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Approved
**VILLAGE OF LAKE ZURICH
PLANNING & ZONING COMMISSION MINUTES
APRIL 18, 2018**

The meeting was called to order by Chairman Stratman at 7:00 p.m.

ROLL CALL: *Present* – Chairman Stratman, Commissioners Baumann, Castillo, Giannini, Riley, Schultz, and Muir. *Absent* - Commissioner Dannegger. Commissioner Muir will be serving as a full member this evening due to an absence. Chairman Stratman noted a quorum was present.
Also present: Community Development Director Sarosh Saher and Associate Village Planner Katie Williams.

CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION

Approval of the March 21, 2018 Meeting Minutes of the Planning & Zoning Commission:

Chairman Stratman asked that two typographical errors be corrected. On the roll call to approve the minutes on page 1, the number of commissioners should read 2 instead of 1. The date of the letter on Page 5, the last paragraph, should be September 17, 2017 instead of 2018.

MOTION was made by Commissioner Baumann, seconded by Commissioner Riley, to approve the March 21, 2018 minutes of the Planning and Zoning Commission as corrected.

Upon roll call vote:

AYES: 6 Chairman Stratman, Commissioners Baumann, Castillo, Riley, Schultz, and Muir.

NAYS: 0

ABSTENTION: 1 Commissioner Giannini

ABSENT: 1 Commissioner Dannegger

MOTION CARRIED

PUBLIC COMMENT - None

PUBLIC HEARINGS:

MOTION was made by Commissioner Schultz, seconded by Commissioner Muir, to open the following public hearings at 7:05 p.m.

Application PZC 2017-5, 99 Quentin Road, Steil Plaza;

Application PZC 2018- 5, 23954 Miller Road, Brierwoods Estates

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Giannini, Riley, Schultz, and Muir.

NAYS: 0

ABSENT: 1 Commissioner Dannegger

MOTION CARRIED

Chair Stratman swore in those wishing to testify or comment.

Continued Application:

A. 99 Quentin Road – Steil Plaza (PZC 2017-5)

The applicant has requested continuance of the application while feedback from Planning and

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Zoning Commissioners is incorporated into revisions. Refer to attached Continued Applications Staff Report. *Applicant – Patrick Taylor, Central One LLC.*

MOTION was made by Commissioner Baumann, seconded by Commissioner Riley, to continue the public hearing on PZC 2017-5, 99 Quentin Road, Steil Plaza, until May 16, 2018 at 7:00 p.m. Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Giannini, Riley, Schultz, and Muir.

NAYS: 0

ABSENT: 1 Commissioner Dannegger

MOTION CARRIED

B. 23954 Miller Road – Brierwoods Estates (PZC 2018-5)

Public hearing to consider a new request for a Map Amendment and Development Concept Plan Approval of a Planned Unit Development to construct a new 7-lot single family residential subdivision. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant. *Applicant – Perry Janke, Evermore Homes*

Perry Janke, Evermore Homes, Ltd., presented his revised proposal to construct a 7-lot single family subdivision at 23954 Miller Road, which is comprised of two parcels. He had appeared before the Planning and Zoning Commission in October 2017 with a proposal for 8 lots including a cul-de-sac. The project did receive a positive recommendation from the Planning and Zoning Commission, but concerns had been raised about the potential for flooding that resulted in required conditions for approval. The developer chose to work with staff and created a new concept that addressed those concerns and to withdraw his previous proposal and submit a new plan. The new plan changed the name of the development from Whispering Trails to Brierwoods Estates, reduced the number of homes from 8 to 7, provided direct driveway access to Miller Road and Brierwoods Lane, proposed an onsite 0.4 acre retention pond, and reduced the amount of relief for required lot width and setback requirements as detailed in the Staff Report. Mr. Janke's presentation included a summary of changes from the original proposal, review of site plan including water connection and sanitary sewer, reconfiguration of lots and access, retention pond, and wetland buffer. The sidewalk location is still being reviewed and will be determined during the final engineering process.

