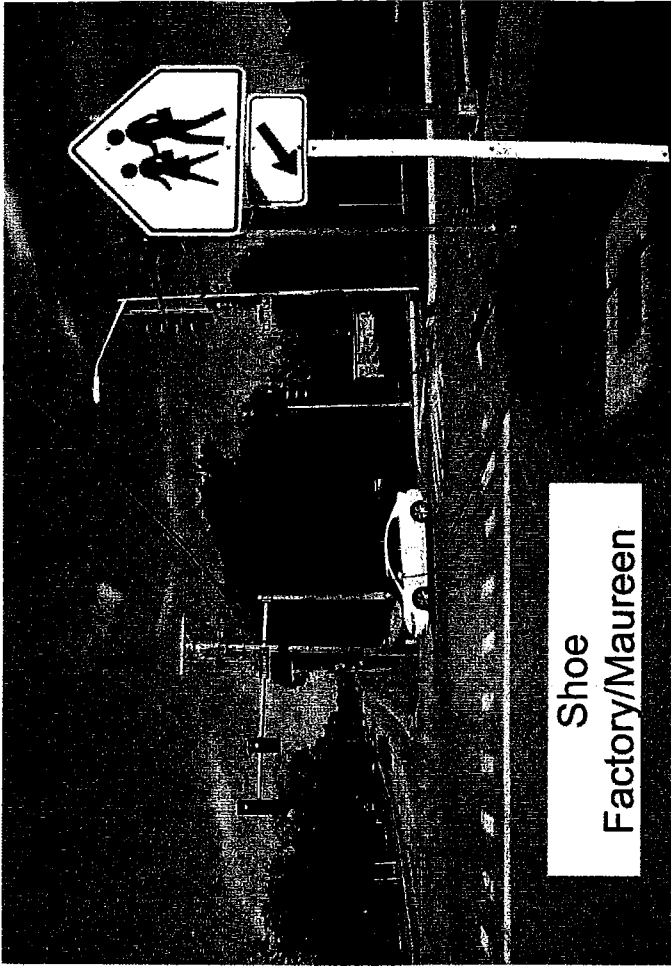


3

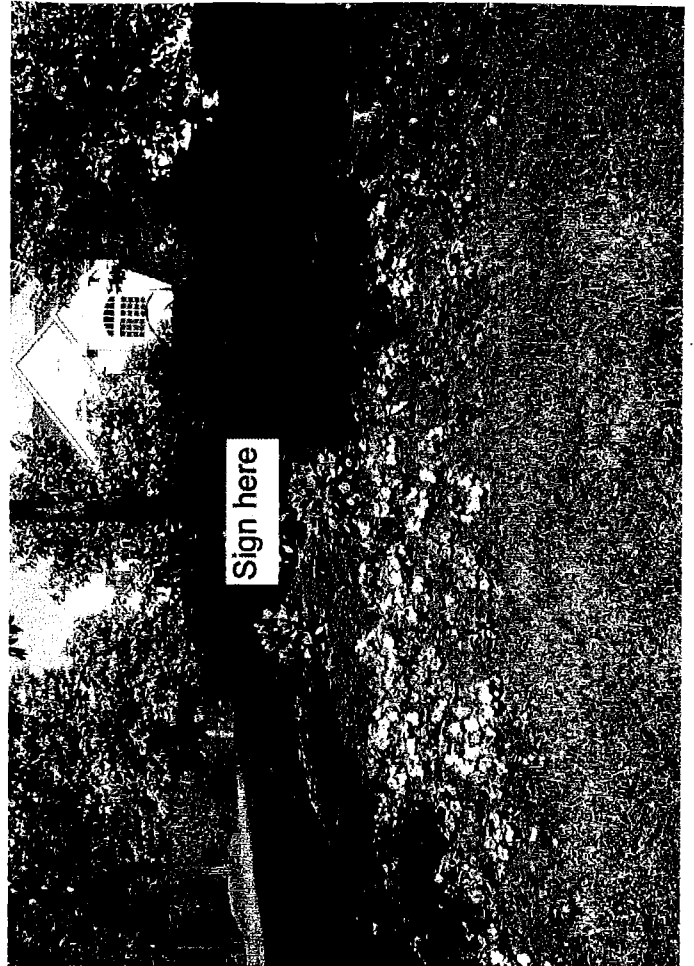


2 existing "signs" set way back





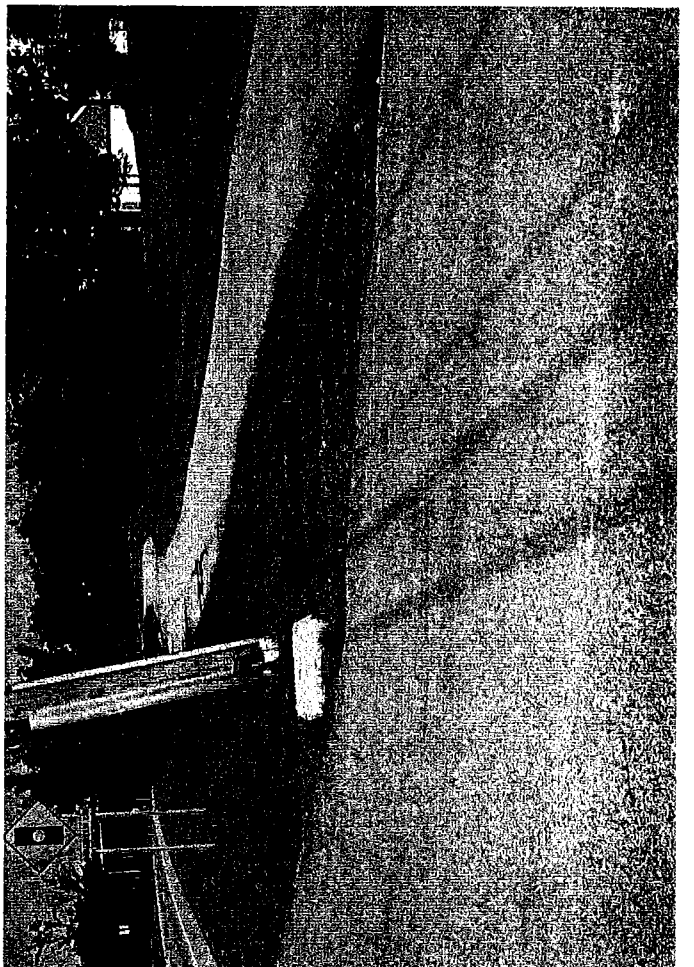
Shoe
Factory/Maureen



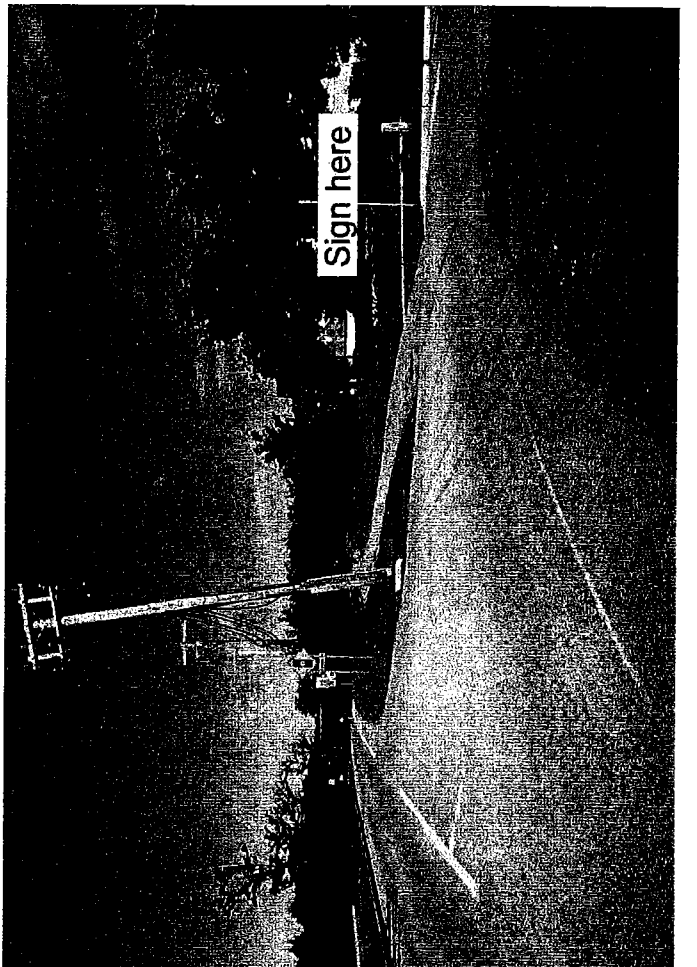
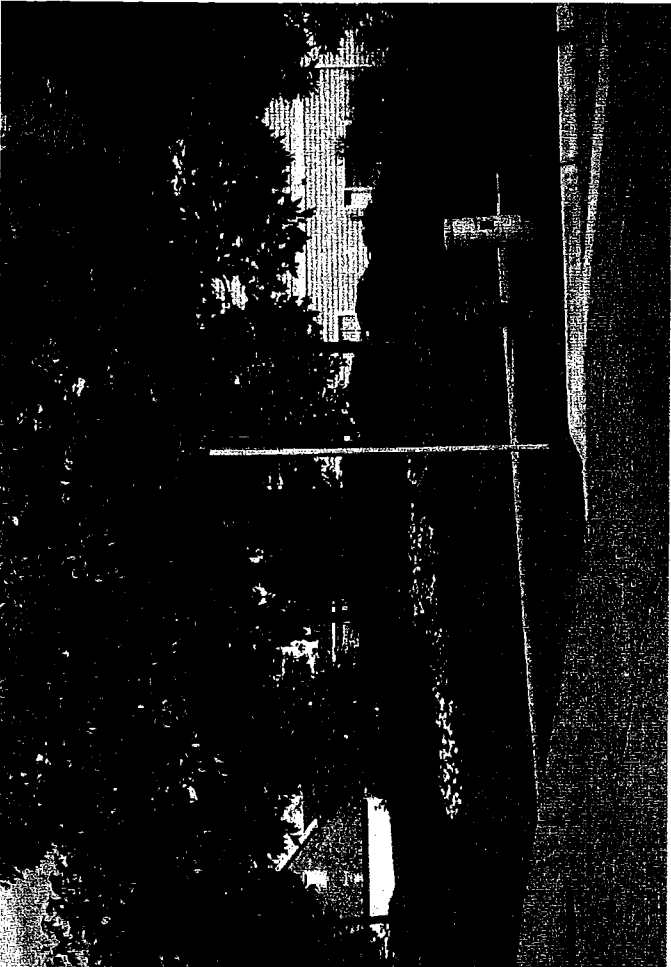
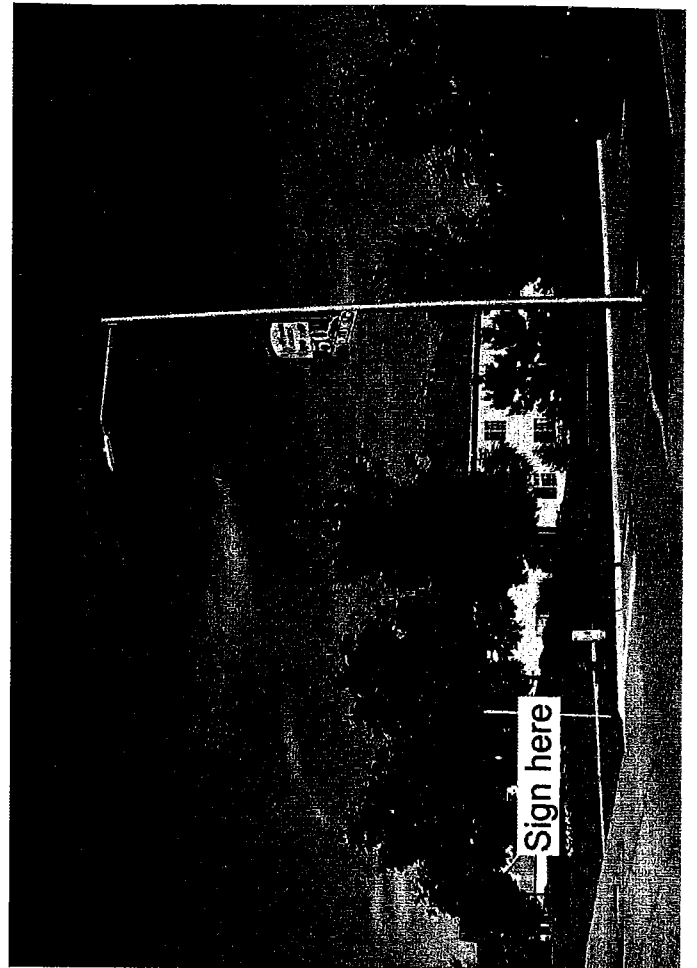
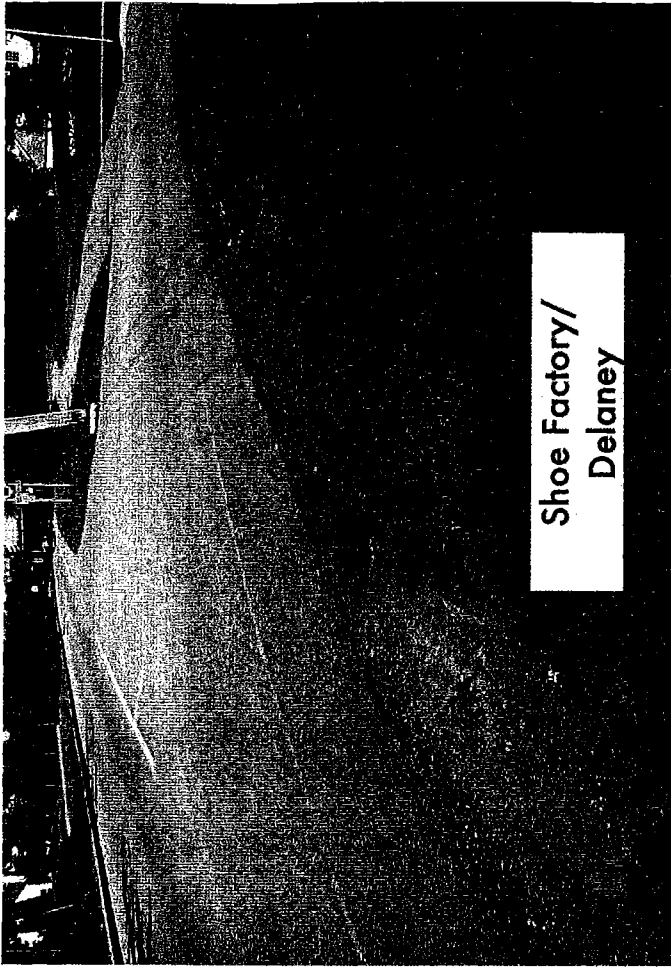
Sign here



One way west
medium barrier



Sign here



VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARING: June 30, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: July 6, 2009

PETITION: Hearing held at the request of I Z Hotel Management LLC d/b/a Comfort Inn (Applicant) and Heidner Holdings, LLC (Owner) to consider variations from the Zoning Code to permit signage on the property located at 2075 N. Barrington Road.

DISTRICT IN WHICH PROPERTY IS LOCATED: B-2, Community Business District

ZONING CODE SECTION(S) FOR VARIATION(S): 9-3-8-C-18 and 9-3-8-M-10-D-4

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Variation (9-1-15-C) were met.

MOTION: Request by Comfort Inn at 2075 N. Barrington Road, I Z Hotel Management LLC d/b/a Comfort Inn (Applicant) and Heidner Holdings, LLC (Owner), *a temporary variation from Section 9-3-8-C-18 and a 120 square foot surface area variation from Section 9-3-8-M-10-D-4 to permit an existing double-sided freestanding sign advertising the hotel (presently Comfort Inn) at 2075 N. Barrington Road to remain in its existing location as an off-site sign and to be 320 square feet in total surface area instead of the maximum permitted 200 square feet.*

1. The sign shall be removed upon development of the property where the sign is located. A timeframe for removal or modification of the sign shall be established by the Village at the time of a site plan approval for this property.
2. As long as the subject sign remains, there shall be no additional freestanding or ground sign permitted on either property.

