

AGENDA

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

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

Board Room

January 4, 2010

8:00 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 – December 7, 2009, December 14, 2009
and special meeting of December 16, 2009
 - C. Approval of the schedule of bills for January 4, 2010: \$3,301,290.13.
 - D. Request Board approval of an Ordinance granting a variation to premises at 2550 N. Sutton Road, Hoffman Estates (Citibank).
 - E. Request Board approval of an Ordinance granting a special use to Village of Hoffman Estates (lessor) and The Everest Group/Sprint, Clearwire (lessee) – (4690 Olmstead Drive).
 - F. Request Board approval of a Resolution creating the Children’s Memorial Commission (increase in membership).
5. **REPORTS**
 - A. **President’s Report**
 - 1) Proclamation(s)
-- Michael Hish Day (25 Years Service)
-- Jeffrey Allen Day (15 Years Service)
 - B. **Trustee Comments**
 - C. **Village Manager’s Report**
 - D. **Village Clerk’s Report**
 - E. **Committee Reports**
 - 1) General Administration & Personnel
 - 2) Transportation & Road Improvement
 - 3) Planning, Building & Zoning

6. **ADDITIONAL BUSINESS** *(All other new business; those items not recommended by a majority of the Committee)*
 - A. Request Board approval of an Ordinance granting a special use to Village of Hoffman Estates (lessor) and The Everest Group/Sprint, Clearwire (lessee) – (95 Aster Lane).
 - B. Request Board approval of an Ordinance granting a special use to Village of Hoffman Estates (lessor) and The Everest Group/Sprint, Clearwire (lessee) – (3990 Huntington Boulevard).

7. **ADJOURNMENT**

**CONSENT AGENDA/
OMNIBUS VOTE**

MEETING: **HOFFMAN ESTATES VILLAGE BOARD**
DATE: **DECEMBER 7, 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 8:08 p.m. The Village Clerk called the roll. Trustees present: Karen Mills, Cary Collins, Ray Kincaid, Jackie Green, Anna Newell and Gary Pilafas.

A quorum was present.

ADMINISTRATIVE PERSONNEL PRESENT:

- J. Norris, Village Manager
- D. O'Malley, Deputy Village Manager
- A. Janura, Corporation Counsel
- M. DuCharme, Finance Director
- B. Gorvett, Fire Chief
- C. Herdegen, Police Chief
- D. Schultz, Community Relations Coordinator
- K. Hari, Director Public Works
- M. Koplun, Development Services Director
- B. Anderson, Cable TV Coordinator
- P. Seger, HRM Director
- A. Garner, H&HS Director
- D. Christensen, Emergency Mgt. Coordinator
- M. Hish, Asst. Police Chief
- S. Casstevens, Asst. Police Chief
- E. Kerous, Director of Operations
- B. Suhajda, GG Intern

2. PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge was led by Trustee Mills.

3. RECOGNITION OF AUDIENCE:

Motion by Trustee Collins, seconded by Trustee Pilafas, to move item 3. Recognition of Audience after 5.E. Committee Reports and items 4.G. and 4.H. to item 6. Additional Business. Voice vote taken. Six ayes, one present. Motion carried.

4. CONSENT AGENDA/OMNIBUS VOTE:

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.A.

4.A. Approval of Agenda

Roll Call:

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

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.B.

4.B. Approval of Minutes

- 1) Approval of Minutes of November 16, 2009 and November 23, 2009.

Roll Call:

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

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.C.

4.C. Approval of the schedule of bills for December 7, 2009: \$12,869,578.26.

Roll Call:

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

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.D.

4.D. Request Board authorization to award a two-year contract, with an option third year, to Redmond's Towing, Schaumburg, IL (lowest responsible bid).

Roll Call:

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

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.E.

4.E. Request Board authorization to award contract for 2009 critical sanitary sewer repairs to Insituform Technologies USA, Inc., Chesterfield, MO, in an amount not to exceed \$215,017.10.

Roll Call:

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

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.F.

4.F. Request Board approval of Ordinance 4158-2009, authorizing the sale of personal property owned by the Village of Hoffman Estates.

Roll Call:

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

Nay:

Mayor McLeod voted aye.

Motion carried.

Item moved to 6. Additional Business.

4.G. Request Board approval of Ordinance No. -2009 adopting the budget for all corporate purposes of the Village of Hoffman Estates, Cook and Kane counties, Illinois, in lieu of the appropriation ordinance, for the fiscal year commencing on the 1st day of January 2010 and ending on the 31st day of December 2010.

Item moved to 6. Additional Business.

4.H. Request Board approval of Ordinance No. -2009 authorizing the levy and collection of taxes for the corporate and municipal purposes of the Village of Hoffman Estates for the fiscal year beginning on the 1st day of January 2010 and ending on the 31st day of December 2010.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.I.

4.I. Request Board approval of Resolution No. 1429-2009 abating a portion of the 2009 tax levy – Series 1997A, General Obligation Bond.

Roll Call:

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

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.J.

4.J. Request Board approval of Resolution No. 1430-2009 abating a portion of the 2009 tax levy – Series 2001, General Obligation Bond.

Roll Call:

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

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.K.

4.K. Request Board approval of Resolution No. 1431-2009 abating a portion of the 2009 tax levy – Series 2003, General Obligation Bond.

Roll Call:

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

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.L.

4.L. Request Board approval of Resolution No. 1432-2009 abating a portion of the 2009 tax levy – Series 2004, General Obligation Bond.

Roll Call:

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

Nay:

Mayor McLeod voted aye.

Motion carried.

5. REPORTS:

5.A. President's Report

1) Presentation(s)

Barb Basl Award

Dr. Garner introduced Matt Sienna and Anthony Collette as this years winners of the Barb Basl award.

2) Proclamation(s)

Trustee Mills read the following proclamation:

Motion by Trustee Green, seconded by Trustee Pilafas, to concur with the proclamation proclaiming December 2009 as Drunk & Drugged Driving Prevention Month. Voice vote taken. Six ayes, one present.

Motion carried.

Trustee Pilafas read the following proclamation:

Motion by Trustee Green, seconded by Trustee Mills, to concur with the proclamation proclaiming December 2009 as Human Rights Awareness Month. Voice vote taken. Six ayes, one present. Motion carried.

Mayor McLeod congratulated Michelle Pilafas on winning the Studs Terkel award and the Hoffman Estates Park District on winning the Gold Medal award for park districts.

5.B. Trustee Comments

Trustee Kincaid stated that he attended a Government Relations meeting, South Barrington's 50th Anniversary celebration and the Tree Lighting.

Trustee Mills reminded everyone about the memorial service for John Harmon and talked about all that he had done for the Village.

Trustee Collins voiced his opinion on government waste and problems that he feels there are with the Board and Village staff.

Trustee Pilafas stated that he attended the reopening of Silk Paradise, a senior and Disabled luncheon at Schaumburg Township, congratulated the Park district and thanked and congratulated Michelle.

Trustee Newell congratulated the Park District, stated that she attended the Silk Paradise reopening and thanked Schaumburg Township for the work that they do with the seniors.

Trustee Green had no comments.

5.C. Village Manager's Report

Mr. Norris had no report.

5.D. Village Clerk's Report

The Village Clerk stated that during the month of November the Clerk's office processed 23 passports and announced that applications for business and general premises licenses are now available on our website.

5.E. Committee Report

Planning, Building & Zoning

Trustee Pilafas stated that they would be meeting to request an extension of a temporary moratorium on the enforcement of the regulations in Section 9-3-8-K-5 of the Zoning Code to allow certain temporary business signs to be displayed during depressed economic conditions from December 31, 2009 to December 31, 2010; request Board approval of the adoption of the Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for program Year 3; request authorization to extend a contract for consulting services related to the Sears Centre Arena to International Facilities Group, Inc., Chicago, IL, in an amount not to exceed \$ _____; request authorization for an EDA Contract for Prairie Stone Entertainment District regulatory/wayfinding signs in an amount not to exceed \$ _____; request acceptance of the Department of Development Services monthly reports for the Planning Division, Code Enforcement Division and Economic Development and Tourism.

