

Chairman Brewer called the Planning & Zoning Commission meeting to order at 7:00 pm.

Roll: 7 Present (Scarpelli, Holliman, Meyer, Steneck, Bernstein, Schock and Brewer). 2 Absent (Apke and Muscat). Also present were Village Administrator Jennifer Johnsen, Village Engineer Joe Heinz and Village Clerk Katherine Holt.

APPROVAL OF MINUTES:

1. Planning and Zoning Meeting Minutes dated April 6, 2017

*Motion to approve the April 6, 2017 meeting minutes by Scarpelli/Steneck.
Motion carries by unanimous vote.*

PUBLIC COMMENT: None

NEW BUSINESS:

1. **PUBLIC HEARING (Speedway)** - to consider a request for a variance from Section 157.066(A)(3), the required building floor area, and a variation from Sections 155.026(A), requiring existing conditions on and within 200 feet of the tract on the preliminary plan, and a variance from Section 155.045 (D), the minimum standards for street design.
 - a. Motion to recommend approval/denial of a variance from Section 155.026(A), requiring existing conditions on and within 200 feet of the tract on the preliminary plan, and a variance from Section 155.045 (D), the minimum standards for street design.
 - b. Motion to approve a Findings of Fact to recommend approval/denial of a variance from Section 155.026(A), requiring existing conditions on and within 200 feet of the tract on the preliminary plan, and a variance from Section 155.045 (D), the minimum standards for street design.

Motion to open the Public Hearing by Schock/Scarpelli. Motion carries by unanimous vote.

Court reporter swears in Chris Kalischefski of Corporate Design and Development Group.

Administrator Johnsen stated that the purpose of the public hearing is for the Speedway project. She said it is for a subdivision on the Palumbo property in order to accommodate Speedway and future development. She said they are requesting two variations from the subdivision code. She explained that the first variation is a requirement to include existing conditions on the plat that are within 200 feet. Speedway's explanation is that the adjacent property is a cemetery that is platted. The second variation is to allow for a 66 foot right-of-way instead of the required 80 foot. Speedway's reasoning is that this aligns with existing Plate Drive and would be consistent with the streets already in the industrial area.

Chris Kalischefski explained that they would like to match the alignment and width of the existing roads in the area of Christina and Plate Drive for safety sake. He also explained that the 200 foot requirement would bring them into the cemetery and their engineers already have all of the information needed up to that point. Engineer Joe Heinz advised that Christina Drive is already dedicated. He added that there are not many sidewalks proposed and there is additional width already for the turn lane at Route 72 and

Christina Drive. Scarpelli asked what the current setback is in that zoning district. Heinz responded that it is forty feet. Scarpelli suggested that it remain at the eighty feet but give the subdivision a variation of a 33 foot front yard set back in case the Village needed the space in the future. He stated that the applicant could still utilize the property with a forty foot setback rather than a 33 foot set back and the buyer would still purchase the same amount of ground. Johnsen responded that this would need to come back for a public hearing because it would be a variation from a different requirement. Mr. Kalischefski commented this would also create a hardship. Heinz commented that he has also requested utility easements ten feet beyond the right-of-way.

Motion to close the Public Hearing by Holliman/Scarpelli. Motion carries by unanimous vote.

Motion to approve a variance from Section 155.026(A), requiring existing conditions on and within 200 feet of the tract on the preliminary plan, and a variance from Section 155.045 (D), the minimum standards for street design and subject to the Gerald L. Heinz & Associates, Inc. memo dated May 24, 2017 by Scarpelli/Holliman.

7 Ayes (Scarpelli, Holliman, Meyer, Steneck, Bernstein, Schock and Brewer). 0 Nays. 2 Absent (Apke and Muscat). Motion carries.

Motion to approve the findings of fact as presented by Scarpelli/Holliman.

7 Ayes (Scarpelli, Holliman, Meyer, Steneck, Bernstein, Schock and Brewer). 0 Nays. 2 Absent (Apke and Muscat). Motion carries.

2. **PUBLIC HEARING (Pete's Towing)** – to consider the request to rezone from the B3 – Service Business District to the M1 – Limited Manufacturing District and for the request to allow a vehicle towing establishment as a special use.
 - a. Motion to recommend approval/denial of a request to rezone from the B3 – Service Business District to the M1 – Limited Manufacturing District and for the request to allow a vehicle towing establishment as a special use.
 - b. Discussion and motion to approve a Findings of Fact to rezone from the B3 – Service Business District to the M1 – Limited Manufacturing District and for the request to allow a vehicle towing establishment as a special use.

Motion to open the Public Hearing by Schock/Holliman. Motion carries by unanimous vote.

Court reporter swears in everyone who will be giving testimony.

Administrator Johnsen stated that parcel number 03-25-151-007 is an undeveloped lot located directly behind 622 Dundee Avenue and adjacent to the old Walmart property. She said that Pete's Towing is currently located in unincorporated East Dundee and they are interested in purchasing this property and build a 9,600 square foot office building and a 28,000 square foot fenced area for a towing operation. They are requesting to rezone the property from a B3 zoning district to an M1 zone and requesting a special use for towing. She said she has included special conditions that are recommended by staff.

Applicant Dana Bernaeyge stated that Pete's A. Towing has been in business in the area for over forty years. She said the property they are looking to purchase is six acres and they plan to use 1/3 of the property. She advised that the other portion could be used for retail or as a warehouse. Bernstein asked

which portion of the property will be fenced. Ms. Bernaeyge replied that the east side of the property will be fenced. Steneck asked if the seventy foot piece will be the only entryway into the property. Bernaeyge said it would be the main entryway but that there is an entrance by Wendy's that could have a through road built in as an additional entrance. Ryan Trottier from Plote Properties added that there are access rights between the properties. He advised that he is present this evening on behalf of the proposed redevelopment of the Walmart property. He said Plote has a wonderful plan for the property and does not feel that the use Pete's Towing is requesting is compatible with their plan. He said Pete's plan would make it challenging for Plote's redevelopment project, causing them to rethink some of their plans. He stated that Plote Properties is not in support of Pete's Towing's requests. He said they are unsure of what Pete's screening plans for their property would be as well as the building's appearance. He is concerned that the image of that intersection will not be complimented by Pete's project. Pete Bernaeyge commented that the fencing at his current facility hides all parked vehicles. He said he takes pride in keeping a clean and neat operation.

Motion to close the Public Hearing by Holliman/Bernstein. Motion carries by unanimous vote.

Meyer stated that he does not feel this is the highest or best use for that property. Brewer agreed and added that there is an opportunity to develop that property as commercial or retail which would add to the tax base. Holliman asked Mr. Bernaeyge if the towing operation has outgrown its current location. He responded that the landlord plans to sell the property in the future and he wants to make certain they have a secure future. He said at times their property is tight with space and it is becoming difficult to maneuver vehicles. Scarpelli asked the applicants if they would consider rezoning half of the property. He explained that he could support something that is similar distance from the back of the property equal with the back of the neighboring body shop. Mr. Bernaeyge said that is where they plan to park their vehicles.

Motion to rezone Lot 6 from a B3 to an M1 district from the water easement line to the East edge of lot 6 but keep the balance of the property as a B3 district and motion to approve the special use to allow a vehicle towing establishment on the condition that all structures be of a masonry or masonry like material by Scarpelli/Steneck .

2 Ayes (Scarpelli and Steneck). 4 Nays (Holliman, Meyer, Bernstein and Brewer). 1 Abstain (Schock). 2 Absent (Apke and Muscat). Motion does not carry.

Motion to approve the findings of fact with the recommendation to the Village Board denying the rezoning and special use requests by Scarpelli/Meyer.

6 Ayes (Scarpelli, Holliman, Meyer, Steneck, Bernstein and Brewer). 0 Nays. 1 Abstain (Schock). 2 Absent (Apke and Muscat). Motion carries.

3. **PUBLIC HEARING (VOED)** - to consider the request for a text amendment to Section 157.051(G) of the Zoning Chapter of the East Dundee Village Code regulating Yard Requirements in the B-1 Downtown Business District.
 - a. Motion to recommend approval/denial of a request for a text amendment to Section 157.051(G) of the Zoning Chapter of the East Dundee Village Code regulating Yard Requirements in the B-1 Downtown Business District.
 - b. Discussion and motion to approve a Findings of Fact for a text amendment to Section 157.051(G) of the Zoning Chapter of the East Dundee Village Code regulating Yard Requirements in the B-1 Downtown Business District.

Motion to open the Public Hearing by Scarpelli/Holliman. Motion carries by unanimous vote.

Steneck asked if there are homes located behind these businesses that would be affected by an expansion to the lot line. Johnsen stated that there is a home behind 207 Barrington Avenue that would be affected. She advised that there are other properties that abut to the parking lot of the former Haeger Pottery property. Steneck asked if these homeowners were notified of this yard requirement amendment request. Johnsen responded that she believes the property owner of 207 Barrington has spoken to the adjacent homeowner. Meyer advised that he is uncomfortable with residents not being notified. Johnsen advised that this is a text amendment which does not require notification as some text amendments could affect every address in the Village because it will be changing the zoning code.

After much discussion, the Commission was in consensus to amend the rear yard setback in the B-1 Downtown Business District to zero feet unless the property is adjacent to a residential district then the rear yard or setback shall be eight feet.

Motion to amend the rear yard setback in the B-1 Downtown Business District to zero feet unless the property is adjacent to a residential district then the rear yard or setback shall be eight feet by Scarpelli/Holliman.

7 Ayes (Scarpelli, Holliman, Meyer, Steneck, Bernstein, Schock and Brewer). 0 Nays. 2 Absent (Apke and Muscat). Motion carries.

HISTORIC COMMISSION: None

OTHER BUSINESS:

Motion to adjourn the Planning and Zoning Meeting at 8:15pm by Scarpelli/Schock. Motion passed by unanimous vote. Meeting adjourns.