RECOMMENDATION: The Zoning Board of Appeals (ZBA) recommends approval of this request.

The property owner, Rick Heidner of Heidner Holdings, LLC, was present as well as Mohammad Allahrakha, owner of the adjacent Comfort Inn. The property owner provided a letter in the packet stating his authorization for the Comfort Inn sign to remain until such time as the property develops or at any time prior at the owner's discretion. Mr. Heidner stated that he has no concerns with the sign remaining on the property at this time, and that he would like to incorporate Comfort Inn into the signage on the development that will eventually occur on the property. Mr. Heidner owns both vacant parcels.

The subject sign has existed since the hotel was originally built, although the name has changed. The platting and selling of the vacant parcel by the hotel to Heidner Holdings, LLC caused the sign to become a nonconforming off-site sign. The approval of the plat caused the need for a zoning variation. The Zoning Board determined that the off-site sign prohibition can be varied in this unique situation.

This is a temporary variation until such time as the property develops and a Master Sign Plan or Commercial Subdivision ID sign is proposed. Comfort Inn could be incorporated into such signage, but that is at the discretion of the property owner. The sign has existed for many years and nothing would really change with this variation, and the sign would continue to provide visibility for the hotel as it has for years. When the property redevelops, the sign would be removed or incorporated into the future development proposal.

Mr. Allahrakha stated that the hotel has been closed for 6 months while it was renovated, and this sign provides additional exposure that hotel is now Comfort Inn and is reopened.

A condition restricts Comfort Inn to not be allowed to install a separate freestanding/ground sign on their hotel property while the subject sign remains, so that the hotel is limited to one ground sign like any other commercial property.

Two wall signs exist on the west elevation facing Barrington Road.

The sign size is also an existing condition that has existed for many years and is limited to this existing sign.

AUDIENCE COMMENTS

None.

VOTE:

6 Ayes

1 Absent (Ciffone)

MOTION PASSED

ZONING BOARD OF APPEALS

Chairman William Weaver

Vice-Chairman Ronald Jehlik

Denise Wilson

Michael Ciffone

Masoom Ali

Donna Boomgarden

Michael Gaeta

*** IMMEDIATE AUTHORIZATION TO APPLY FOR PERMITS IS REQUESTED ***

**THIS VARIATION WILL EXPIRE UNLESS ACTED UPON WITHIN
ONE (1) YEAR OF VILLAGE BOARD APPROVAL**

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

VILLAGE OF HOFFMAN ESTATES

Memo

TO: William Weaver, Zoning Board of Appeals Chairman
FROM: Josh Edwards, Assistant Planner *JAE*
RE: 2075 N. BARRINGTON ROAD – OFF-SITE VARIATION AND SURFACE AREA VARIATION FOR COMFORT INN SIGN
DATE: June 25, 2009
HEARING DATE: June 30, 2009

1. **REQUEST SUMMARY**

The petitioner requests approval of a variation to retain an existing freestanding sign and a variation for the surface area of the sign.

2. **BACKGROUND**

The existing freestanding sign on the vacant parcel at 2075 N. Barrington Road was originally installed by Budgetel Inn. The hotel was built in 1984 and at that time the southern half of the vacant parcels along Barrington Road was part of the hotel parcel. A future expansion of the hotel was originally planned but never occurred. The hotel is currently being renovated and converted from a Baymont Inn & Suites to a Comfort Inn. On June 1, 2009, the Village Board approved a plat of subdivision for Comfort Inn, which subdivided the hotel parcel from the vacant lot containing this sign. The vacant lot has been purchased by a company unrelated to the hotel, Heidner Holdings, LLC. Recording of the new plat and the sale of the property causes the sign to become a nonconforming off-site sign.

The double sided sign reading "Comfort Inn" is 320 square feet in total surface area (160 square feet per side; 8 feet high by 20 feet wide). The sign exceeds the maximum permitted surface area of 200 square feet. The sign is conforming in terms of height at 20 feet as well as the clearance beneath the sign, which is 12 feet instead of the minimum required 8 feet. The sign meets the required zoning setbacks. The sign is supported by two metal poles and is internally illuminated.

3. PETITIONER PROPOSAL

The applicant, IZ Hotel Management, LLC (dba Comfort Inn), is requesting to retain the sign on the property until such time as the property is developed. The sign would continue to be used to identify the hotel to traffic along Barrington Road. The property owner, Heidner Holdings, LLC, has provided a letter authorizing the sign to remain on the property until such time as the property develops, but that the owner reserves the right to have the sign removed at any time.

A variation is also requested for the total surface area to remain at 320 square feet instead of the maximum permitted 200 square feet.

4. SITE CONDITIONS

- a) The subject property is zoned B-2, Community Business District.
- b) The surrounding properties are also zoned B-2, Community Business District.
- c) The subject property (vacant lot) is approximately 0.8 acres and the Comfort Inn property is approximately 1.7 acres.
- d) The frontage of the vacant property along Barrington Road is approximately 180 feet.

5. APPLICABLE REQUIREMENTS

- a) Section 9-3-8-C-18 *Prohibited Signs; Off-Site Signage* (p. CD9:37) states that “**Off-site signage shall be prohibited unless provided for elsewhere in this Code.**”
- b) Section 9-3-8-M-10-d-4 *Signs in Other Business Uses* (p. CD9:56-57) states that the property may have “One freestanding or ground sign not to exceed 20 feet in height. Such sign shall not exceed 100 square feet in surface area for a single face sign or **200 square feet in surface area for a multi-face sign**, shall relate to the name and/or use of the facility or premises and may be illuminated. Such sign shall be set back a minimum of ten feet from any property line, and five feet from any interior roadway or pedestrian walkway.”
- c) Section 9-2-1 *Definitions* (p. CD9:23) requires that a freestanding sign shall have an 8 foot clearance beneath the sign.

6. VARIATION HISTORY

Subject Property Variations

(Comfort Inn Property) Ordinance No. 4083-2009 granted approval for three wall signs

on the Comfort Inn hotel building. A variation was granted for a 47 square foot wall sign on the west façade of the building to be 34 feet 9 inches above grade instead of the maximum permitted 25 feet. A variation was granted for a 111 square foot wall sign on the north façade of the building to be 31 feet above grade instead of the maximum permitted 25 feet. Variations were granted for an additional 212 square foot wall sign on the west façade of the building to be 32 feet above grade instead of the maximum permitted 25 feet and for the total square footage of wall signs to be 370 square feet instead of the maximum permitted 200 square feet. The ordinance also granted approval for two 16 square foot entrance/exit signs and to include the business name.

Similar Variations

Off-Site Signs

No similar variations have been granted for off-site freestanding signs for a business. This situation is unusual and staff has identified no similar signage requests.

Surface Area

Ordinance No. 2911-1997 – 2825 Greenspoint Parkway – A 119 square foot variation was granted for Hampton Inn and Suites to install a 319 square foot ground sign instead of the maximum permitted 200 square feet. The ordinance also granted a variation for a wall sign to be 35 feet above grade instead of the maximum permitted 25 feet.

Ordinance No. 3996-2007 – East terminus of Pembroke Avenue – Value Place Hotel – A variation was granted for a 390 square foot freestanding sign to be 25 feet in height and set back zero feet from the property line instead of the maximum permitted 200 square feet, maximum 20 feet in height, and minimum 10 feet from the property line. Variations were also granted under this ordinance for wall signage and the overall height of the hotel. (This hotel and sign have not been constructed yet; the variations are due to expire in September 2009 if work does not begin)

Surface area variations have been granted for other freestanding or ground signs at other types of businesses such as restaurants, tire stores, and standalone retail buildings. Variations have also been granted at shopping centers and auto dealerships under different zoning code standards.

7. ADJACENT OWNER COMMENTS

Standard notification letters have been sent and no comments have been received.

8. IMMEDIATE AUTHORIZATION TO APPLY FOR PERMIT(S)

The petitioner has requested an Immediate Authorization to Apply for Permits.

9. **DEVELOPMENT SERVICES COMMENTS**

The existing sign became a nonconforming off-site sign due to the replatting and private sale of the vacant parcel by the hotel. This is an unusual circumstance and is different from a request to install a new off-site sign.

