

**I. CALL TO ORDER:**

The Planning and Zoning Commission meeting was called to order at 7:30 p.m. by Chairman Susanke.

**II. ROLL CALL:**

Present were Chairman Rogers Susanke, Commissioners John Seaton, Brian Slovacek, Rick Magsamen, Jim Kotleba and Bob Martin. Commissioner Rick Gilmore was absent. Also in attendance were Community Development Director Tim Scott and Village Planner Gosia Pociecha and with no one in the audience.

**III. PLEDGE OF ALLEGIANCE:**

Chairman Susanke led those in attendance in the Pledge of Allegiance.

**IV. APPROVAL OF AGENDA:**

**MOTION:** Moved by Commissioner Magsamen and seconded by Commissioner Martin to approve the agenda as presented. Upon roll call, the motion was approved.

**AYES:** Commissioners Seaton, Slovacek, Magsamen, Kotleba, Martin and Chairman Susanke

**NAYS:** None

**ABSENT:** Commissioner Gilmore

**V. APPROVAL OF MINUTES:**

**MOTION:** Moved by Commissioner Martin and seconded by Commissioner Seaton to approve the minutes of March 26, 2018. Upon roll call, motion was approved.

**AYES:** Commissioners Seaton, Magsamen, Martin and Chairman Susanke

**NAYS:** None

**ABSTAIN:** Commissioners Slovacek and Kotleba

**ABSENT:** Commissioner Gilmore

**VI. QUESTIONS FROM THE AUDIENCE:** None

**VII. NEW BUSINESS:**

- A. Public Hearing – Consideration of Petition 18-03: 1150 Spring Hill Mall – Consideration of a Special Use for an Outdoor Patio for Pablo’s Mexican Restaurant at Spring Hill Mall**

**MOTION:** Moved by Commissioner Magsamen and seconded by Commissioner Slovacek to open the Public Hearing. Upon roll call, motion was approved.

**AYES:** Commissioners Seaton, Slovacek, Magsamen, Kotleba, Martin, and Chairman Susanke

**NAYS:** None

**ABSENT:** Commissioner Gilmore

The Public Hearing opened at 7:34 p.m.

Village Planner Pociеча said that all notices have been entered.

Village Clerk Traver swore in the petitioner Sarah Sobel from Pablo's in Crystal Lake and Daniel Hill Project Manager, from Progressive AE, Grand Rapids, Michigan.

Chairman Susanke said a Planning and Zoning application has been received requesting a special use permit for an outdoor patio for Pablo's Mexican Restaurant at Spring Hill Mall. He said the subject property is located within Spring Hill Mall and is zoned B-2 PDD Regional Business Planned Development District. He added that the planned Pablo's Mexican Restaurant will be located immediately southeast of the Cinemark movie theater in an outward facing tenant space that was built as part of the recent partial redevelopment at the mall.

Mr. Hill said the patio will have a triangular shape and measure approximately 1,100 square feet with the longest dimension 30'-6" by 56'-3". There will be two glass-pane overhead "garage" doors leading from the restaurant to the patio. The proposal included a painted steel railing around the perimeter of the patio with two exits.

Mr. Hill said the proposed patio will be able to accommodate 16, four-chair tables and two-chair tables for a total of 68 chairs, which the intent of serving as an extension of the restaurant to enhance the atmosphere of the site, and attract patrons by providing a gathering space.

Sarah Sobel, the restaurant owner, gave a brief background of Pablo's saying that it has been in business for thirty-three years in McHenry County, has an excellent reputation, is a family oriented restaurant and does a lot of charitable work and fund raisers as a part of their giving back to the community. She said the Pablo's in West Dundee will have the same recipes and cooks as their location in Crystal Lake.

