

Original

AGENDA

PLANNING & ZONING and HISTORIC COMMISSION

Village of East Dundee

December 13, 2007

7:00 PM

Village Hall Annex

120 Barrington Ave.

East Dundee, IL 60118

CALL TO ORDER

ROLL CALL / DECLARATION OF QUORUM

APPROVAL OF MINUTES:

Minutes: May 5, 2007

Minutes: July 12, 2007

Minutes: August 9, 2007

Minutes: September 13, 2007

Minutes: October 11, 2007

OLD BUSINESS

1. Finding of Fact: Dan Scully 315 Barrington Ave PZ # 07-10-01
2. Finding of Fact: Dan Scully 315 Barrington Ave PZ # 07-10-02
3. Reconsideration of Dan Scully 315 Barrington Ave PZ #07-10-02
4. PUBLIC HEARING: Dan Scully variances, rezoning and special use for 315 Barrington Ave., PZ#07-10-01
Application by Dan Scully for the renovation of the building at 315 Barrington Ave.

NEW BUSINESS

1. PUBLIC HEARING: Dan Scully, Resubdivision for 315 Barrington Ave. PZ # 07-12-02
Application by Dan Scully for the Resubdivision for a tract presently in the M-1 zoning district which is commonly known as 315 Barrington Ave
2. PUBLIC HEARING: Brandon and Rebecca LaBarre, set back variance for 102 S. Van Buren St. PZ #07-12-01
Application by Brandon and Rebecca LaBarre to build a detached two-car garage two feet from the west property line and 7.3 feet from the north property line at 102 S. Van Buren St.
3. Approve 2008 Meeting Dates
4. Nominate and Select a Co-Chair for the Planning and Zoning Commission
5. Final Engineering Approval request for River Haven

6. Final Engineering Approval request for Terra Business Center at Dundee Crossings

ADJOURNMENT

Posted: December 5, 2007

David Swanson, Chair Planning and Zoning Commission

Chairperson Swanson called the meeting to order at 7:00 pm.

Roll: 5 Present (Bernstein, Snow, Meyer, Scarpelli, Martin, Swanson) 1 Absent (Holliman) Also present were Administrator Frank Koehler, Building official Robert Urbanowitz, Assistant to the Administrator Heather Zipparro, Engineer Joe Heinz, and an Attorney from Hartigan Law.

Motion to table the minutes from the May 5, 2007, July 12, 2007, August 9, 2007, and September 13, 2007 meetings by Scarpelli/Martin.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

Motion to make a note on the August 9th meeting that it took place at the Dundee Township Senior Center all other meetings were held in the East Dundee Annex by Scarpelli/Martin.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

Motion to approve the October 11 Meeting Minutes as amended by Scarpelli/Martin.

Roll: 5 Ayes (Bernstien, Snow, Scarpelli, Martin, Swanson)
1 Absent (Holliman)
1 Abstain Meyer

Motion to amend agenda item Number 5: Final Engineering Approval request for River Haven, and Number 6: Final Engineering Approval request for Terra Business Center at Dundee Crossings, under New Business by Scarpelli/Martin.

Reasoning given by Scarpelli behind change was, because they are relatively quick items and would be better off if placed before the public hearings.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

NEW BUSINESS

5. Final Engineering Approval request for River Haven

Mike Anderson with Hager Engineering gave a presentation on behalf of PAR Development to ask for approval of the final Plat for the River Haven Development. Described the site plan from May 2005 and the new version of the site plan.

The major changes to the site plan as a result of the settlement are:

- A reduction of 20 town home units. Original plan called for 22 Single family homes and 108 town homes. New Plan now has 88 town home units.
- Originally wet land along RT. 25 would not be impacted and now it will be a retention basin with an aerator in it at the request of the village.

- New plan proposes 4 not 2 commercial lots.
- Previous street connections at Went and Madison, now there will just be a walkway path connecting the two.
- Town homes were originally rear loaded, with balconies on back over garage, but now will have a balcony on the front of the town home instead of over the garage.
- The architecture of the site and footprint of the homes has not been changed from the original architecture plans.
- The elimination of the street connection the 22 Single family lots are a little bit larger.
- Configuration of open space allows for 2.2 acres of open space compared to original plan which called for 2.0 acres of open space.
- Requesting 2 design variations:
 - Center line radius of road is 75 ft, Village code requires 200 ft.
 - Village has design guideline of 75 ft setback from a pond high water line to a building line. 1 single family home is less than 75 ft, it is situated above pond but would great constrict the area to build.

-Mike Anderson stated that even with a 75ft center line radius, emergency vehicles will still be easily to maneuver around the turn.

-Anderson stated that although there are still a number of issues to be worked out with - Have obtained IDOT approval for left turn in and right turn out, wetland fill, and comp storage area. Also submitted all wet land for Kane County Storm water requirements.

-Joe Heinz, the Village Engineer, commented that nothing appears be a problem.

Scarpelli asked whether building a safety shelf and fencing would be a solution.
Mike Anderson states that a safety shelf is not required.

Motion to approve River Haven Final Engineering pending compliance with Gerald Heinz and Associates memorandum Nov 26, 2007 and duly note the 2 items that the petitioner brought-up-to-be further-rectified-with-the-Village-Staff-and-Joe-Heinz-and-Associates by Scarpelli/Martin.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)

1 Absent (Holliman)

6. Final Engineering Approval request for Terra Business Center at Dundee Crossings

Andrew Bolt with PAL Land gave a presentation asking for engineering approval for the PAL Land Development along Rt. 72 conditional upon compliance of the Engineering memo December 13, 2007 from Joe Heinz and Associates and can adhere to all comment of memorandum without problem. Currently they have a Preliminary PUD and Main roadway plan and still need other Subdivision plan items, a Landscaping plan, a Lighting plan, a Street signage plan, and a Storm water application.

-Joe Heinz stated that he does not foresee any of these items to be a problem and has already begun to address any house keeping issues.

-Scarpelli questioned whether the developer could decide to add more driveways/roadways and how would he be able to make changes to the plan.
-Joe Heinz stated that they would need to file for a re-subdivision, and to also note that each site would need a site plan review.

Frank Koehler commented that the zoning of this area has been held off awaiting the approval of the development agreement for the property.

Motion to approve the Final Engineering of Terra Business Park at Dundee Crossings pursuant of the memorandum of Jerald Heinz and Associates dated December 13, 2007 by Scarpelli/Martin.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

OLD BUSINESS:

1. Findings of Fact: Dan Scully 315 Barrington Ave PZ #07-10-01

Motion to accept the Findings of Fact for PZ #07-10-01 and place them on file by Scarpelli/Martin

Roll: 6 Ayes (Bernstien, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)
1 Abstain Snow

Motion to amend PZ #07-10-01 on the Finding of Fact to reflect under site characteristics that there is 13,409 sq ft of lot and amend the building to show 5,468 sq ft of building of which 2,863 sq ft has a second level by Scarpelli/Martin.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

2. Findings of Fact: Dan Scully 315 Barrington Ave PZ #07-10-02

Scarpelli questioned Robert Urbanowitz, the Village Building Inspector, about the size of the building, whether it is 14,133 sq ft of lot as stated on the front page of the plan or 13,409 sq ft of lot is listed on the back page.

Nicole representing Taylor and Associates, who is representing Dan Scully, stated that the size of the building is suppose to be 13,409 sq ft.

Motion to approve and place on file PZ #07-10-02 with the amendment to the site chara to reflect 5,468 sq ft of building of which 2,863 sq ft has a second level by Scarpelli/Martin.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

3. Reconsideration of Dan Scully 315 Barrington Ave PZ #07-10-02

Scarpelli stated that the reconsideration is regarding the incorrect statements made in the previous hearing that may have led to the vote that was taken.

Administrator Frank Koehler gave a summary of the project and circumstances regarding the property.

A fire occurred earlier this year at the property next to the applicant's site at Dundee Lumber which resulted in damage to the applicant's property. Property owner is seeking to repair/restore its manufacturing space is seeking to renovate the front building, the lower level for business/retail use and the second level to expand the residential use which is there, and construct a second building to house the manufacturing therein. The challenge that the commission is having to address is the fact that the 2002 Comprehensive Plan shows an institutional uses or business/retail all along the Barrington frontage and higher residential on the backside. The manufacturing which has been a legal nonconforming had been zoned M1 as the legal nonconforming in the area. The M1 zoning has been written to accommodate much deeper setbacks in certain areas such as the Prairie Lakes Development area out on Rt 68. B1 zoning allows for reduced or zero setback and B1 does not permit manufacturing as a permitted or special use. The planners that have looked at the site collectively like the front building and what it reflects in regards to first floor retail and second floor residential but trying to accommodate the manufacturing in the back which does not meet the comprehensive plan for the area has created the current dilemma. With the split zoning, the thought being, that the property owner could submit a plat of subdivision to reflect the development of the area. In the Findings of Fact you then see the totality of variances required to allow M1 zoning in that area.

Scarpelli stated that the Village Staff was not condoning or condemning his plans and was merely helping the applicant through the process.

Swanson commented that there have been numerous staff changes since initial meetings with the applicant.

Motion by Scarpelli/Martin to re-approve the variance under an M1 to
-reduce the lot area from 18,000 sq ft to the equation of lot 6, 7, 8, 9, 10
-A reduction of the required front yard from 40ft to 20ft
-A reduction of the side yard from 12ft to 1ft 10in
-Reduction of the rear yard from 40ft to 0ft
-Reduction of required minimum distance setback of manufacturing for uses from residential uses from 350ft to 50ft.

Roll: 4 Ayes (Bernstien, Scarpelli, Martin, Swanson)

1 Nay (Snow)

1 Abstain (Meyer)

1 Absent (Holliman)

OLD BUSINESS:

4. PUBLIC HEARING: Dan Scully variances, rezoning and special use for 315 Barrington Ave., PZ #07-10-01

Motion to open public hearing for PZ #07-10-01 at 7:52 pm by Scarpelli/Meyer.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)

1 Absent (Holliman)

Court reporter swears in Nicole.

