

**VILLAGE OF HUNTLEY
PLAN COMMISSION MEETING
Monday, May 11, 2020
MINUTES**

5

CALL TO ORDER

Chairman Tom Kibort called to order the Village of Huntley Plan Commission meeting for May 11, 2020 at 6:32 p.m. The meeting was held virtually in the Municipal Complex Village Board Room at 10987 Main Street, Huntley, Illinois 60142. *In light of the COVID-19 public health emergency and the prohibition of public gathering of 10 or more, the Plan Commission conducted the meeting remotely via an online video platform, and the meeting was videotaped.*

10

PLEDGE OF ALLEGIANCE

Chairman Kibort led the Pledge of Allegiance.

15

ROLL CALL

PLAN

COMMISSIONERS: Commissioners Darci Chandler, Terra DeBaltz, Lori Nichols, Ron Hahn, Robert Chandler, Vice Chair Dawn Ellison, and Chairman Tom Kibort.

20

COMMISSIONERS

ABSENT: None

25

ALSO PRESENT: Director of Development Services Charles Nordman and Development Manager Margo Griffin

4. Public Comments None.

30

5. Approval of Minutes

A. Approval of the February 24, 2020 Plan Commission Meeting Minutes

No additions or corrections were noted.

35

A MOTION was made to approve the February 24, 2020 Plan Commission Meeting Minutes.

MOVED: Commissioner Robert Chandler

SECONDED: Vice Chair Dawn Ellison

40

AYES: Commissioners Lori Nichols, Darci Chandler, Robert Chandler, Vice Chair Dawn Ellison, and Chairman Tom Kibort

NAYS: None

ABSTAIN: Commissioners Ron Hahn and Terra DeBaltz

MOTION CARRIED 5:0:2

45

B. Approval of the March 9, 2020 Plan Commission Meeting Minutes

No additions or corrections were noted.

A MOTION was made to approve the March 9, 2020 Plan Commission Meeting Minutes.

5

MOVED:	Vice Chair Dawn Ellison
SECONDED:	Commissioner Ron Hahn
AYES:	Commissioners Lori Nichols, Darci Chandler, Robert Chandler, Ron Hahn, Terra DeBaltz, Vice Chair Dawn Ellison, and Chairman Tom Kibort
NAYS:	None
ABSTAIN:	None
MOTION CARRIED	7:0:0

10

15

6. Petition(s)

A. Petition No. 20-05.01, Weber –Stephen Products LLC, as petitioner and owner, 11811 Oak Creek Parkway – Request is for approval of a Preliminary/Final Plat of Subdivision to Resubdivide Lot 1 of Weber-Stephen Plat of Consolidation.

20

Chairman Kibort announced Director Nordman would be giving a PowerPoint presentation to review the petition.

Director Nordman reviewed a PowerPoint presentation.

25

Director Nordman stated the petitioner is requesting approval to resubdivide Lot 1 of Weber – Stephen Plat of Consolidation into two (2) lots. The existing lot includes the Weber – Stephen manufacturing facility and vacant land to the north of the facility. The petitioner is proposing subdivide the existing lot into two lots to allow for a future conveyance of the property. Lot 1 will be ±35.5 acres and will include the existing manufacturing facility and associated parking. Lot 2 will be ±11.84 acres and will consist of the vacant land located to the north of the manufacturing facility. Both proposed lots will have frontage on Oak Creek Parkway.

30

Director Nordman reviewed the zoning requirements for the petition. The subject property is zoned “BP” Business Park which requires a minimum lot area of one (1) acre (there is no minimum lot width requirement). Both proposed lots conform to the minimum lot area requirement. Furthermore, the manufacturing facility and related improvements on Lot 1 will continue to conform to the bulk standards (building and parking setbacks, building coverage, etc.) for the “BP” zoning district.

35

Director Nordman stated the petitioner is requesting a motion of the Plan Commission to recommend approval of Petition No. 20-05.01, Requesting approval of a Preliminary/Final Plat of Subdivision to Resubdivide Lot 1 of Weber-Stephen Plat of Consolidation.

