

PLANNING AND ZONING COMMISSION MEETING

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

MINUTES – SEPTEMBER 7, 2011

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

Members Present

Donna Boomgarden	Myrene Iozzo
Michael Gaeta	Thomas Krettler
Steve Hehn	Gaurav Patel
Lenard Henderson (7:02 p.m.)	Steve Wehofer
	Denise Wilson (7:07 p.m.)

Members Absent

Chairperson Combs

Vacancy

One

A quorum was present.

Administrative Personnel Present:

P. Gugliotta, Planning Director
J. Donahue, Senior Planner
J. Edwards, Assistant Planner

Motion by Commissioner Iozzo, seconded by Commissioner Boomgarden, to elect Commissioner Gaeta as Chairman Pro Tem. Voice Vote: 7 Ayes, 3 Absent (Combs, Henderson, Wilson), 1 Vacancy. *Motion Carried*

2. APPROVAL OF MINUTES:

Motion by Commissioner Boomgarden, seconded by Commissioner Krettler, to approve the minutes of the August 3, 2011 meeting. Voice Vote: 8 Ayes, 2 Absent (Combs, Wilson), 1 Vacancy. *Motion Carried*

3. CHAIRMAN'S REPORT

Mr. Gugliotta advised that the deck variation at 1222 Caribou was approved by the Village Board.

4.A. NEW BUSINESS – 1715 IDA ROAD

Request of Kazimierz and Ewa Zuba to consider variations from the Zoning Code to permit the construction of a garage addition on the property located at 1715 Ida Road.

Commissioner Boomgarden moved, seconded by Commissioner Krettler, to open the public hearing request by the resident at 1715 Ida Road for a garage addition variation. Voice Vote: 8 Ayes, 2 Absent (Combs, Wilson), 1 Vacancy. *Motion Carried*

Chairman Pro Tem Gaeta swore in the petitioner and explained the public hearing procedure.

Mr. and Mrs. Zuba were present. Mr. Zuba stated that he has a single car garage and his son will soon turn 16 and get a car and they would like to be able to park more than one car in the garage. He also has a business and a lot of tools that he would like to be able to store inside the garage.

Mr. Edwards advised that this request is for a side yard setback variation. He added that the Zoning Code requires a two car garage at a minimum of 440 square feet; the existing garage is currently nonconforming. Approval of this request would bring the garage into conformance with the Zoning Code requirement. The Village has generally approved similar variations of this type that only encroach a few feet into a setback.

Mr. Edwards also advised that this request went before the Board in 2008 and the Board found that the variation was acceptable at that time. Since then the variation expired after one year and they had to go through the process again.

Commissioner Questions

A Commissioner asked why they did not act upon the last request within one year and Mr. Zuba replied that his business was not going well so he decided not to pursue the project.

Chairman Pro Tem Gaeta opened the hearing to audience comments and there were none. The audience participation portion of the hearing was closed.

Commissioner Boomgarden moved (seconded by Commissioner Henderson) to close the Public Hearing. Voice Vote: 9 Ayes, 1 Absent (Combs), 1 Vacancy. *Motion Carried*

MOTION: Commissioner Iozzo moved (seconded by Commissioner Krettler) to recommend approval of a request by Kazimierz and Ewa Zuba for a 4 foot 4 inch side yard setback variation from Section 9-5-3-D-5 to allow an attached garage addition to be set back 5 feet 8 inches from the side lot line instead of the minimum required 10 feet at 1715 Ida Road.

Commissioner Boomgarden noted that there is a condition associated with the motion and moved (seconded by Commissioner Krettler) to amend the motion to add the following condition: The portion of the driveway that does not lead to an approved parking structure shall be removed. Voice Vote: 9 Ayes, 1 Absent (Combs), 1 Vacancy. *Motion Carried*

Both the motion maker and second were agreeable to the amended motion to include the condition.

MOTION: Commissioner Iozzo moved (seconded by Commissioner Krettlar) to recommend approval of a request by Kazimierz and Ewa Zuba for a 4 foot 4 inch side yard setback variation from Section 9-5-3-D-5 to allow an attached garage addition to be set back 5 feet 8 inches from the side lot line instead of the minimum required 10 feet at 1715 Ida Road. The following condition shall apply:

1. The portion of the driveway that does not lead to an approved parking structure shall be removed.

Roll Call Vote:

Aye: Wehofer, Krettlar, Iozzo, Henderson, Hehn, Gaeta, Boomgarden, Patel, Wilson

Absent: Combs

Vacancy: One

Motion Carried

This item will be considered by the Village Board on Monday, September 12, 2011 immediately following Committee meetings.

4.B. NEW BUSINESS – 5 & 35 E. GOLF ROAD & 1183-1185 N. ROSELLE ROAD

Request of Kin Properties (Owner) and Dino Alex dba Alexion Properties, LLC (Developer) to consider a master sign plan under the Zoning Code to permit signage on the properties located at 5 & 35 E. Golf Road & 1183-1185 N. Roselle Road.

Commissioner Boomgarden moved, seconded by Commissioner Krettlar, to open the public hearing request by Kin Properties. Voice Vote: 9 Ayes, 1 Absent (Combs), 1 Vacancy. *Motion Carried*

Bill Alex and Eduard Garcia were present.

Chairman Pro Tem Gaeta swore in the petitioners and explained the public hearing procedure.

Mr. Garcia presented an overview of the signage for the properties, which includes two monument signs, one for each building, and several wall signs.

Commissioner Questions

A Commissioner asked how many tenants there currently are and Mr. Alex replied 3, with 2 available spots.

A Commissioner asked if there is an internal connection between the tenants and Mr. Garcia responded no, you have to go outside to go from one business to another.

A Commissioner confirmed that any future leasing sign would have to be incorporated into the ground sign(s).

Several of the Commissioners commented on what a nice project this is.

Chairman Pro Tem Gaeta opened the hearing to audience comments and there were none. The audience participation portion of the public hearing was closed.

Commissioner Boomgarden moved (seconded by Commissioner Henderson) to close the Public Hearing. Voice Vote: 9 Ayes, 1 Absent (Combs), 1 Vacancy. *Motion Carried*

MOTION: Commissioner Boomgarden moved (seconded by Commissioner Krettler) to recommend approval of a request by Kin Properties (Property Owner) and Dino Alex of Alexion Properties, LLC (Property Manager and Petitioner) for approval of a Master Sign Plan in accordance with Section 9-3-8-M-12 of the Zoning Code for the properties located at the southeast corner of Golf & Roselle Roads with addresses ranging from 5-35 East Golf Road and 1183-1187 N. Roselle Road based on the Master Sign Plan dated September 7, 2011.

Roll Call Vote:

Aye: Wehofer, Krettler, Iozzo, Henderson, Hehn, Gaeta, Boomgarden, Patel, Wilson

Absent: Combs

Vacancy: One

Motion Carried

This item will be considered by the Village Board on Monday, September 12, 2011 immediately following Committee meetings.

4.C. NEW BUSINESS – DEVONSHIRE WOODS SUBDIVISION

Request of OM&I Hoffman Three LLC for approval of a Site Plan Amendment and Plats of Vacation, Easement and Resubdivision of the Devonshire Woods Subdivision located at the southwest corner of Shoe Factory Road and Essex Drive.

Chairman Pro Tem Gaeta swore in the petitioners.

Witnesses present for the petitioner: Gerald Callahan, Freeborn & Peters LLP
Bob Gudmundson, Cowhey Manhard
Frank Lakofta, Oxford Bank
Mark Gyrzlo, Oxford Bank

Mr. Callahan stated that this is a 55 lot subdivision that was approved by the Village in 2007. The developer at that time installed most of the improvements but the road only in the north part of the subdivision; the south part does not have a road. The developer built 9 homes, 8 of which are occupied and 1 is owned by the applicant. The improvements were installed in 2007-2008 but not accepted by the Village. Some of the improvements have deteriorated and will be taken care of as part of this overall request. The original developer was affected by the economic downturn, Oxford bank was the lender, and as a result of the developer's inability to keep up on the loan the property was conveyed by the developer to an entity formed by Oxford Bank, which is OM&I Hoffman Three LLC who owns the remaining lots. There are parcels that have been conveyed to the Park District and some outlots that are owned by the homeowner's association. Tonight's proposal is to vacate the south part of the subdivision where the road was not constructed and consolidate that into one lot. The purpose is to cut off the road so it doesn't have to be constructed and so those lots cannot be sold. After this is approved, if a developer were to purchase

the one consolidated lot, the property would have to be resubdivided. This protects the Village from having a bunch of lots sold that are platted right now and it enables the bank to complete all of the improvements on the north part of the property. There will be repairs made, a final lift of asphalt put on the road, landscaping put in and other improvements as listed in the staff report. The idea of this request is to bring the north part of the subdivision completely up to the Village's standard so that the Village will be in a position to accept them as public improvements.

Mr. Donahue gave an overview of the request including the list of improvements that will be done including landscape and sidewalk improvements along Shoe Factory Road. A gate will be installed to the south property where there is currently a fence that will allow access by vehicles as needed. This will give the subdivision a finished feel even though all the homes won't be built.

Chairman Pro Tem Gaeta opened the hearing to audience comments and there were none. The audience comment portion of the public hearing was closed.

Commissioner Questions

A Commissioner noted that the petitioner's list of improvements differs from staff's and asked for confirmation that everything will be done. Mr. Donahue advised that everything that is going to be done is outlined in an agreement that the Village will be entering into with the Developer.

A Commissioner asked if the homeowners of the occupied lots were notified of this meeting and whether there were any questions. Mr. Donahue advised that the existing homeowners were notified and a few of them are present tonight.

A Commissioner confirmed that emergency vehicles will have access to the gated off property.

A Commissioner asked if a traffic light is being added at Essex and Shoe Factory and Mr. Donahue replied there has been discussion but he doesn't believe it meets the requirements for a signal right now. Mr. Gugliotta added that should it occur it would not be done by this Developer through this project.

MOTION: Commissioner Boomgarden moved (seconded by Commissioner Iozzo) to recommend approval of a request by OMI & Hoffman Three LLC for approval of a Site Plan Amendment and Plats of Vacation, Easement and Resubdivision of the Devonshire Woods Subdivision located at the southwest corner of Shoe Factory Road and Essex Drive. The following conditions shall apply:

1. Approval is subject to Village Board approval of a Settlement and Release Agreement between the Village and OM&I Hoffman Three LLC.
2. The property is subject to the original conditions of approval for the Devonshire Woods Subdivision approved on June 4, 2007 and September 4, 2007 as well as the University Place Annexation Agreement and all subsequent amendments.
3. A Plat of Subdivision is required to be submitted to and approved by the Village as part of the conveyance of the land currently shown as Lot 19 to the Park District.

4. The owner and their contractors shall contact the Village and have a pre-construction meeting before the start of any construction activity.

Roll Call Vote:

Aye: Wehofer, Krettlar, Iozzo, Henderson, Hehn, Gaeta, Boomgarden, Patel, Wilson

Absent: Combs

Vacancy: One

Motion Carried

This item will be considered by the Village Board on Monday, September 12, 2011 immediately following Committee meetings.

ITEM 4.D. TEXT AMENDMENT – PRE-EXISTING CIRCULAR DRIVEWAYS

Request of the Village of Hoffman Estates to consider a text amendment to Section 9-3-2 (Off-Street Parking and Off-Street Loading Facilities) of the Zoning Code regarding pre-existing circular driveways.

Commissioner Boomgarden moved, seconded by Commissioner Krettlar, to open the public hearing request for text amendments to the Zoning Code regarding pre-existing circular driveways. Voice Vote: 9 Ayes, 1 Absent (Combs), 1 Vacancy. *Motion Carried*

Mr. Edwards gave a brief history of the driveway requirements in the Village. There are some properties in the Village that have circular driveways where one driveway basically leads to another driveway and the driveway that does not lead to a parking structure has been considered nonconforming. There are a few unique situations where a lot is laid out in such a way that the house is at a 45 degree angle to the corner and there are two driveways from either street that meet to create a semi-circle. During recent variation requests involving these situations, the consensus of the Village Board was that these driveways are different from the variation requests for driveways leading to a living room that were denied. The Village Board recently approved variations for two lots with circular driveways on Pleasant Street and then the item was sent to the PB&Z Committee that directed the Planning and Zoning Commission to consider a text amendment. The text amendment would allow driveways on corner lots where the house is at a 45 degree angle and the symmetrical driveway is in front of the house from either street. A survey by Village staff indicates 12 of these lots in the Village. This text amendment would allow those driveways existing prior to January 1, 2000 for those specific properties. New construction would not be permitted these driveways.

Commissioner Questions

None.

Chairman Pro Tem Gaeta opened the hearing to audience comments and there were none. The audience comment portion of the public hearing was closed.

Commissioner Henderson moved (seconded by Commissioner Boomgarden) to close the Public Hearing. Voice Vote: 9 Ayes, 1 Absent (Combs), 1 Vacancy. *Motion Carried*

MOTION: Commissioner Boomgarden moved (seconded by Commissioner Krettler) for approval of a Text Amendment to the Zoning Code to permit certain pre-existing circular driveways, based on the revised text as follows: (*Underlined text is new*)

Section 9-3-2 Off-street parking and off-street loading facilities

- C. The following driveway requirements shall apply for all one-family detached, two-family attached, or one-family attached dwellings unless otherwise indicated:
1. A driveway shall be permitted in a side yard.
 2. A driveway in a front yard shall be permitted provided the driveway leads to an approved parking structure. This shall not prohibit a driveway in a front yard from being expanded or enlarged toward the side lot line closest to the driveway.
 3. Driveways shall not exceed 30 feet in width.
 4. Driveways that lead to another driveway shall not be permitted, including driveways where two curb cuts create a circular driveway. One exception shall be permitted as follows:
 - i. Existing circular driveways shall be permitted on a corner lot where the house is aligned at or near a 45 degree angle to the street intersection, and where the curb cuts are on separate streets. This exception applies only to driveways existing prior to January 1, 2000, and shall not be permitted for driveways after that date.

Roll Call Vote:

Aye: Wehofer, Krettler, Iozzo, Henderson, Hehn, Gaeta, Boomgarden, Patel, Wilson

Absent: Combs

Vacancy: One

Motion Carried

This item will be considered by the Village Board on Monday, September 12, 2011 immediately following Committee meetings.

6. STAFF REPORT

Mr. Donahue advised that the next meeting is September 21st; there will be a request for a Montessori School expansion and a training presentation by the American Planning Association.

7. MOTION TO ADJOURN

Motion by Commissioner Krettler, seconded by Commissioner Boomgarden, to adjourn the meeting at 8:00 p.m. Voice Vote: 9 Ayes, 1 Absent (Combs), 1 Vacancy. *Motion Carried*

Minutes prepared by Paula Moore, Planning Services Coordinator

Chairperson's Approval

Date Approved