A brief discussion was held regarding the width of the doors ( doors meet ADA requirements), if smoking will be permitted (no smoking will be permitted in the outdoor dining area, as well as having an employee stationed in that area at all times), the height of the fence or railing around the patio (thirty-six inches (36"), lighting (green/blue to give tropical atmosphere), if paper products will be used as there can be a lot of paper waste (no paper products will be used), and landscaping (tropical plants outside).

Sarah Sobel said that alcohol will be served on the patio, but no one may leave the fenced area and there will be an employee stationed there. Director Scott said in addition to a local liquor license a liquor license for outdoor dining will be required.

There were no audience comments.

**MOTION:** Moved by Commissioner Magsamen and seconded by Commissioner Slovacek to close the Public Hearing. Upon roll call, motion was approved.

**AYES:** Commissioners Seaton Slovacek, Magsamen, Kotleba, Martin, and Chairman Susanke

**NAYS:** None

**ABSENT:** Commissioner Gilmore

The Public Hearing closed at 7:50 p.m.

**MOTION:** Moved by Commissioner Slovacek and seconded by Commissioner Martin to recommend to the Village President and Board of Trustees approval of a Special Use for an Outdoor Patio for Pablo's Mexican Restaurant located at 1150 Spring Hill Mall, subject to the following conditions and the Findings of Fact.

1. Compliance with documents including site plan a submitted with the Planning and Zoning Application; and
2. Compliance with all other applicable Village codes and ordinances.

Upon roll call, motion was approved.

**AYES:** Commissioners Seaton, Slovacek, Magsamen, Kotleba, Martin and Chairman Susanke  
**NAYS:** None  
**ABSENT:** Commissioner Gilmore

**B. Public Hearing – Consideration of Petition 18:04: 700 South Eighth – Consideration of a Special Use Retail Gasoline Sales and a Zoning Variation for Relief from the Required Setback for an Accessory Structure for the Proposed Casey’s General Store**

**MOTION:** Moved by Commissioner Slovacek and seconded by Commissioner Martin to open the Public Hearing. Upon roll call, motion was approved.

**AYES:** Commissioners Seaton, Slovacek, Magsamen, Kotleba, Martin, and Chairman Susanke  
**NAYS:** None  
**ABSENT:** Commissioner Gilmore

The Public Hearing opened at 7:53 p.m.

Village Planner Pociecha said all notices have been entered.

Village Clerk Traver swore in the petitioners Lauren Downing and Max Saichek from ARC Design Resources representing Casey’s General Store.

Chairman Susanke said that a Planning and Zoning Application has been submitted by ARC Design Resources representing Casey’s Retail Company, requesting: (1) a special use for retail gasoline sales and (2) a zoning variation from the required setback of an accessory structure for the proposed Casey’s General Store.

Chairman Susanke said the subject site (approximately 1.82 acres) is located at 700 South Eighth Street (southwest corner of Willow Lane and Route 31), is currently vacant, and is zoned B-3 Business-Service District.

Director Scott presented the findings of the Appearance Review Commission and said the hearing is for approval of a Special Use for Gasoline Sales and a Setback Variation for the Trash Enclosure.

Lauren Downing and Max Saichek of ARC Design Resources presented the proposal for the Casey’s General Store and Gas Station Development.

Ms. Downing gave a brief history of Casey’s which was founded in 1968, has over 2,000 stores in 15 states, 440 stores in Illinois and own all their stores. She said it is the 5<sup>th</sup> largest pizza chain in the USA and also serves fresh homemade donuts daily as well as fresh sandwiches. She said that Casey’s was ranked in the top 100 trustworthy stores in 2017 by Forbes.

She relayed that the proposed building has four-sided architecture and build quality and features a hip roof with a gable at the primary entry, with antique red brick masonry and rustic brown cultured stone as its primary elevation material, and architectural roof shingles and vented/louvered mechanicals that are

concealed by the roof parapet and its walled extensions. Storefront windows and doors are bronze, and renderings show a color of the fascia, gutters, downspouts consistent with the windows and doors.

The monument sign incorporates the Casey's corporate brand identity throughout, which consists of a general store building shape with a board-and-batten gable and wall covered with red reversed-out Casey's in white and yellow with General Store in black. It has a masonry base and with two street frontages, its size meets code and its corner placement maximizes visibility/utility

In answer to a Commissioner's question regarding the photo metrics, Ms. Downing said all fixtures have LED lighting with downward lighting and said the stores are normally open from 5 a.m. to midnight, after which only security lighting is on. It was suggested that review of the photometric plan be part of Planning & Zoning review. Director Scott noted review of the lighting plan by the Appearance Review Commission.

Ms. Downing said the building is shown as being flush with the pavement and protected by bollards. This type of flush mounting broadens accessibility while continuous protective bollards improve overall safety.

Ms. Downing said that the dumpster will be located in back and will be enclosed with brick or precast stone in the brown tones. The gates are proposed to be wood inserts over metal frames. It will also be surrounded by evergreens.

A discussion among the Commissioners ensued about the site which is unique because it has three (3) street frontages, if the electrical transformer location is screened (it is screened), if the location is in the proposed TIF District (Ms. Downing said it is not dependent on the TIF), a suggestion to have an ADA sidewalk cut to Beacon (cut would be placed south of the light pole), and if the bollards were K-rated (Ms. Downing said she would have to talk to someone in corporate to discover the rating or design spec of the bollards).

Further discussion regarded how the semis would be entering the site (Ms. Downing said trucks would likely enter from Beacon Street and exit at Willow Lane). She also said deliveries are done once a week. Ms. Downing also answered a question about the concrete pavement and curb, which will be poured in a continuous fashion.

In answer to questions about "leak technology," Ms. Downing said the tanks are fiberglass and double-walled and are equipped with sensors to monitor and check for leakage/spillage. She also explained the storm water system and explained procedures for pulling tanks and pumps and the ability to turn off pumps if a spill occurs. Ms. Downing said that the catch basin would easily hold 50 gallons of spillage. A question about elevation and hydraulic differentials was asked with the request to see one or two sampling wells.

There were no comments from the audience.

**MOTION:** Moved by Commissioner Slovacek and seconded by Commissioner Magsamen to close the Public Hearing. Upon roll call, motion was approved.

**AYES:** Commissioners Seaton, Slovacek, Magsamen, Kotleba, Martin, and Chairman Susanke

**NAYS:** None

**ABSENT:** Commissioner Gilmore

The Public Hearing closed at 8:33 p.m.

**MOTION:** Moved by Commissioner Magsamen and seconded by Commissioner Slovacek to recommend to the Village President and Board of Trustees approval of a Special Use for Retail Gasoline Sales and a Zoning Variation for Relief from the Required Setback for an Accessory Structure for the Proposed Casey's General Store to be located at 700 South Eighth Street, subject to the following conditions:

1. Compliance with documents including site plan as submitted with the Planning and Zoning Application.
2. Review and approval of engineering plans; and to include bollard crash rating, soil bore baseline document, and an answer on trap gallon containment.
3. Compliance with all other applicable Village codes and ordinance.

And the Findings of Fact listed on pages 4 and 5 of the memo dated April 23, 2018.  
Upon roll call, motion was approved.

**AYES:** Commissioners Seaton, Magsamen, Kotleba, Martin and Chairman Susanke  
**NAYS:** Commissioner Slovacek  
**ABSENT:** Commissioner Gilmore

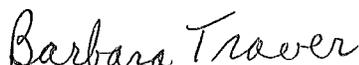
**VIII. OLD BUSINESS:** There was none.

**IX. ADJOURNMENT**

**MOTION:** Moved by Commissioner Slovacek and seconded by Commissioner Seaton to adjourn the Planning & Zoning Commission Meeting. Motion was approved by unanimous voice vote.

The Planning & Zoning Commission adjourned at 8:45 p.m.

Respectfully submitted,



Barbara Traver  
Village Clerk