

**VILLAGE OF HUNTLEY**  
**PLAN COMMISSION MEETING**  
Monday, June 7, 2021  
MINUTES

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**CALL TO ORDER**

Chairman Tom Kibort called to order the Village of Huntley Special Plan Commission meeting for June 7, 2021 at 6:30 p.m. The meeting was held in the Municipal Complex Village Board Room at 10987 Main Street, Huntley, Illinois 60142.

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**PLEDGE OF ALLEGIANCE**

Chairman Kibort led the Pledge of Allegiance.

**ROLL CALL**

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**PLAN**

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

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**COMMISSIONERS**

ABSENT: None

ALSO PRESENT: Director of Development Services Charles Nordman, Development Manager Margo Griffin, and Deputy Village Manager Lisa Armour

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4. **Public Comment:** There were no public comments.

5. **Petition(s)**

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A. Petition No. 21-06.01, Huntley Investment Partners, LLC, as petitioner and owner, ±60.63 acres commonly known as 11800 Factory Shops Boulevard, Request is for approval of a Final Plan and Final Plat of Subdivision for the Huntley Commercial Center.

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Chairman Kibort stated Director Nordman would be presenting a brief PowerPoint presentation to review the petition.

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Director Nordman began his review with the history of the petition. Huntley Investment Partners LLC (“Owner”) previously submitted an application to the Village for approval of the following zoning and subdivision relief for the ±60 acres of property at 11800 Factory Shops Boulevard, formerly known as the Huntley Outlet Center (“Property”): (i) a Special Use Permit for a Preliminary Planned Unit Development; (ii) a Preliminary Plat of Subdivision; and (iii) rezoning as “ORI-Office/Research/Industrial-Light Manufacturing” to allow subdivision of the Property into three lots for the development of speculative warehouse/distribution buildings and two additional lots dedicated to stormwater management, private access drives, and related site improvements and facilities (“Proposed Development”).

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Director Nordman discussed the denial of the petition by the Village Board in 2019 and the subsequent

litigation. On April 11, 2019, the Village Board denied the Owner's request for such zoning relief, which denial was thereafter the subject of litigation filed in the Circuit Court of the 22nd Judicial Circuit, McHenry County, Illinois. At the conclusion of the Litigation, the Court issued a Memorandum Decision and Order dated December 30, 2020 (the "Order"), which Order, among other things, found that the Proposed Development was a reasonable use of the Property and ordered that the Village shall allow the Property to be developed with the Proposed Development consistent with certain preliminary development plans and subject to 50 conditions imposed by the Village in its original review of Owner's zoning application (the "Conditions"), all as further identified in the Order.

Director Nordman reviewed the current submittal. Director Nordman stated the Owner now desires to proceed with constructing the Proposed Development on the Property and, in furtherance thereof, has submitted to the Village plans and materials, copies of which are attached hereto as exhibits. The Owner has requested that the Village: (i) approve the Final Plat as a final plat of subdivision for the Property; and (ii) approve the Plans as final development plans for the Proposed Development (the "Requested Approvals"), and thereafter authorize the Proposed Development to proceed in conformity with the Plans and consistent with the Order and the Conditions.

Director Nordman showed several slides to review the site plan, access roads, architectural plans, and project highlights.

#### *Legal Analysis*

Director Nordman stated, in light of the prior litigation and Order, the scope of the Plan Commission's review should focus on: (i) whether the proposed final development plans and subdivision plat materially comply with the previously-submitted preliminary plans for the Proposed Development; (ii) whether the final subdivision plat meets the requirements of the Village's Subdivision Regulations; and (iii) whether the 50 Conditions have been satisfactorily addressed. The Owner has not applied for any new or additional zoning relief from the Village at this time. Their request merely seeks approval of the final plans and subdivision plat to allow the Proposed Development to proceed in accordance with the Order.

#### **REQUESTED ACTION**

Director Nordman reviewed the requested action. The petitioner, Huntley Investment Partners LLC, requests a motion of the Plan Commission, to recommend approval of the Final Development Plan and Final Plat of Subdivision for the Huntley Commercial Center.

Director Nordman stated staff recommends the conditions as found in the attached draft ordinance (Plan Commission exhibit) be applied as part of the Plan Commission's recommendation to the Village Board.

Director Nordman concluded his presentation, and stated the petitioner and their design team were in attendance to answer questions of the Plan Commission.

Chairman Kibort thanked Director Nordman, and asked the petitioner if they would like to add any comments.

Michael Reschke Jr. of Huntley Investment Partners approached the podium. Mr. Reschke stated he represented the Prime Group and Huntley Investment Partners. He also introduced Larry Dsurzak of JNL Design (landscape design), Mike Cody from Ware Malcomb (architectural design), and John

Cerbus from Pearson Brown & Associates (civil engineer). Mr. Reschke stated he and his team were available to answer questions from the Commission.

5 Chairman Kibort thanked the petitioner, and then asked if there were any public comments regarding this petition. There were none.

Chairman Kibort asked the Plan Commissioners for comments.

10 Vice Chair Ellison asked about the timing of the project, and when they felt earthwork would begin. Mr. Reschke replied they anticipate construction would begin this year.

Vice Chair Ellison asked whether any tenants had been signed. Mr. Reschke responded, they had not signed tenants yet, but they are actively seeking tenants in the marketplace.

15 Commissioner Hahn asked about dumpsters and where they were stored. Mike Cody responded with information on how they anticipate compactors being utilized in a loading dock space.

Commissioner Darci Chandler did not have any objections on the petition as presented.

20 Commissioner DeBaltz asked about the 50 conditions of approval. Director Nordman stated some conditions of the 50 conditions have yet to be addressed, such as written Covenants and Restrictions (CCRs). All of these conditions have been reviewed and discussed with the petitioner. Commissioner DeBaltz had no further questions.

25 Commissioner Robert Chandler had a comment on the roof top screening. He asked about the colors of the screening. Mike Cody stated the colors would match whatever façade colors were below the screening. Until they have tenants, they do not know what type of mechanicals would be required, and where parapet screening will actually be utilized. Commissioner Robert Chandler had no further questions.

30 Chairman Tom Kibort asked about the creek and wetlands. Director Nordman stated the petitioner would be required to evaluate the creek and wetland areas.

35 Chairman Kibort inquired about the traffic signal, and whether it would be utilized again. Director Nordman stated, yes it will be utilized and re-energized.

There were no further comments. Chairman Kibort requested a motion on the petition.

40 **A MOTION was made to approve close the public hearing to consider Petition No. 21-06.01, Huntley Investment Partners, LLC, as petitioner and owner, ±60.63 acres commonly known as 11800 Factory Shops Boulevard, Request for approval of a Final Plan and Final Plat of Subdivision for the Huntley Commercial Center, subject to the conditions provided with the staff report.**

45 **MOVED: Vice Chair Dawn Ellison**  
**SECONDED: Commissioner Terra DeBaltz**  
**AYES: Commissioners Darci Chandler, Ron Hahn, Robert Chandler, Terra**

**DeBaltz, Vice Chair Dawn Ellison, and Chairman Tom Kibort**

**NAYS: None**  
**ABSTAIN: None**  
**MOTION CARRIED 6:0:0**

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**6. Discussion**

10 Director Nordman announced Commissioner Lori Nichols recently resigned from the Plan Commission and he anticipates there will be a new Plan Commissioner sworn in before the next meeting, which is scheduled for June 14, 2021. Director Nordman gave a brief status update the following projects/sites: Former Tobacco Hut, Infinite Thermal Solutions, the Cider Grove construction access road, and potential for Multi-family residential development. There was no further discussion.

15 **7. Adjournment**

**At 6:45 pm, a MOTION was made to adjourn the June 7, 2021 Special Plan Commission meeting.**

20 **MOVED: Vice Chair Ellison**  
**SECONDED: Commissioner Terra DeBaltz**  
**AYES: Commissioners Darci Chandler, Ron Hahn, Robert Chandler, Terra DeBaltz, Vice Chair Dawn Ellison, and Chairman Tom Kibort**  
**NAYS: None**  
**ABSTAIN: None**  
25 **MOTION CARRIED 6:0:0**

30 Respectfully submitted,  
*Margo Griffin*  
Development Manager  
Village of Huntley