

**Planning & Zoning Commission
Village Hall 7:30 p.m.**

**Village of West Dundee
Monday, April 26, 2010**

I. Call to Order:

Chairman Susanke called the Planning and Zoning Commission to order at 7:30 p.m.

II. Roll Call:

Present were Chairman Susanke, Commissioners Gilmore, Kaufman, Shore, Kotleba, Haley and Martin. Also in attendance were Community Development Planner Jennifer Becker, Community Development Coordinator Tymoszenko, Ron Meyer (petitioner) and ten (10) people in the audience.

III. Pledge of Allegiance:

Chairman Susanke led the Commissioners and audience in the Pledge of Allegiance.

IV. Approval of Agenda:

Motion: Moved by Commissioner Shore and seconded by Commissioner Haley to approve the agenda as presented. Upon roll call, motion was approved.

V. Approval of Minutes:

A. Minutes of February 22, 2010

Motion: Moved by Commissioner Shore and seconded by Commissioner Kotleba to approve the minutes of February 22, 2010. Upon roll call, motion was approved.

B. Minutes of March 22, 2010

Motion: Moved by Commissioner Martin and seconded by Commissioner Kotleba to approve the minutes of March 22, 2010. Upon roll call, motion was approved.

Ayes: Commissioners Gilmore, Kaufman, Kotleba, Haley and Martin.

Nays:

Abstain: Commissioner Shore

VI. New Business:

A, Public Hearing – Petition 04-10 Rezoning and Variations Requesting Rezoning from Office to B-3 Service Business District; and Front Yard Setback, Parking Setback and Off Street Parking Number Variations 511 Eichler Drive.

Commissioner Gilmore recused himself from the meeting to represent his client Mr. Ron Meyer, the petitioner.

Planner Jennifer Becker said that the notice for the Public Hearing was published in the Daily Herald and certified notices were sent to all residences within 250 feet of the property.

Motion: Moved by Commissioner Shore and seconded by Commissioner Martin to open the Public Hearing. Upon roll call, motion was approved 5-0.

The Public Hearing opened at 7:33 p.m.

Chairman Susanke gave the background for the rezoning and variation requests by saying the request is for the rezoning of property from O Office District to B-3 Service Business District for the property located at 511 Eichler Drive. He said the request also includes associated variations for the front yard setback, parking setback in both front and side yards, and an off-street parking number variation.

He further stated that the subject property contains approximately 18,000 square feet in lot area and is developed with a two story masonry structure and accessory off street parking lot. The structure was built as a multi family residential structure and functioned as such until a rezoning from residential to Office in 2004. He said at that time, the owner of the property obtained the rezoning to allow conversion of the structure to a non-residential use, and the residential use was abandoned. He said that the owner remodeled the building into two office suites and a second story archival storage area. The property was placed on the market as an office building. In 2008 the owner filed another petition to rezone the property, this time from Office to the B-3 Service Business District to enable the use of the building as a specialty ethnic grocery market. That rezoning petition was denied and the building has remained on the market as an office building for the past two years.

Village Clerk Traver swore in the petitioner Ron Meyer, 1367 Angle Tarn, West Dundee, IL and Architect Rick Gilmore, 907 Angle Tarn, West Dundee, IL.

Mr. Meyer addressed the Commission explaining that he is desirous of moving his business to this address and needs to make improvements and additions to the property in order to accommodate his sign, insurance and quick printing business. He said the existing building would house the office portion of the sign and insurance business.

Mr. Gilmore explained the site plan including the construction of a 2,400 square foot addition along the east and north sides of the building, reorienting the building towards Rt. 31, the redesigned access off of Eichler Drive and an expanded and redesigned off-street parking facility. He said the parking lot will contain 16 spaces, with two spaces located in the building addition for a total of 18 off-street parking spaces.

He also said the front yard variation is to bring the front yard encroachment for the existing building into conformance. He said that the northwest corner of the existing building encroaches 2 feet into the 30 feet required front yard setback.

He addressed the off street parking number variation because the size of the new building will require 21 off-street parking spaces, 18 are provided, two of which are located inside the building. He also said the off-street parking setback variation is needed because the configuration of the new lot requests a 100% variation of the required 10 foot front yard parking setback along the west property line adjacent to Rt. 31 and a variation up to 100% of the 5 foot side yard parking setback along the east property line adjacent to the residential use to the east. He said the plan shows 100% plant screening along the north property line and the petitioner has indicated that there will be a 5 foot high solid screening fence along the east property line in compliance with ordinance standards.

Mr. Gilmore explained the site elevations and presented drawings of them. He said the building will be all brick and the Appearance Review Commission would be dealing with the colors.

After the presentation, the commissioners began their discussion.

Commissioner Shore said he felt the new plan encroached all over. He asked Mr. Meyer what his business consists of.

Mr. Meyer said he does signs which are used on vehicles, trucks, commercial real estate signs, etc. In answer to Commissioner Shore, he said there's no noisy equipment and no electrical fabrication, nor does he build wood signs.

Commissioner Martin asked if there is room for a fence and how high the fence would be.

Mr. Gilmore said there is a village limit on the size of a fence (5 feet in height) and they would need a variance to have the fence higher.

