

VILLAGE OF HUNTLEY
PLAN COMMISSION MEETING MINUTES
February 27, 2023

5 **CALL TO ORDER**

A meeting of the Village of Huntley Plan Commission was called to order on Monday, February 27, 2023 at 6:30 p.m. in the Municipal Complex, Village Board Room, 10987 Main Street, Huntley, Illinois 60142.

PLEDGE OF ALLEGIANCE

10 Chairwoman Dawn Ellison led the Pledge of Allegiance.

ROLL CALL

PRESENT: Commissioners Ron Hahn, Joseph Holtorf, Jeff Peterson, Dennis O’Leary, Terra DeBaltz, Vice Chairman Ric Zydorowicz, and Chairwoman Dawn Ellison

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ABSENT: None.

IN ATTENDANCE: Director of Development Services Charles Nordman and Senior Planner Scott Bernacki

20 **PUBLIC COMMENT**

None

APPROVAL OF MINUTES

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A. Approval of the February 13, 2023 Plan Commission Meeting Minutes

A MOTION was made to approve the February 13, 2023 Plan Commission Meeting Minutes.

MOTION: Vice Chairman Ric Zydorowicz

SECOND: Commissioner Dennis O’Leary

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AYES: Commissioners Ron Hahn, Joseph Holtorf, Jeff Peterson, Dennis O’Leary, and Vice Chairman Ric Zydorowicz

NAYS: None

ABSTAIN: Commissioners Terra DeBaltz and Chairwoman Dawn Ellison

MOTION CARRIED 5:0:2

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PUBLIC HEARING(S)

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A. Petition No. 23-02.02, Union Special LLC, Petitioner, Request for approval of a Text Amendment to the Village of Huntley Zoning Ordinance Section 156.045 Manufacturing District to allow for a Photography Studio as a permitted use.

Chairwoman Ellison turned to Village staff to begin the PowerPoint presentation to review the petition.

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Senior Planner Scott Bernacki introduced the request from the petitioner, Union Special LLC. requesting approval of a Text Amendment to the Village of Huntley Zoning Ordinance Section 156.045 “M” - Manufacturing District to allow a Photography Studio as a permitted use.

Planner Bernacki noted that the Zoning Ordinance sets aside a list of land uses as determined appropriate in each of the respective zoning districts. It was explained that the use of Photography Studio is identified by The Village’s

Zoning Ordinance as allowable within the “B-1”, “B-2”, “B-3”, “B-4” Business Districts, “O-1” Office District, and the “C-1” and “C-2” Retail Districts and that the petitioner is requesting the use also be added as a permitted use within the “M” Manufacturing District. An excerpt from Section 156.045 was shown to demonstrate the wording of the requested amendment which would allow a photography studio on any property zoned “M” Manufacturing.

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Background information was shared that explained the Village’s Development Services Department received an application for Business Registration for the address of 1 Union Special Plaza, Suite 120 which is zoned “M” Manufacturing. Documentation submitted by the applicant, Melissa Nicole Photography, confirmed that the use of the leased space was to conduct operations relating to a photography studio. It was recapped that the “M” Manufacturing District does not allow for the proposed use of the leased space as a photography studio and as a response to this determination, the Petitioner has submitted a request for a text amendment to allow for a photography studio as a permitted use in the “M” Manufacturing District. It was stressed that the amendment is not solely for proposed business on the property, rather an amendment which would apply to all property in the Village with the “M” Manufacturing zoning designation.

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Chairwoman Ellison thanked Planner Bernacki and requested a motion from the Commission to open the public hearing.

A MOTION was made to open the public hearing to consider Petition No. 23-02.02

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- MOTION:** Commissioner Jeff Peterson
- SECOND:** Vice Chairman Ric Zydorowicz
- AYES:** Commissioners Ron Hahn, Joseph Holtorf, Jeff Peterson, Dennis O’Leary, Terra DeBaltz, Vice Chairman Ric Zydorowicz, and Chairwoman Dawn Ellison
- NAYS:** None
- ABSTAIN:** None
- MOTION CARRIED** 7:0:0

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Chairwoman Ellison stated that this is a public hearing and anyone wishing to testify must be sworn in. The following persons were sworn in: Senior Planner Scott Bernacki and Petitioner’s Terence Hitpas and Lance Lamb.

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Chairwoman Ellison asked if the Petitioners had any comments to add to which the Petitioners had nothing to add.

Chairwoman Ellison asked if any members of the public had any comments to add to which no members of the public had anything to add.

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Chairwoman Ellison turned to the Plan Commissioners for comment to which no Commissioners had anything to add.

There were no further comments. Chairwoman Ellison requested a motion to close the public hearing.

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A MOTION was made to close the public hearing to consider Petition No. 23-02.02

- MOTION:** Commissioner Ron Hahn
- SECONDED:** Commissioner Joseph Holtorf
- AYES:** Commissioners Ron Hahn, Joseph Holtorf, Jeff Peterson, Dennis O’Leary, Terra DeBaltz, Vice Chairman Ric Zydorowicz, and Chairwoman Dawn Ellison
- NAYS:** None
- ABSTAIN:** None
- MOTION CARRIED** 7:0:0

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Chairwoman Ellison requested a motion to approve the petition.

A MOTION was made to approve Petition No. 23-02.02, Requesting approval of a Text Amendment to the Village of Huntley Zoning Ordinance Section 156.045 Manufacturing District to allow for a Photography Studio as a permitted use.

MOTION: Commissioner Terra DeBaltz
SECOND: Commissioner Dennis O’Leary
AYES: Commissioners Ron Hahn, Joseph Holtorf, Jeff Peterson, Dennis O’Leary, Terra DeBaltz, Vice Chairman Ric Zydorowicz, and Chairwoman Dawn Ellison
NAYS: None
ABSTAIN: None
MOTION CARRIED 7:0:0

- B. Petition No. 23-02.03, Luis Rodriguez, Petitioner & Owner, relating to 10716 N IL Route 47, Request for approval of a Final Planned Unit Development, including any necessary relief, for the construction of a new restaurant (Antigua Mexican Grill), in accordance with the plans that have been submitted to, and are on file with, the Village of Huntley, pursuant to the requirements of Section 156.204 of the Huntley Zoning Ordinance.

Chairwoman Ellison turned to Village staff to begin the PowerPoint presentation to review the petition.

Senior Planner Scott Bernacki introduced the request from the petitioner, Louis Rodriguez, requesting approval of a Final Planned Unit Development, including any necessary relief, for the construction of a new restaurant (Antigua Mexican Grill).

The aerial photographs were reviewed to show the subject parcels located at 10716 Route 47 (former Tobacco Hut) on the east side of Route 47 between 4th street and North Street, directly south of Dairy Mart. The property is zoned “B-3” Shopping Center Business District, which allows a restaurant as a permitted use.

It was said that the restaurant owner, Luis Rodriguez, purchased the property in late 2020 for the purposes of establishing what would now be the third Antigua location. Antigua currently operates in Crystal Lake and Algonquin. The petitioner has stated that given the size of the site and the parking available, the restaurant is intended primarily for takeout and delivery orders and will be serviced by 3-5 employees.

The site plan was reviewed to include the proposed demolition of the existing 873 square foot structure and reconstruction upon existing foundation with a 582 square foot addition. The new 1,455 square foot Antigua Mexican Grill will come complete with a full kitchen, walk-in cooler, food prep & dish washing areas, accessible restrooms, and dine in seating for 16. Plans were shown which propose the removal of the existing rear fence and installation of a new 8’ tall cedar fence along the rear lot line. The petitioner requested relief from the Zoning Ordinance to allow a fence height of 8-foot tall. The petitioner also requested relief from the Zoning Ordinance to allow the accessory garbage enclosure to be installed within the 30’ rear yard and within the 10’ side yard at the southeast corner of the site.

Background information was provided, including the “B-3” district’s requirement for a 50,000 square foot lot and 50’ front yard setback. In June 2010, there was a right-of-way acquisition to allow for the widening of Route 47. As a result, the subject lot was granted legal nonconforming status to allow a lot area and front yard setback less than

5 what is required by the district. It was stated that although the proposed new building and addition come no closer than the existing reduced front setback, the proposed demolition and construction of the new structure will require relief from the Zoning Ordinance to provide a front yard setback of 34.07'. The proposed reconstruction and addition will otherwise meet the required 30' setback from the east rear lot line and the required 10' setback from the south side lot line. It was noted that a structural engineer must confirm that the existing foundation can be reused to support the construction in the proposed location.

10 Access to the site uses the existing curb cut off Route 47. The proposed parking lot provides twelve (12) – 10' X 19' parking spaces, which doubles the ordinance requirement of 6 spaces provided for 16 seats. 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 directly abuts the property line with a zero-setback proposed. The petitioner has requested relief from the Zoning Ordinance to accommodate a front parking setback and drive aisle setback that is closer than the 10' required.

15 Planner Bernacki mentioned that the building has been designed to mimic the features as would be typically seen on a Mexican Villa style building. A red thin brick with a gray stone veneer wainscot provided along the lower half of the building. A pearl colored EIFS façade with a colorized cornice and trim work is proposed to cap the upper half. The petitioner has requested relief from the Commercial Design Guidelines and the Village's Downtown Revitalization Plan, which prohibit the use of EIFS as an acceptable building material. Additional architectural details were reviewed including a faux aluminum railing, mock wooden doors with glass paneling, a corbelled eave, and decorative faux French doors. A condition was added to ensure the windows installed on the faux French doors on the upper portion of the building are opaque so as to ensure proper screening of the proposed rooftop mechanical equipment.

25 Landscaping Plans were shown which show three parking lot landscaped islands and hedge of dwarf Korean lilac which lines the Route 47 frontage. Over 100 shrubs are planted around the perimeter of the site and near the building's foundation. Perennials and groundcover are proposed for all other areas that are not either paved or sodded. Plans show that a 2' landscaped separation is provided between the parking lot and the east rear property line. The petitioner has requested relief from the Zoning Ordinance to provide less than a 10' landscape buffer where a commercial property abuts a residential property. The landscape plan shows the planting of 9 arborvitae in the rear yard to assist in providing natural screening from the residential lots. A condition has been added to select an alternative evergreen species and relocate the plantings to the west side or the commercial side of the fence. A condition has also been added to accommodate additional foundation plantings along the south elevation.

35 Parking lot lighting plans demonstrate Cree Edge Series LED light fixtures mounted on square poles at a 15' in total height within the parking lot. Matching wall pack lighting will also be installed at 12' on the building's south side and east rear elevations. All lighting will be full cut off. A condition has been added to include the use of house side shields where needed.

40 It was noted that no signage has been submitted for review at this time and that a condition has been added requiring the submittal of the proposed signage prior to consideration by the Village Board.

45 The commission was reminded that conceptual plans were favorably reviewed by the Village Board in June of 2022, with comments including a preference for the installation of a composite fence material and also a strong emphasis placed on site landscaping and beautification.

Planner Bernacki stated that Staff recommends the following conditions be applied should the Plan Commission forward a positive recommendation to the Village Board including:

1. All public improvements and site development must occur in full compliance with the submitted plans and all applicable Village codes, ordinances, and Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
2. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
- 5 3. A complete sign package shall be submitted for review and approval by the Village Board.
4. The photometric plans shall be resubmitted and approved by the Development Services Department, including the following revisions:
 - i. House side shields shall be installed on the light fixtures.
- 10 5. The landscaping plans shall be resubmitted and approved by the Development Services Department, including the following revisions:
 - i. Additional foundation landscaping shall be planted along the south elevation.
 - ii An alternative evergreen species shall be selected to replace the arborvitae proposed in the rear.
 - iii That the rear evergreens are planted on the west side of the fence.
- 15 6. All landscape beds are required to be mulched on an annual basis and dead plantings must be replaced immediately upon decline.
7. All rooftop mechanical equipment shall be screened to the full height by the parapet wall. The windows installed upon the faux French doors shall be opaque to ensure proper screening from adjacent view.
8. The fencing installed in the rear of the property shall be composite material approved by the Development Services Department
- 20 9. No building plans, construction permits, sign permits, or Certificates of Occupancy are approved as part of this submittal.

Chairwoman Ellison thanked Planner Bernacki and requested a motion from the Commission to open the public hearing.

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A MOTION was made to open the public hearing to consider Petition No. 23-02.03

- MOTION:** Commissioner Terra DeBaltz
- SECOND:** Vice Chairman Ric Zydorowicz
- AYES:** Commissioners Ron Hahn, Joseph Holtorf, Jeff Peterson, Dennis O’Leary, Terra DeBaltz, Vice Chairman Ric Zydorowicz, and Chairwoman Dawn Ellison
- NAYS:** None
- ABSTAIN:** None
- MOTION CARRIED** 7:0:0

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35 Chairwoman Ellison stated that this is a public hearing and anyone wishing to testify must be sworn in. The following persons were sworn in: Senior Planner Scott Bernacki and Petitioner Luis Rodriguez and his architect Enrique Castel.

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Chairwoman Ellison asked if any members of the public had any comments to add to which no members of the public had anything to add.

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Chairwoman Ellison asked if the Petitioners had any comments to add to which the Petitioner’s architect Enrique Castel added that they are working with the building plans in attempt to keep the staircase to the second story storage area interior to the building while noting that if this cannot be done, an exterior staircase may be installed in the rear of the building.

Commissioner Ron Hahn expressed concern that the tree planted along the Route 47 frontage may grow to obstruct the view of northbound traffic from vehicles pulling out of the lot. Commissioner Peterson, Vice Chairman Zydorowicz, and Chairwoman Ellison later shared this same concern. It was recommended that a condition be

added to remove the frontage trees.

Commissioner Joseph Holtorf stated that the number of spaces provided in the parking lot appeared to be appropriate for the number of dine-in seating provided and was generally in favor of the project.

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Commissioner Jeff Peterson hosted a minor discussion regarding combining the garbage enclosures for Antigua and Infinite Thermal Solutions to the south for the sake of economizing limited site area on both lots. Commissioner Peterson complimented the design of the building and mentioned that it would be a welcome addition to the Village.

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Vice Chairman Zydorowicz and Chairwoman Ellison asked for clarification on the rear fencing. Mr. Castel stated that the new fence will follow the existing fence line. Planner Bernacki mentioned that a recommended condition of approval was to relocate the new evergreen plantings west, on the petitioner’s side of the fence. Vice Chairman Zydorowicz expressed his preference for a composite fence.

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Commissioner Dennis O’Leary questioned the quality and longevity of the proposed EIFS material. Mr. Castel stated that strides have been made in the industry improving its drainage capabilities. Because the commercial design guidelines prohibit the material, the petitioner is only asking for relief for a portion of the building to utilize the material to match the Mexican Villa Style motif. Commissioner O’Leary also questioned how snow removal would be addressed in the lot. Mr. Castel stated that snow would be pushed toward the rear of the building and the parking lot islands.

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Commissioner Terra DeBaltz complimented the scope of the project and confirmed with the applicant that the recommended conditions of approval are all agreeable to the petitioner and the project.

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Chairwoman Dawn Ellison asked for the hours of operation to which Mr. Rodriguez stated were to be 10am – 9pm, weekends 10am – 10pm. Chairwoman Ellison alerted the owner to the leaning retaining wall on the neighboring property (Dairy Mart). It was confirmed that all rooftop equipment was to be fully screened by the height of the parapet wall.

