

**VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
August 10, 2017
MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, August 10, 2017 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Mayor Charles Sass; Trustees: Ronda Goldman, Tim Hoeft, Niko Kanakaris, Harry Leopold, John Piwko and JR Westberg.

ABSENT: None

IN ATTENDANCE: Village Manager David Johnson, Assistant Village Manager Lisa Armour, Management Assistant Barbara Read, Director of Development Services Charles Nordman, Chief Robert Porter and Village Attorney John Cowlin.

PLEDGE OF ALLEGIANCE: Mayor Sass led the Pledge of Allegiance.

SPECIAL PRESENTATION:

Proclamation: National Farmers Market Week and the 10th Anniversary of the Huntley Farmers Market

Mayor Sass thanked Barb Read for her work with the Farmers Market and read the following proclamation:

**NATIONAL FARMERS MARKET WEEK
August 6 – 12, 2017**

WHEREAS, farmers provide Americans with access to healthful locally grown foods through farmers markets, which are expanding and evolving to accommodate the demand for a diverse array of agricultural products; and

WHEREAS, farmers markets serve as significant outlets by which small-to-medium, new and beginning, and veteran agricultural producers market their products, generating revenue that supports the sustainability of family farms and the revitalization of rural communities nationwide; and

WHEREAS, 2017 celebrates the 10th Anniversary of the Huntley Farmers Market and recognizes the importance of supporting local family farms and encouraging the next generation of farmers to continue to provide to the community the freshest just picked fruits and vegetables and promote healthy eating.

NOW, THEREFORE, I, Charles H. Sass, Mayor of the Village of Huntley and the Village Board of Trustees proclaim the week of August 6 – 12, 2017, as National Farmers Market Week and encourage the residents of Huntley to recognize the importance of the family farm and to celebrate the 10th Anniversary of the Huntley Farmers Market.

PUBLIC COMMENTS: None

CONSENT AGENDA:

- a) Approval of a Resolution in Support of the Village of Johnsburg's Efforts to Clean Up the Fox River
- b) Approval of a Resolution Rejecting Bids for the East and West Wastewater Treatment Facilities Upgrades Project
- c) Approval of the August 10, 2017 Bill List in the amount of \$387,059.33

Mayor Sass reported that all items listed under Consent Agenda have been discussed at the Committee of the Whole.

Mayor Sass asked if the Village Board had any comments or changes to the Consent Agenda; there were none.

A MOTION was made to approve the Consent Agenda.

MOTION: Trustee Leopold
SECOND: Trustee Kanakaris
AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg
NAYS: None
ABSENT: None
The motion carried: 6-0-0

ITEMS REMOVED FROM THE CONSENT AGENDA:

- a) Approval of the July 13, 2017 Village Board Meeting Minutes

Mayor Sass reported that Trustee Westberg was absent from the meeting. Mayor Sass asked if the Village Board had any comments or changes to the Minutes; there were none.

A MOTION was made to approve the July 13, 2017 Village Board Meeting Minutes.

MOTION: Trustee Piwko
SECOND: Trustee Goldman
AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold and Piwko
NAYS: None
ABSENT: None
ABSTAIN: Trustee Westberg
The motion carried: 5-0-1-1

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Consideration of an Ordinance Approving (i) the Preliminary and Final Plat of Subdivision for 11708 Coral Street (PIN 18-28-380-008) and 11705 First Street (PIN 18-28-380-003 and 18-28-380-009); (ii) Special Use Permit for the BBQ King Restaurant; and (iii) Site Plan Review for a ±12,161 square foot retail building and parking lot, including any necessary relief in accordance with the application submitted to, and is on file with, the Village of Huntley

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that Jason Szmurlo, owner of the BBQ King Restaurant in Woodstock, is proposing to construct a multi-tenant/restaurant building on the site to open a second BBQ King location. The building footprint would be ±7,767 square feet (±12,161 square feet of building area). The building would provide for two retail spaces of ±1,428 and ±1,480 square feet each, and a restaurant space of ±4,786 square feet on the first floor and ±3,077 square feet on the second floor. While the tenant spaces are ground floor uses only, the entire façade will have the appearance of a two-story building. The building will front Coral Street and include a patio area for outdoor dining, which would be enclosed by wrought iron fence on private property adjacent to the public sidewalk.