40

Director Nordman stated staff recommends the following conditions be applied should the Plan Commission forward a positive recommendation to the Village Board:

45

1. Upon approval of the Final Plat by the Village Board, the Owner shall record the plat with the

Recorder of Kane County within three months. If not recorded within this time, the approval shall be null and void (Section 155.221(A)(5) of the Village's Subdivision Ordinance).

Director Nordman completed his presentation and informed Chairman Kibort that there were several people on the video connection from Weber Stephen who were available to answer questions from the Plan Commission when directed. Director Nordman also reminded the Commission this petition was not a public hearing and no swearing in was needed. Chairman Kibort thanked Director Nordman.

Chairman Kibort asked for representatives from Weber Stephen if they had anything to add. Ms. Liz Butler of the Law Firm of DLA Piper stated she did not have anything to add at this time, and also noted Phil Zadeik from Weber Stephen and Bill Bohne, the Civil Engineer, were on the call to answer questions.

Chairman Kibort asked the Plan Commission members for comments. All Commissioners were in favor of the resubdivision plans.

Chairman Kibort inquired on how Weber-Stephen was handling the Covid crisis and the economy. Phil Zadeik responded they had a temporary 2-week shutdown, but were quickly up and running with new health protection protocols in place. There were no other questions.

A MOTION was made to approve Petition No. 20-05.01, Weber –Stephen Products LLC, as petitioner and owner, 11811 Oak Creek Parkway – Request is for approval of a Preliminary/Final Plat of Subdivision to Resubdivide Lot 1 of Weber-Stephen Plat of Consolidation., subject to the following conditions:

- 1. Upon approval of the Final Plat by the Village Board, the Owner shall record the plat with the Recorder of Kane County within three months. If not recorded within this time, the approval shall be null and void (Section 155.221(A)(5) of the Village's Subdivision Ordinance).**

MOVED:	Commissioner Ron Hahn
SECONDED:	Vice Chair Dawn Ellison
AYES:	Commissioners Lori Nichols, Darci Chandler, Robert Chandler, Ron Hahn, Terra DeBaltz, Vice Chair Dawn Ellison, and Chairman Tom Kibort
NAYS:	None
ABSTAIN:	None
MOTION CARRIED	7:0:0

6. Petitions/Public Hearings (continued):

- B. Petition No. 20-05.02, Amin Dhanani on behalf of HZ Props RE, Ltd, as petitioner, and Ruby-02-HNTLYCMRCL, LLC, owner, Lot 3 in Huntley Crossings, Phase 2, Plat 1 (generally located east of Route 47 and north of Regency Parkway) – Request is for approval of (i) a Final Planned Unit Development, including any necessary relief and (ii) a Special Use Permit for a Drive-Through for a Popeyes Louisiana Kitchen in accordance**

with the site plan that has been submitted to, and is on file with, the Village of Huntley, pursuant to the requirements of Section 156.204 of the Huntley Zoning Ordinance.

5 Chairman Kibort announced Manager Griffin would be giving a PowerPoint presentation to review the petition.

Manager Griffin reviewed a PowerPoint presentation.

10 Manager Griffin stated HZ Props RE, Ltd., on behalf of Popeyes Louisiana Kitchen (“Popeyes”) has submitted plans for a proposed 2,454 square foot restaurant with a drive-through to be located on Lot 3 of Huntley Crossings, Phase 2, Plat 1. The subject site is a ±1.14-acre lot located near the northeast corner of Route 47 and Regency Parkway, between O’Reilly Auto Parts and Panda Express.

15 Manager Griffin discussed the relevant underlying documents associated with the lot in question. The Rubloff Development Phase II and III Annexation Agreement, Preliminary/Final Plat of Subdivision and Preliminary Planned Unit Development for Huntley Crossings – Phase 2 established the framework for development within the subdivision. The Second Amendment to the annexation agreement recorded in 2017 included increasing the number of drive-through restaurants allowed (from two to four) within the subdivision and revised the parameters for signage (i.e. Outlot sign height increased from six (6’) feet to
20 ten (10’) feet and may be installed within ten (10’) feet from the property line rather than fifty (50’) feet). The Final Planned Unit Development plan for each lot requires review and approval by the Plan Commission and Village Board and adherence to the Village’s Commercial Design Guidelines.