General Administration & Personnel

Trustee Mills stated that they would be meeting to have a discussion regarding Children's Memorial age requirements; the Tartan Day Commission; request acceptance of Cable TV and Human Resources Management Monthly Reports.

Transportation & Road Improvement

Trustee Kincaid stated that they would be meeting to request approval of agreements for Pace Route 554 service with Pace Suburban Bus for a local share of Route 554 in an amount not to exceed \$23,104.27 in 2010 and with Elgin, Streamwood, Hanover Park and Schaumburg for local agency participation in Route 554 in 2010 and request acceptance of Transportation Division Monthly Report.

Public Health & Safety

Trustee Newell stated that they would be meeting to have a discussion regarding Automatic Ticket Writer contract with Advanced Public Safety, Deerfield Beach, FL; request acceptance of Police Department, Fire Department, Health & Human Services and Emergency Management Coordinator Monthly Reports.

Finance

Trustee Collins stated that they would be meeting to request acceptance of Information Systems Department Monthly Report.

Public Works & Utilities

Trustee Green stated that they would be meeting to request acceptance of the Department of Public Works and Development Services Monthly Reports.

3. RECOGNITION OF AUDIENCE:

Malik Parkash, 1851 Hampshire Drive, asked the Board not to remove the ambulance from his area.

6. ADDITIONAL BUSINESS:

Mayor McLeod read a statement on approving the 2010 budget and gave instruction on how tonight's audience comments will be conducted.

Chief Herdegen commented on what effect the possibility of layoffs would have in the Police Department and essential police staffing.

Mr. Norris stated that the hope is to come to terms with the Police Department.

Motion by Trustee Mills, seconded by Trustee Pilafas to approve Item 4.G. with the addition of keeping the six firefighters.

4.G. Request Board approval of Ordinance No. 4159-2009 adopting the budget for all corporate purposes of the Village of Hoffman Estates, Cook and Kane counties, Illinois, in lieu of the appropriation ordinance, for the fiscal year commencing on the 1st day of January 2010 and ending on the 31st day of December 2010.

Discussion

Mohammed Patel, 253 E. Berkley, asked if the Village would be removing an ambulance. Mr. Norris responded no.

Florence Williams, 1200 Gannon; Donna Dombrowski, 860 Claredon; Michael Pasquerelli, 5145 Barcroft; Lisa Notatnicola, 1200 Gannon; Mike Stankiewicz, 975 Rosedale; Jim Oskroba, 210 Parkview Circle; Patricia Ichely, Poplar Creek Village; Lavergne Scander, 2250 Golf Road; Julie Golden, 1200 Gannon; Nancy Stopka, 2045 Colchester; Wendell Howell, 1877 Jamestown Circle; Caroline Orloff, 1572 Palisade Lane; Mr. Hertz, 5739 Acorn Ct.; Kathy Bloss, 1200 Gannon; Antonio Granados, 1375 Rebecca Dr.; Otis Turman, 5929 Eaton Drive; Aaron Muller, 380 Licoln St. all spoke in favor of keeping all of police and fire personnel and programs at the same levels that they are at now.

Dean Slater, 1700 Moonlake, thanked the Mayor for working to get a new Fire Department contract worked out.

Dr. Robert Steinberg, 1158 Portage Lane, stated that people weren't listening to what was happening, that we weren't removing an ambulance and that we are keeping the DARE Program.

Motion by Trustee Collins, seconded by _____, to amend to motion to include back into the budget the four Police Department layoffs. Motion failed for lack of a second.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay: Collins

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 4.H.

4.H. Request Board approval of Ordinance No. 4160-2009 authorizing the levy and collection of taxes for the corporate and municipal purposes of the Village of Hoffman Estates for the fiscal year beginning on the 1st day of January 2010 and ending on the 31st day of December 2010.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay: Collins

Mayor McLeod voted aye.

Motion carried.

7. ADJOURNMENT

Motion by Trustee Mills, seconded by Trustee Pilafas, to adjourn the meeting into Executive Session to discuss Litigation (5 ILCS 120/2-(c)-(11) and Land Acquisition (5 ILCS 120/2-(c)-(6)). Time 9:55 p.m.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay: Collins

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Mills, to adjourn the meeting. Time 11:40 p.m. Voice vote taken. All ayes. Motion carried.

Bev Romanoff
Village Clerk

Date Approved

The Village of Hoffman Estates complies with the Americans with Disabilities Act (ADA). For accessibility assistance, call the ADA Coordinator at 847/882-9100.

MEETING: **HOFFMAN ESTATES VILLAGE BOARD**
DATE: **DECEMBER 14, 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 8:08 p.m. The Village Clerk called the roll. Trustees present: Cary Collins, Ray Kincaid, Anna Newell, Gary Pilafas and Karen Mills. Jackie Green was absent.

A quorum was present.

ADMINISTRATIVE PERSONNEL PRESENT:

J. Norris, Village Manager
D. O'Malley, Deputy Village Manager
A. Janura, Corporation Counsel
M. DuCharme, Finance Director
B. Gorvett, Fire Chief
C. Herdegen, Police Chief
D. Schultz, Community Relations Coordinator
K. Hari, Director Public Works
M. Koplín, Development Services Director
B. Anderson, Cable TV Coordinator
P. Seger, HRM Director
A. Garner, H&HS Director
D. Christensen, Emergency Mgt. Coordinator
G. Eaken, IS Director
K. Koop, Risk Manager
B. Suhajda, GG Intern

2. PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge was led by Trustee Collins.

3. RECOGNITION OF AUDIENCE:

Ed Frank, 694 Illinois Blvd, pointed out that a present vote goes with the majority.
Donna Dombroski, 860 Claredon St., spoke in favor of keeping police staffed at what it is now.
Wendell Howell, 1877 Jamestown Circle, had comments on AT&T U-Verse, fiscal responsibility and putting police and fire first and commented on the Sears Centre.
Jerry Dombrowski, 860 Claredon St., said he was disgusted with the Board.

4. CONSENT AGENDA/OMNIBUS VOTE:

Motion by Trustee Pilafas, seconded by Trustee Newell, to approve Item 4.A.

4.A. Approval of Agenda

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Newell, to approve Item 4.B.

4.B. Approval of Minutes

- 1) Deferral of Minutes from December 7, 2009.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Newell, to approve Item 4.C.

4.C. Approval of the schedule of bills for December 14, 2009: \$635,482.36.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

5. REPORTS:

5.A. President's Report

- 1) Proclamation(s)

Trustee Kincaid read the following proclamation:

Motion by Trustee Mills, seconded by Trustee Collins, to concur with the proclamation proclaiming Saturday, January 2, 2010 as Dennis Jones Day. Voice vote taken. All ayes. Motion carried.

Lt. Jones introduced his wife, accepted his proclamation and spoke of his time in the Police Department.

Trustee Mills read the following proclamation:

Motion by Trustee Collins, seconded by Trustee Newell, to concur with the proclamation proclaiming Thursday, December 17, 2009 as Marion Graczyk. Voice vote taken. All ayes. Motion carried.

Mr. Hari accepted the proclamation for Mr. Graczyk.

Trustee Collins read the following proclamation:

Motion by Trustee Kincaid, seconded by Trustee Collins, to concur with the proclamation proclaiming Saturday, January 2, 2010 as Ted Bos Day. Voice vote taken. All ayes. Motion carried.

Chief Herdegen accepted the proclamation for Lt. Bos.

Trustee Pilafas read the following proclamation:

Motion by Trustee Kincaid, seconded by Trustee Newell, to concur with the proclamation proclaiming Saturday, January 2, 2010 as Richard Russo Day. Voice vote taken. All ayes. Motion carried.
Chief Herdegen accepted the proclamation for Lt. Russo.

Trustee Mills read the following proclamation:

Motion by Trustee Collins, seconded by Trustee Kincaid, to concur with the proclamation proclaiming Saturday, January 2, 2010 as Shelly Walenga Day. Voice vote taken. All ayes. Motion carried.
Mr. Koplín accepted the proclamation for Ms. Walenga.

Trustee Newell read the following proclamation:

Motion by Trustee Kincaid, seconded by Trustee Mills, to concur with the proclamation proclaiming Tuesday, December 27, 2009 as David Eggers Day. Voice vote taken. All ayes. Motion carried.
Chief Herdegen accepted the proclamation for Officer Eggers.

Trustee Kincaid read the following proclamation:

Motion by Trustee, seconded by Trustee, to concur with the proclamation proclaiming Sunday, January 3, 2010 as Michael Barber Day. Voice vote taken. All ayes. Motion carried.
Chief Herdegen accepted the proclamation for Officer Barber.

Trustee Collins read the following proclamation:

Motion by Trustee Mills, seconded by Trustee Collins, to concur with the proclamation proclaiming Wednesday, December 23, 2009 as Kathryn Cawley Day. Voice vote taken. All ayes. Motion carried.
Chief Herdegen accepted the proclamation for Officer Cawley.

Trustee Pilafas read the following proclamation:

Motion by Trustee Kincaid, seconded by Trustee Collins, to concur with the proclamation proclaiming Wednesday, December 23, 2009 as Scott Reichel. Voice vote taken. All ayes. Motion carried.
Officer Reichel accepted his proclamation and was congratulated by the Board.

Trustee Newell read the following proclamation:

Motion by Trustee Kincaid, seconded by Trustee Mills, to concur with the proclamation proclaiming Wednesday, December 23, 2009 as Matthew Teipel Day. Voice vote taken. All ayes. Motion carried.
Chief Herdegen accepted the proclamation for Officer Teipel.

Mayor McLeod asked that his comments be held off until later in the meeting.

5.B. Trustee Comments

Trustee Kincaid stated that he attended the Starline meeting.

Trustee Mills thanked everyone for their kind words, wished everyone a Happy Holiday season and thanked staff for everything that they did the past year.

Trustee Collins spoke on accountability.

Trustee Pilafas spoke on the steps that will be taken with the Sears Centre and thanked the community and staff for the past year.

Trustee Newell sent her condolences to Trustee Mills, wished everyone Happy Holidays, stated that she attended Shop with a Cop and the Teddy Bear Tea.

5.C. Village Manager's Report

Mr. Norris sent his condolences to Trustee Mills and wished everyone Happy Holidays.

5.D. Village Clerk's Report

The Village Clerk had no report.

6. PLAN COMMISSION/ZONING BOARD OF APPEALS REPORT:

Motion by Trustee Mills, seconded by Trustee Pilafas to remand Items 6.A. 1-5. Back to the Plan Commission.

Discussion

Matt Norton, Holland and Knight, 130 S. Dearborn, spoke about issues that they have with the conditions that were put in place.

Trustee Pilafas asked what the benefit would be to break up the lots.

Mr. Norton said that it would bring an infusion of new capital and that the outlots can't be sold in this economy.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

A. Plan Commission (Chairman Stanton)

6.A.1. Request by W2001 VHE Realty, LLC, and Rubina Realty Corporation for preliminary and final plat of resubdivision of Lot 2 and 3 of Poplar Creek Crossing subdivision, subject to the following conditions:

1. Each lot within Poplar Creek Crossing resubdivision #1, with the exception of lot 5, shall be responsible for the maintenance of all shared areas within the resubdivision, including, but not limited to, parking lot/drive aisle pavement, exterior lighting, landscaping, sidewalks, etc. Site plan approvals on lots 1, 2, 3, and 4 shall only be in compliance if all site improvements within the resubdivision are in compliance with Village code. Any property covered by this condition shall be considered to be in violation of their site plan approval so long as a violation exists on any portion of the lots covered by this condition.

2. Petitioner W2001 VHE Realty, LLC and the successor owners of lots 2, 3, and 4, shall maintain valid agreements to be legally binding upon the owners of lots 1, 2, 3, and 4. The agreement(s) shall address shared maintenance, parking, lighting, landscaping, signs, and access issues, and give each lot owner the authority to correct violations on any other property within the resubdivision. Each site plan approval on lot 1, 2, 3, and 4 shall only be valid if the agreement(s) are in place.

3. Approval of Poplar Creek Crossing resubdivision #1 shall be subject to setback variation approval on the Citibank lot.

6.A.2. Request by W2001 VHE Realty, LLC, for site plan amendment to the Poplar Creek Crossing Shopping Center, subject to the following conditions:

1. Each lot within Poplar Creek Crossing resubdivision #1, with the exception of lot 5, shall be responsible for the maintenance of all shared areas within the resubdivision, including, but not limited to, parking lot/drive aisle pavement, exterior lighting, landscaping, sidewalks, etc. Site plan approvals on lots 1, 2, 3, and 4 shall only be in compliance if all site improvements within the resubdivision are in compliance with Village code. Any property covered by this condition shall be considered to be in violation of their site plan approval so long as a violation exists on any portion of the lots covered by this condition.

2. The following exceptions are granted for the Poplar Creek Crossing property only:

a. An exception is granted to Section 2.10.1 of the C-MU Design Guidelines and Standards which pertains to the perimeter landscaping requirement, specifically, the requirement of a 7 foot landscape buffer between Lot 1 and the proposed Lot 2, 3, and 4. A 0 foot landscape buffer is granted due to the property lines traversing through the existing drive aisles and parking lots on the property.

b. An exception is granted to Section 2.10.1 of the C-MU Design Guidelines and Standards pertaining to the perimeter landscaping requirement of 20 feet abutting a public road right of way. A minimum 15 foot landscape buffer is granted along the east side along Route 59.

3. All conditions of approval of the original site plan approval for the Poplar Creek Crossing Shopping Center shall remain in effect.

6.A.3. Request by W2001 VHE Realty, LLC, for site plan amendment to the Citibank development at the Poplar Creek Crossing Shopping Center, subject to the following conditions:

1. Each lot within Poplar Creek Crossing resubdivision #1, with the exception of lot 5, shall be responsible for the maintenance of all shared areas within the resubdivision, including, but not limited to, parking lot/drive aisle pavement, exterior lighting, landscaping, sidewalks, etc. Site plan approvals on lots 1, 2, 3, and 4 shall only be in compliance if all site improvements within the resubdivision are in compliance with Village code. Any property covered by this condition shall be considered to be in violation of their site plan approval so long as a violation exists on any portion of the lots covered by this condition.

2. The following exception is granted for the Citibank property only:

a. An exception is granted to Section 2.10.1 of the C-MU Design Guidelines and Standards which pertains to the perimeter landscaping requirement, specifically, the requirement of a 7 foot landscape buffer on the north side of the building. A 0 foot landscape buffer is granted due to the property line traversing through the existing drive aisle north of the building.

3. All conditions of approval of the original site plan approval for Citibank shall remain in effect.

6.A.4. Request by W2001 VHE Realty, LLC, for site plan amendment to the Fifth Third Bank development at the Poplar Creek Crossing Shopping Center, subject to the following conditions:

1. Each lot within Poplar Creek Crossing resubdivision #1, with the exception of lot 5, shall be responsible for the maintenance of all shared areas within the resubdivision, including, but not limited to, parking lot/drive aisle pavement, exterior lighting, landscaping, sidewalks, etc. Site plan approvals on lots 1, 2, 3, and 4 shall only be in compliance if all site improvements within the resubdivision are in compliance with Village code. Any property covered by this condition shall be considered to be in

violation of their site plan approval so long as a violation exists on any portion of the lots covered by this condition.