Staff Analysis

Final Plat of Subdivision

The proposed plat of subdivision will re-subdivide the property to create four lots to accommodate the proposed development of the site. The plat will subdivide the property as follows:

Lot 1 (10,914 sq. ft.) – Village Parking Lot

Lot 2 (3,291 sq. ft.) – American Legion Honor Garden (Village-owned, use by Legion is via License Agreement)

Lot 3 (9,975 sq. ft.) – New Building / Restaurant

Lot 4 (7,167 sq. ft.) – Former Village Hall

The B-2 Highway Service District requires a minimum lot area of 5,000 square feet and a minimum lot width of 50 feet. The proposed Lot 2 (to be used as the American Legion honor garden) will require relief since it will have an area of 3,291 square feet and lot width of 33 feet. All other proposed lots conform to the minimum lot area and width required in the B-2 Highway Service District.

Site Plan Review

The proposed site plan includes the construction of a ±12,161 square foot retail/restaurant building (7,767 sq. ft. footprint). The portion of the building to be home to the BBQ King will include a second story while the two tenant spaces will be ground floor uses only (the building elevations of the two tenant spaces will have the appearance of a two-story building). A walkway will be created between the former Village Hall and the new building to provide pedestrian access between the new public parking lot and Coral Street. The walkway will use the same brick pavers that are used throughout the Downtown streetscape. The area to the west of the new building has been reserved for use by the American Legion to create an honor garden. Specific plans for the use of this area will be presented at a later date. Ownership of this lot will remain with the Village and the Legion will have access to the property via the License Agreement approved with the Village's purchase of the property from the Legion.

Parking

Parking for the new building would be provided in an expanded Village-owned parking lot that would be constructed at the rear of the building. The lot will provide 31 parking spaces for public use and 6 parking spaces for the Legion (the Legion presently has 6 parking spaces in their lot, which would remain under the Legion's ownership). Additional parking would be available on Coral Street and Church Street. Parking regulations on First Street would be modified to prohibit parking on either side of the street (parking is currently allowed on the north side of First Street). The current parking spaces on Church Street and Woodstock Street would remain unchanged. On July 27, 2017, the Village Board approved a Parking Easement Agreement with First Congregational Church to utilize their existing

parking lot for downtown overflow parking. The Church’s parking lot can accommodate approximately 60 vehicles (existing parking plus additional lots that would be paved by the Village).

At the request of the Village Board, the parking stalls within the Village parking lot were increased from nine feet to ten feet in width. This modification resulted in a loss of three parking spaces within the lot.

Existing and Proposed Parking

	Existing	Proposed
Coral Street	14	16
Old Village Hall	15	NA
Legion	6	6
New Parking Lot	NA	31
TOTAL	35	53
1 st Congregational Church Parking Lot	NA	60
TOTAL WITH CHURCH LOT ALTERNATIVE	35	113

*The eleven (11) parking spaces on Church Street and the existing parking spaces on Woodstock Street are not included in the above numbers. Parking on both streets would remain as currently provided.

Required Parking for New Building

	Area (Square Feet)	Required Parking
BBQ King	9,253 (136 seats, excluding outdoor dining)	46
Tenant Space 1	1,428	6
Tenant Space 2	1,480	6
TOTAL	±12,161	58

Building Elevations

The proposed building elevations will give the appearance of three individual buildings by each tenant space utilizing a different design and color scheme. The BBQ King Restaurant will include face brick along the front and side first floor elevations and a combination of horizontal and vertical cement fiber plank siding on the remainder of the building. Similarly, the two tenant spaces will feature fiber cement plank siding of different colors and various architectural features to make each building unique. Color elevations and renderings are provided as part of the application materials.