25 Manager Griffin discussed the process which staff reviewed the Popeyes Drive-Through petition and the overall Planned Unit Development, as follows:

Site Plan

30 Manager Griffin reviewed the site plan. The Popeyes site plan proposes a 2,454 square foot building with parking for 20 vehicles and includes cross access to the parking lot for O’Reilly Auto Parts. The building is oriented towards Route 47 and the main entrance to the restaurant is located on the south elevation of the building. Access to the site will be provided from the private access road at the rear of the site, in addition to the cross access with O’Reilly Auto Parts to the south. The site plan also includes a sidewalk connecting the walk at the rear access road to the main entrance on the south elevation.

Parking

35 Manager Griffin stated the Second Amendment Rubloff Development Phase II and III Annexation Agreement requires drive through eating establishments of 2,500 square feet or less to provide five (5) parking spaces per 1,000 square feet of floor area, thereby requiring thirteen (13) parking stalls for the
40 subject site. Manager Griffin stated the proposed twenty (20) parking spaces exceed the required number of parking spaces required for the restaurant. The site plan also includes parking stalls that are 10 feet in width and 19.5 feet in depth, which exceed the minimum dimensions required by the Zoning Ordinance. The width of the parking lot drive aisle is also greater than required and will measure 25.5 feet in width.

Building Elevations

45 Manager Griffin reviewed the elevations. The proposed building elevations consist of three (3) shades of brick (Aspen White, Stone Grey, and Flagstaff) and composite wood accent material surrounding the window on the west elevation. Canopies will be located over all storefront windows and over the drive-

through pick-up area. Faux shutters will be located on the north and south elevations and gooseneck style light fixtures will be installed on all four elevations. The trash enclosure will be constructed of Stone Grey colored brick and will be connected to the rear of the building with a wrought iron gate.

5 *Landscaping*

Manager Griffin stated the landscape plan submitted for the site features foundation plantings, and one (1) shade tree internal to the site and fourteen (14) shade trees around the perimeter. Tree species include three (3) Ohio Buckeye, four (4) Chicagoland Hackberry, six (6) Chinkapin Oak, one (1) Bold Cypress, and one (1) American Basswod. The landscape plan includes a variety of plantings, including four (4) varieties of evergreen shrubs, four (4) species of deciduous shrubs, three (3) types of ornamental grasses, and three (3) species of perennials. The proposed plantings and trees meet or exceed the Village’s Landscape Ordinance and Commercial Design Guidelines.

15 *Site Lighting*

The petitioners propose installation of six (6) decorative lantern-style parking lot light fixtures (4 single and 2 back-to-back), which match the lighting in the Panda Express parking lot to the north. The restaurant also utilizes decorative gooseneck wall mounted fixtures on all four sides of the building. The Village’s Zoning Ordinance requires parking lot lighting to have an average minimum illumination of two foot-candles within the parking lot and a maximum of 0.5 foot-candles at the property lines. The photometric plan meets the Village standards.

20 *Signage – Ground*

Manger Griffin reviewed slides of the signage. The proposed ground signage for the restaurant consists of a two-sided, 3’ x 7’ (21 square foot/side), ten (10’) foot tall monument sign adjacent to Route 47, and will be constructed of brick to match the building. The proposed monument sign meets the commercial design standards and Huntley Crossings Annexation Agreement. The sign includes an Electronic Message Center, which is prohibited by the Village’s Sign Regulations; therefore, the message board will require relief to be approved by the Village Board.

30 *Signage – Wall*

Manager Griffin stated the proposed Popeyes sign plan includes five (5) wall signs. The proposed wall signage includes “Popeyes Louisiana Kitchen” signs on the west elevation, facing Route 47, and on the east elevation facing the access drive. The restaurant’s round “building seal” logo will be located on both the north and south elevations. The south elevation also includes a non-illuminated acrylic wall sign stating “love that chicken”.

35 A slide with the proposed wall sign package breaks-down was reviewed.

Building Elevation	Number of signs allowed	Number of signs proposed	Square footage of signs allowed	Square footage of signs proposed	Relief required
West (front)	1	1 ⁽¹⁾	26 SF Total for all signs	52.55	None
East (rear)	0	1 ⁽¹⁾	--	52.55	For one (1) sign
North (side) drive-thru	0	1 ⁽²⁾	--	7.07	For one (1) sign

South (side)	0	2 (2 &3)	--	7.07 and 94.92	For two (2) signs
Total	1	5	26 SF	214.16	Four (4) addl. Signs and addl. 188.16 square feet

The three (3) types of proposed walls signs are:

- (1) "Popeyes Louisiana Kitchen" sign, illuminated – 52.55 sf
- (2) "Popeyes" circle building seal sign, illuminated – 7.07 sf
- (3) "Love That Chicken" acrylic FCO letters, non-illuminated, 94.92 sf

5

Required Relief

Manager Griffin stated the proposed plans require the following relief:

10

- 1. The Sign Ordinance allows one wall sign per tenant or one per street frontage. The subject site has street frontage only on Route 47, therefore, allowing one (1) wall sign by right. Relief is required to allow four additional wall signs and an additional 188.16 square feet of wall signage. Such relief is consistent with relief approved for McDonald's, Panda Express, and Burger King.

15

- 2. The ground sign includes an Electronic Message Board, which is prohibited by the Village's Sign Regulations; therefore, the message board will require relief.

Special Use Permit

20

Manager Griffin reviewed the regulations and Special Use standards for the proposed drive-through restaurant. The Amended Annexation Agreement for the subject property limits drive-through restaurants to no more four (4) within the Phase II outlots. The proposed Popeyes restaurant with drive-through represents the second of these establishments to develop on an outlot within the Huntley Crossings Phase II development, with the Panda Express restaurant adjacent to the north being the first.

25

Per the Huntley Zoning Ordinance, a Special Use Permit is required for drive-through food service in the "B-3" Shopping Center Business District and when reviewing a Special Use Permit, the Plan Commission must consider the standards identified in Section 156.068(E) of the Zoning Ordinance. No Special Use Permit shall be recommended or granted pursuant to Section 156.068(E) unless the applicant establishes the following:

30

Standards for Special Use Permits (1) General Standards. No special use permit shall be recommended or granted pursuant to this Section unless the applicant shall establish that:

35

(a) Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.

40

(b) No Undue Adverse Impact. The proposed use, drainage and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety and general welfare.

(c) No Undue Interference with Surrounding Development. The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with

the use and development of neighboring property in accordance with the applicable district regulations.

(d) Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

(e) No Undue Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential street.

(f) No Undue Destruction of Significant Features. The proposed use and development will not result in the destruction, loss or damage of natural, scenic and historic feature of significant importance.

(g) Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

Manager Griffin referenced the petitioner's SUP qualifying statement and narrative was included in the packet information.

Village Board Concept Review

Manager Griffin stated the Village Board reviewed the conceptual plans on February 13, 2020. The following is a summary of the comments by the Village Board: A Trustee commented on the width of vehicle stacking aisle at the entrance to the drive-through and stated there was not room to pass a vehicle should someone wish to exit the drive-through.

Action Requested

Manager Griffin stated the petitioner is requesting a motion of the Plan Commission, to recommend approval of Petition No. 20-05.02, Requesting approval of (i) a Final Planned Unit Development, including any necessary relief and (ii) a Special Use Permit for a Drive-Through for a Popeyes Louisiana Kitchen in accordance with the site plan that has been submitted to, and is on file with, the Village of Huntley, pursuant to the requirements of Section 156.204 of the Huntley Zoning Ordinance.

Manager Griffin stated staff recommends the following conditions be applied should the Plan Commission forward a positive recommendation to the Village Board:

1. All public improvements and site development must occur in full compliance with the submitted plans (see list of exhibits) and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
2. The petitioner will comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.
3. The Village of Huntley will require adherence to Illinois drainage law and best management practices for stormwater management. The petitioner, its agents and assignees are responsible for not increasing the rate of stormwater runoff and will be required, to the extent practicable, to minimize any increase in runoff volume through "retention" and design of multi stage outlet structures.
4. The petitioner shall obtain final approval of the Landscape Plan from the Development Services Department.
5. All permanent and seasonal plantings must be replaced immediately upon decline.
6. In accordance with the Village's Commercial Design Guidelines, screens, dormers or other features are required to conceal rooftop mechanical equipment on all sides of the structure if the Development Services Department determines that the parapet walls, as proposed, do not fully

screen said equipment.

- 7. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
- 8. No building plans or permits are approved as part of this submittal.
- 9. No sign permits are approved as part of this submittal.
- 10. The electronic message board sign shall contain static messages only and shall not have movement or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity other than that provided through an automatic dimming system to control overall illumination intensity. Each message on the sign shall be displayed for a minimum of 10 seconds. The change of messages must be accomplished immediately.

Manager Griffin concluded her slide presentation, and introduced Ani Tipnis from AKA Architects, and Ryan Walter from Woolpert Engineering. Both were in attendance on behalf of the petitioner, HZ Props RE, Ltd., for the Popeyes Louisiana Kitchen with Drive Through.

Chairman Kibort thanked Manager Griffin and requested a motion to open the Public Hearing.

A MOTION was made to open the public hearing to consider Petition No. 20-05.02

MOVED:	Vice Chair Dawn Ellison
SECONDED:	Commissioner Lori Nichols
AYES:	Commissioners Lori Nichols, Darci Chandler, Robert Chandler, Ron Hahn, Terra DeBaltz, Vice Chair Dawn Ellison, and Chairman Tom Kibort
NAYS:	None
ABSTAIN:	None
MOTION CARRIED	7:0:0

Chairman Kibort stated that as this public hearing, anyone wishing to testify must be sworn in and asked those wishing to please raise their right hand. He then swore in Ani Tipnis, Ryan Walter, and Manager Griffin.

Chairman Kibort asked the representatives for Popeyes if they had anything to add. Mr Tipnis stated staff had done a good job of reviewing the petition and they had nothing to add at this time, but were available for questions.

Chairman Kibort then asked for comments or questions from the Commission.

Commissioner Robert Chandler stated he likes the architectural look of the project. He stated he also drove through similar projects in Huntley and noted they had similar amount of signage. He has no problem with this project, and asked about when the ground breaking would occur. Mr Tipnis stated they planned to break ground in the fall.

Commissioner Terra DeBaltz stated she has watched the Elgin Popeyes get constructed (same developer) and she likes the look of it. Commissioner DeBaltz also commended them on the drive-

through design.

Commissioner Lori Nichols stated she liked the project and her comments had already been raised. She looks forward to the restaurant opening.

5

Chairman Tom Kibort praised the design of the building, including the colors, materials, and lighting. Chairman Kibort did raise a comment on the drive-aisle width at the entrance to the drive-through and thought it could benefit from being widened. Mr. Tipnis stated they would definitely look at the design if the Commission so desired.

10

Vice Chair Dawn Ellison likes the project and did not have any issues.

Commissioner Ron Hahn likes the look of the building, and that all rooftop mechanicals will be shielded by parapet walls. He is also in favor of the cross access with O'Reilly's. Commissioner Hahn had questions about the garbage delivery and whether it would interfere with traffic flow. Mr. Tipnis stated the garbage hauling hours could be restricted to non-peak times. Commissioner Hahn commented he thought the Popeyes electronic billboard should prohibit them from asking for temporary signage that sometimes can become an eyesore along the Route 47 corridor.

15

Commissioner Darci Chandler stated her comments had been addressed and she was in favor of the project.