Commissioner Martin also asked about the height of the overhead door and how many vehicles he would expect to use that facility.

Mr. Meyer said the door is 14 feet by 14 feet, but he would be willing to go to 12 feet if necessary. He said he averages about three (3) vehicles per month.

Commissioner Kaufman said he believed that sign shops were mostly in office or industrial parks. He then asked about impervious areas, such as green space, height of the elevations, hazardous chemicals and whether the variance was requested because of size or use.

Mr. Gilmore said the landscaping would comply with the landscaping ordinance, that the eave would be the highest elevation and no hazardous chemicals are used.

Commissioner Shore asked what is allowed in the B3 District.

Planner Jennifer Becker said retail, large box type stores, services restaurants, etc. are permitted uses.

In answer to Commissioner Haley's question about ownership, Mr. Meyer is the purchaser and Mr. Paul House is the owner.

Mr. Gilmore said that the building would be owner occupied and that it is to everyone's advantage to have the building occupied.

Public Comments:

Danuta Loane, 719 Lisa Rd., West Dundee, said she is opposed to this plan, the parking backs up to her fence, her deck overlooks the property so she would be looking at it all the time and the proposed building is too large.

Carl Jacobs, 712 Lisa Rd., West Dundee, said he is against the property being zoned B-3. He said it was originally residential and to keep it residential. He suggested that the building be torn down and have a single family home or another duplex built there. He asked what guarantee we have if this business leaves, what kind of business would come in.

Joe Connell, 515 Eichler, West Dundee, said the proposed building is taking away his mother's sunset and her view to the west. He feels that the rents in that area will go down and he would put in subsidized housing on his property. He also agreed with Mr. Jacobs comments. He said that the building is in foreclosure and it should be made into an office.

Angeline Davidson, 515 Eichler Dr., West Dundee, doesn't want to be confronted with a 30 – 40 foot building. She said she bought her building 38 years ago and that nice homes are built in the area. She said she put a lot of money into her home and she won't be able to get tenants because of the proposed building. She said she would put subsidized housing on her property if this proposal goes through. She submitted a plat of survey for the record, which she says shows she has 2 extra feet on the side of her home beyond her fence.

Raquel Orozco, 707 Lisa Rd., West Dundee, said she is against this proposal as it will affect negatively on her property value, wants to keep the neighborhood a residential area, concerns with the lighting, concerns about the safety of the children in the neighborhood and she doesn't want a business in her backyard.

Phil Vieth, 727 Lisa Rd., West Dundee, said he can't foresee B-3 zoning. He said an office is an easier transition, use the property as it is and is concerned that there are no guarantees as to what type of business would be going in, if Mr. Meyer decided to leave.

Dave Leader, 724 Lisa, West Dundee, said he is against this proposal, concerned about the safety of the children in the neighborhood, having surrounding property values negatively affected, how the ventilation system would work and the size of the trucks using the building.

Mr. Meyer said there would be no large trucks, no forklift only UPS or vans and that there is no required ventilation as the paints are latex.

Virginia Thompson, 703 Lisa Rd., West Dundee, said she is a twenty (20) year resident and said it is in the best interests of the community to keep it residential.

Shawn Canary, 713 Lisa Rd. West Dundee said he bought his home eight (8) months ago and doesn't want to see a business there, keep the area residential and he is concerned about the safety of the children in the neighborhood.

There was no more public comment at this time.

Commissioner Kaufman asked Mr. Meyer what the current size of his business is.

Mr. Meyer said it is 3000 square feet presently and the proposal would be 5400 square feet.

Commissioner Shore said that he doesn't know how staff would recommend this and asked if the Village has a code where a sign has to be placed on the property notifying people that a public hearing will take place.

Planner Becker said she will look into it.

Commissioner Kaufman said the plan is too big for the site.

Commissioner Martin commented that this property keeps coming back over and over and a decision was made to have an office building there which would be a good buffer. He said he is disappointed, doesn't want to see a business use and cannot support it.

With no further comment from the Commissioners or the public, Chairman Susanke asked for a motion to close the Public Hearing.

Motion: Moved by Commissioner Shore and seconded by Commissioner Kotleba to close the public hearing. Upon roll call, motion was approved 5-0.

The Public Hearing closed at 8:38 p.m.

Motion: Moved by Commissioner Shore to recommend to deny the petition. There was no second.

There was a discussion held on this motion and it was amended into two (2) separate motions.

Motion: Moved by Commissioner Martin and seconded by Commissioner Haley to deny the change in zoning to the property.

Motion: Moved by Commissioner Martin and seconded by Commissioner Kotleba to deny any variation changes to the property.

Upon further discussion, no vote was taken and the motions were withdrawn.

Motion: Moved by Commissioner Kotleba and seconded by Commissioner Shore to accept the petition as presented. Upon roll call, the motion was not approved.

Ayes:

Nays: Commissioners Kaufman, Shore, Kotleba, Haley and Martin

VIII. Adjournment:

Motion: Moved by Commissioner Kotleba and seconded by Commissioner Haley to adjourn the Planning and Zoning Meeting. Motion was unanimous.

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

ATTEST:

Barbara Traver
Village Clerk

Rogers Susanke
Commission Chairman