A brief question and answer period followed. Director Saher said staff has worked extensively with the applicant and believes the Army Core of Engineers will be amenable to the revised plan. The applicant will approach ComEd about the overhead wires and address their location in the final stage of the plan. Mr. Janke said the wetland will be delineated with a split rail fence and signage. Director Saher added that the homeowner's association declaration will refer to the wetland easement so all future homeowners would be aware of its location.

Jan Jozwiak, Lake Zurich resident and developer of the adjacent Whispering Creek Development, said he will not ask for recapture fees for water and other improvements he made at the time of development but believes the developer of the new subdivision should make a donation to the volunteer fire department. Director Saher said no recapture fee had been requested from the subject property owner, which at the time Whispering Creek was built was owned by St. Pius V Church.

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Since that time, the church sold the property to Evermore Homes. Director Saher said the Village does not have a legal right to request recapture fees, but he will discuss fees with the applicant and noted Evermore Homes is required to put in sidewalks that will benefit Whispering Creek residents.

MOTION was made by Commissioner Baumann, seconded by Commissioner Riley, to admit into the public record the testimony from Application 2017-9; for the property at 23954 Miller Road by Evermore Homes into the public records for this public hearing for Application PZC 2018-5.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Giannini, Riley, Schultz, and Muir.

NAYS: 0

ABSENT: 1 Commissioner Dannegger

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Schultz, to close the public hearing on Application PZC 2018-5, 23954 Miller Road, Brierwoods Estates.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Giannini, Riley, Schultz, and Muir.

NAYS: 0

ABSENT: 1 Commissioner Dannegger

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff this evening, and to make these standards a part of the official record for the Application.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Giannini, Riley, Schultz, and Muir.

NAYS: 0

ABSENT: 1 Commissioner Dannegger

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Schultz, to receive into the public record the testimony presented by the Applicants, testimony presented by members of the public, and in response to questions by the Planning and Zoning Commission Members, any testimony presented by Village Staff at tonight's Public Hearing.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Giannini, Riley, Schultz, and Muir.

NAYS: 0

ABSENT: 1 Commissioner Dannegger

MOTION CARRIED

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MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to recommend that the Village Board approve an amendment to the zoning map to rezone the easterly portion of the property from R-1/2 Single Family Residential district to R-5 Single Family Residential.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Giannini, Riley, Schultz, and Muir.

NAYS: 0

ABSENT: 1 Commissioner Dannegger

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Schultz, to recommend that the Village Board approve the Special Use for a Planned Unit Development at 23954 Miller Road by Evermore Homes.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Giannini, Riley, Schultz, and Muir.

NAYS: 0

ABSENT: 1 Commissioner Dannegger

MOTION CARRIED

MOTION was made by Commissioner Baumann, seconded by Commissioner Muir, to recommend that the Village Board approve the Development Concept for a Planned Unit Development at 23954 Miller Road by Evermore Homes.

Upon roll call vote:

AYES: 7 Chairman Stratman, Commissioners Baumann, Castillo, Giannini, Riley, Schultz, and Muir.

NAYS: 0

ABSENT: 1 Commissioner Dannegger

MOTION CARRIED

STAFF REPORT:

Planner Williams said there were no applications received this month so the May meeting will be canceled. Director Saher provided an update on the proposed development at the Cummings site and said no action has taken place recently.

Director Saher gave the third presentation on zoning and development topics. The presentation entitled, *The Development Review Process*, included a white board animation that outlined the process and elaborated on *What is the Development Review Process*. The presentation answered when does the process start, how does it proceed, and described the process, which includes the following stages: Pre-application with staff, courtesy review with the Board of Trustees, public meeting or public hearing, and finally Board approval. In summary, Director Saher said it is beneficial to a developer to be proactive on the front end which will usually result in a swifter approval process.

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A brief question and answer period followed. Commissioner Castillo asked that the PZC be included in updates on projects that have appeared before them so they remain informed and gave the former K-Mart property as an example. Director Saher said at times the developer does not keep staff informed and projects appear to be on hold but offered to keep the commissioners informed on pending projects.

ADJOURNMENT:

MOTION was made by Commissioner Schultz, seconded by Commissioner Muir, to adjourn the meeting. Voice Vote, all in favor. MOTION CARRIED. The meeting was adjourned at 8:08 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved by:

