

**VILLAGE OF HUNTLEY
VILLAGE BOARD
MEETING MINUTES
June 9, 2022**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, June 9, 2022 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main Street, Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Mayor Timothy Hoeft; Trustees: Ronda Goldman, Mary Holzkopf, Niko Kanakaris, Curt Kittel, Harry Leopold and JR Westberg.

ABSENT: None

IN ATTENDANCE: Village Manager David Johnson, Deputy Village Manager Lisa Armour, Director of Finance Cathy Haley, Director of Development Services Charles Nordman, Management Assistant Barbara Read, Information Technology Manager Karl Schmidt and Village Attorney Betsy Gates-Alford.

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

SPECIAL PRESENTATIONS: None

PUBLIC COMMENTS: Mayor Hoeft announced that all public comments pertained agenda item 7b and will be heard at that time.

CONSENT AGENDA:

All items listed under Consent Agenda are considered to be routine by the Village Board and may be approved and/or accepted by one motion with a Roll Call Vote. If further discussion is needed, any member of the Board may request that an item be moved off of the Consent Agenda to Items for Discussion and Consideration.

- a) Consideration – Approval of the May 12, 2022 Liquor Commission Hearing and the May 12, 2022 Village Board Meeting Minutes
- b) Consideration – Approval of the June 9, 2022 Bill List in the Amount of \$474,181.97
- c) Consideration – Ordinance Amending the Fiscal Year-End December 31, 2022, Budget and Approving the Carryover of Fiscal Year-End December 31, 2021, Expenses into the Fiscal Year-End December 31, 2022, Budget
- d) Consideration – A Resolution Approving the Bid Award to GO Painters, Inc. for the 2022 Municipal Partnering Initiative (MPI) Hydrant Painting Program
- e) Consideration – Approval of Water Main Replacement on Mill and Dean Streets: i) Approving a Resolution Authorizing a Bid Award to H. Linden & Sons Sewer and Water, Inc. in the Bid Amount of \$804,346; and ii) Approving a Resolution Authorizing Change Order No. 1 in the Credit Amount of \$114,511
- f) Consideration – A Resolution Authorizing a Professional Services Agreement with Christopher B. Burke Engineering, LTD in an Amount Not to Exceed \$58,000 for Construction Engineering Services for Water Main Replacement
- g) Consideration – Approval of Payout Request No. 1 to Martam Construction, Inc. for the Eakin Creek Sanitary Interceptor Sewer in the amount of \$120,404.38
- h) Consideration – Approval of Payout Request No. 1 to Geske and Sons, Inc. for the 2022 Street Improvement Program in the amount of \$410,068.75

- i) Consideration – An Ordinance Approving a Declaration of Easements, Covenants, Conditions and Restrictions for the Huntley Commercial Center Subdivision

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

A MOTION was made to approve the June 9, 2022 Consent Agenda.

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

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Transmittal – Annual Comprehensive Financial Report for the Fiscal Year-End December 31, 2021

Director of Finance Cathy Haley introduced Mr. Brian LeFevre, Partner in Charge of Government Services from Sikich LLP to make a presentation of the Annual Comprehensive Financial Report (ACFR) for the fiscal year-end December 31, 2021. Mr. LeFevre began the presentation and said the ACFR has been completed and is transmitted to the Village President and Board of Trustees to accept and place on file. Mr. LeFevre gave an overview of the main components of the ACFR for the Board's consideration.

STAFF ANALYSIS

Pages 1 – 3: Independent Auditor's Report; Less than 3/10 of 1% of all government agencies nationwide and only 1 out of 20 in the State of Illinois receive a "clean" unmodified opinion. The Village of Huntley is one of these agencies. The auditor's opinion: Village's financial records are presented fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Village of Huntley, Illinois, as of December 31, 2021, and the respective changes in financial position, and, where applicable, cash flows, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

MD&A4: Table 1; The Statement of Net Position mirrors the basic accounting equation, assets = liabilities + equity. Deferred outflows and inflows are noncurrent assets and liabilities and must be presented separately in accordance with GASB Statement No. 68, Accounting and Financial Reporting for Pensions GASB Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions.

MD&A5: Table 2; The Change in Net Position compares the revenue and expenses for the current and prior fiscal years' Governmental and Business Activities. Governmental Activities reports a \$3,317,215 increase in net position. Business Activities reports a (\$11,921) decrease in net position. This decrease is due to depreciation on capital assets as the business type activities generate positive cash flows from operations.

Pages 4 - 5: The Village's cash position remains strong; cash and investments total \$39.4 million; the Village Board governs an operation with assets in excess of \$247 million.

Pages 6 - 7: The Statement of Activities displays the cost of providing services to Village residents. During 2021, the cost totaled \$28 million.

Page 8: Governmental Funds - fund balances total \$23 million. General Fund reserve policy requirements equal 25% of operating expenditures during the prior twelve-month period. The General Fund balance assignments are listed below:

Non-spendable – prepaid items	\$ 47,289
Assigned for future capital projects	\$ 4,829,550
Assigned for future operations, 25% fund reserve	\$ 3,724,805
Unassigned	\$ 3,075,041
Total General Fund balance Dec 31	\$11,676,685

Page 10: Statement of Revenues, Expenditures and Changes in Fund Balances summarizes the resources used during the year. The General Fund reports a Net Change in Fund Balance totaling \$3,235,999. Removing Transfers included in Other Financing Sources reports the Excess of Revenues over Expenditures as follows:

General Fund Net Change in Fund Balance	\$ 3,235,999
Transfers in:	\$ (235,000)
Transfers out:	\$ 1,658,842
General Fund Excess of Revenues over Expenditures:	\$ 4,659,841

Page 14: The Proprietary Funds Statement of Revenues, Expenditures and Changes in Net Position report an operating gain in the water funds and an operating loss in the wastewater funds before capital grants and contributions. Removing depreciation, a non-cash transaction updates net income (loss) in both funds.