A condition of approval is proposed that would require a timeframe be established and approved by the Village to remove or modify the sign at the time of site plan approval. This condition ensures that the sign can only remain in its existing state until its presence is reconsidered at the time of development. It could be removed or reduced in size prior to development.

The vacant parcel is anticipated to be developed into uses typical in the B-2 District. There are several options for future hotel signage. A new sign could be installed after a development proposal is made for the subject property, or the sign could be modified or incorporated into a new development Master Sign Plan. A ground sign could be installed post-development that includes a panel for Comfort Inn, and the sign would be considered a commercial subdivision identification sign. Such a sign is regulated under Section 9-3-8-L-3 of the Zoning Code and would require a special use permit. Without a special use permit to allow a panel for Comfort Inn, a sign would be permitted to advertise only the future business(es) on the subject property. However, the future signage that may or may not be proposed is not relevant to this hearing.

No ground or freestanding sign exists on the hotel property. Wall sign height-above-grade variations were granted for two signs facing Barrington Road.

The sign surface area has not been altered since its original installation. The sign was raised to 20 feet high in the last few years to be more visible from Barrington Road.

The base of the sign is located several feet lower than the elevation of Barrington Road. The hotel parcel is accessible from Barrington Road via a private access drive south of the hotel and vacant parcel. Access easements for the hotel are in place along the access drive.

10. **MOTION**

Should the Zoning Board find that the Standards for a Variation are met, the following motion is provided with two conditions:

A temporary variation from Section 9-3-8-C-18 and a 120 square foot surface area variation from Section 9-3-8-M-10-D-4 to permit an existing double-sided freestanding sign advertising the hotel (presently Comfort Inn) at 2075 N. Barrington Road to remain in its existing location as an off-site sign and to be 320 square feet in total surface area instead of the maximum permitted 200 square feet.

1. The sign shall be removed upon development of the property where the sign is

located. A timeframe for removal or modification of the sign shall be established by the Village at the time of a site plan approval for this property.

2. As long as the subject sign remains, there shall be no additional freestanding or ground sign permitted on either property.

cc: Corporation Counsel, D. O'Malley, D. Plass, R. Norton, Petitioner

**VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS**

REQUEST FOR SIGN VARIATION HEARING

FOR VILLAGE USE ONLY

Hearing Fee \$ 400⁰⁰ Date Paid 5/14/09 Received By Ashley M., Josh E.
 Hearing Date: 6/30/09 Time: 7:30 Legal Published _____
 Receipt Number 31054 Check No. 1229 Zoning District B-2

Height, Surface Area, Setback, Quantity or Other Variation	Existing Sign	Requirements	Proposed Sign

APPLICANT (PLEASE PRINT OR TYPE)

Use additional sheets as necessary

1. Name of Property Owner(s)* HEIDNER HOLDINGS
 E-Mail Address RICC@HEIDNERINC.COM Fax 630-894-0485
 Owner's Address 399 WALL ST Phone 630-894-0099
 City GLENDOLE HTS State IL Zip 60139
 Subject Property's Address (if different): 2075 N-BARRINGTON RD.

2. Person applying if other than owner:*

Name Mohammad Allahrakha company IZ Hotel Management, LLC
 E-Mail Address ComPortinn1360@yahoo.com Fax 630-427-9106
 Address 8535 Meador Lane Phone 630-212-0081 Cell 630-745-1801
 City Darien State IL Zip 60561

3. Property Index Number (PIN) 07-06-101-009
07-06-101-010

* If "owner" is an entity other than an individual(s), then an Economic Disclosure Statement must also be filed.

4. Will any trees or landscaping be removed? If yes, please describe.

NO

5. Describe the sign(s) and the reasons a variation would be appropriate using the Standards for Variation (attached) as a guide. (e.g. An existing sign requires a 5-foot setback variation. A hardship was caused by a street-widening project that reduced the front yard by 10 feet.)

EXISTING POLE SIGN LOCATED ON PROPERTY ADJACENT
TO BARRINGTON RD. APPROXIMATELY 8' wide X 20' TALL.
THE PARCEL THAT THE SIGN IS ON WAS SUBDIVIDED
AND IS NO LONGER UNDER OUR OWNERSHIP. A VARIATION
FOR AN OFF PREMISE SIGN IS REQUESTED. AND SIZE VARIATION.

6. An Immediate Authorization to Apply for Permits allows the Code Enforcement Division to begin the building permit review process prior to the adoption of the Ordinance by the Village Board. The Immediate Authorization makes it possible for you to expedite the plan review process by approximately two weeks. Contact the Code Enforcement Division at 847/781-2631 to discuss the building permit application and review process.

Please check one of the following


Yes, I request Immediate Authorization to Apply for Permits upon approval of my application by the Village Board, allowing me to begin the building permit review process prior to adoption of the Ordinance approving my variation.

Or

No, I do not request Immediate Authorization to Apply for Permits.

7. I, the undersigned, certify the information and submissions provided accurately represent the current conditions and proposed improvement(s) requiring a variation.

Applicant's Signature



Name (Please Print) MOHAMMED ALLAHRAKHA



HEIDNER PROPERTIES, INC.
399 Wall Street - Unit H
Glendale Heights, IL 60139
Phone (630) 894-0099 • Fax (630) 894-0485

June 19, 2009

Zoning Board of Appeals Commission
Village of Hoffman Estates
1900 Hassell Road
Hoffman Estates, IL 60169

RE: Comfort Inn Sign Variance

Dear Commission Members:

As owner of the parcels (PIN 07-06-101-009 and PIN 01-06-101-004) located at the southeast corner of Barrington and Hassell Roads, I am allowing the existing freestanding Comfort Inn sign to remain on my property until such time as the property develops or at any time I deem it necessary to have the sign removed for any reason.

Sincerely,

Rick Heidner
Heidner Holdings LLC.

2401



NORTHV

SPOINT PARKWAY



Spoint Park

2725

2820

Hanover Township

Schaumburg Township

STONINGTON AV

Vehicle Maint. Center

Water Tower

H.E. Park Maint. Fa

2095

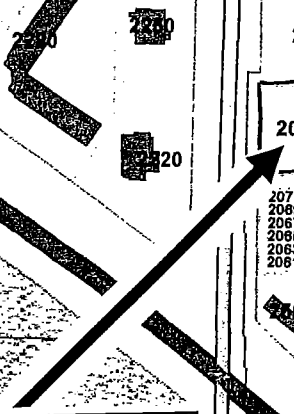
2075

2071
2069
2067
2065
2063
2061

Northwest Corporate Center

HASSELL ROAD

SIGN LOCATION



2500

HIGGINS RD

Stonegate Conference Center

Alexian Brothe Medical Plaz

1745

2500

2370

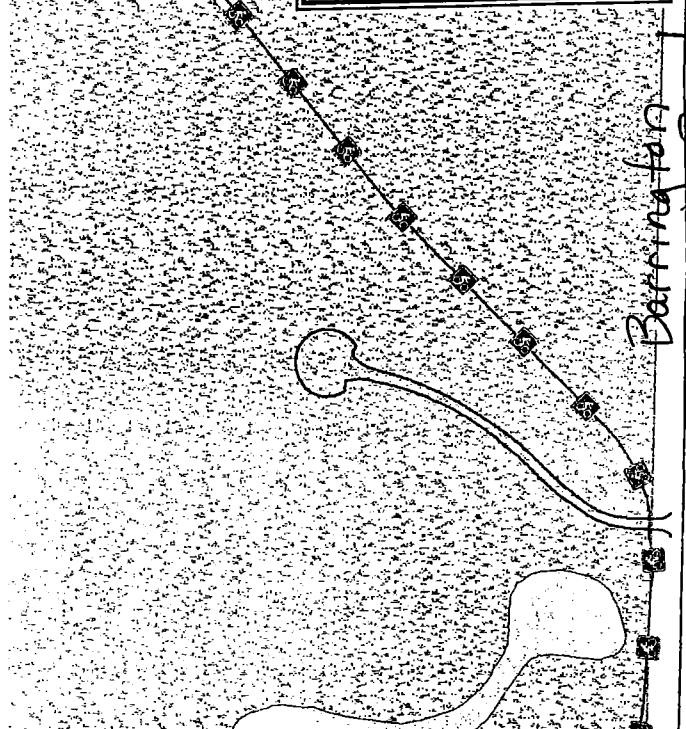
2364

2360

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2301

1786



Barrington Road

FILE 001

09050041

RECEIVED

MAY 06 2009
09050041



20'-0"

DISTRIBUTED BY SIGN UP COMPANY
 700 21st STREET SOUTHWEST
 PO BOX 210
 WATERTOWN, SD 57201-0210



Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.

ENG: X

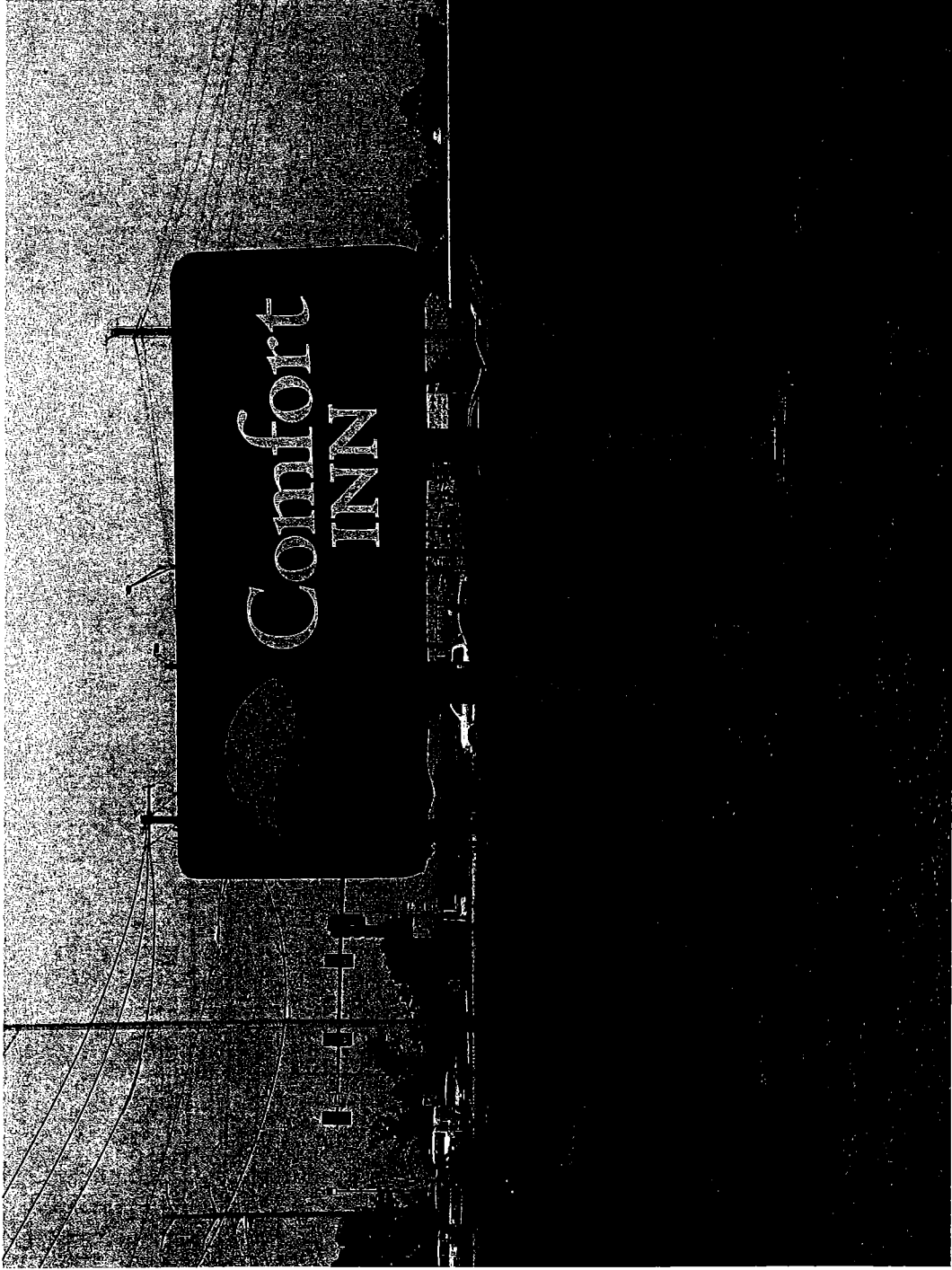
Prepared By: IJA

Date: 03/23/09
 File Name:

62106 - 8X20 FACE REPLACEMENT

Customer: COMFORT INN
 Location: HOFFMAN ESTATE, IL

Comfort Inn Sign



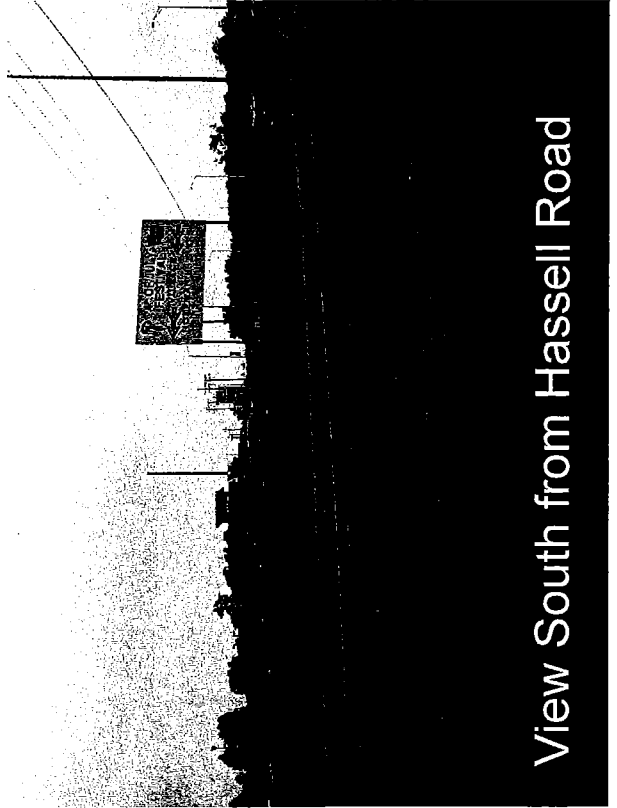
Comfort Inn Sign



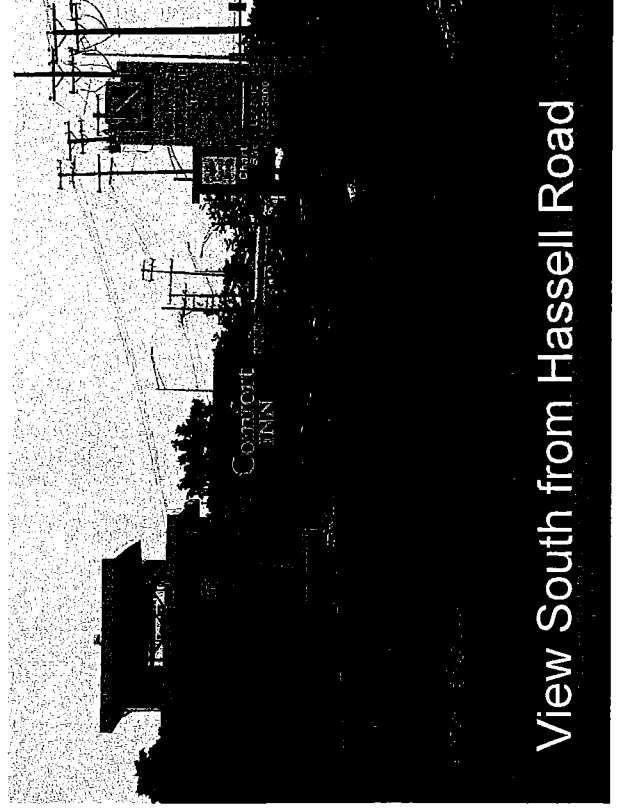
View North From Barrington Road



View North From Barrington Road

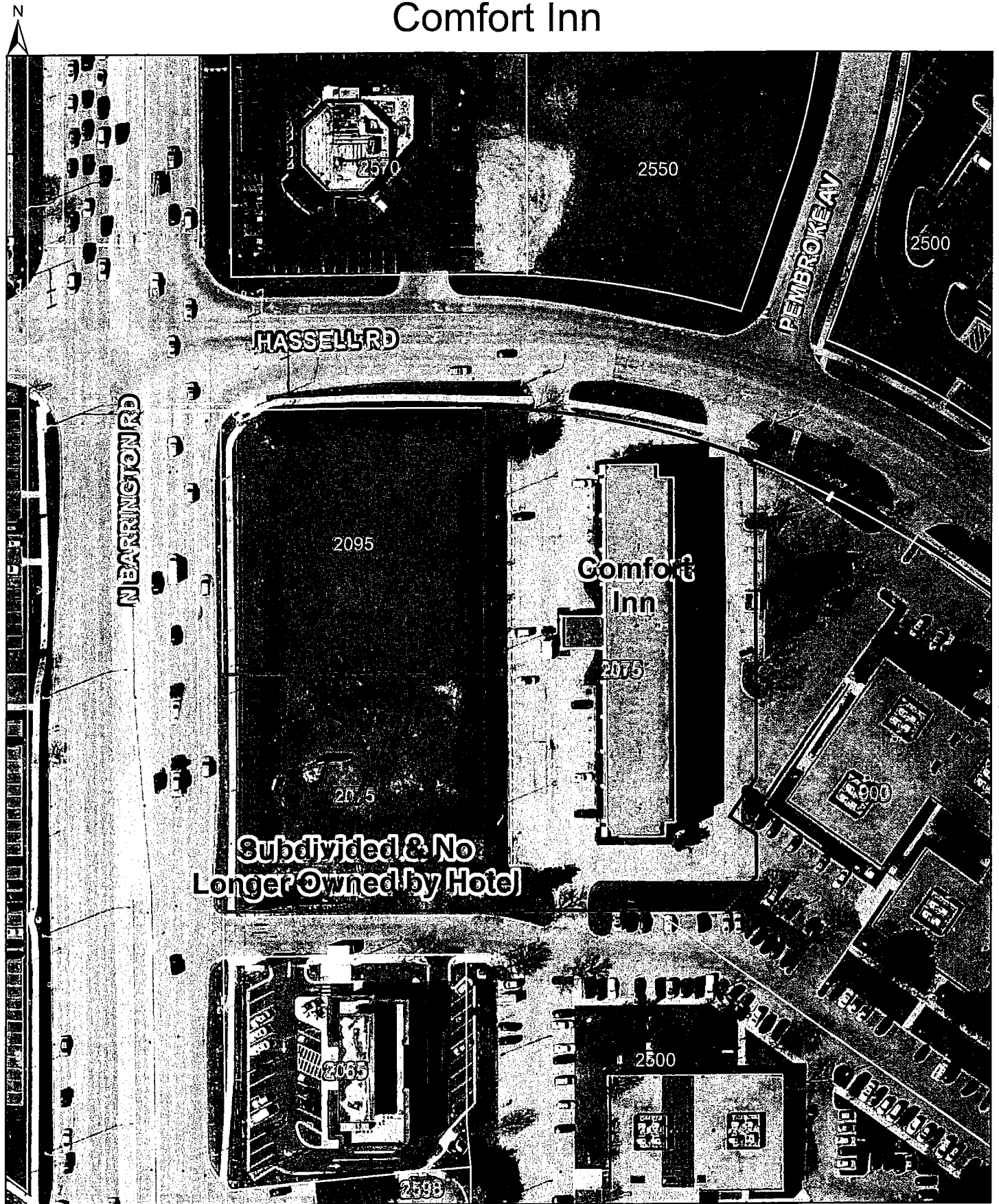


View South from Hassell Road



View South from Hassell Road

Comfort Inn



1 inch = 100 feet

Planning Division
Village of Hoffman Estates
June 2009

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARING: June 30, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: July 6, 2009

PETITION: Hearing held to consider text amendments to the Zoning Code (Chapter 9) regarding Economic Development Area District Signage.

DISTRICT IN WHICH PROPERTY IS LOCATED: EDA, Economic Development Area District

ZONING CODE SECTION(S) FOR TEXT AMENDMENT(S): Add a new Section V.1.k to Section 9-7-5-I (Signs in the EDA District)

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Text Amendment (9-1-17) were met.

MOTION: Request to accept a *text amendment to Section 9-7-5-I (Signs in the EDA District) of the Zoning Code to add a new Section V.1.k. of the PRAIRIE STONE SIGN REQUIREMENTS as follows:*

Section V.1.k. (EXEMPT AND PROHIBITED SIGNS)

- (k) Village Entertainment District Signs. Signs erected by or sponsored by the Village of Hoffman Estates for purposes of identifying, promoting, or advertising the Village Entertainment District, businesses within the District or events within the District, shall be allowed as Exempt Signs. This shall include signs for identifying primary entrances to the Entertainment District, signs for purposes of way-finding or directing within the Entertainment District, decorative signage, temporary signs or other types of signs approved by the Village. Such signs may be illuminated and shall not be considered as "public signs" as outlined in the Exempt and Prohibited Signs section of this Code. These specific signs or types of signs shall be subject to approval for the design, size, height, location, and other details by the Village Board and may be located on any Village right-of-way, Village-owned property, or any other parcel where the Village has secured the right to install such signs. All such signs shall be exempt from the prohibitions and other regulations of this Code.

RECOMMENDATION: The Zoning Board of Appeals (ZBA) recommends approval of this request.

Staff explained that the goal of this text amendment is to allow the Village to install signs to identify, promote, and advertise the Village Entertainment District. At this point a specific design has not been determined for all the signs, however, over time it is expected signs will be decided upon and installed. A lot will depend on funding options and the nature of future entertainment businesses that locate in the area. Currently, the Village is working with Cabela's for a large Tollway sign that would advertise the Entertainment District. In general, the signs

would be placed at the major entrances to the park, along the Tollway, and within the park to provide directional information, and they would likely include sign panels for the largest of the entertainment uses. The signs could include electronic message portions similar to the Sears Center marquee.

The Village Board has identified a need to promote the entertainment district that the Village is actively seeking to expand in Prairie Stone.

These signs can be viewed as similar to large signs at a major regional shopping center where the name of the shopping center and the larger anchors and tenants are identified on the sign. In this case, the Village is proposing the signs so that the character and design of the signs can be controlled and cohesive. Individual properties would continue to have their own private signage on their properties.

The signs would be reviewed by the Planning, Building, and Zoning Committee, so there would be a public hearing process similar to that at the Zoning Board of Appeals. The Village would determine what is on the signs, since they would be Village-owned. The users that would be on the sign would be the large users in the entertainment district; Cabela's, the Sears Centre, and other future large users like the planned water park/hotel and amphitheater. Individual restaurants would not likely be given panels on the sign, but if they are wise they would market their location as being in the Hoffman Estates Entertainment District (or whatever name the district may be given) and then these signs would help to guide traffic to their businesses as well.

The Zoning Board asked staff if these signs would be allowed to have the same types of advertising as the Sears Centre marquee, which is allowed to advertise only products or business partners sold or offered in the Sears Centre. The Village Board has not indicated a desire to use the signs to sell generic advertising space, and the signs would advertise the major users in the park that are regional destinations that warrant identification signage on the edges of the entertainment district. Many people travel tens or hundreds of miles to Cabela's or the Sears Centre, and this signage would help the visitors to not only find these facilities but also identify that this is an entertainment destination.

The Prairie Stone POA has been involved during the planning process. The signs are not intended to promote the office users in Prairie Stone Business Park. They are intended strictly to identify the entertainment district and its major entertainment tenants.

AUDIENCE COMMENTS

None.

VOTE:

6 Ayes
1 Absent (Ciffone)

MOTION PASSED

ZONING BOARD OF APPEALS

Chairman William Weaver
Vice-Chairman Ronald Jehlik
Denise Wilson
Michael Ciffone
Masoom Ali
Donna Boomgarden
Michael Gaeta

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

VILLAGE OF HOFFMAN ESTATES

Memo

TO: William Weaver, Zoning Board of Appeals Chairman

FROM: Peter Gugliotta, Director of Planning
Brian Portz, Associate Planner

RE: **REQUEST BY THE VILLAGE OF HOFFMAN ESTATES TO CONSIDER
A TEXT AMENDMENT TO THE ECONOMIC DEVELOPMENT AREA
(EDA) SIGN CODE REGULATIONS FOR VILLAGE ENTERTAINMENT
DISTRICT SIGNS**

DATE: June 25, 2009

HEARING DATE: June 30, 2009

1. REQUEST

Request by the Village of Hoffman Estates to consider a text amendment to the Economic Development Area (EDA) Sign Code regulations for Village Entertainment District signs.

2. BACKGROUND

With the original Village approval of the Prairie Stone Business Park, unique sign regulations were created for the EDA Zoning District based on the expectation that the business park would be developed with predominantly office and light industrial uses in a campus-like setting. The sign regulations contain specific details on each individual office park sign, most of which have a natural stone theme or some other complementary design.

As Prairie Stone has evolved over the years, development has changed from an office park into a growing retail and entertainment destination with the construction of the Sears Centre and Cabela's retail store. Additionally, a large hotel/waterpark, outdoor amphitheater, and several restaurants and hotels are proposed for the area. The large facilities are expected to ultimately serve as magnets for several other entertainment/retail/restaurant uses. Because of this recent retail and entertainment oriented development, Prairie Stone has begun to take on a different look than a typical office park. The Village has previously amended the EDA sign regulations to permit the use of master sign plans for private developments that do not fit the character of traditional office buildings.

In conjunction with the private development, the Village has taken various steps to more formally designate the area as an Entertainment District. To advance this Entertainment District initiative, the Village retained consultants to assist with a district name, logo, tagline, streetscape, and signage, as well as invested resources in focused economic development and tourism related activities. Most recent discussion has focused on the need to establish highly visible signage for the district to attract and promote specific businesses and the district in general. Key needs identified include major signage visible from adjacent state highways and the Tollway, and way finding/directional signage within the district.

Originally, in early 2008, the Village initiated the text amendment process to modify the EDA Sign Regulations to allow for various Entertainment District sign types. At the time, it was expected that specific sign designs may be available in the near future, however, the sign process shifted and specific signs designs were not finalized. Since that time, the Village has continued to evaluate options for Entertainment District signage and has explored ways to fund the construction of new signs, including possible private contributions. At this time, the Village is working toward finalizing an agreement with Cabela's for the construction of an initial Village Entertainment District sign, which will have visibility primarily along the Tollway. The sign will be built and maintained entirely with private funds, but will be used to advertise the District, businesses within the District and any special events. This initial sign is planned to include an electronic message panel as part of the sign. In order to address this and other planned signs, the Planning, Building and Zoning Committee directed the Zoning Board of Appeals to proceed with consideration of a text amendment for Entertainment District signs.

3. PROPOSED TEXT AMENDMENT

The primary uses in the Entertainment District are located within the Prairie Stone business park along local roads that are not very heavily traveled by the general public. To draw more attention to the District, it is important to have signage along the adjacent, more heavily traveled roads, specifically, Route 59, Route 72, Beverly Road and I-90. The current EDA sign regulations do not include such signs that would help identify the entertainment district to the larger motoring public. Therefore, the amendment would allow for signs identifying primary entrances into the District, signs for purposes of way-finding or directing within the District, signs incorporated into new monuments and streetscape elements, and temporary Village advertising signs for businesses in the District or events sponsored by the Village.

To help with the promotion and identification an entertainment within Prairie Stone, the Village is proposing amendments to the EDA sign regulations that will permit different types of signs that are more appropriate for an entertainment district rather than an office park. The amendment will allow for signs owned by the Village to be placed on property owned or leased by the Village to advertise the Entertainment District in general, or promote businesses or special events within the District.

Based on past discussions and concept plans developed by Village consultants, the following are *examples* of signs that may be considered for the Entertainment District:

- A primary Tollway identification sign for the District, businesses and special events.
- Identification monuments with signage to be placed at the primary entrances to Prairie Stone (Rt. 59, Rt. 72, and Beverly Road).
- Directional signs within the Entertainment District to help guide drivers to the different facilities in the area.
- Decorative elements along the Hoffman Boulevard bridge, possibly including logos or signage.
- Decorative monument features placed along main roads within the District, possibly including logos or signage.
- Temporary special event signs, banners, or other items may be used to promote public events, grand openings, or other Village sponsored events in the District.
- Other unique signage opportunities may be identified as development of the Entertainment District continues and the character of the District is further defined.

Because the nature and variety of these various signage options cannot fully be defined as part of one master plan at this time, it is not practical to have the EDA Sign Regulations specify each individual sign. The proposed method for addressing these signs is to allow the Village Board the flexibility to review each sign or sign type on a case by case basis, based on the individual circumstances and specific purpose(s).

Procedurally, because these signs would be Village owned or sponsored, the specific design, number, height, size, and location would typically be reviewed and approved by the Planning, Building and Zoning Committee and Village Board on a case by case basis. The signs are proposed as an exemption because they are of a unique and specific nature related to a public purpose set forth by the Village Board and, therefore, the typical variation or special use standards utilized by the Zoning Board of Appeals would not be appropriate. The Village Board can still follow the standard notification process, as appropriate, for the review of each type of sign on a case-by-case basis.

To allow these types of Entertainment District signs, a new section is proposed for the "*Exempt and Prohibited Signs*" section of the EDA sign regulations that would exempt these signs from other specific regulations as long as the specific sign or sign type is approved by the Village Board.

4. RECOMMENDATION

Should the Zoning Board of Appeals find that the Standards for a Text Amendment are met, the following motion is provided.

A text amendment to Section 9-7-5-I (Signs in the EDA District) of the Zoning Code to add a new Section V.1.k. of the PRAIRIE STONE SIGN REQUIREMENTS as follows:

Section V.1.k. (EXEMPT AND PROHIBITED SIGNS)

- (k) Village Entertainment District Signs. Signs erected by or sponsored by the Village of Hoffman Estates for purposes of identifying, promoting, or advertising the Village Entertainment District, businesses within the District or events within the District, shall be allowed as Exempt Signs. This shall include signs for identifying primary entrances to the Entertainment District, signs for purposes of way-finding or directing within the Entertainment District, decorative signage, temporary signs or other types of signs approved by the Village. Such signs may be illuminated and shall not be considered as "public signs" as outlined in the Exempt and Prohibited Signs section of this Code. These specific signs or types of signs shall be subject to approval for the design, size, height, location, and other details by the Village Board and may be located on any Village right-of-way, Village-owned property, or any other parcel where the Village has secured the right to install such signs. All such signs shall be exempt from the prohibitions and other regulations of this Code.

cc: Corporation Counsel, D. O'Malley, D. Plass, R. Norton, Aris Hantgos (Prairie Stone POA)

**ADDITIONAL
BUSINESS**

VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE AMENDING
SECTION 8-2-1, FEES,
SECTION 8-3-21, LICENSE CLASSIFICATION,
AND SECTION 8-3-22, NUMBER OF LICENSES
OF ARTICLE 3, ALCOHOLIC LIQUORS,
OF THE HOFFMAN ESTATES MUNICIPAL CODE

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: That Section 8-2-1, FEES, of the Hoffman Estates Municipal Code be and the same is hereby amended to read as follows:

Section 8-2-1. FEES

For licenses to operate the following businesses, unless otherwise indicated, the fees listed opposite the named business shall apply PER YEAR.

A. Business Licenses

Alcoholic Liquors

Class "A" License	\$2,400.00
Class "AA" License	\$950.00 (additional)
Class "B" License	\$2,400.00
Class "C" License	\$25.00 (two days)
Class "D" License	\$2,400.00
Class "DD" License	\$1,000.00 (additional)
Class "E" License	\$950.00 (additional)
Class "F" License	\$6,000.00
Class "G" License	\$6,000.00
Class "H" License	\$40.00 (one day)
Class "LC" License	\$2,600.00 (additional)

Section 2: That Section 8-3-21, LICENSE CLASSIFICATION, of the Hoffman Estates Municipal Code be and the same is hereby amended to read as follows:

Section 8-3-21. LICENSE CLASSIFICATION

Licenses issued hereunder shall be divided into eleven (11) classes:

A. Class "A". A Class "A" license shall authorize the sale of alcoholic liquor for consumption only on the premises previously described herein as a restaurant or a recreation use. The annual fee for such license shall be \$2,400.00.

B. Class "AA". A Class "A" license holder may, in addition, obtain a Class "AA" license. Holders of Class "AA" licenses shall be subject to all regulations relating to Class "A" licenses and in addition may sell alcoholic liquor for consumption off premises where sold. A Class "A" holder shall not be entitled to a Class "AA" license because of his holding a Class "A" license. The annual fee for such license shall be an additional \$950.00.

C. Class "B". A Class "B" license shall authorize the sale of alcoholic liquor by a retail liquor store for consumption off the specified premises where sold. The annual fee for such license shall be \$2,400.00.

D. Class "C". A Class "C" license shall authorize the sale or delivery of liquor on the premises owned or leased by non-profit organizations or clubs. Such premises may include any building owned or leased by the Village of Hoffman Estates as permitted by 235 ILCS 5/6-15. No license shall be for a period of more than two (2) days and renewed licenses shall not be issued to any person for more than seven (7) consecutive days. Hours of closing shall be the same as Class "A" license. Fees for such license shall be \$25.00 per license. The fee shall be waived if the applicant is the Village of Hoffman Estates.

E. Class "D". A Class "D" license shall authorize the sale or delivery of alcoholic liquor for consumption on the premises of a restaurant within a hotel and within a hotel for use by a guest or persons accompanied by a guest. The annual fee for such license shall be \$2,400.00.

F. Class "DD". A Class "D" license holder may, in addition, obtain a Class "DD" license. Holders of Class "DD" licenses shall be subject to all regulations relating to Class "D" licenses and in addition may sell alcoholic liquor to a guest for consumption in the hotel or to a guest for delivery to rooms of the hotel. A Class "D" holder shall not be entitled to a Class "DD" license because of his holding a Class "D" license. The annual fee for such license shall be an additional \$1,000.00.

G. Class "E". A Class "E" license shall authorize the sale of alcoholic liquor for consumption on the premises previously described herein as a club. The annual fee for such license shall be an additional \$950.00.

H. Class "F". A Class "F" license shall authorize the sale or delivery of alcoholic liquor for consumption only on the premises of a facility not generally open to the public, but provided for use by employees or guests under single ownership or lease. Such license shall include all cafeterias and dining rooms with a contiguous property, but shall be issued separately to each applicant within such contiguous property. The annual fee for such license shall be \$6,000.00.

I. Class "G". A Class "G" license shall authorize the sale of alcoholic liquor for consumption on the premises of any arena seating of 5,000 or more in a disposable container only. No other alcoholic beverage(s) shall be permitted on the premises and the licensee shall take reasonable measures to assure compliance. The annual fee for such license shall be \$6,000.00.

J. Class "LC" (or Late Closing). Any permit hold of a Class "A", "AA", "D", "DD", or "F" liquor license may apply for a Class "LC" license which will extend the hours of operation of the licensed premises. A holder of a Class "LC" license shall be subject to all regulations relating to their original license and in addition may lawfully sell, offer for sale, deliver or permit the consumption of alcoholic liquor on the licensed premises between the hours of 8:00 a.m. and 3:00 a.m., however, no such sales shall be made in meeting rooms and reception rooms in hotels between 1:00 a.m. and 11:00 a.m.

K. Class "H". A Class "H" license shall authorize the sale or delivery of liquor on the premises owned or leased by an individual or association for a period of twenty four (24) hours (1 day). The liquor commissioner of the village, in his/her sole discretion, may grant a class "H" license for consumption on said premises for a business or sales event, grand opening or similar function. Such temporary licenses do not apply to events where the primary objective is the sale of liquor. No license shall be for a period of more than one (1) day and renewed licenses shall not be issued to any person for more than three (3) consecutive days. Hours of closing shall be the same as Class "B" license. Fees for such licenses shall be \$40.00 per license.

All applicants shall provide Dram Shop Insurance with limits of not less than the following:

\$100,000.00	Bodily Damage
\$300,000.00	Aggregate
\$100,000.00	Property Damage
\$300,000.00	Means of Support

Section 3: That Section 8-3-22, NUMBER OF LICENSES, of the Hoffman Estates Municipal Code be and the same is hereby amended to read as follows:

The number of licenses issued to persons for the sale of alcoholic liquors by the Village of Hoffman Estates shall be limited to 45 Class "A" licenses, two Class "AA" licenses, ten Class "B" licenses, unlimited Class "C" licenses, three Class "D" licenses, one Class "DD" license, one Class "F" license, one Class "G" license, unlimited Class "H" licenses, and eleven class "LC" licenses. ~~The number of Class "LC" licenses shall not exceed 50 or the actual number of "LC" licenses issued by April 30, 2009, whichever is less. No new Class "LC" licenses shall be authorized subsequent to the aforementioned date.~~

Section 4: That any person, firm or corporation violating any of the provisions of this Ordinance shall be subject to a fine of not less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 5: That the Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 6: That this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2009

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2009.

VILLAGE OF HOFFMAN ESTATES
AN ORDINANCE AMENDING
ARTICLE 3, ALCOHOLIC LIQUORS,
CHAPTER 8, LICENSES, OF THE
HOFFMAN ESTATES MUNICIPAL CODE

NOW, THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois as follows:

Section 1: That Section 8-3-1, DEFINITIONS, of the Hoffman Estates Municipal Code shall be amended by adding the following sections:

Section 8-3-1. DEFINITIONS

M. BYOB shall mean "brown bagging, bring your own, or BYOB," and shall refer to alcohol, beer or liquor as defined in this section.

N. ESTABLISHMENT shall mean any commercial facility operated as a place of assembly or for any other use as defined in this section, other than a dwelling unit, including but not limited to taverns, clubs, and social buildings, that is not licensed by the Village of Hoffman Estates Liquor Control Commission. The building structure and any patio, porch or deck attached thereto customarily used in the ordinary course of operating said facility, as well as the land, grounds, and parking areas surrounding said facility are considered part of the establishment for purposes of this section.

Section 2: Section 8-3-28, BYOB PROHIBITION, of the Hoffman Estates Municipal Code be created to read as follows:

Section 8-3-28. BYOB PROHIBITION.

A. It shall be unlawful for any owner, manager, supervisor, or other employee or agent of any commercial establishment, to permit or allow any other person to bring any form of alcoholic beverage onto the premises for consumption, otherwise known as "brown bagging, bring your own, or BYOB."

Section 3: That Section 8-3-28, PENALTY, of the Hoffman Estates Municipal Code shall be renumbered as Section 8-3-29.

Section 4: The Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 5: This Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2009

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2009.

RESOLUTION NO. _____ - 2009

**A RESOLUTION APPROVING A TEMPORARY MORATORIUM
ON THE ENFORCEMENT OF THE
REGULATIONS IN SECTION 9-3-8-K-5
OF THE HOFFMAN ESTATES MUNICIPAL CODE**

WHEREAS, Section 9-3-8-K-5 of the Hoffman Estates Municipal Code regulates the displaying of temporary signs; and

WHEREAS, the nation, region and Village of Hoffman Estates are suffering from the effects of economic downturn; and

WHEREAS, the economic downturn is creating a hardship for businesses within the Village of Hoffman Estates; and

WHEREAS, the Village of Hoffman Estates seeks to grant temporary relief to suffering businesses by allowing for temporary signage to be displayed on a subdivision or shopping center property to help advertise existing businesses; and

WHEREAS, in keeping with the intent and purpose of Article 9 of the Hoffman Estates Municipal Code, the Village Board has established the attached criteria for certain temporary signage to assist businesses.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: A temporary moratorium shall be placed on enforcement of Section 9-3-8-K-5 of the Hoffman Estates Municipal Code under the attached criteria.

Section 2: This Resolution shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2009

Village President

ATTEST:

Village Clerk