20

There were no further comments from the Commission.

25

Chairman Kibort requested a motion to close the public hearing.

A MOTION was made to close the public hearing to consider Petition No. 20-05.02.

MOVED:	Commissioner Robert Chandler
SECONDED:	Commissioner Lori Nichols
AYES:	Commissioners Lori Nichols, Darci Chandler, Robert Chandler, Ron Hahn, Terra DeBaltz, Vice Chair Dawn Ellison, and Chairman Tom Kibort
NAYS:	None
ABSTAIN:	None
MOTION CARRIED	7:0:0

30

35

Chairman Kibort requested a motion to approve the petition.

A MOTION was made to approve Petition No. 20-05.02, Amin Dhanani on behalf of HZ Props RE, Ltd, as petitioner, and Ruby-02-HNTLYCMRCL, LLC, owner, Lot 3 in Huntley Crossings, Phase 2, Plat 1 (generally located east of Route 47 and north of Regency Parkway) – Request is for approval of (i) a Final Planned Unit Development, including any necessary relief and (ii) a Special Use Permit for a Drive-Through for a Popeyes Louisiana Kitchen in accordance with the site plan that has been submitted to, and is on file with, the Village of Huntley, pursuant to the requirements of Section 156.204 of the Huntley Zoning Ordinance, subject to the following conditions:

40

45

1. All public improvements and site development must occur in full compliance with the submitted plans (see list of exhibits) and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
2. The petitioner will comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.
3. The Village of Huntley will require adherence to Illinois drainage law and best management practices for stormwater management. The petitioner, its agents and assignees are responsible for not increasing the rate of stormwater runoff and will be required, to the extent practicable, to minimize any increase in runoff volume through “retention” and design of multi stage outlet structures.
4. The petitioner shall obtain final approval of the Landscape Plan from the Development Services Department.
5. All permanent and seasonal plantings must be replaced immediately upon decline.
6. In accordance with the Village’s Commercial Design Guidelines, screens, dormers or other features are required to conceal rooftop mechanical equipment on all sides of the structure if the Development Services Department determines that the parapet walls, as proposed, do not fully screen said equipment.
7. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
8. No building plans or permits are approved as part of this submittal.
9. No sign permits are approved as part of this submittal.
10. The electronic message board sign shall contain static messages only and shall not have movement or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity other than that provided through an automatic dimming system to control overall illumination intensity. Each message on the sign shall be displayed for a minimum of 10 seconds. The change of messages must be accomplished immediately.

The Plan Commission added the following conditions of approval:

11. The petitioner shall work with Development Services staff to increase the drive-through drive aisle width at the east entrance in order to provide escape access for cars entering the drive through.
12. Trash pickups must be scheduled during off-peak hours.

MOVED:	Commissioner Robert Chandler
SECONDED:	Commissioner Lori Nichols
AYES:	Commissioners Lori Nichols, Darci Chandler, Robert Chandler, Ron Hahn, Terra DeBaltz, Vice Chair Dawn Ellison, and Chairman Tom Kibort
NAYS:	None
ABSTAIN:	None
MOTION CARRIED	7:0:0

7. Discussion

Director Nordman stated that due to the Memorial Day holiday, the next regularly scheduled meeting is Monday, June 8, 2020, and staff is anticipating a Public Hearing for a Simplified Residential Zoning Variation would be heard on that date. He added this would be the first petition for the current Members to act as the Zoning Board.

8. Adjournment

At 7:29 pm, a MOTION was made to adjourn the May 11, 2020 Plan Commission meeting.

MOVED:	Vice Chair Ellison
SECONDED:	Commissioner Lori Nichols
AYES:	Commissioners Lori Nichols, Darci Chandler, Robert Chandler, Ron Hahn, Terra DeBaltz, Vice Chair Dawn Ellison, and Chairman Tom Kibort
NAYS:	None
ABSTAIN:	None
MOTION CARRIED	7:0:0

Respectfully submitted,
Margo Griffin
Development Manager
Village of Huntley