

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 Rick Gilmore, John Seaton, Brian Slovacek, Rick Magsamen, and Jim Kotleba. Commissioner Bob Martin was absent.

Also in attendance were Community Development Director Tim Scott, Atrin Fard, Planner, Nicholas S. Peppers, Attorney for the Heuser family, and four (4) people 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 Gilmore and seconded by Commissioner Kotleba to approve the agenda as presented. Upon roll call, the motion was approved.

AYES: Commissioners Gilmore, Seaton, Slovacek, Magsamen, Kotleba, and Chairman Susanke

NAYS: None

ABSENT: Commissioner Martin

V. APPROVAL OF MINUTES:

MOTION: Moved by Commissioner Slovacek and seconded by Commissioner Magsamen to approve the minutes of March 11, 2019. Upon roll call, motion was approved.

AYES: Commissioners Gilmore, Seaton, Slovacek, Magsamen, Kotleba, and Chairman Susanke

NAYS: None

ABSENT: Commissioner Martin

VI. QUESTIONS FROM THE AUDIENCE: There were none.

VII. NEW BUSINESS:

A. Public Hearing – Consideration of Petition 19-02: A Zoning Variation of the Standards that Regulate the Minimum Development Parcel Area Required by the SDD Special Development District and Zoning Designation of Approximately 13 Acres of Land as SDD Special Development District upon Annexation

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

AYES: Commissioners Gilmore, Seaton, Slovacek, Magsamen, Kotleba, and Chairman Susanke

NAYS: None

ABSENT: Commissioner Martin

The Public Hearing opened at 7:35 p.m.

Community Development Director Scott said that all notices have been entered.

Chairman Susanke said the petitioner, Mr. Nicholas S. Peppers, on behalf of property owners, the Heuser family, is requesting a variation of the applicable zoning standards that regulate minimum development parcel area of the SDD Special Development District and an accompanying recommendation regarding zoning designation of the subject property as SDD upon annexation with an annexation agreement.

Director Scott swore in the petitioner, Nicholas S. Peppers, 9501 W. Devon Street, Ste. 800, Rosemont, IL.

Mr. Peppers, the Heuser family Attorney, said that the family are agreeing to the Village's request to see the balance of their holdings (approximately 13 acres) annexed into the Village, noting that there other 34.5 acres were being annexed by the buyers, Fiduciary Real Estate Development (FRED), for their proposed multi-family and commercial lot development previously reviewed by the Planning and Zoning Commission. Mr. Peppers noted that there is no development proposed for the site at this time and the requested SDD zoning would serve as a flexible placeholder for future development.

Chairman Susanke asked for comments and questions from the Commissioners. Commissioners asked about the issuance of a variation on property that has not been annexed yet. Director Scott responded that the Village Board relies at least in part on the recommendations of the Planning and Zoning Commission in its role as an advisory body. He added that the Commission's recommendation would be acknowledged, and at the time of annexation of the property by the Village Board, variations granting relief from the SDD's "minimum development parcel area" for applicable land use areas of the district would be needed.

Director Scott then presented a map of the Village showing other examples of SDD being used as a placeholder upon annexation: "Oakview Corporate Park" and part of Haeger-owned property, which also previously-included the "Springs at Canterfield" prior to its rezoning to R-5 PDD.

With no further comment from Commissioners at this time, Chairman Susanke opened the Public Hearing for Public comment.

Linda Vesely Armintrout, 16 N 560 Highland Drive, asked for further clarification regarding the location of the 13-acre lot to be annexed. Director Scott responded accordingly.

Bonnie Jozsi, 37 W 120 Hilly Lane, asked if Heuser family planned to keep or sell the 13-acre property. Mr. Peppers said that after annexation the Heusers would field offers for the property over time. Director Scott also noted that sound planning and any required public process would happen again for future development proposals.

There was no additional public comment.

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

AYES: Commissioners Gilmore, Seaton, Slovacek, Magsamen, Kotleba, and Chairman Susanke

NAYS: None

ABSENT: Commissioner Martin

The Public Hearing closed at 7:48 p.m.

MOTION: Moved by Commissioner Gilmore and seconded by Commissioner Slovacek to recommend to the Village President and Board of Trustees Approval of a Variation Granting Relief from the Minimum Development Parcel Area Standard of the SDD Special Development District's Applicable Land Use Areas and Zoning Designation of Approximately 13 Acres of Land Commonly Referred to as the Heuser Property as SDD Special Development District Upon Annexation with an Annexation Agreement, subject to the Finding of Facts as listed in Director Scott's memo dated May 20, 2019

AYES: Commissioners Gilmore, Slovacek, Magsamen, Kotleba, and Chairman Susanke

NAYS: None

ABSENT: Commissioner Martin

B. Public Hearing – Consideration of Petition 19-03: Text Amendment – Consideration of a Text Amendment Related to Building Coverage and Lot Coverage

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

AYES: Commissioners Gilmore, Seaton, Slovacek, Magsamen, Kotleba, and Chairman Susanke

NAYS: None

ABSENT: Commissioner Martin

The Public Hearing opened at 7:49 p.m.