2. The following exceptions are granted for the Fifth Third Bank property only:

a. An exception is granted to Section 2.10.1 of the C-MU Design Guidelines and Standards which pertains to the perimeter landscaping requirement, specifically, the requirement of a 7 foot landscape buffer on the west and south sides of the property. A 0 foot landscape buffer is granted due to the property line traversing through the existing drive aisle west and south of the building.

b. An exception is granted to Section 2.10.2 of the C-MU Design Guidelines and Standards which pertains to the perimeter shade tree requirement, specifically the requirement of one shade tree for each 40 linear feet of perimeter landscape buffer. Based on the 1,065 linear feet, 27 shade trees would be required. Fourteen shade trees were planted on the site, therefore, an exception of 13 shade trees is granted.

3. All conditions of approval of the original site plan approval for Fifth Third Bank shall remain in effect.

6.A.5. Request by W2001 VHE Realty, LLC, for site plan amendment to the Buffalo Wild Wings restaurant at the Poplar Creek Crossing Shopping Center, subject to the following conditions:

1. Each lot within Poplar Creek Crossing resubdivision #1, with the exception of lot 5, shall be responsible for the maintenance of all shared areas within the resubdivision, including, but not limited to, parking lot/drive aisle pavement, exterior lighting, landscaping, sidewalks, etc. Site plan approvals on lots 1, 2, 3, and 4 shall only be in compliance if all site improvements within the resubdivision are in compliance with Village code. Any property covered by this condition shall be considered to be in violation of their site plan approval so long as a violation exists on any portion of the lots covered by this condition.

2. The following exceptions are granted for the Buffalo Wild Wings property only:

a. An exception is granted to Section 2.10.1 of the C-MU Design Guidelines and Standards which pertains to the perimeter landscaping requirement, specifically, the requirement of a 7 foot landscape buffer on the north, west and east sides of the building. A 0 foot landscape buffer is granted due to the property line traversing through the existing drive aisle north of the building, through the parking spaces on the west side of the building, and through a sidewalk on the east side of the building.

b. An exception is granted to Section 2.10.2 of the C-MU Design Guidelines and Standards which pertains to the perimeter shade tree requirement, specifically the requirement of one shade tree for each 40 linear feet of perimeter landscape buffer. Based on the 586 linear feet of the perimeter of the proposed lot, 15 shade trees would be required. Eight shade trees are planted on the site, therefore, an exception of seven shade trees is granted.

3. All conditions of approval of the original site plan approval for the Buffalo Wild Wings shall remain in effect.

B. Zoning Board of Appeals (Chairman Weaver)

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 6.B.1.

6.B.1 Request by W2001 VHE Realty, LLC, for a 4'11" setback variation from Section 9-8-3-B-5-d of the Zoning Code to permit a 15'1" side yard setback along the south property line instead of the minimum required 20' setback. The following condition shall apply:

This variation approval shall be subject to all conditions of the preliminary and final Plat of Resubdivision and site plan amendment approval for the Citibank portion of the Poplar Creek Crossing Shopping Center property.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 6.B.2. with immediate authorization to apply for permits.

6.B.2. Request by the Village of Hoffman Estates (Lessor) and The Everest Group/Sprint, Clearwire (Lessee), for a special use under Sections 9-5-9-D-9 and 9-3-9-A to permit the installation of two (2) microwave dishes and associated equipment to be no greater than one hundred and thirty three (133) feet high on a Village water tank at 4690 Olmstead Drive. The following conditions shall apply:

1. This special use shall be subject to approval of the final lease agreement with the Village of Hoffman Estates.
2. No advertising shall be allowed on the equipment or structures.
3. The petitioner shall pay all costs associated with the third party review and inspections, as required by the Village's Public Works Department policy.
4. Should the operation of these microwave dishes cease for a period of six (6) months, the dishes and associated equipment shall be removed per Zoning Code Section 9-1-18-L.

Discussion

Trustee Newell asked how the dish will be fastened to the water tower.

Will Faber, The Everest Group/Sprint, Clearwire, said that there will be a steel bracket.

Trustee Pilafas asked if it was 4G.

Mr. Favor replied that it was just data.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 6.B.3. with immediate authorization to apply for permits.

6.B.3. Request by the Village of Hoffman Estates (Lessor) and The Everest Group/Sprint, Clearwire (Lessee), for a special use under Sections 9-3-9-A and 9-8-2-C-6 to permit the installation of two (2) microwave dishes and associated equipment to be no greater than one hundred and six (106) feet high on a Village water tank at 95 Aster Lane. The following conditions shall apply:

1. This special use shall be subject to approval of the final lease agreement with the Village of Hoffman Estates.
2. No advertising shall be allowed on the equipment or structures.
3. The petitioner shall pay all costs associated with the third party review and inspections, as required by the Village's Public Works Department policy.
4. Should the operation of these microwave dishes cease for a period of six (6) months, the dishes and associated equipment shall be removed per Zoning Code Section 9-1-18-L.

Discussion

Trustee Pilafas said he was concerned about the number of antennas.

Roll Call:

Aye: Kincaid, Newell, Pilafas, Mills

Nay: Collins

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 6.B.4. with immediate authorization to apply for permits.

6.B.4. Request by the Village of Hoffman Estates (Lessor) and The Everest Group/Sprint, Clearwire (Lessee), for a special use under Sections 9-3-9-A and 9-5-7-C-4 to permit the installation of two (2) microwave dishes and associated equipment to be no greater than one hundred and thirty four (134) feet high on a Village water tank at 3990 Huntington Boulevard. The following conditions shall apply:

1. This special use shall be subject to approval of the final lease agreement with the Village of Hoffman Estates.
2. No advertising shall be allowed on the equipment or structures.
3. The petitioner shall pay all costs associated with the third party review and inspections, as required by the Village's Public Works Department policy.
4. Should the operation of these microwave dishes cease for a period of six (6) months, the dishes and associated equipment shall be removed per Zoning Code Section 9-1-18-L.

Discussion

Trustee Collins asked if they would be taking out any ground equipment.
Mr. Faber replied that no they would not be removing any.

Roll Call:

Aye: Kincaid, Newell, Mills

Nay: Collins, Pilafas

Mayor McLeod voted aye.

Motion carried.

7. ADDITIONAL BUSINESS:

Motion by Trustee Mills, seconded by Trustee Collins, to Additional Business Items 7.B. through G. 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. Request Board approval to cede 2009 Bond Cap to the Assist First Time Homebuyer Down Payment Assistance Program.

Roll Call:

Aye: Kincaid, Newell, Pilafas, Mills

Nay: Collins

Mayor McLeod voted aye.

Motion carried.

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

7.B. Request Board approval of the 2010 property and casualty and workers' compensation excess insurance program renewal.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

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

7.C. Request Board approval of agreements for Pace Bus Route 554 service with:

- 1) Pace Suburban Bus for a local share of Route 554 in an amount not to exceed \$23,104.27 in 2010; and
- 2) Elgin, Streamwood, Hanover Park, and Schaumburg for local agency participation in Route 554 in 2010.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

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

7.D. Request Board approval of a time extension to the temporary moratorium on the enforcement of regulations in Section 9-3-8-K-5 of the Zoning Code to allow certain temporary business signs to be displayed during depressed economic conditions.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Collins, to approve Item 7.E.

7.E. Request Board approval of the adoption of the Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 3.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Collins, to approve Item 7.F.

7.F. Request Board authorization for an EDA contract for Prairie Stone Entertainment District regulatory/wayfinding signs in an amount not to exceed \$8,952.75.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Collins, to approve Item 7.G.

7.G. Request Board approval of a Resolution creating the Tartan Day Commission of the Village of Hoffman Estates (increase in membership).