Nicole representing Taylor and Associates who is representing Dan Scully gives an overview of the re-subdivision. Dan Scully in the south building is proposing a second floor apartment and restoration of the exterior building to reflect the character of the downtown area. The restoration includes removing the stucco, adding landscaping, masonry, and windows to match. Uses in building would be an office space, Cecilia's hair salon, an open space for a future tenant, and one one-bedroom apartment and one four-bedroom apartment.

Scarpelli asked if they could modify the one-bedroom apartment to have the shower in the same room as the sink and toilet. The second apartment would be a typical four bedroom apartment.

Parking for these apartments was questioned and Nicole stated that the Village currently offers an on-street parking permit. Nicole also states that Scully has ample parking in the manufacturing portion and is willing to designate 2 parking spaces for residential. Swanson states that since Scully owns both lots he is sure a parking agreement can be made between the two properties.

Scarpelli also stated that he felt there should be some sort of trash reciprocal for the residential portion and Nicole stated that they would be happy to include a trash enclosure.

Public Comments/Objectors

No one from the audience

Motion to close public hearing for PZ #07-10-01 at 8:20 pm by Scarpelli/Bernstien.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)

1 Absent (Holliman)

Motion by Scarpelli/Meyer to approve PZ #07-10-01 including lots 1-5, including the demolition according to the plan the 2,346 sq ft of building allowing for a building of two-story each one consisting of 2,863 sq ft, the development must include a dumpster enclosure and at least 2 off street parking locations for the apartments and the special use for the second floor apartment present a renovation of the one-bedroom unit so the washroom would include the toilet, sink and bath/shower.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)

1 Absent (Holliman)

Frank states that this application does not need the cross axis easement parking because it is for lots 1-5.

NEW BUSINESS:

1. PUBLIC HEARING: Dan Scully, Resubdivision for 315 Barrington Ave., PZ#07-12-02

Scarpelli requests that since the petitioner does not have any engineering to present tonight the public hearing should be opened, and the next meeting must be stated so the petitioner will not have re-send notification.

Motion to open public hearing for PZ #07-12-02 at 8:27 pm by Scarpelli/Martin.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)

1 Absent (Holliman)

Court reporter swears in Nicole.

Motion to continue public hearing for PZ #07-12-02 until the posted date of the February 2008 meeting by Scarpelli/Martin.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)

1 Absent (Holliman)

Motion to recess the public hearing until that date certain in February of PZ #07-12-02 at 8:30 pm.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)

1 Absent (Holliman)

2. PUBLIC HEARING: Brandon and Rebbeca LaBarre, setback variance for 102 S. Van Buren St. PZ #07-12-01

Motion to open public hearing for PZ #07-12-01 at 8:30 pm by Martin/Bernstien.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)

1 Absent (Holliman)

Court reporter swears in Rebbeca LaBarre.

Rebbeca LaBarre stated that the project consists of a two car detached garage off of Johnson and VanBuren Street. In order to do this, a variation from the front yard setback of 25ft to 7.3ft off and a side yard setback from 5ft to 2ft on the west side property line. Need for variation is because they are currently on a very small lot and that is the only way they would be able to enclose their vehicles and would still allow for usable space in the backyard. Rebbeca notes that the driveway will remain the same size and in the same place as the existing driveway.

Scarpelli commented that because of the close proximity of the house and neighboring property fire code blocks/material will be required to be installed.

Motion to close public hearing for PZ #07-12-01 at 8:30 pm by Martin/Scarpelli.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

Martin noted that the addendum stated a variation of 4ft from the principal building where 10ft is required and 1ft from the property line where 5ft is required. He noted that a correction to the addendum should be made to state 2ft from the principal building instead of 4ft.

Motion to approve PZ #07-12-01 with the addendum, and the correction of 2ft to the addendum by Martin/Scarpelli.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

Motion to approve the Findings of Fact on PZ #07-12-01 as presented with the addendum description of the variations sought by Scarpelli/Martin.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

3. Approve 2008 Meeting Dates:

Motion to approve the 2008 Meeting dates as presented with the following amendments, to amend the February 14th, 2008 meeting to be February 7th, 2008 by Scarpelli/Snow.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

4. Nominate and Select a Co-Chair for the Planning and Zoning Commission:

Motion to nominate Frank Scarpelli as Co-Chair of the Planning and Zoning Commission by Swanson/Bernstien.

Roll: 5 Ayes (Bernstien, Snow, Meyer, Martin, Swanson)
1 Abstain (Scarpelli)
1 Absent (Holliman)

Planning and Zoning Commission had a moment of silence for long term Village Trustee and President Bill Bartels and Fire Trustee Bob Burrow.

Motion to adjourn the meeting at 8:58 pm by Scarpelli/Bernstien.

Roll: 6 Ayes (Bernstien, Snow, Meyer, Scarpelli, Martin, Swanson)
1 Absent (Holliman)

Respectfully Submitted,

Village of East Dundee
Kane County, Illinois
Planning and Zoning Committee
December 13, 2007

8

A handwritten signature in cursive script that reads "Heather Zipparro". The signature is written in black ink and is positioned above the printed name and title.

Heather Zipparro
Deputy Village Clerk