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There were no further comments. Chairwoman Ellison requested a motion to close the public hearing.

A MOTION was made to close the public hearing to consider Petition No. 23-02.03

- MOTION:** Commissioner Dennis O’Leary
- SECONDED:** Vice Chairman Ric Zydorowicz
- AYES:** Commissioners Ron Hahn, Joseph Holtorf, Jeff Peterson, Dennis O’Leary, Terra DeBaltz, Vice Chairman Ric Zydorowicz, and Chairwoman Dawn Ellison
- NAYS:** None
- ABSTAIN:** None
- MOTION CARRIED** 7:0:0

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Chairwoman Ellison requested a motion to approve the petition.

A MOTION was made to approve Petition No. 23-02.03, Requesting approval of a Final Planned Unit Development, including any necessary relief, for the construction of a new restaurant (Antigua Mexican Grill), in accordance with the plans that have been submitted to, and are on file with, the Village of Huntley, subject to the following conditions:

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1. All public improvements and site development must occur in full compliance with the submitted plans and all applicable Village codes, ordinances, and Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
2. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
3. A complete sign package shall be submitted for review and approval by the Village Board.
4. The photometric plans shall be resubmitted and approved by the Development Services Department including the following revisions:
 - i. House side shields shall be installed on the light fixtures.
5. The landscaping plans shall be resubmitted and approved by the Development Services Department including the following revisions:
 - i. Additional foundation landscaping shall be planted along the south elevation.
 - ii An alternative evergreen species shall be selected to replace the arborvitae proposed in the rear.
 - iii. That the rear evergreens are planted on the west side of the fence.
6. All landscape beds are required to be mulched on an annual basis and dead plantings must be replaced immediately upon decline.
7. All rooftop mechanical equipment shall be screened to the full height by the parapet wall. The windows installed upon the faux French doors shall be opaque to ensure proper screening from adjacent view.
8. The fencing installed in the rear of the property shall be composite material approved by the Development Services Department
9. No building plans, construction permits, sign permits, or Certificates of Occupancy are approved as part of this submittal.

The Plan Commission added the following conditions:

10. The landscaping plans shall be revised to include the removal of the two trees in the parking lot islands closest to Route 47 and replaced with low rise bushes to alleviate the concern of obstructed sight lines.

MOTION:	Commissioner Terra DeBaltz
SECOND:	Commissioner Dennis O’Leary
AYES:	Commissioners Ron Hahn, Joseph Holtorf, Jeff Peterson, Dennis O’Leary, Terra DeBaltz, Vice Chairman Ric Zydorowicz, and Chairwoman Dawn Ellison
NAYS:	None
ABSTAIN:	None
MOTION CARRIED	7:0:0

DISCUSSION

Commissioner Ron Hahn mentioned that he was of the opinion that the Belle Tire monument sign location was too close to the property line and may serve as an obstruction to oncoming traffic. Director Nordman advised the Commission of the Board approved modifications to the annexation agreement for the area, which allowed for monument signs to be installed up to 10 feet from the property line. Director Nordman assured the Commission that the sign was installed in accordance to the documentation as approved by the Plan Commission and Village Board and demonstrated compliance with the Village’s visibility triangle requirements.

Director Nordman updated the commission of upcoming developments, advised the Commissioners of the upcoming Plan Commission schedule, including March 13, which will be a joint Plan Commission and Village Board meeting to serve as the kick-off to the comprehensive planning process.

ADJOURMENT

There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:05 pm.

MOTION: Commissioner Terra DeBaltz

5 **SECOND:** Commissioner Joseph Holtorf

AYES: Commissioners Ron Hahn, Joseph Holtorf, Jeff Peterson, Dennis O’Leary, Terra DeBaltz, Vice Chairman Ric Zydorowicz, and Chairwoman Dawn Ellison

NAYS: None

ABSTAIN: None

10 **MOTION CARRIED** 7:0:0

Respectfully submitted,



15 Senior Planner
Village of Huntley