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

Trustee Collins left the room.

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

7.H. Request Board approval of a Resolution terminating Agreement with the Northeastern Illinois Regional Crime Laboratory.

Roll Call:

Aye: Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent for the vote.

Motion carried.

Trustee Collins returned.

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

7.I. Request Board approval to extend the Fire Department Entry Level Eligibility Roster for a period of one (1) year.

Roll Call:

Aye: Kincaid, Newell, Pilafas, Mills

Nay: Collins

Mayor McLeod voted aye.

Motion carried.

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

7.J. Request Board approval to extend the automatic ticket writer contract with Advanced Public Safety, Deerfield Beach, FL and place the project on hold.

Discussion

Trustee Collins asked how long can we put it on hold.

Chief Herdegen said indefinitely and that he would get it in writing.

Roll Call:

Aye: Collins, Kincaid, Newell, Pilafas, Mills

Nay:

Mayor McLeod voted aye.

Motion carried.

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

7.K. Request Board approval of Agreement between the Village of Hoffman Estates and James H. Norris for the period January 1, 2010 through December 31, 2010.

Discussion

Trustee Collins asked why we needed to enter into a contract.

Roll Call:

Aye: Kincaid, Newell, Pilafas, Mills

Nay: Collins

Mayor McLeod voted aye.

Motion carried.

5. REPORTS: (continued)

A. President's Report

Motion by Trustee Mills, seconded by Trustee Pilafas to approve the appointments of Tom Dailly, Rob Fleming, Glenda Gabriel and Chris Eilers to the Tartan Day Commission and Glenn Thompson to the Emerging Technologies Commission. Voice vote taken. All ayes. Motion carried.

7. ADJOURNMENT:

Motion by Trustee Mills, seconded by Trustee Pilafas, to adjourn the meeting into Executive Session to discuss Litigation (5 ILCS 120/2-(c)-(11). Time 10:16 p.m.

Roll Call:

Aye: Kincaid, Newell, Pilafas, Mills

Nay: Collins

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Mills, to adjourn the meeting. Time 12:40 p.m. Voice vote taken. All ayes. Motion carried.

Bev Romanoff
Village Clerk

Date Approved

The Village of Hoffman Estates complies with the Americans with Disabilities Act (ADA). For accessibility assistance, call the ADA Coordinator at 847/882-9100.

MEETING: HOFFMAN ESTATES VILLAGE BOARD SPECIAL
DATE: DECEMBER 16, 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 7:37 p.m. The Village Clerk called the roll. Trustees present: Ray Kincaid, Anna Newell and Cary Collins. Gary Pilafas attended by phone. Karen Mills and Jackie Green were absent.

A quorum was present.

ADMINISTRATIVE PERSONNEL PRESENT:

- J. Norris, Village Manager
- D. O'Malley, Deputy Village Manager
- A. Janura, Corporation Counsel
- M. DuCharme, Finance Director
- M. Koplín, Development Services Director
- B. Suhajda, GG Intern

2. ADDITIONAL BUSINESS:

Motion by Trustee Collins, seconded by Trustee Newell, to approve Item 2.A., 2.B., 2.C. and 2.D.

2.A. Request Board approval of a deed in lieu of foreclosure agreement between MadKatStep and the Village of Hoffman Estates for the Sears Centre Arena.

2.B. Request Board approval of an interim agreement with Global Spectrum of Philadelphia, PA, for management services at the Sears Centre Arena and provide funding of \$420,000 for January 2010 cash flow.

2.C. Request Board authorization for the Village to pay off a lease/purchase agreement with M&I Bank, Milwaukee, Wisconsin, for Sears Centre Arena furniture, fixtures and equipment in an amount of \$2,090,756.85.

2.D. Request Board authorization to extend a contract for consulting services related to the Sears Centre Arena to International Facilities Group, Inc., Chicago, IL, in an amount not to exceed \$175,000.

Discussion

Mr. Janura explained the purpose for the meeting.

Trustee Collins went item by item explaining further what each meant.

Trustee Collin asked why we were having a deed in lieu of foreclosure instead of a foreclosure. Mr. Janura said that it was faster.

Trustee Kincaid asked why the process took so long. Mr. Janura stated that MadKatStep needed to get consent from their partners and the wording needed to be corrected a number of times. Trustee Kincaid asked to have added to the agreement that the Village would receive daily updates on the expenditures. Mr.

Briglia, IFG, stated that we would have accounting monitoring the checks that are being written. Mr. Janura stated that it didn't need to be written in, we would just do it. Trustee Collins asked who signs the checks. Mr. Janura said that Global Spectrum and the Village. Mr. DuCharme said that the Mayor's signature is on all checks along with either his or Rachel Musialas.

Wendell Howell, 1877 Jamestown Circle, stated that he felt the Open Meetings Act was broken and questioned the agreement.

Roll Call:

Aye: Pilafas, Collins, Kincaid, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

3. ADJOURNMENT

Motion by Trustee Collins, seconded by Trustee Newell, to adjourn the meeting. Time 7:59 p.m. Voice vote taken. All ayes. Motion carried.

Bev Romanoff
Village Clerk

Date Approved

The Village of Hoffman Estates complies with the Americans with Disabilities Act (ADA). For accessibility assistance, call the ADA Coordinator at 847/882-9100.

MEETING:
DATE:
PLACE:

**HOFFMAN ESTATES VILLAGE BOARD SPECIAL
DECEMBER 16, 2009
COUNCIL CHAMBERS
MUNICIPAL BUILDING COMPLEX
1900 HASSELL ROAD
HOFFMAN ESTATES, ILLINOIS**

 **DRAFT**

1. CALL TO ORDER:

Village President William McLeod called the meeting to order at 7:37 p.m. The Village Clerk called the roll. Trustees present: Ray Kincaid, Anna Newell and Cary Collins. Gary Pilafas attended by phone. Karen Mills and Jackie Green were absent.

A quorum was present.

ADMINISTRATIVE PERSONNEL PRESENT:

J. Norris, Village Manager
D. O'Malley, Deputy Village Manager
A. Janura, Corporation Counsel
M. DuCharme, Finance Director
M. Koplin, Development Services Director
B. Suhajda, GG Intern

2. ADDITIONAL BUSINESS:

Motion by Trustee Collins, seconded by Trustee Newell, to approve Item 2.A., 2.B., 2.C. and 2.D.

2.A. Request Board approval of a deed in lieu of foreclosure agreement between MadKatStep and the Village of Hoffman Estates for the Sears Centre Arena.

2.B. Request Board approval of an interim agreement with Global Spectrum of Philadelphia, PA, for management services at the Sears Centre Arena and provide funding of \$420,000 for January 2010 cash flow.

2.C. Request Board authorization for the Village to pay off a lease/purchase agreement with M&I Bank, Milwaukee, Wisconsin, for Sears Centre Arena furniture, fixtures and equipment in an amount of \$2,090,756.85.

2.D. Request Board authorization to extend a contract for consulting services related to the Sears Centre Arena to International Facilities Group, Inc., Chicago, IL, in an amount not to exceed \$175,000.

Discussion

Mr. Janura explained the purpose for the meeting.

Trustee Collins went item by item explaining further what each meant.

Trustee Collin asked why we were having a deed in lieu of foreclosure instead of a foreclosure. Mr. Janura said that it was faster.

Trustee Kincaid asked why the process took so long. Mr. Janura stated that MadKatStep needed to get consent from their partners and the wording needed to be corrected a number of times. Trustee Kincaid asked to have added to the agreement that the Village would receive daily updates on the expenditures. Mr.

VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE GRANTING A VARIATION TO
PREMISES AT 2550 N. SUTTON ROAD, HOFFMAN ESTATES, ILLINOIS

WHEREAS, the Zoning Board of Appeals, at a public meeting duly called and held according to law on December 8, 2009, considered the request by W2001 VHE Realty, LLC, the owners 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 a setback variation for the existing Citibank facility on the property located at 2550 N. Sutton Road; 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: That the Zoning Ordinance of the Village of Hoffman Estates be so varied as to permit the granting of a four foot, eleven inch (4'11") variation from the twenty foot (20') minimum side yard under Section 9-8-3-B-5-d of the Hoffman Estates Municipal Code leaving a minimum distance of fifteen feet, one inch (15'1") at the south property line on the property commonly known as 2550 N. Sutton Road and legally described in Exhibit "A" attached and incorporated herein.

Section 2: That this variation is subject to any conditions of the preliminary and final Plat of Resubdivision and site plan amendment approval for the Citibank portion of the Poplar Creek Crossing Shopping Center property.

Section 3: The Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 4: This Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2010

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 _____, 2010

Village President

ATTEST:

Village Clerk
Published in pamphlet form this _____ day of _____, 2010.

EXHIBIT "A"

LEGAL DESCRIPTION:

P.I.N.: 01-33-301-003

LOT 2 OF THE POPLAR CREEK CROSSING SUBDIVISION BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 33, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING THE PLAT THEREOF RECORDED JUNE 28, 2007 AS DOCUMENT NO. 0717922001 IN COOK COUNTY, ILLINOIS.

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARING: December 8, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: December 14, 2009

PETITION: Hearing held at the request of W2001 VHE Realty, LLC to consider variations from the Zoning Code to permit a setback variation for the existing Citibank facility on the property known as 2550 N. Sutton Road in the Poplar Creek Crossing Shopping Cent.

DISTRICT IN WHICH PROPERTY IS LOCATED: C-MU, Commercial Mixed-Use

ZONING CODE SECTION(S) FOR VARIATION(S): 9-8-3-B-5-d

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 W2001 VHE Realty, LLC at 2550 N. Sutton Road, *a 4'11" setback variation from Section 9-8-3-B-5-d of the Zoning Code to permit a 15'1" side yard setback along the south property line instead of the minimum required 20' setback.* The following condition shall apply:

This variation approval shall be subject to all conditions of the preliminary and final Plat of Resubdivision and site plan amendment approval for the Citibank portion of the Poplar Creek Crossing Shopping Center property.

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

The petitioner is requesting a side yard setback variation for the existing Citibank building at 2550 N. Sutton Road. The existing drive-thru canopy is 15'1" from the south property line. A 20' setback is required. The canopy overhang encroaches into the 20' setback. The site plan for the Citibank building was approved by the Village Board in 2006. The setback encroachment was missed during the site plan review process. The setback encroachment was discovered by staff while reviewing the petitioner's request for a resubdivision of the Poplar Creek Crossing Shopping Center property. The need for a setback variation is not caused by the petitioner's request for a resubdivision of the property.

The petitioner stated that they agreed to the recommended condition with the understanding that the setback variation is necessary and would like it to be approved whether the resubdivision of the property is approved or not. The petitioner does not want the variation approval to be contingent upon the approval of the resubdivision request. The recommended condition of approval states that the variation approval be subject to all conditions of approval of the

preliminary and final Plat of Resubdivision and site plan amendment approval for the Citibank portion of the property.

AUDIENCE COMMENTS

None.

VOTE:

7 Ayes

0 Nays

0 Absent

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 NOT 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

AN ORDINANCE GRANTING A SPECIAL USE
TO VILLAGE OF HOFFMAN ESTATES (LESSOR),
AND THE EVEREST GROUP/SPRINT, CLEARWIRE (LESSEE),
(4690 OLMSTEAD DRIVE)

WHEREAS, the Zoning Board of Appeals of the Village of Hoffman Estates, at public hearings duly called and held according to law on December 8, 2009 considered the request of a special use to the Village of Hoffman Estates (lessor) and The Everest Group/Sprint, Clearwire (lessee), to permit the installation of two (2) microwave dishes to be no greater than 133 feet high on a Village water tank at 4690 Olmstead Drive, and legally described hereinafter; 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 said special use to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hoffman Estates, after reviewing the recommendation of said Zoning Board of Appeals, find and believe it to be in the best interest of the Village that such special use be granted.

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 there be granted a special use under Sections 9-5-9-D-9 and 9-3-9-A to the Village of Hoffman Estates (lessor) and The Everest Group/Sprint, Clearwire (lessee), to permit the installation of two (2) microwave dishes and associated equipment to be no greater than 133 feet high on a Village water tank at 4690 Olmstead Drive.

Section 3: That this special use is granted upon the conditions that this special use shall be subject to approval of the final lease agreement with the Village of Hoffman Estates, no advertising shall be allowed on the equipment or structures, the petitioner shall pay all costs associated with the third party review and inspections, as required by the Village's Public Works Department policy, and should the operation of these microwave dishes cease for a period of six months, the dishes and associated equipment shall be removed per Zoning Code Section 9-1-18-L.

Section 4: That property benefiting from the special use is legally described on the attached Exhibit "A".

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 _____, 2010

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 _____, 2010

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2010.

EXHIBIT "A"

LEGAL DESCRIPTION:

P.I.N.s 02-19-119-051, 02-19-119-052, 02-19-119-053, 02-19-119-054, 02-19-119-055

That part of Lots 19 to 23 inclusive in Howie in the Hills Unit One, a subdivision in Section 19, Township 42 North, Range 10, East of the Third Principal Meridian (except those parts of said lots included in Hearthstone Unit 2 Subdivision recorded January 04, 1991 as Document 91005615, Orbit Subdivision recorded June 29, 1994 as Document 94567194, and that part of lot 23 taken for Olmstead Drive), in Cook County, Illinois.

Being a tract of land described as being north of a line 120 feet south of the south line of Orbit, a resubdivision of Lots 1 and 2 in Meridian's commercial addition to Westbury and lots 13 to 19 in Block 29, parts of Lots 18 and 19, all of Lots 20 to 23 in Block 22, and the vacated street lying west of the east boundary line of said Orbit extended southerly and east of a line 288 feet west of the west boundary line of Olmstead Drive, as dedicated per Document No. 25706839, recorded December 16, 1980.

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARING(S): December 8, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: December 14, 2009

PETITION: Hearing held at the request of the Village of Hoffman Estates (Lessor) and The Everest Group/Sprint, Clearwire (Lessee) to consider a special use under the Zoning Code to permit the installation of communication antennas and associated equipment to be located in an existing shelter on the property located at 4690 Olmstead Drive.

DISTRICT IN WHICH PROPERTY IS LOCATED: R-9, Planned Development District Subzone F-2

ZONING CODE SECTION(S) FOR SPECIAL USE: 9-5-9-D-9 and 9-3-9-A

FINDING-OF-FACT: The ZBA found that the Standards for a Special Use (Section 9-1-18) were met.

MOTION: Request to grant the Village of Hoffman Estates (Lessor) and The Everest Group/Sprint, Clearwire (Lessee), *a special use under Sections 9-5-9-D-9 and 9-3-9-A to permit the installation of two (2) microwave dishes and associated equipment to be no greater than one hundred and thirty three (133) feet high on a Village water tank at 4690 Olmstead Drive.*

The following conditions shall apply:

1. This special use shall be subject to approval of the final lease agreement with the Village of Hoffman Estates.
2. No advertising shall be allowed on the equipment or structures.
3. The petitioner shall pay all costs associated with the third party review and inspections, as required by the Village's Public Works Department policy.
4. Should the operation of these microwave dishes cease for a period of six (6) months, the dishes and associated equipment shall be removed per Zoning Code Section 9-1-18-L.

The petitioner was agreeable to the above listed conditions.

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

The petitioner, Mr. Faber representing Sprint-Clearwire, requested a special use to install two microwave dish antennas on the water tank. The dishes operate under a different radio band from the existing cellular antennas and are used to carry the increased volumes of data (video

and internet) common in modern cell phones. The Zoning Board confirmed that the structural report was completed and was accepted by the Village. The Zoning Board confirmed that each dish weighs approximately 45 pounds including the mounting equipment. The Zoning Board recommended approval of the request.

AUDIENCE COMMENTS

For the benefit of the audience, Chairman Weaver read the following into the record: The Federal Communications Act of 1996 expressly pre-empts local governments from regulating the placement, construction or modification of personal wireless services on the basis of environmental or health issues. Such concerns cannot be discussed or used as a basis of the decision whether to grant a special use.

Alice Kot, of 4695 Olmstead, inquired when the installation would occur and Mr. Faber replied that the installation takes typically 1-2 days and occurs during the daytime, and not during inclement weather. Ms. Kot inquired about the difference between these new dishes and the existing cellular antennas, and Mr. Faber replied that microwave dishes have been in use since the 1950s and these dishes will be used to transmit data between dishes at different sites, unlike the panel antennas that provide voice coverage. The new dishes will not increase the geographic coverage area, but will improve existing coverage. The dishes and equipment will not create noise onto surrounding properties.

VOTE:

7 Ayes
0 Nays
0 Absent

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

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

**A RESOLUTION CREATING THE
CHILDREN'S MEMORIAL COMMISSION
OF THE VILLAGE OF HOFFMAN ESTATES**

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 the Children's Memorial Commission of the Village of Hoffman Estates be and the same is hereby created as follows:

A. CHILDREN'S MEMORIAL COMMISSION

There is hereby created the Children's Memorial Commission of the Village of Hoffman Estates.

B. MEMBERSHIP

The Children's Memorial Commission shall consist of seven (7) members, one of whom shall be a chairman.

C. HOW APPOINTED – QUALIFICATIONS

The members of said Commission shall be appointed by the President with the consent of the Board of Trustees. All members of the Children's Memorial Commission shall be residents of or employed in the Village of Hoffman Estates.

D. TERMS OF OFFICE

Four (4) members shall be appointed for a term of two (2) years expiring upon an even year, and three (3) members shall be appointed for a term of two (2) years expiring upon an odd year. Vacancies of the Children's Memorial Commission for any unexpired term shall be filled in the same manner as herein provided for the original appointment.

E. DUTIES OF THE CHILDREN'S MEMORIAL COMMISSION

1. To establish and maintain a site for memorials.
2. To establish memorials for children of Hoffman Estates residents or who have attended School Districts 15, 46, 54, 211, 220, 300, or Harper College or Elgin Community College who have died prior to their 22nd birthday.
3. Such other duties as shall be determined as the President and Board of Trustees deem appropriate.
4. For the purpose of this Resolution, children shall mean individuals under 22 years of age.

F. ASSISTANCE

The Village Manager is hereby directed to provide such guidance and counsel to the Children's Memorial Commission as may be required or requested from time to time.

G. COMPENSATION OF MEMBERS

The members of the Children's Memorial Commission shall receive such compensation as deemed appropriate by the President and Board of Trustees from time to time and as provided by Resolution of the President and Board of Trustees.

H. BUDGET

The budget shall be determined as the President and Board of Trustees deem appropriate.

I. REPORTS

The chairman of the Children's Memorial Commission shall submit to the President and Board of Trustees an annual written report of the activities of said Commission by January 15 of each year. The Commission shall keep a written record of all official meetings.

Section 4: That this Resolution shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2010

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 _____, 2010

Village President

ATTEST:

Village Clerk

AGENDA

DRAFT

**GENERAL ADMINISTRATION & PERSONNEL COMMITTEE
VILLAGE OF HOFFMAN ESTATES
January 11, 2010**

7:30 p.m. - Helen Wozniak Council Chambers

**Members: Karen Mills, Chairperson
Ray Kincaid, Vice-Chairperson
Gary Pilafas, Trustee**

- I. Roll Call**
- II. Approval of Minutes – December 14, 2009**

NEW BUSINESS

- 1. Request acceptance of Cable TV Monthly Report.
- 2. Request acceptance of Human Resources Management Monthly Report.

- III. President's Report**
- IV. Other**
- V. Adjournment**

The Village of Hoffman Estates complies with the Americans with Disabilities Act (ADA). For accessibility assistance, call the ADA Coordinator at 847/882-9100.

DRAFT

AGENDA
TRANSPORTATION AND ROAD IMPROVEMENT COMMITTEE
Village of Hoffman Estates
January 11, 2010

Immediately following General Administration and Personnel

Members: Ray Kincaid, Chairperson
Gary Pilafas, Vice Chairperson
Karen Mills, Trustee

- I. Roll Call**
- II. Approval of Minutes – December 14, 2009**

NEW BUSINESS

- 1. Request approval of agreements for Pace Route 557 service:
 - a. with Pace Suburban Bus for a local share of Route 557 in an amount not to exceed \$50,011 in 2010.
 - b. with Siemens, Claire's, and ADP for company participation in Route 557 in 2010.
- 2. Request approval of Local Agency Agreements with the State of Illinois for the Palatine Road improvement project:
 - a. Local Agency Agreement for Preliminary Engineering
 - b. Local Agency Agreement for Construction
- 3. Request approval of a Local Agency Agreement with the State of Illinois for the CMAQ Diesel Fleet Emissions Reduction Project
- 4. Request acceptance of Transportation Division Monthly Report.

III. President's Report

IV. Other

V. Items in Review

VI. Adjournment

DRAFT

AGENDA
PLANNING, BUILDING AND ZONING COMMITTEE
Village of Hoffman Estates
January 11, 2010

Immediately Following the Transportation & Road Improvement Committee

Members: Gary Pilafas, Chairperson
Karen Mills, Vice Chairperson
Ray Kincaid

I. Roll Call

II. Approval of Minutes - December 14, 2009

NEW BUSINESS

1. Request by Shorewood Property Investments, LLC for a courtesy review for an apartment development with a commercial component located on the southwest corner of Beverly and Higgins Roads.
2. Request by Summit Street LLC (Kenar Homes) for direction to proceed with negotiation of amendments to the Annexation Agreement and approved site plan to allow a modified land plan and a new product line.
3. Request by JCL Bioassay Corporation for approval of plat of easement (watermain) for the JCL Bioassay building located at 2860 Forbs Avenue.
4. Request acceptance of Department of Development Services monthly report for Planning Division.
5. Request acceptance of Department of Development Services monthly report for Code Enforcement Division.
6. Request acceptance of Department of Development Services monthly report for Economic Development and Tourism.

III. President's Report

IV. Other

V. Items in Review

VI. Adjournment

**ADDITIONAL
BUSINESS**

VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE GRANTING A SPECIAL USE
TO VILLAGE OF HOFFMAN ESTATES (LESSOR),
AND THE EVEREST GROUP/SPRINT, CLEARWIRE (LESSEE),
(95 ASTER LANE)

WHEREAS, the Zoning Board of Appeals of the Village of Hoffman Estates, at public hearings duly called and held according to law on November 17, 2009 and continued to December 8, 2009 considered the request of a special use to the Village of Hoffman Estates (lessor) and The Everest Group/Sprint, Clearwire (lessee), to permit the installation of two (2) microwave dishes and associated equipment to be no greater than 106 feet high on a Village water tank at 95 Aster Lane, and legally described hereinafter; 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 said special use to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hoffman Estates, after reviewing the recommendation of said Zoning Board of Appeals, find and believe it to be in the best interest of the Village that such special use be granted.

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 there be granted a special use under Sections 9-3-9-A and 9-8-2-C-6 to the Village of Hoffman Estates (lessor) and The Everest Group/Sprint, Clearwire (lessee), to permit the installation of two (2) microwave dishes and associated equipment to be no greater than 106 feet high on a Village water tank at 95 Aster Lane.