Landscaping

The proposed landscaping primarily consists of parking lot landscaping within the Village lot at the rear of the site. Such landscaping shall include Autumn Blaze Maple and Greenspire Linden trees within the landscaped islands and a row of Birchleaf Spirea along the northern edge of the parking lot. Ground cover within the landscape islands will include deciduous shrubs, perennials and grasses. Other landscaping on the site will include foundation plantings along the rear, side, and front of the proposed building. Foundation plantings will include a mixture of deciduous shrubs, perennials, grasses and ground covers as listed on the landscape plan.

Site Lighting

The parking lot will be illuminated with the same black Holophane Granville style pole mounted fixture used within the downtown streetscape. Additional site illumination will be provided by decorative

building mounted and pier mounted fixtures to be located on all elevations of the building and within the walkway between the proposed building and the former Village Hall.

Signage

At this time proposed wall signage has been provided for the BBQ King restaurant only. Signage for the two remaining tenant spaces will be submitted for sign permits when tenants are found to occupy each space. The proposed BBQ King signage includes a total of four wall signs. Two wall signs will state “BBQ King” and will be located on the front (south) and side (east) elevations. The remaining two signs will state “BBQ King Pick-Up Entry” and will be located on the front (south) and rear (north) building elevations. The Sign Code allows one wall sign per tenant or one per street frontage on corner lots. The BBQ King site is not a corner lot; therefore, relief is required to allow three additional wall signs for the BBQ tenant space.

Old Village Hall and 11705 First Street

In order to develop the site as proposed there are several modifications required to the property immediately west and north of the old Village Hall. Most notably, the single family house owned by the Village at 11705 First Street will need to be razed to accommodate the parking lot necessary for the redevelopment. The two-car garage would remain and be used to store downtown snow clearing equipment and barricades for the Farmers Market and other special events. The modifications to the area immediately west of old Village Hall are necessary to accommodate the walkway that would be created between the two buildings. The following is further summary of the changes needed to the existing site:

Old Village Hall

- Removal of the fence enclosure at the southwest corner of the building
- Relocation of three (3) air conditioning units to the north elevation of the building
- Removal of the payment drop box
- Removal of two (2) Maple trees and various shrubs
- Two (2) doorways and one (1) window well on the west elevation would be removed and filled with brick to match the building

11705 First Street

- Demolition of the single family house
- Demolition of the two (2) sheds located in the rear yard

Requested Relief

The following relief is required as part of the Site Plan Review:

1. The B-2 zoning district requires a minimum front setback of 30 feet. The new building will be setback ± 1 foot from the front lot line.
2. The B-2 zoning district requires a minimum side yard setback of 10 feet and total combined side yard setbacks of 20 feet. The new building will have a zero lot line on the west elevation and will be setback ± 2 feet along the east lot line.
3. The B-2 zoning district allows a maximum building coverage of 50%. The new building will cover $\pm 80\%$ of Lot 2.
4. The B-2 zoning district allows a maximum impervious coverage of 85%. The impervious coverage on Lot 3 is $\pm 95\%$.
5. The B-2 zoning district requires a parking setback of 10 feet. The Village’s public parking lot will abut the east lot line and will be located within the right-of-way of First Street.

6. The Sign Code allows one wall sign per tenant or one per street frontage on corner lots. The BBQ King site is not a corner lot; therefore, relief is required to allow three additional wall signs for the BBQ tenant space.

The following relief is required for the Plat of Subdivision:

1. The B-2 Highway Service District requires a minimum lot area of 5,000 square feet and a minimum lot width of 50 feet. The proposed Lot 2 (to be used as the American Legion honor garden) will require relief since it will have an area of 3,291 square feet and lot width of 33 feet.