Chairman Susanke said the petitioner, Village staff, requests consideration of a potential text amendment to the West Dundee Zoning Ordinance. Per the attached draft ordinance, if approved, the proposed amendment would add the definition of building and lot coverage as well as maximum coverage provisions to the list of "Lot Area Requirements" which regulate impervious surfaces alongside scale and bulk of structures on site. The Village currently uses lot coverage in a limited manner, with the standard applied to required rear yards, where not more than 30% may be covered with structures and pavement.

Director Scott explained the reasoning behind the idea of adding either or both measures, noting the desire to minimize or mitigate drainage problems, prevent overbuilding, improve overall environmental conditions, and preserve the established character of the Village.

Director Scott referred to the staff-generated maps showing a sampling of 120 residential properties throughout the Village and the accompanying mean and median calculations by zoning district/classification. He stated that a building coverage standard of 35% and a lot coverage standard of 50% seemed reflective of the sampling and that they may serve as reasonable standards across residential districts. He added that there could be potential ways to exceed the proposed standards, for example, permeable pavement as a means to increase coverage by five or perhaps even ten percent.

A brief discussion ensued on permeable paving and the suitability for affording additional coverage. Commissioners Slovacek explained how permeable pavement designs can differ and affect infiltration rates and noted that maintenance is required to ensure performance.

Commissioner Gilmore said that building and lot coverage measures could potentially restrict Old Town properties and limit homeowners from investing in their properties. Director Scott noted that he shared this concern during the analysis and suggested that the standards and process for relief for Old Town could be revisited.

Director Scott commented that if any approved regulations proved to be overly-restrictive and inhibited sensible development or reinvestment that the Village staff would revisit the regulations.

Additional discussion included: the research method (ArcGIS); a request to review the property on the northeast corner of South Street and First Street; green stormwater management such as rain gardens; review of “covered deck” and “open deck”; the potential for additional flexibility relating to deviation from coverage regulations; and, potential review of past variation cases for Old Town as they may prove instructive.

There was no public comment.

MOTION: Move by Commissioner Kotleba and seconded by Commissioner Gilmore to close the Public Hearing. Upon roll call, motion was approved.

AYES: Commissioners Gilmore, Seaton, Slovacek, Magsamen, Kotleba, and Chairman Susanke

NAYS: None

ABSENT: Commissioner Martin

The Public Hearing closed at 8:20 p.m.

MOTION: Moved by Commissioner Gilmore and seconded by Commissioner Slovacek to recommend that Village staff continue to investigate and refine the proposal and consider potential ways to ensure that regulations do not overly restrict or impede homeowner investment.

AYES: Commissioners Gilmore, Slovacek, Magsamen, Kotleba, and Chairman Susanke

NAYS: None

ABSENT: Commissioner Martin

C. Public Hearing – Consideration of Petition 19-04: Text Amendment – Consideration of a Potential Text Amendment Related to Solar Energy Systems

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

AYES: Commissioners Gilmore, Seaton, Slovacek, Magsamen, Kotleba, and Chairman Susanke

NAYS: None

ABSENT: Commissioner Martin

The Public Hearing opened at 8:22 p.m.

Chairman Susanke said that Village staff was requesting feedback in the development of potential solar regulations that would be adopted through a text amendment to the zoning ordinance. Recently, staff has received a few inquiries from residential property owners who wish to have photovoltaic solar power systems installed on their homes.

Director Scott gave an overview of the proposal including four houses within the Village that have already requested a solar permit. He presented two solar applications, one in the Village of Arlington Heights and one in the Village of Mount Prospect. Highlighted were the low-rise panels that were parallel to the roof and therefore unobtrusive. Also noted were the taller solar thermal panels canted at a sharp angle. With those examples in mind, Mr. Scott spoke about the challenge posed by properties having southern or southeastern exposure, with east-west ridgelines and gables which slope the roof toward the street. He added that it would likely be the intention of the Village to accommodate solar energy systems but also maintain residential character.

In response to Commissioner Gilmore's question on the solar rights regarding street facing panels, Director Scott stated that the Village cannot prohibit any property with southern or southeastern exposure to access the solar gains because that is where the bulk of energy would be captured.

Addressing a commissioner's question about homeowners associations (HOAs) approach to solar regulations, Director Scott commented that the Village would likely propose basic zoning standards which are supplemented by adopted building regulations and that HOAs could choose to craft their own.

Commissioner Magsamen and Kotleba inquired about freestanding solar energy systems in back yards. Discussion ensued regarding whether such accessory structures would be suitable for typical residential neighborhoods which led to a brief discussion exchange on higher-tech solar energy panels and roof shingles by Tesla. Commissioner Seaton wondered if any other area community had adopted standards that could address many of the comments offered, including dedicated requirements by type (residential, commercial, light industrial, etc.) and the matter of reversibility/roof restoration.

With no further comment from Commissioners at this time, Chairman Susanke closed the Public Hearing.

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

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

The Public Hearing closed at 8:48 p.m.

MOTION: Moved by Commissioner Seaton and seconded by Commissioner Gilmore to recommend continued development of potential standards. Upon roll call, motion was approved.

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

VIII. OLD BUSINESS:

There was none.

IX. ADJOURNMENT

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

The Planning and Zoning Commission adjourned at 8:50 p.m.

Respectfully submitted,



Atrin Khodadadi Fard
Village Planner