	Business-Type Activities		
	Water	Sewer	Total
Operating Revenues	\$3,767,387	\$3,486,077	\$7,253,464
Operating Expenses - Less Depreciation	\$2,482,381	\$2,586,937	\$5,069,318
Operating Income/(Loss)	<u>\$1,285,006</u>	<u>\$899,140</u>	<u>\$2,184,146</u>

The Benefits Fund is an internal service fund reporting employer and employee contributions for health insurance and life benefits. The fund reports a decrease in Net Position totaling (\$322,977).

Page 17 - 18: The Village of Huntley Police Pension Fund reports a net increase of \$2,366,538, and includes assets totaling \$16.26 million as of December 31, 2021.

Pages 32 - 37: Long term debt instruments reported as of December 31, 2021, are Downtown TIF 2020 General Obligation Refunding Bonds, Net Pension Liability for IMRF and Police, Other Postemployment Benefits (OPEB), Backhoe Capital Lease, Asset Retirement Obligations, Compensated Absences, and the Wastewater 2020 General Obligation Refunding Bonds.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies “Organizational Excellence” as a strategic focus and the following goal: “Fiscal Responsibility.” The findings of the ACFR demonstrate the Village’s commitment to this goal and that the Village is a good steward of public dollars entrusted to it to ensure the resources needed to provide services are available today and in the future.

Mr. LeFevre completed his presentation, thanked Mayor Hoeft and the Board of Trustees and said Village staff is wonderful to work with and that the Village Board should be proud of their financial status.

Trustee Westberg questioned if Mr. LeFevre expected a negative return on the investments for 2022 as they were in 2018. Mr. LeFevre replied yes, the market is showing that investment returns will be down. Trustee Goldman congratulated and thanked staff on doing an outstanding job for the Village. Mayor Hoeft asked if the Village Board had any further comments or questions. There were none.

A MOTION was made to accept and place on file the December 31, 2021 Annual Comprehensive Financial Report.

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

- b) Consideration – Ordinance Approving (i) Final Plat of Subdivision; (ii) a Special Use Permit for Warehouse, Storage, and Distribution as a speculative use; and (iii) Preliminary and Final Planned Unit Development, including any necessary relief, to accommodate construction of a ±729,600 square-foot industrial building with associated truck parking at the northwest corner of Illinois Route 47 and Jim Dhamer Drive

Director of Development Services Charles Nordman said Venture One Real Estate proposes to construct a ±729,600 square-foot speculative warehouse/distribution building on ±44.5 acres generally located at the northwest corner of Route 47 and Jim Dhamer Drive. The subject site was rezoned to “BP” Business Park on August 26, 2021 (Ordinance (O)2021-08.38). The “BP” zoning district allows warehousing, storage, and distribution as a Special Use. The petitioner states that the building could potentially be divided in up to two tenant spaces. Staff notes that no users for the building have been identified at this time. The petitioner is therefore requesting the special use for Warehouse, Storage and Distribution as a speculative use upon the subject property.

STAFF ANALYSIS

Site Plan

Venture One is proposing to construct a ±729,600 square foot warehouse/distribution building along Jim Dhamer Drive. The building has been located to meet all building setback requirements and is positioned with the two office entrances facing southeast and northwest. The proposed site plan provides a total of 439 passenger vehicle parking spaces located adjacent to the east and west elevations of the building. Truck courts are proposed on both the north and south elevations. The south truck court offers 58 depressed dock positions, two drive-in doors, and 78 semi-trailer parking stalls along the Jim Dhamer Drive frontage. An 8-foot tall composite fence is proposed to be installed along Jim Dhamer Drive to screen the outdoor trailer parking. The proposed 8-foot tall fence requires relief from the Village’s Zoning Ordinance to be located within a front yard setback. The north truck court provides 67 depressed dock positions and two drive-in doors. There are no semi-trailer parking stalls located to the north of the building. A 10-foot tall composite fence is also proposed atop a 2-foot berm along the north side of the truck court to screen the property from the residences in Sun City Neighborhood 32 (the plans indicate an 8-foot tall fence; however, the petitioner has agreed to install a 10-foot tall fence in accordance with the Plan Commission’s recommendation).

Stormwater management is proposed along the east and north lot lines of the property, adjacent to the existing wetlands and Eakin Creek floodplain. The property would be separated from Neighborhood 32 by approximately 388 feet of "P" Parks and Open Space zoning. There would be approximately 655 feet of separation from Neighborhood 32 and the north truck court, and approximately 795 feet between Neighborhood 32 and the proposed building.

Access to the site is proposed from three new curb cuts on Jim Dhamer Drive. The petitioner requires the three access points since the building holds the potential to support multiple users.

Elevations

The proposed building elevations utilize precast panels with a white and gray paint scheme. The east elevation will incorporate architectural panels with cast in reveals and two story glazing near the corner entrance. The west facing elevation will have a similar entrance. The north and south elevations consist of the proposed loading docks and will feature evenly spaced clerestory windows. The building will have an overall height of 44 feet. The roof top units are screened by the parapet walls and any remaining portions of the unit left unscreened will feature a screen attached directly to the rooftop unit. No dumpster enclosures are proposed at this time. Any future enclosures must conform to the Village's requirements.

Landscaping

The proposed landscape plan includes six varieties of evergreen and 18 varieties of shade trees. In total, 430 trees will be planted around the perimeter of the site. Landscaped islands are provided in the passenger parking areas as required. Foundation plantings are provided on the east and west side of the building. A mix of landscaping elements are provided along the site frontage facing Jim Dhamer Drive with particular attention given to the areas directly in front of the fence. The petitioner has provided renderings to depict the view of the building from Jim Dhamer Drive. Building entrances will feature complementary grasses and perennials.

The petitioner also proposes to plant 68 shade trees along the north property line to supplement the existing vegetation that will remain on the Parks and Open Space zoned property that is located to the north of the subject site. Additionally, there will be 117 evergreen trees planted along the fence line to assist in screening the north truck court. The petitioner has provided renderings and photos to depict the view of the building from Neighborhood 32.

The stormwater detention basins are proposed to be native emergent plant bottoms with two of the basins featuring a partial wet bottom. All basins will use a wet meadow seed and blanket at the immediate perimeter of the basin and low profile prairie seed and blanket moving outward from these areas.

Lighting

The photometric plan indicates the use of Lithonia D Series LED light fixtures. Parking lot light fixtures installed on the east and west side of the building are proposed to be pole mounted at 33 feet in total height. Truck court light fixtures installed on the north and south side of the building are proposed to be pole mounted at 40 feet in total height. Wall pak lighting is proposed to be installed on all four sides of the building mounted at 35 feet in total height. The proposed mounting height will require relief from the maximum fixture height of 25 feet as stated in the Development Agreement for the property. The lighting has been designed to provide the average minimum foot candles required by ordinance. The lights will be installed with motion sensors to dim when no activity is present and no fixture will omit light above 90 degrees (full cut off). All fixtures will utilize only warm white light.

Signage

No detailed signage has been proposed at this time. Any future signage must conform to the Village's Sign Ordinance.

Plat of Subdivision

The proposed plat of subdivision will resubdivide parts of Lots 3 and 4 in the Huntley Corporate Park Phase 2 Subdivision. The resubdivision will create a 44.46 acre lot for the proposed warehouse/distribution building. The proposed lot area (44.46 acres) and lot width (1,358 feet) both exceed the minimum required for the "BP" Business Park zoning district.

Special Use

A Special Use Permit for Warehouse, Storage and Distribution as a speculative use in the "BP - PDD" Business Park – Planned Development District is requested to accommodate the proposed industrial building. The petitioner's responses to the standards identified in Section 156.068(E) of the Zoning Ordinance were provided. The Plan Commission considered both the public benefit and mitigation of adverse impacts when evaluating the petitioner's evidence.

Required Relief

As proposed, the plans will require the following relief to be approved as part of the Final Planned Unit Development:

1. Section 156.079(J)(3)(a) of the Zoning Ordinance requires that fencing installed within the front yard be 70% open and no taller than 3 feet. The "BP" zoning district requires a 35 foot front yard setback. An 8-foot tall solid fence is proposed to be installed in the front yard to screen the truck parking stalls from Jim Dhamer Drive. Relief is required to allow an 8-foot tall solid fence to be located within the front yard setback.
2. Section 156.079(I)(3) restricts the height of a fence to 6 feet. The petitioner is proposing a 10-foot tall fence to the north of the truck court.
3. Resolution(R)2021-08.65 establishes a maximum light fixture height of 25 feet. The proposed parking lot, truck court, and wall mount fixtures range from a 33 – 40 feet in height. Relief is required to allow for a maximum fixture height of 40 feet.

Village Board Concept Review

The Village Board reviewed conceptual plans for VenturePark 47 on November 18, 2021 and provided the following comments.

1. A sound wall was preferred to a fence along the north truck dock. Plans have been revised to provide a composite (trex) fence to the north of the truck court.
2. It was requested that a 10-foot tall fence be installed along the north truck dock. Plans include an 8-foot tall fence installed atop a 2-foot berm; however, the petitioner has agreed to increase the height of the fence to 10 feet in accordance with the Plan Commission's recommendation.
3. Several members requested that the fence installed along the north truck court be extended to wrap around the driveway to shield oncoming headlights from shining into the adjacent homes. The plans have been revised to extend the fence past the driveways at both the east and west sides of the building.
4. It was recommended that dense plantings be added to supplement the screening provided along the north property line. Landscaping plans show 68 shade trees and 117 evergreen trees to be planted in this area.
5. It was recommended that dense planting be added to screen the truck stalls along Jim Dhamer Drive. Landscaping plans show a variety of plantings in addition to an 8-foot tall composite fence.
6. It was recommended that the trees planted along the north property line be 5 inch caliper trees to assist in providing a more immediate screen. Plans demonstrate that new tree planting will be 2.5 inch caliper.

The petitioner believes the 10-foot screen fence installed atop a 2-foot berm will provide an immediate screen. The petitioner states that trees of this size are difficult to source in the quantity needed and challenging to transplant. Additionally, mature trees do not tolerate the transplanting process as well as younger trees, and therefore have a lower survival rate.

Plan Commission Recommendation

The Plan Commission conducted a public hearing to consider the petitioner's request on May 23, 2022. Adjacent homeowners residing in Neighborhood 32 and other members of the public offered testimony in opposition to the request. Concerns were raised primarily with respect to light, noise, and environmental pollution. The following is a summary of the concerns raised by those providing testimony:

- It was questioned whether the proposed 8-foot fence installed upon the 2-foot berm would be an adequate screen to block out any dock lights (a Plan Commission condition of approval increased the height of the fence to 10 feet).
- Comparisons were made to the Amazon project and it was said that despite the larger 12-foot fence and greater distance between the buildings, the parking lot light fixtures and flashing dock door lights are still visible when viewed from the adjacent residences.
- It was debated what sound reduction qualities the trex style fencing would provide when paired to a sound wall. It was noted that although new landscaping is proposed along the fence line to complement the existing mature landscaping, the intended natural screen protection is only supplied during the growing season, leaving greater exposure during half the year.
- A suggestion was made to limit hours of operation on the facility to mitigate overnight noise pollution.

At the conclusion of the public hearing, the Plan Commission unanimously recommended approval of the petition 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 all 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. The outdoor storage of shipping/cargo containers shall be prohibited.
5. Tractor trailer parking spaces shall be for occupants of the building only. The tractor trailer parking spaces shall not be leased to an off-premise business by the owner or tenant of the building.
6. Any dumpster enclosures to be installed are required to be constructed of materials matching the principal building façade, have an aluminum or steel gate, and must be approved by the Development Services Department.
7. In accordance with Section 155.221 of the Subdivision Ordinance, the Final Plat of Subdivision shall be recorded with Kane County within three (3) months of approval by the Village Board.
8. No building construction permits, plans, sign permits, or Certificates of Occupancy are approved as part of this submittal.

The Plan Commission added the following conditions:

9. A 10-foot tall fence shall be installed upon a 2 foot berm on the north side of the truck court.
10. Lighting to be installed in the north truck court shall include house side shields.
11. That if a tenant were to be identified as requiring the use of refrigerated trucks, those refrigerated trucks shall be prohibited from parking or docking overnight in the north truck court.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies “Strong Local Economy” as a strategic focus and the following goal: “Location of Choice for New and Expanding Businesses of all Sizes.”

FINANCIAL IMPACT

Venture One will contribute \$200,000 towards the cost of improvements to Dhamer Drive, including the removal of the roadway medians along the frontage of the property and resurfacing of pavement. The work will be completed as part of the Village’s 2023 Street Improvement Program, with the resurfacing to take place from Route 47 west to the end of the property. The estimated total property tax is approximately \$950,000 for the proposed 729,600 square-foot building. The Village’s share is estimated at \$60,000. The property is located within School District 158.

Director of Development Services Nordman completed his presentation and said representatives for Venture One were in attendance to answer any questions.

Mayor Hoeft asked the petitioner if they had anything to add to the staff presentation. Mr. Ryan Stoller, Principal, said that Director Nordmans’ presentation was very thorough and thanked the Village Board for their consideration. Mr. Stoller said they have had a good experience with staff and the Plan Commission and look forward to building in Huntley.

Mayor Hoeft said that public comments will be heard at this time and asked Mr. Conrad Barta to please come forward.

Mr. Conrad Barta 13521 Windy Prairie Drive. I live just immediately beyond the project. The noise issue is becoming more and more apparent. There is currently a diesel generator running that is probably 100 yards from my house and it is idling as diesel trucks do. This is going to be a concern for the 17 houses that are along there that will be hearing the truck idling and their engines running all the time. I am aware of things that have been done to residences throughout the area that have noise issues. I have firsthand knowledge of people that live in Schiller Park, that have issues with noise from O’Hare. Their houses have had all their windows changed to soundproof windows. Something to be considered for those people whose houses are facing this project. We have a couple other people that would like to speak about it. We appreciate and understand the need for this building, which makes sense, but the consideration of the residents that live off Windy Prairie should be considered. Thank you.

Mayor Hoeft thanked Mr. Barta and called Mr. Dick Tabatt to the podium.

Dick Tabatt, 13551 Windy Prairie Drive. I would like to congratulate Charlie, because a lot of the issues that we brought up in the presentation before the Plan Commission were covered, and in our favor, as far as I am concerned. I still have a concern for the developers of the land, because nobody says who is going to occupy the building. We have a great concern for trucks coming in all hours of the night with diesel and air conditioners running. Who is going to police that activity? It sounds like even the people that are going to build the building does not know who is going to occupy it. How will they be following all the rules that have been put together to make sure that the residents on Windy Prairie are going to have a decent night's sleep? Mr. Barta commented on the work that is being done for the channel that is being put together for water to pass through there. We do not know how much water is going to come off those buildings and who is going to provide the access into that new channel of water. I thank you all for having been so diligent in trying to help us solve the problems. Now it is time to see that they actually get enforced. Thank you very much.

Mayor Hoeft thanked Mr. Tabatt for his comments and asked Sally Welter to come up to the podium.

My name is Sally Welter and I live at 13644 Windy Prairie Drive. I moved here 29 months ago and just became aware of all the things that have been transpiring in the last couple of years. Not long after Sun City opened, we saw a lot of growth in a very short time. My husband and I drove from Woodstock to O'Hare daily down Route 47 and we watched the growth. When we came through here it was all farmland and farm fields, and now look at it, it has prospered. A lot of us feel that the reason for the growth is the fact that Del Webb was allowed to come here and build their development and start the ball rolling for Huntley to grow the way it has. In the years that I have been coming through here, the police station was a very small little place, and so was the Village Hall. Now you have this gorgeous state of the art building and a lot of us residents feel that it is Sun City people that came in here and helped. You are making a lot of money on taxes. If I sell my home because I am a nervous wreck about what's going to be behind me, my house value is going to plummet if it does not sell before this warehouse is completed. What I wanted to say is that I moved here after selling my home in Woodstock to enjoy peace and quiet of a retirement community. I do not consider a warehouse or a factory behind my home, giving me peace and quiet that I expected when I moved here. Before I purchased the house, I did look at the zoning behind my property and it was zoned parks, or Parks and Recreation. Now they received the variance which is fine. I do want to say coming home yesterday from Arlington Heights driving down Route 47 that there is a lot of available property on the east side of Route 47. Why wouldn't they want to build on that side and not bother all the residents here in Sun City? I feel strongly that the Village Board should consider us residents and those of us living in the area being affected by the warehouse. I understand they do not know what the business is going to be. We knew what to expect about the lighting requirements. When we were here the last time we were told that Huntley had a regulation or code that said the lights could not be more than 25 feet and now we understand they received variance for 40 feet. If you go ahead and allow this without considering our peace and quiet, I think the best thing you could do for all of us is to have the developer build one of those walls that you see along the Tollway that are very tall and block the noise of the Tollway for the residents along I-90. I thank you for listening to me. There is a discussion about water. We understand that this is going to be the same level as our homes on Windy Prairie and we already have squishy yards that nobody can seem to control. So is this going to hurt us? I moved here not to be behind a factory, but to be in a retirement community with peace and quiet. I do thank you for listening to my comments.

Mayor Hoeft thanked Ms. Welter and said he would like to address some of the issues raised by the residents. He said that it is a sanitary line being constructed and not a water line and drainage will not be an issue. The truck noise can be discussed at the time with the developer or whomever the end user will be. Mayor Hoeft said that Del Webb absolutely has been part of the growth, but Huntley has been growing since the 80's and 90's since a Master Plan was developed. He added that if the zoning had remained office, which is what it was originally, there was a possibility of having a 15 story office building there which could not be buffered for the residents. Mayor Hoeft asked the Village Board if they had any questions for the petitioner.

Trustee Kittel thanked the residents making comments and the Venture team being here. He said he appreciated the efforts of the developer to meet the residents' concerns by adding landscaping and berms to screen the homes. Trustee Kittel said he likes the location for the building along the Tollway and said the Board will have the opportunity to review whatever business comes into the building so restrictions can be placed on the end users as fit. Trustee Leopold said there are always concerns about truck traffic with a commercial or industrial business opening, but it always seems to be fine. He said the location is good for this building being near other industrial businesses along the Tollway. Trustee Kanakaris questioned why the light poles went from 25' to 40'. Mr. Bohne, Civil Engineer, said that with the 25' height there was double the number of light poles creating a much larger glow that would be more bothersome to the neighbors. He added that the north curb line is over 600' from the residents' property and the lights have a shield on them. Trustee Holzkopf agreed with the other trustees with the location of the building and thanked the petitioner for listening to the residents and staff by modifying some of their overall plans to try to lessen the impact on the neighboring residents. Trustee Westberg

asked what percentage of illumination the motion censored lights went down to after a certain amount of inactivity. Mr. Bohne said they went down to 33%.

Trustee Goldman asked about limiting truck access coming from the west and turning left into the western access for the property. Mr. Stoller, Principal, explained that all the truck traffic will be coming from Route 47 westbound to the building and can use either access point. The trucks will be able to turn left out of both access points to head east back to Route 47. Trustee Goldman then asked if a berm or a sound wall barrier would be the best way to defray the noise for the residents. Mr. Stoller said it is a combination of both. He explained that after the concept review meetings with the Plan Commission, Village Board and staff, the original fence was upgraded from a cedar plank fence to a composite fence, which has sound eliminating capacity. Mr. Stoller said that the combination of a 10' fence on top of a two foot berm will work well along with the 400' of parkland with vegetation to buffer the noise.

Trustee Goldman asked how the building would affect the water table and possibly adding to the water issues for the residents. Mr. Bohne pointed out that there are detention basins throughout the property that will catch the stormwater runoff from the site and release it to Eakin Creek. The residents are on the north side of the property and will not be affected. Mayor Hoeft concluded the discussion by addressing some of the noise concerns that were discussed. He said that the Tollway would not put up a sound barrier because none of the residents are closer than 100' and that the berm, landscaping and the building itself will act as a noise barrier for the residents making the area quieter than it is now. Mayor Hoeft agreed with the Trustees about the location of the building and that restrictions can be put in place when the time comes for the Village Board to consider an end user for the building. Mayor Hoeft thanked the developer for addressing the residents' concerns and asked for a motion.

A MOTION was made to approve an Ordinance Approving (i) Final Plat of Subdivision; (ii) a Special Use Permit for Warehouse, Storage, and Distribution as a speculative use; and (iii) Preliminary and Final Planned Unit Development, including any necessary relief, to accommodate construction of a ±729,600 square-foot industrial building with associated truck parking at the northwest corner of Illinois Route 47 and Jim Dhamer Drive.

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

- c) Consideration – An Ordinance Approving a Final Planned Unit Development and Final Plat of Subdivision for Phases III and IV of Cider Grove Unit 2

Director of Development Services Charles Nordman stated D.R. Horton received Preliminary Planned Unit Development (PUD) and Preliminary Plat of Subdivision approval from the Village Board for Cider Grove Unit 2 on June 10, 2021. At that same time, the Village Board also approved an amendment to the Annexation Agreement and a Development Agreement to allow D.R. Horton to develop the Unit 2 property with 180 single family lots in up to four phases. The petitioner received Final PUD and Final Plat of Subdivision approval for Phases I and II on August 12, 2021. Forestar has now submitted a development application for Final PUD and Final Plat of Subdivision for Phases III and IV of the Cider Grove Unit 2 subdivision on behalf of D.R. Horton.

STAFF ANALYSIS

In accordance with the Development Agreement and preliminary approvals, D.R. Horton has submitted Final PUD plans and Final Plats of Subdivision for Phases III and IV. Phase III consists of 63 lots and a ±10 acre parcel for existing wetlands and stormwater detention basins. Phase IV consists of 41 lots, and is located directly north of the Phase III property. The lots have a minimum lot area of 8,450 square feet and an average lot area of 9,844 square feet. The proposed plans submitted for Phases III and IV are consistent with the approved Preliminary PUD and Preliminary Plat of Subdivision for Unit 2.

The Final Plat for Phase IV also includes the dedication of right-of-way for the future extension of Main Street, which is in accordance with the approved Development Agreement and the Village's Boundary Agreement with the Village of Algonquin. The Boundary Agreement requires that both Huntley and Algonquin allow for and cause to be constructed the easterly extension of Main Street to eventually connect to Lakewood Road. D.R. Horton/Forestar will not construct this portion of Main Street since it has yet to be extended across the property to the west (Halat property), but will pay the Village a cash equivalent in lieu of constructing it. The payment amount shall be based on the estimated cost of completing the Main Street Extension at the time the payment is made. The payment is required prior to recording a Final Subdivision Plat for Phase IV.

Construction access to the Unit 2 property will continue to be provided by a temporary roadway that has been constructed through property to the south of Cider Grove Unit 2. The roadway will serve as construction access for heavy construction vehicles, which are defined in the development agreement as trucks with C and D type license plates (8,001 lbs. and over) and/or trailers (3,000 lbs. and over).

Landscape Plan

The proposed landscape plan provides the required parkway trees along the proposed residential streets. Typical landscape packages have also been provided for the single family lots. A 3-foot landscape "berm" is proposed on Outlots B and C which are adjacent to the future Main Street extension. The landscape buffer is 30' wide at its narrowest and features a variety of 3" caliper shade trees, ornamental trees, and densely planted 8' tall evergreens paired with deciduous shrubs and planting beds near the future subdivision entryway. The existing wetland areas on the north side of the future Main Street extension will remain and provide a buffer between the existing Lake in the Hills homes. The two stormwater detention basins are proposed to be native emergent plant bottoms using a wet meadow seed and blanket at the immediate perimeter of the basin. Low profile prairie seed & blanket will be used moving outward from these areas to cover the remainder of the ±10 acre parcel.

Home Product

As presented with the Preliminary PUD, home sizes for the single-family product range from 1,970 to 3,020 square feet (the 1,970 square foot plan is a single-story ranch model that has a 3-car garage standard). The models listed below are the same models that were approved as part of the Preliminary PUD.

<u>Plan Name</u>	<u>Sq. Ft.</u>	<u>Description</u>
Fairfield (X453)	1,970	Single Story; 4 bedrooms; 2 bath
Pendleton (X426)	2,155	Two-story; 3 bedrooms; Loft; 2½ bath
Holcombe (X427)	2,356	Two-story; 4 bedrooms; 2½ bath
Bridgestone (X430)	2,550	Two-story; 4 bedrooms; Loft; 2½ bath
Henley (X429)	2,600	Two-story; 4 bedrooms; Loft; 2½ bath
Coventry (X451)	2,836	Two-story; 4 bedrooms; Loft; 2½ bath
Emerson (X450)	3,020	Two-story; 4 bedrooms; Loft; 2½ bath

Declaration for Cider Grove Unit 2 (CCRs)

The Declaration (CCRs) for Unit 2 was previously approved as part of the Final PUD and Final Plats of Subdivision for Phase I and II. The same CCRs will apply to Phases III and IV. As discussed during the review of the Preliminary PUD and Preliminary Plat, D.R. Horton has created a separate Homeowners Association (HOA) for the remaining phases of the Cider Grove Subdivision. This has allowed the existing Cider Grove HOA to be turned over to the residents in Unit 1. A Cross Easement and Cost Sharing Agreement has been executed so that the remaining phases would participate in the costs to maintain the clubhouse, subdivision entrance and existing stormwater facilities.

Plan Commission Recommendation

The Plan Commission considered the petitioner's request on May 23, 2022, and, with no members of the public offering testimony in favor or opposition to the request, unanimously recommended approval of the petition by a vote of 6 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 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 is required to meet all development requirements of the Huntley Fire Protection District.
5. Homes constructed on Lots 102 – 118 are required to include the following features as standard on the rear building elevations:
 - a. 4/4x4" wood window surrounds and corner boards and 4/4x8" frieze boards
 - b. Window grills
 - c. Either shutters around the windows or a bay window at the first floor
 - d. All homes shall include 4/4x4" wood window surrounds and corner boards and 4/4x8" frieze boards.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies "Strong Local Economy" as a strategic focus, and the following goal: "Location of Choice for Residents."

FINANCIAL IMPACT

Phases III and IV of Cider Grove Unit 2 are subject to current impact fees for the school, library, and fire districts. The required park land dedication has already been provided with the Phase I and II approvals.

LEGAL ANALYSIS

The Final Planned Unit Development and Final Plat of Subdivision are consistent with the approved Preliminary Planned Unit Development and Preliminary Plat.

Director of Development Services Nordman said the petitioners were in attendance to answer any questions. Trustee Westberg asked if the mailboxes in Cider Grove would be two boxes on one post. Village Manager Johnson stated the boxes would be in a cluster bank. Trustee Kittel asked if there were any problems with the construction traffic now that construction has begun. Village Manager Johnson said there were some concerns that had been addressed with the developer at the beginning and that the developer responded well with the issues being resolved. Mayor Hoeft asked if there were any other questions or concerns. There were none.

A MOTION was made to approve an Ordinance Approving a Final Planned Unit Development and Final Plat of Subdivision for Phases III and IV of Cider Grove Unit 2.

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

- d) Conceptual Review – Proposed Site Plan and Building Elevations for Antigua Mexican Grill at 10716 Route 47

Director of Development Services Charles Nordman said that Antigua Mexican Grill has submitted a conceptual site plan and building elevations for the renovation and expansion of the existing building located at 10716 Route 47 (former Tobacco Hut). The property is located directly south of Dairy Mart and north of Infinite Thermal Solutions (former Hoppy's). The restaurant owner, Luis Rodriguez, purchased the property in late 2020, with the intention of opening a second location. Antigua currently operates in Crystal Lake and Algonquin. The property is zoned B-3 Shopping Center Business District, which allows a restaurant as a permitted use.

STAFF ANALYSIS

Site Plan

The proposed plans indicate renovating the existing 873 square-foot building and constructing a 582 square-foot expansion. The renovation and expansion will accommodate the 1,455 square feet of area necessary to install a full kitchen and prep area, dish washing area, walk in cooler, accessible restrooms, and seating for 16 patrons.

The existing structure does not meet the 50' required front yard setback for the B-3 district, however, it was previously granted relief in June 2010 to provide a front yard setback of 34.07' that was a result of the Route 47 widening and right-of-way acquisition. The size of the lot was also granted legal nonconforming status to allow a lot area of 9,016 square feet, rather than the 50,000 square feet required in the "B-3" district. Despite the existing structure being allowed to remain as a legal nonconforming structure, this does not allow for a building addition to also encroach into the required 50' front yard setback without requesting relief. As a result, the proposed building addition setback of ±39' will require relief to encroach into the 50' front yard setback. The proposed addition will otherwise meet the required 30' setback from the rear lot line (east) and the required 10' setback from the side lot line (south).

The building's main entrance would be located at the north side of the building with doors facing the parking area. Access to the site would be provided using the existing curb cut off Route 47. Patrons entering the site would circulate north to the parking lot while deliveries and refuse service will utilize the driveway on the south side of the building. The building's trash enclosure would be located behind the building at the southeast corner of the site. The petitioner has proposed to install a new fence along the rear lot line to screen the parking lot and building from the homes to the east (the existing fence is in poor condition and will be replaced).

The property has a municipal utility easement for sanitary sewer north of the building, which is located in the area designated for the parking lot. The concept plans have been reviewed by staff engineers and the location and depth of the sanitary sewer would allow a parking lot to be constructed over it.

Parking

The proposed parking lot is positioned north of the building and provides 12 – 10' X 19' parking spaces. The Zoning Ordinance requires one parking space for every three seats in the restaurant. There are 16 seats proposed for the restaurant, which would require six parking spaces.

The parking lot is setback 4'-1½" from the front lot line along Route 47 and the 25-foot drive aisle that runs parallel to Route 47 abuts the property line with a zero setback proposed. The Zoning Ordinance requires a minimum 10-foot parking lot setback along the front lot line, thus requiring relief. To the east, the parking lot provides a 2-foot landscaped setback from the residential lot line. The Zoning Ordinance requires a minimum 10-foot parking lot setback where commercial property meets residential property, thus requiring relief.

Building Elevations

The building elevations consist of a gray stone veneer wainscot at the base of the building and a red thin brick above. A pearl colored EIFS façade and cornice is proposed to cap the building. Architectural details include a corbelled eave and colorized trim work incorporated into the buildings EIFS. Faux aluminum railing and mock wooden doors with glass paneling are provided along the building's west and north elevations to complete the Mexican Villa style building.

Landscape and Lighting

Landscape and lighting plans have not been submitted for conceptual review, but will be required with a formal application for Preliminary/Final PUD.

Signage

No signage has been presented as part of the conceptual plans. A signage plan will be required with a formal application for Preliminary/Final PUD.

Required Relief

The proposed plans require the following relief:

1. A parking setback of 10 feet is required from the front lot line. A setback of approximately ±4'-1½" is proposed along the front lot line adjacent to Route 47 with the 25-foot drive aisle at the front of the restaurant providing a zero setback. It is noted that ±13' is provided between the parking lot and the sidewalk along Route 47.
2. A building setback of 50 feet is required from the front lot line. As previously noted, the front yard setback of the existing structure is considered legal nonconforming. However, the proposed building addition setback of ±39' will require relief to encroach into the 50' front yard setback.
3. Section 156.151(G)(1) of the Landscape Ordinance requires a 10' landscape buffer strip for commercial property abutting a residential zone. The east lot line is adjacent to residential property, requiring a 10' landscape buffer. The proposed site plan provides a 2' landscape buffer between the parking lot and the residential lot line. Relief is required to allow a 2' landscape buffer adjacent to the residential.
4. The Village's Commercial Design Guidelines and Downtown Revitalization Plan prohibit the use of EIFS. Relief is required to allow the use of EIFS on the upper quarter of the four elevations of the proposed restaurant.

Required Approvals

The new plans for the Antigua Mexican Grill will require the following review and approvals from the Plan Commission and Village Board:

1. Final Planned Unit Development, including any necessary relief.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies “Strong Local Economy” as a strategic focus, and the following goal: “Location of Choice for New and Expanding Businesses of All Sizes.”

FINANCIAL IMPACT

The property is located in the downtown TIF district.

COURTESY REVIEW

The petitioner has requested the Village Board to conceptually review the proposed plans. The Village Board is not required to provide a formal position statement on the proposal, and the petitioner shall not be required to comply with any position statements which are offered. The concept review shall provide the petitioner with initial comments and concerns that should be considered as they proceed in the formal review process. The Village Board and its individual members are not bound by any comments made during the discussion and the petitioner acknowledges that it cannot claim in the future any reliance whatsoever on those comments.

Director of Development Services Nordman said Mr. Rodriguez, owner, was in attendance to answer any questions.

Trustee Kittel said he is excited to see an independent restaurant opening in town and questioned if the current fence would be replaced or repaired. Mr. Rodriguez said it will be repaired for now, but replaced eventually. Trustee Leopold said he would like to see more landscaping around the building and questioned what percentage of sales Mr. Rodriguez expected to be take out. Mr. Rodriguez said approximately 75% of his business will most likely be take out with 25% dine in. Trustee Kanakaris told Mr. Rodriguez he is glad he is opening the restaurant in town but wished the building was in a larger location with a bigger building. He questioned if the coolers could be kept outside behind the property somehow to make more room inside the restaurant for tables. Mr. Rodriguez said that he would need more parking if they had more tables, and there just is no room for more parking. Trustee Kanakaris thanked the petitioner for his efforts and wished him luck. Trustee Holzkopf encouraged Mr. Rodriguez to look into the façade and small business grant programs available for him to assist with the business. Trustees Holzkopf, Westberg and Goldman also told the petitioner they are glad to see a new business open in town, but also wished it was located at a larger location. Mayor Hoeft asked if there were any further questions or comments. There were none.

No action was taken on the proposed plans for this agenda item as it was conceptual review only.

- e) Consideration – An Ordinance Authorizing the Approval and Execution of a Second Amendment to a Business Development Agreement Between the Village of Huntley and Woodstock Hotel, Inc.

Village Manager David Johnson stated that the Village Board approved Ordinance (O)2020-07.48 on July 23, 2020, authorizing approval and execution of a Business Development Agreement between the Village of Huntley and Woodstock Hotel, Inc. to assist with the development of a Hampton Inn on 3.7 acres of the former Home Depot site at Huntley Crossings Phase I. The agreement was amended by Ordinance (O)2020-10.64 on October 8, 2020. The agreement, as amended, provides for the following:

- Rebate of 100% of the Village’s share of hotel accommodations tax (7%) for the first five years, with a rebate of 85% for years six through fifteen up to a maximum of \$2,500,000
- Rebate of 100% of the hotel room tax (\$3 per night flat fee) for the first five years; to be determined whether tax remains in place or is rebated any longer (\$300,000)
- Rebate of 85% of the Village’s portion of the property tax once fully assessed, up to a maximum of \$150,000

- Maximum rebate period of 15 years, or a total amount rebated of \$2,950,000 (total of property tax and hotel taxes)

STAFF ANALYSIS

Per the agreement, the original construction period completion date was December 31, 2021. Per a request from the Owner, the Village Board approved a six-month construction period extension on November 18, 2021 via Resolution (R) 2021-11.83, extending the time frame for completion to June 30, 2022. The six-month extension period was provided for as an option in the agreement. The Owner is requesting another four-month extension of time to complete construction and open the hotel for occupancy. Stated reasons include subcontractor and equipment provider supply chain issues.

LEGAL ANALYSIS

A second amendment to the Business Development Agreement Village Board approval is required to extend the completion date of June 30, 2022 until October 31, 2022, a four-month period.

Village Manager Johnson said Mr. Craig Krandel, attorney for Mr. Patel, will make a brief presentation and then be available to answer any questions from the Village Board. Attorney Krandel provided an in-depth overview of the status of the outstanding items for the hotel and reviewed a presentation for the Village Board showing pictures of the inside and outside of the hotel. He referenced purchase orders and invoices showing items had been ordered last year and have not yet been delivered. Attorney Krandel pointed out that this will be one of the first hotels in the area to open since Covid because of the process taking so long for delivery of products, work force and inspections. He said that there was a chance of the hotel being open by the end of July or even June, but Mr. Patel is asking for the extension to be able to finish the building properly. Attorney Krandel concluded his presentation by thanking the Village Board for their consideration and said he was prepared to address any questions or concerns of the Board. Mayor Hoeft began the discussion saying he appreciates Mr. Patel's efforts to build the hotel during the pandemic and that it has been a long process. He looks forward to having the hotel open in Huntley and being successful.

Trustee Goldman said she appreciated the partnership the Village has had with Mr. Patel over the years, and congratulated him on building the hotel, especially during the pandemic. Trustee Westberg also congratulated Mr. Patel on building the hotel and being an outstanding business partner in the Village. Trustee Holzkopf questioned Mr. Patel if these delays are typical of constructing a hotel or have they been more problematic because of Covid. Mr. Patel said if there was no pandemic, the hotel would have been constructed in 12 – 14 months. Trustee Holzkopf commended Mr. Patel on his financial investment in the Village and appreciated his passion for constructing the hotel and trying to get it done for the Village of Huntley.

Trustee Kanakaris said he is glad that someone is finally opening a hotel in Huntley. He said he understands the challenges faced with the construction with Covid and all the shortages. He added that the pictures of the hotel and site were beautiful and looks forward to the hotel opening. Trustee Leopold questioned what furniture they were waiting on if all of the rooms were all fully furnished already. Mr. Patel said the furniture in the common areas had not yet been delivered. Trustee Leopold questioned why Mr. Patel wanted the four month extension if he believed he could get it done within 90 days. Mr. Patel said he wants to make sure all of the products not yet delivered will get there in time and they can properly finish the hotel. Trustee Kittel said he appreciated the detail provided by Mr. Krandel and Mr. Patel. He said he supported the four month extension as everyone else did to make sure the hotel looks the best when completed. Mayor Hoeft thanked Mr. Patel for his presentation to the Board and is looking forward to the hotel being completed, but said he wants to make sure it is with the quality Huntley expects. Mayor Hoeft asked if there were any further questions or comments. There were none.

A MOTION was made to approve an Ordinance Authorizing the Approval and Execution of a Second Amendment to a Business Development Agreement Between the Village of Huntley and Woodstock Hotel, Inc.

MOTION: Trustee Westberg
SECOND: Trustee Holzkopf
AYES: Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold 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: Mayor Hoeft announced the monthly McCOG meeting will be held in Johnsburg on June 22nd. Mayor Hoeft also reported that a 4' x 8' sign for the Shops on Main (Shops) project will be installed by the Congregational Church's property. The sign will announce the opening of the Shops in 2023. Trustee Goldman questioned if the Village has received funding for the Shops project from Congresswoman Underwood. Mayor Hoeft said the proposed funding would be determined at the Senate level.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION: None

POSSIBLE ACTION ON ANY CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further items to discuss, a **MOTION** was made to adjourn the meeting at 8:53 p.m.

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

Respectfully submitted,

Rita McMahan
Village Clerk