Plan Commission Recommendation

The public hearing to consider the request for the Preliminary and Final Plat of Subdivision, Special Use Permit for a Restaurant, and Site Plan Review was held before the Plan Commission on Monday, May 8, 2017. Three residents were in attendance regarding the petition and one offered testimony recommending the addition of a trash receptacle near the parking lot. Having considered the testimony and standards for Special Use Permits the Plan Commission unanimously recommended approval of the request by a vote of 7 to 0, subject to the following conditions:

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 petitioner is required to meet all development requirements of the Huntley Fire Protection District.
4. In accordance with Section 155.221(A)(6) of the Subdivision Ordinance, the plat of subdivision shall be recorded with the Recorder of McHenry County within three months of approval by the Village Board. Failure to record the Plat(s) of Subdivision within three (3) months shall render the documents null and void.
5. No building permits are approved as part of this submittal.
6. No sign permits are approved as part of this submittal.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Promote New Business Development, Retention, and Expansion* as a Strategic Priority, and “Continue Downtown Revitalization Efforts” and “Attract and Retain Businesses to Enhance Tax Base and Create New Jobs” as goals.

Director Nordman reported the Mr. Szmurlo was in attendance to answer questions.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Kanakaris stated that he would like to have lighting on the wall signs.

There were no other comments or questions.

A MOTION was made to approve an Ordinance Approving (i) the Preliminary and Final Plat of Subdivision for 11708 Coral Street (PIN 18-28-380-008) and 11705 First Street (PIN 18-28-380-003 and 18-28-380-009); (ii) Special Use Permit for the BBQ King Restaurant; and (iii) Site Plan

Review for a ±12,161 square foot retail building and parking lot, including any necessary relief in accordance with the application submitted to, and is on file with, the Village of Huntley.

MOTION: Trustee Kanakaris

SECOND: Trustee Hoeft

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- b) Consideration of an Ordinance Authorizing the Approval and Execution of a Redevelopment Agreement between the Village of Huntley and BBQ King, LLC for the Redevelopment of the Property at 11708 Coral Street

Village Manager David Johnson reported that the Village Board approved the Downtown Revitalization Plan in September, 2010. The Plan has served as a guide to redevelopment within the downtown and public improvements such as the downtown streetscape project completed in 2015. A fundamental component of the Downtown Plan is identifying and facilitating redevelopment of properties. The Village acquired the property at 11708 Coral Street in late 2016 and razed the structure earlier this year for the purpose of redeveloping the site with a new multi-tenant building, which would include a restaurant.

Staff Analysis

Per the authorization granted by the Village Board on February 23, 2017, the Village negotiated a Redevelopment Agreement with BBQ King Huntley, LLC to facilitate the new construction at 11708 Coral Street.

The important project elements and key points of the Redevelopment Agreement include:

- Approximately \$1,950,000 investment project in the Downtown TIF District
- Developer will construct a 10,771 square foot building for a full-service sit down restaurant and additional tenant spaces
- The new building architecture will be complementary to the downtown area
- Restricted uses within the B-2 district
- Village and Developer responsibilities
- Timetables for construction initiation and completion
- Developer presentation of project construction progress reports
- Closing to occur within 30 days of approval of the Redevelopment Agreement
- Building commencement to occur within 30 days of closing
- Building Completion and at a minimum a temporary certificate of occupancy to be issued no later than 270 days after building commencement
- The Developer and/or bank shall furnish to the Village an irrevocable Letter of Credit in the Village's favor in the amount of \$1.5 million to ensure completion of the Building Shell in the event that the Developer is unable to complete the construction

Strategic Plan

The 2016-2020 Strategic Plan identifies Promote New Business Development, Retention, and Expansion as a Strategic Priority, and "Continue Downtown Revitalization Efforts" and "Attract and Retain Businesses to Enhance Tax Base and Create New Jobs" as goals, and "Promote Development and

Redevelopment Opportunities within the Downtown Tax Increment Finance District.”

Financial Impact

Important financial issues addressed in the Redevelopment Agreement include:

- Estimated total project cost of \$1,950,000 (not including tenant build-outs)
- Village provides the land to the Developer for \$10.00
- Fees waived for restaurant special use permit, water/sewer connections, and permits associated with the building shell and initial tenant build-out plans
- The developer shall be reimbursed for TIF eligible costs as follows: \$50,000 within five days of closing; \$50,000 upon completion of the Building Shell (restaurant and tenant spaces); and \$75,000 upon at least a temporary certificate of occupancy for the restaurant if issued within 195 days after building commencement; if issued later than 195 days but no later than 270 days, the remaining reimbursement shall be \$50,000

Based upon the estimated value of the project, the Village anticipates recapturing project costs through creation of new TIF increment.

Legal Analysis

The proposed Redevelopment Agreement has been reviewed by the Village Attorney and all is in order for Village Board approval.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Leopold asked if the petitioner will be reimbursed if the two storefronts remain vacant; Village Manager Johnson stated that the Agreement was developed to get the restaurant up and running and not tied to leasing of the storefronts.

There were no other comments or questions.

A MOTION was made approving an Ordinance Authorizing Approval and Execution of a Redevelopment Agreement between the Village of Huntley and BBQ King Huntley, LLC for the Redevelopment of the Property at 11708 Coral Street.

- MOTION:** Trustee Westberg
- SECOND:** Trustee Kanakaris
- AYES:** Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg
- NAYS:** None
- ABSENT:** None
- The motion carried: 6-0-0**

- c) Consideration of a Resolution Authorizing the Closure of Main Street from Woodstock Street to Church Street on August 22, 2017 for a Concert on the Square

Mayor Sass reported that attendance at the 2017 Concerts in the Square have been very well received with 500 to 1,000+ people enjoying the free concerts. On Tuesday August 22nd, a popular country band, Bella Cain will be performing in the Square from 7:00 p.m. until 9:00 p.m. Bella Cain draws crowds upwards of 3,000 people at many of their performances.

Staff Analysis

In anticipation of a larger crowd in attendance, Staff is requesting permission to close Main Street from 08.10.17 VB Minutes

Woodstock Street to Church Street from 6:00 p.m. to 10:00 p.m. and re-route traffic to go north on Woodstock Street to eastbound 1st Street and then southbound on Church Street.

This will allow the safe crossing of pedestrians at Main and Woodstock Streets and for vehicles to access the Village's Main Street Public Parking Lot (enter at Main and Dwyer, Main and Woodstock or off of Church Street behind Strodes Furniture); and Trinity Lutheran Church and the First Congregational Church parking lots (both churches have granted the Village permission to advertise parking in their lots).

At the June and July Concerts in the Square, the Huntley Citizen Police Academy Alumni Association (HCPAAA) volunteers have directed traffic and crossed pedestrians before and after each concert; this will also take place on August 22nd.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve a Resolution Authorizing the Temporary Closure of Main Street from Woodstock Street to Church Street from 6:00 p.m. to 10:00 p.m. on August 22, 2017 for a Concert on the Square.

MOTION: Trustee Leopold

SECOND: Trustee Goldman

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

VILLAGE ATTORNEY'S REPORT: None

VILLAGE MANAGER'S REPORT: None

VILLAGE PRESIDENT'S REPORT: None

UNFINISHED BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION:

- a) Probable or Imminent Litigation and Pending Litigation
- b) Contractual
- c) Property Acquisition, Purchase, Sale or Lease of Real Estate
- d) Appointment, Employment, Dismissal, Compensation, Discipline and Performance of an Employee of the Village of Huntley
- e) Collective Bargaining
- f) Appointment, Discipline or Removal Public Officers
- g) Appointment of a Public Officer
- h) Review of Closed Session Minutes
- i) Other

A MOTION was made at 7:23 p.m. to Enter into Executive Session for a) Probable or Imminent Litigation and Pending Litigation.

MOTION: Trustee Hoeft
SECOND: Trustee Kanakaris
The Voice Vote noted all ayes and the motion carried.

A MOTION was made at 7:41 p.m. to Exit Executive Session.

MOTION: Trustee Leopold
SECOND: Trustee Kanakaris
The Voice Vote noted all ayes and the motion carried.

ACTION ON CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:42 p.m.

MOTION: Trustee Piwko
SECOND: Trustee Goldman
The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary