

**I. CALL TO ORDER:**

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

**II. ROLL CALL:**

Present were Chairman Susanke, Commissioners Gilmore, Kaufman, Kotleba, Martin, Magsamen and Slovacek. Also in attendance were Community Development Director Tymoszenko, Attorney Brechin and sixty (60) 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. The motion was carried by unanimous roll call vote.

**AYES:** Commissioners Gilmore, Kaufman, Slovacek, Magsamen, Kotleba and Martin

**NAYS:** None

**V. APPROVAL OF MINUTES:**

A. Regular Meeting – July 28, 2014

B. Regular Meeting – September 29, 2014

Commissioner Gilmore asked to have the minutes of July 28, 2014 corrected; on page 5 last sentences to indicate that a three (3) story building if constructed should be in the low area of the site where it would look to be no higher than a two (2) story building.

**MOTION:** Moved by Commissioner Magsamen and seconded by Commissioner Slovacek to approve the July 28, 2014 minutes as corrected and the September 29, 2014 Planning and Zoning Commission meeting minutes. The motion was carried by unanimous roll call vote.

**AYES:** Commissioners Kaufman, Magsamen, Kotleba, Martin, Slovacek, and Gilmore

**NAYS:** None

**VI. QUESTIONS FROM THE AUDIENCE:** There were none.

**VII. NEW BUSINESS:**

A. **Public Hearing – Petition 14-11: Continental Properties Springs at Canterfield – Map Amendment and Zoning Change; a Special Use for R5 Planned Development variances for parking space design and number of spaces; and a Preliminary Plat of Subdivision.**

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

**AYES:** Commissioners Kotleba, Martin, Gilmore, Kaufman, Slovacek and Magsamen

**NAYS:** None

**The Public Hearing opened at 7:33 pm.**

Joanne E. Ely, CSR, court reporter, recorded the public hearing.

Chairman Susanke read the legal notices and requirements for the planned development for Continental Holdings.

Director Tymoszenko said the notice of the public hearing was published in the Daily Herald fifteen (15) days before the hearing and a certified mailing was sent to residents within 250 feet of the planned development. She gave a brief presentation of the property, R5 zoning request, parking variations, changes that have been made to the plan, staff reports including conformance with the Comprehensive Plan, the CMAP report and economic development goals.

Court Reporter Ely swore in representatives of Continental Holdings who were going to speak at the Public Hearing.

For a more detailed report, the transcription of the Public Hearing as recorded by the Court Reporter is attached.

Eric Thom gave a brief presentation of the development plan including the request for R5 zoning, the number of units (#220) with eleven (11) buildings, 22 studio apartments, 22-3 bedroom apartments, and 88- one and two bedroom apartments, the landscape plan, topography survey, density, sidewalks, parking and site amenities.

Chairman Susanke asked for formal objectors. There were none.

Chairman Susanke then asked for any questions of the petitioners, the Commission had.

Commissioners questioned the petitioners on the detention area (it will be a dry bottom, but there will be some low flow areas to meet County standards) where will the water flow (through the IDOT storm sewer to the Fox River), discrepancy in the site plan, i.e. sidewalk connections and locations, traffic concerns with stacking of cars, left and right turns, width and length of areas in development for turning of larger vehicles, how the traffic study was done and density concerns.

Chairman Susanke asked for public comments.

Court Reporter Ely swore in the people who were going to make a comment.

Bruce and Lindy Rucks, 1011 Fairhills Dr., commented on their struggle to see why this development is good for the community and what evidence do we have that there will not be a high vacancy rate.

Richard Hanck, 1303 Fairhills Dr., had questions on the density, parking spaces; the sidewalk proposed on Route 31, excessive traffic on Angle Tarn and safety concerns for the children in Fairhills due to increased traffic and is not in favor of it.

Kimberly Pudlo, 1321 Fairhills Dr., read comments she had about her experiences living in an apartment complex and why she is not in favor of this development.

Kirk Palmatier, 1253 Fairhills Dr., had questions on the pathway and fencing, security fences, easements, traffic problem and economy in the neighborhood and is not in favor of it.

Barbara Rada, 1225 Summerwood spoke about the problems in East Dundee with the River Haven Subdivision and how the subdivision changed from affordable housing for seniors, to VA housing and Section 8 housing and not in favor of it.

Anthony Spina, 1113 Fairhills Dr. reviewed the 2005 Comprehensive Plan and what it states, spoke about Continental selling off properties and concern about new owners maintaining the property and is not in favor of the development at this location.

Bobby Bankston, 1136 Millsfell, commented on the changes made by Continental Holdings, the change in zoning requested, the land is an animal habitat and is not in favor of the development.

Terry Donati, 501 S. 1<sup>st</sup> Street, said he is a business broker and is in favor of the development.

Frank Meftah, 726 Canterfield Parkway said he renewed his lease at AMLI and has not noticed any problems there since he has lived there and felt the rents proposed were more than adequate. He said businesses are needed, but we need the demographics to get the businesses.

Bill Madison, 1207 Angle Tarn, questioned the traffic studies, environmental impact, and density and where he would find documentation for the studies and is not in favor of it.

Bruce Garwood, 1129 Angle Tarn, questioned the R5 zoning and its appropriateness and the density of the development and is not in favor of it at this location.

Thomas Hacke, 1246 Fairhills, expressed his concern about the rents not being high enough and density and is not in favor of it.

Donald Rosen, 96 N. Kennedy Dr., Carpentersville said the Village did a good job with its due diligence. He commented that the demographics need to be right to drive businesses and he felt the security for the development is covered in the covenants.

Charles Van Winkle, 1225 Summerwood, commented that the business corridor has moved to Randall Road and he also quoted figures from the National Multi Housing Council, including median incomes for apartment dwellers (\$31,000) vs. homeowners (\$72,000), and the number of people per unit in the proposed development and is not in favor of it.

Susan Spina, 1113 Fairhills Dr., presented a petition signed by 232 people, agrees that housing needs to happen, with people owning homes and looking into developments such as the ones in downtown Barrington, Arlington Heights and Palatine where buildings have businesses on the lower floor and condos on the upper levels. She is not in favor of this development on this site.

Tracy Burnidge, 11N060 Johnstown Rd., Elgin, a commercial realtor, who commented there needs to be a place for people to live who do not have the funds to purchase a home and he sees no problem with this development.

John Reagan, Land Trust Attorney, asked that the reports by KLOA & Slater be admitted as exhibits for the petitioners.

Commissioner questioned the petitioners on how numbers were achieved for occupancy rates, the parking study presented, how many properties were disposed of this year (8), covenants and what they cover, regulate what the property is going to look like in 3- 4 years, and questions about sidewalks on the Route 31 side.

Director Tymoszenko explained the future land use map which has a reference to all multi family units and further explained how the baseline works, that this land is subject to the design and maintenance standards of all Haeger properties and that the design and maintenance are above and beyond minimum code standards of the municipality.

Director Tymoszenko also said that the occupancy rate for multi family at AMLI is 90 to 99%, and that the Village has a large single family rental base and that we monitor vacancies and have not noted anything of significance.

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

**AYES:** Commissioners Kotleba, Martin Gilmore, Kaufman, Slovacek and Magsamen

**NAYS:** None

**The Public Hearing closed at 9:30 pm.**

Chairman Susanke asked the Commission for a recommendation.

**MOTION:** Moved by Commissioner Kaufman and seconded by Commissioner Kotleba to recommend for the approval of the Map Amendment to rezone the property from B3 to R5, Approval of the Special Use for Planned Development and approval of the Parking Variations for parking space size and number to allow for the development of the Springs at Canterfield based on the Findings of Fact as in the memo of October 23, 2014 with the sidewalk included. Upon roll call, the motion was not approved.

**AYES:** None

**NAYS:** Commissioners Kaufman, Slovacek, Magsamen, Kotleba and Martin

**MOTION:** Moved by Commissioner Gilmore and seconded by Commissioner Martin to deny a recommendation of the Planned Development to the Village Board. Upon roll call, motion was approved unanimously.

**AYES:** Commissioners Gilmore, Kaufman, Slovacek, Magsamen, Kotleba and Martin

**NAYS:** None

Director Tymoszenko said the Village Board has the final determination on the petition and it will be forwarded to the Board for a November meeting.

**VIII. OLD BUSINESS:**

- A. Continuation of Public Hearing – Petition 14-10: Text Amendment – Medical Cannabis Cultivation and Dispensing Centers Definition and Placement**

**MOTION:** Moved by Commissioner Gilmore and seconded by Commissioner Kaufman to table this item to the next meeting. Upon roll call, motion was approved.

**AYES:** Commissioners Gilmore Kaufman, Slovacek, Magsamen, Kotleba and Martin

**NAYS:** None

**IX. ADJOURNMENT:**

**MOTION:** Moved by Commissioner Gilmore and seconded by Commissioner Magsamen to adjourn the Planning and Zoning meeting. Motion was approved unanimously.

The Planning and Zoning Meeting adjourned at 9:40 pm.

Barbara Traver  
Village Clerk