

PLANNING AND ZONING COMMISSION MEETING

VILLAGE OF HOFFMAN ESTATES

COUNCIL CHAMBERS

1900 HASSELL ROAD

HOFFMAN ESTATES, IL 60169

MINUTES - MARCH 5, 2014

1. CALL TO ORDER: 7:01 P.M.

Members Present

Chairperson Combs	Ton Krettler
Vice Chairman Caramelli	Denise Wilson
Lenard Henderson	Greg Ring
Steve Wehofer	Nancy Trieb
Myrene Iozzo	Sharron Boxenbaum

Members Absent

Diane Kielb (Excused)

A quorum was present.

Administrative Personnel Present:

Jim Donahue, Senior Planner; Josh Edwards, Assistant Planner; Dan Ritter, Development Services Technician.

2. APPROVAL OF MINUTES:

Commissioner Krettler moved, seconded by Commissioner Iozzo, to approve the February 19, 2014, meeting minutes. Voice Vote: 9 Ayes, 1 Abstain (Trieb), 1 Absent (Kielb). Motion Carried.

3. CHAIRMAN'S REPORT

Chairperson Combs stated the Village Board approved the Crossfit Xyston (tenant) for the operation of a crossfit gym at 2120 Stonington Avenue.

4. OLD BUSINESS - PUBLIC MEETING - REQUEST BY KSD, INC. D/B/A/ MONTESSORI SCHOOL OF NORTH HOFFMAN (OWNER) TO CONSIDER A SITE PLAN AMENDMENT FOR A BUILDING FACADE CHANGE ON THE PROPERTY LOCATED AT 1250 FREEMAN ROAD. (THIS HAS BEEN CONTINUED FROM 2/5/14 AND 2/19/14.)

Commissioner Krettler moved, seconded by Commissioner Henderson, to continue the public meeting. Voice Vote: 10 Ayes, 1 Absent (Kielb). Motion Carried.

Chairperson Combs stated that this item will be continued to March 19, 2014.

5. NEW BUSINESS - PUBLIC HEARING - REQUEST OF JEFF AND LAURA PHILLIPS (OWNER) TO CONSIDER A VARIATION UNDER THE ZONING CODE TO PERMIT THE CONSTRUCTION OF A HOUSE ON THE PROPERTY LOCATED AT 1080 ASPEN STREET.

Commissioner Krettler moved, seconded by Commissioner Henderson, to open the hearing. Voice Vote: 10 Ayes, 1 Absent (Kielb). Motion Carried.

Chairperson Combs swore the petitioner in.

Jeff Phillips presented an overview of the project.

Josh Edwards presented an overview of the staff report.

Commissioner Boxenbaum had no questions.

Commissioner Wilson had no questions.

Commissioner Iozzo had no questions.

Commissioner Ring stated the existing foundation will be used but is there going to be teardown or building on top of the existing house. Mr. Phillips stated there will be a teardown of everything but the foundation.

Commissioner Krettler had no questions.

Commissioner Wehofer had no questions.

Commissioner Henderson had no questions.

Commissioner Trieb had no questions.

Vice Chairman Caramelli had no questions.

Chairperson Combs had no questions.

Commissioner Krettler moved, seconded by Commissioner Henderson, to close the hearing. Voice Vote: 10 Ayes, 1 Absent (Kielb). Motion Carried.

MOTION: Vice Chairman Caramelli moved (seconded by Commissioner Krettler), to approve a request of Jeff Phillips (owner) for a 1 foot front yard setback variation and a 6 inch side yard setback variation from Section 9-5-2-D-4 and Section 9-5-2-D-5 to allow a house to be set back 29 feet from the east front lot line and 14.5 feet from the south side lot line instead of the minimum required 30 foot front yard setback and 15 foot side yard setback at 1080 Aspen Street, with the recommended condition in the staff report.

Chairperson Combs asked the petitioner if he agrees to the condition of approval, to which Mr. Phillips stated yes.

Roll Call Vote:

Aye: Henderson, Iozzo, Krettlar, Boxenbaum, Ring, Wehofer, Wilson, Trieb, Vice Chairman Caramelli,
Chairperson Combs

Nay: None

Absent: Kielb

Motion Carried.

The Chairperson advised that this will go to a Village Board meeting on March 17, 2014.

5. NEW BUSINESS - PUBLIC MEETING - REQUEST BY CARUSO DEVELOPMENT (AGENT FOR PROPERTY OWNER) FOR A SITE PLAN AMENDMENT FOR A COURTYARD REMODEL, INCLUDING OUTDOOR SEATING AT 2300-2360 W. HIGGINS ROAD (BARRINGTON SQUARE TOWN CENTER).

Commissioner Krettlar moved, seconded by Commissioner Henderson, to open the hearing. Voice Vote: 10 Ayes, 1 Absent (Kielb). Motion Carried.

Chairperson Combs swore the petitioners in.

Richard Gordon, the architect, presented an overview of the project.

Joseph Caruso, agent for property owner.

Jim Donahue presented an overview of the staff report.

Commissioner Wehofer had no questions.

Commissioner Henderson asked about drinking in the courtyard. Mr. Donahue stated there have been no problems lately and it is up to the individual tenants to enforce that no alcohol is allowed beyond certain points. Commissioner Henderson asked if there have been any problems with minors drinking. Mr. Donahue stated none that he is aware of.

Commissioner Henderson stated the restaurant is going to have a wrought iron gate going around the north side in the courtyard and will this interfere with the pre-school graduation. Mr. Caruso stated in previous years, the pre-school has had their graduation in the east courtyard and doubts that will be able to continue in the same fashion. Commissioner Henderson asked if the pre-school was informed about this change, to which Mr. Donahue stated yes the tenants all got notification and there was no feedback.

Commissioner Trieb asked, with the State of Illinois conceal gun law, will there be a posted sign that says no guns allowed. Mr. Donahue stated the Police Department is dealing with this issue and will probably reach out to the property owner with what the requirements are. The Village Hall now has signs posted that states no firearms allowed. Chairperson Combs stated there is a standard decal form that can be posted. Mr. Caruso stated there is not enough information at this point to make a determination. When more guidance is received, they will have their attorney look at it, make recommendations, and will act accordingly.

Commissioner Krettler asked what type of furniture will be used in the courtyard. Mr. Gordon stated there are guidelines for the furniture and it will be up to each individual restaurant tenant. Commissioner Krettler asked if the restaurant outdoor seating areas will be common areas, like in a mall. Mr. Gordon stated each restaurant outdoor seating area is contained within their area. Mr. Caruso stated there will also be benches in common areas where people can sit. Mr. Caruso stated when approval is received from the Village, there will be a license agreement to the three restaurants. If a restaurant outdoor eating area is requested, then the property owner will build it for them. A fence will be installed and there will be a subsidy to buying the furniture for the inside. However, the restaurant will be responsible for maintaining the fence/planters. Mr. Gordon added that there will be distinct outdoor dining areas for each restaurant.

Commissioner Ring asked why are there time restrictions for playing bag toss at America's Bar. Mr. Donahue stated that was the original condition that was approved in 2011 to have the bags outside. Commissioner Ring asked if those conditions could be modified now. Mr. Donahue stated staff is not proposing to modify that condition now.

Commissioner Iozzo had no questions.

Commissioner Wilson had no questions.

Commissioner Boxenbaum asked if the fences will stay up during the winter. Mr. Gordon stated they are permanent fixtures.

Vice Chairman Caramelli asked who is going to maintain the fences in the license agreement between the owner and restaurant. Mr. Caruso stated it will be a strict license agreement with many conditions. One of the primary conditions is making sure that the restaurant does not get fined or cited by the Village. If a restaurant does get fined or cited, then they can lose their license agreement. Vice Chairman Caramelli asked how will this be enforced to be sure there are no dead flowers. Mr. Caruso stated there is an on-site office and they can see that the flowers are dead.

Vice Chairman Caramelli asked will the license agreement be enforced by the property management or the Village. Mr. Donahue stated there are conditions of approval and if those conditions are not maintained, then the Village can go out to the site.

Vice Chairman Caramelli asked how is a restaurant owner going to enforce a patron does not go outside the fenced area with a drink. Mr. Donahue stated there is a sign saying no liquor beyond this point and they have staff that monitors it.

Chairperson Combs asked how is the courtyard lit. Mr. Gordon stated there is a series of light poles, and then pointed them out on a diagram.

Chairperson Combs asked how the east corridor is lighted. Mr. Gordon stated now there is two double-headed light poles.

Chairperson Combs asked if the outside smoking is visible from inside of the restaurant. Mr. Gordon pointed out the areas on a diagram. Mr. Gordon added there will be serving staff outside in the courtyard.

Chairperson Combs asked is the proposed seating area for America's Bar more or less than what they currently have. Mr. Gordon stated that is close to what they have now.

Chairperson Combs asked about skateboarders on the benches. Mr. Gordon stated the benches will be difficult to skateboard on because the seats have a slight curve to them and there are handrails at each end and one in the middle.

Vice Chairman Caramelli asked if the restaurants are aware of the recommended conditions in the license agreement. Mr. Caruso stated in the design portion of the project, the restaurants were consulted and received their input. Mr. Caruso also stated that the conditions do not exist at present and they are in the process of putting them together. Once the license agreement is final, which includes the Village's conditions of approval, if the restaurant does not follow the conditions, then they will lose the right to have an outdoor seating area.

Chairperson Combs asked at the north end of the courtyard, there is a round structure. What is it? Mr. Gordon stated that is a fountain.

Richard Garcia, owner of America's Bar and Grill, was sworn in.

Mr. Garcia stated having tables outside their front door, where IDs are checked, does not work for them because once a patron is past a certain point, you don't want to worry about it anymore, so Mr. Garcia would not want tables in front of the front door and would prefer tables in the back. Mr. Garcia stated at present, no one is able to go beyond the fence and into the courtyard, which is preferred.

Chairperson Combs asked Mr. Garcia for clarification regarding tables in front of the front door. Mr. Garcia pointed to the tables on the diagram.

Vice Chairman Caramelli asked Mr. Garcia if he shared his thoughts with the architect and property owner to say I do not want tables on the south end of the building. Mr. Garcia stated he had input, but ultimately the plan presented did not incorporate their ideas. Mr. Gordon stated the table layout shown today is suggested and what can fit in the area, and there is no stipulation as to how the tables are laid out within their defined area. Regarding the openings in the fences, Mr. Gordon stated there are certain exiting requirements that have to be met.

Chairperson Combs asked staff if the owner wants to make any changes to the fence area, once approved, what needs to happen. Mr. Donahue stated if the owner wants to change what is approved by the Village Board, the owner will have to go through another process, either before the Planning and Zoning Commission or Planning, Building and Zoning Committee with the Village Board. Mr. Donahue further stated that putting up a panel to close off an area will not need to go before the Village. However, if an area is expanded, then that would need to go before the Village again.

Chairperson Combs asked about temporary fencing. Mr. Donahue stated the owner will have to go through the Planning and Zoning Commission.

Commissioner Ring asked if the owner and restaurant owner can look at these plans again, so that both parties can be happy before it is voted on. If this item is tabled, then the design can be reviewed. Mr. Caruso stated they have spent 4-5 months to come up with something viable. The idea of a temporary anything is not going to work because the idea was not to be monopolized by one business. This is to be a courtyard that is able to be used by all of the tenants. Mr. Caruso stated the ownership of the shopping center would not be agreeable to temporary fencing.

MOTION: Vice Chairman Caramelli moved (seconded by Commissioner Krettler), to approve a request of Caruso Development (agent for property owner) for a site plan amendment for a courtyard remodel including outdoor seating at 2300-2360 W. Higgins Road (Barrington Square Town Center), with the recommended conditions in the staff report.

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

Roll Call Vote:

Aye: Henderson, Iozzo, Krettler, Boxenbaum, Wehofer, Wilson, Trieb, Vice Chairman Caramelli

Nay: Ring, Chairperson Combs

Absent: Kielb

Motion Carried.

The Chairperson advised that this will go to a Village Board meeting on March 17, 2014.

6. STAFF REPORT

Mr. Donahue there will be a March 19, meeting with the continuation of the Montessori School and a Culver's at Route 59 and Hoffman Boulevard.

7. MOTION TO ADJOURN

Commissioner Krettler moved, seconded by Commissioner Henderson, to adjourn the meeting at 8:00 p.m.
Voice Vote: 10 Ayes, 1 Absent (Kielb). Motion Carried.

Minutes prepared by Kathy Redelmann, Development Services Administrative Assistant



Chairperson's Approval

3/19/14
Date Approved