Section 3: That this special use is granted upon the conditions that this special use shall be subject to approval of the final lease agreement with the Village of Hoffman Estates, no advertising shall be allowed on the equipment or structures, the petitioner shall pay all costs associated with the third party review and inspections, as required by the Village's Public Works Department policy, and should the operation of these microwave dishes cease for a period of six months, the dishes and associated equipment shall be removed per Zoning Code Section 9-1-18-L.

Section 4: That property benefiting from the special use is legally described on the attached Exhibit "A".

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 _____, 2010

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 _____, 2010

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2010.

EXHIBIT "A"

LEGAL DESCRIPTION:

P.I.N. #: 07-15-200-026

Part of Lot 14 in Block 1 of Hoffman Estates 1, being a subdivision of part of Section 14, and 15 Township 41 North, Range 10 East of the Third Principal Meridian, according the Plat there of recorded August 5, 1955 as Document No. 1612242 in Cook County, Illinois.

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARING: November 17 and December 8, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: December 14, 2009

PETITION: Hearing held at the request of the Village of Hoffman Estates (Lessor) and The Everest Group/Sprint, Clearwire (Lessee) to consider a special use under the Zoning Code to permit the installation of communication antennas and accompanying equipment on the property located at 95 Aster Lane.

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

ZONING CODE SECTION(S) FOR SPECIAL USE: 9-3-9-A and 9-8-2-C-6

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Special Use (Section 9-1-18-I) were met.

MOTION: Request to grant the Village of Hoffman Estates (Lessor) and The Everest Group/Sprint, Clearwire (Lessee), *a special use under Sections 9-3-9-A and 9-8-2-C-6 to permit the installation of two (2) microwave dishes and associated equipment to be no greater than one hundred and six (106) feet high on a Village water tank located at 95 Aster Lane.* The following conditions shall apply:

1. This special use shall be subject to approval of the final lease agreement with the Village of Hoffman Estates.
2. No advertising shall be allowed on the equipment or structures.
3. The petitioner shall pay all costs associated with the third party review and inspections, as required by the Village's Public Works Department policy.
4. Should the operation of these microwave dishes cease for a period of six (6) months, the dishes and associated equipment shall be removed per Zoning Code Section 9-1-18-L.

The petitioner was agreeable to the above listed conditions.

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

The petitioner, Mr. Faber representing Sprint-Clearwire, requested a special use to install two microwave dish antennas on the water tank. The dishes operate under a different radio band from the existing cellular antennas and are used to carry the increased volumes of data (video and internet) common in modern cell phones. The Zoning Board confirmed that the structural report was completed and was accepted by the Village. The Zoning Board confirmed that each

dish weighs approximately 45 pounds including the mounting equipment. Zoning Board members noted that there are over 40 existing antennas on the water tank, including public and private installations, and questioned whether the water tank was becoming overly cluttered with communications equipment. The concern was not related to the structural integrity of the installation, but was related to aesthetics. However, the water tank is a tall, existing structure that has been used for this purpose and is less aesthetically offensive than a new monopole cell tower. The Zoning Board recommended approval of the request.

AUDIENCE COMMENTS

None.

VOTE:

5 Ayes

2 Nays (Ciffone, Gaeta)

0 Absent

ZONING BOARD OF APPEALS

Chairman William Weaver

Vice-Chairman Ronald Jehlik

Denise Wilson

Michael Ciffone

Masoom Ali

Donna Boomgarden

Michael Gaeta

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

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

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE GRANTING A SPECIAL USE
TO VILLAGE OF HOFFMAN ESTATES (LESSOR),
AND THE EVEREST GROUP/SPRINT, CLEARWIRE (LESSEE),
(3990 HUNTINGTON BOULEVARD)

WHEREAS, the Zoning Board of Appeals of the Village of Hoffman Estates, at public hearings duly called and held according to law on November 17, 2009 and continued to December 8, 2009 considered the request of a special use to the Village of Hoffman Estates (lessor) and The Everest Group/Sprint, Clearwire (lessee), to permit the installation of two (2) microwave dishes and associated equipment to be no greater than 134 feet high on a Village water tank at 3990 Huntington Boulevard, and legally described hereinafter; 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 said special use to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hoffman Estates, after reviewing the recommendation of said Zoning Board of Appeals, find and believe it to be in the best interest of the Village that such special use be granted.

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 there be granted a special use under Sections 9-3-9-A and 9-5-7-C-4 to the Village of Hoffman Estates (lessor) and The Everest Group/Sprint, Clearwire (lessee), to permit the installation of two (2) microwave dishes and associated equipment to be no greater than 134 feet high on a Village water tank at 3990 Huntington Boulevard.

Section 3: That this special use is granted upon the conditions that this special use shall be subject to approval of the final lease agreement with the Village of Hoffman Estates, no advertising shall be allowed on the equipment or structures, the petitioner shall pay all costs associated with the third party review and inspections, as required by the Village's Public Works Department policy, and should the operation of these microwave dishes cease for a period of six months, the dishes and associated equipment shall be removed per Zoning Code Section 9-1-18-L.

Section 4: That property benefiting from the special use is legally described on the attached Exhibit "A".

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 _____, 2010

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 _____, 2010

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2010.

EXHIBIT "A"

LEGAL DESCRIPTION:

P.I.N.: 01-25-211-014

— Outlot 7 of POPLAR HILLS UNIT THREE, a Subdivision of part of the Southeast
— ¼ of Section 24 and part of the Northeast ¼ of Section 25, Township 42 North,
Range 9 East of the Third Principal Meridian as Recorded September 13, 1977 in
Cook County, Illinois as Document No. 24102446.

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARINGS: November 17 and December 8, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: December 14, 2009

PETITION: Hearing held at the request of the Village of Hoffman Estates (Lessor) and The Everest Group/Sprint, Clearwire (Lessee) to consider a special use under the Zoning Code to permit the installation of communication antennas and accompanying equipment on the property located at 3990 Huntington Boulevard.

DISTRICT IN WHICH PROPERTY IS LOCATED: R-7, One Family Residential District

ZONING CODE SECTION(S) FOR SPECIAL USE: 9-3-9-A, 9-5-7-C-4

FINDING-OF-FACT: The ZBA found that the Standards for a Special Use (Section 9-1-18) were met.

MOTION: Request to grant the Village of Hoffman Estates (Lessor) and The Everest Group/Sprint, Clearwire (Lessee), *a special use under Sections 9-3-9-A and 9-5-7-C-4 to permit the installation of two (2) microwave dishes and associated equipment to be no greater than one hundred and thirty four (134) feet high on a Village water tank at 3990 Huntington Boulevard.* The following conditions shall apply:

1. This special use shall be subject to approval of the final lease agreement with the Village of Hoffman Estates.
2. No advertising shall be allowed on the equipment or structures.
3. The petitioner shall pay all costs associated with the third party review and inspections, as required by the Village's Public Works Department policy.
4. Should the operation of these microwave dishes cease for a period of six (6) months, the dishes and associated equipment shall be removed per Zoning Code Section 9-1-18-L.

The petitioner was agreeable to the above listed conditions.

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

The petitioner, Mr. Faber representing Sprint-Clearwire, requested a special use to install two microwave dish antennas on the water tank. The dishes operate under a different radio band from the existing cellular antennas and are used to carry the increased volumes of data (video and internet) common in modern cell phones. The Zoning Board noted that the prior request at this location, made by Cricket Communications, was denied. The Chairman noted the dissimilarities of this request from the Cricket request in that no new shelter is being constructed

and the dishes are a relatively small installation. The Zoning Board confirmed that the structural report was completed and was accepted by the Village. The Zoning Board confirmed that each dish weighs approximately 45 pounds including the mounting equipment. The Zoning Board recommended approval of the request.

AUDIENCE COMMENTS

None.

VOTE:

7 Ayes

0 Nays

0 Absent

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

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF