

**Minutes of the Regular Meeting  
of the Planning and Zoning Commission  
August 21, 2019**

**A. CALL TO ORDER**

The Regular Meeting of the Planning and Zoning Commission was held on Wednesday, August 21, 2019 at the Village Hall Board Room, 10 North Water Street. The meeting was called to order at 7:00 p.m. by **Vice-Chairman McClure**. **Vice-Chairman McClure** stated the role of the Planning and Zoning Commission and the procedures for the meeting.

**B. ROLL CALL**

Commissioners present were: **Tom Kusswurm**, **Vice-Chairman Jennifer McClure**, **Leo Metz**, **Jason Micklevitz**, **Cynthia Tarka** and **Rich Watson**.

Members absent were: **Chairman Brian Carlson**.

Staff present were: Director of Community Development, **Nancy Hill**, Planner, **Lauren Blayney** and Recording Secretary, **Dione Stirmell**.

**C. APPROVAL OF MINUTES**

Minutes of the July 17, 2019 Regular Planning and Zoning Commission Meeting.

A motion by **Member Tarka** to approve the minutes of the July 17, 2019 Regular Meeting of the Planning and Zoning Commission was seconded by **Member Micklevitz**. A voice vote of all ayes and no nays. There was no further discussion of the motion.

The motion carried.

**D. PUBLIC HEARING AND DISCUSSION**

CD19-03: Major Subdivision and Amended Special Use for a Planned Development request in an R-2 Single-Family Residential District located at 1055 E. Middle Street – Bluff City LLC.

**Vice-Chairman McClure** verified that an affidavit or other satisfactory evidence regarding notification had been submitted, and **Lauren Blayney** confirmed.

**Lauren Blayney** explained the petitioner was seeking a recommendation of approval for a Major Subdivision that will be known as the South Pointe 1<sup>st</sup> Resubdivision. The petitioner is requesting a recommendation of approval of a resubdivision of the previously approved 160 lot single-family residential subdivision that has been resubdivided into a 164 lot single-family residential subdivision which is a part of a Planned Development. The previously approved South Pointe Subdivision was approved by the Village Board and the final plat was recorded on June 6, 2018. **Lauren Blayney** explained that staff supports this resubdivision and noted that they are pleased to get additional park space with the proposed resubdivision.

**Lauren Blayney** explained this is for the approval of both the Preliminary and Final Planned Development and Plat of Subdivision. There is not a separate preliminary plat of subdivision. The final plat of subdivision incorporates all preliminary plat requirements.

**Vice-Chairman McClure** opened the public hearing at 7:04 p.m.

**Lauren Blayney** introduced the Petitioner, Rich Guerard 310 S. County Farm Road Wheaton, IL 60187 and Steve Kaminski, 9575 W. Higgins Road Suite 500 Rosemont, IL 60018.

Mr. Guerard explained that the property was previously a quarry and special precautions have been taken to ensure the fill on each lot is stable for residential buildings to be constructed. It was recently brought to their attention that some of the soil testing has not been adequate for the construction of single-family homes on some lots, which has led to this proposed resubdivision. He explained the proposed resubdivision of South Pointe Subdivision has been re-engineered to avoid construction of footers and building foundations in the areas where soil testing has not met criteria for building and to avoid areas where the natural stormwater overflow routes go through the residential lots. He assured the Commissioners that the soils have been tested and reports have been submitted to the Village of South Elgin's Engineer for review. Mr. Guerard summarized the petitioner's extensive background of developing subdivisions and business parks and explained he has never had any issue with building on reclaimed land.

Mr. Guerard stated the reconfiguration also allows for a more efficient site plan. He highlighted, on the site plan, the proposed resubdivision is located generally south of the existing Sweetflag Street in the South Pointe Subdivision. The configuration of the roads south of Sweetflag Street have been adjusted due to the resubdivision of the lots; therefore, some of the street names and addressing have changed. The resubdivision now includes a total of 164 single-family residential lots, which is an increase of 4 lots from the previously approved subdivision.

**Vice-Chairman McClure** opened the hearing to comments and questions from the Planning and Zoning Commissioners.

**Member Micklevitz** asked if in the future a sinkhole could occur in the area being resubdivided. Mr. Kaminski explained there are two types of sinkholes. He explained one forms when the roof of a cave collapses and exposes an underground cavern. The second type forms when water dissolves the rock underneath soil and creates an underground chasm. Without rock to support it, the soil layer collapses and creates a hole on the surface. He explained that this is a soil compaction issue, and not related to rocks wearing away. There will be some settling in the park area, but this will be minor overall. He explained that if a house were to be built in this area, an inch of settling could result in a crack in the foundation or a doors not closing properly. Mr. Guerard added the soils are tested and he is confident this will not be an issue. **Member Micklevitz** asked if they there is a possibility this could occur in other areas within the subdivisions. Mr. Kaminski assured **Member Micklevitz** that it was not a risk.

**Member Watson** asked how they were able to add four additional lots to the subdivision. Mr. Guerard, explained that some of the road right-of-way was eliminated through the reconfiguration of the resubdivision, providing additional space. **Member Watson** asked if the fire district approved the new road configuration. Mr. Guerard replied yes and they felt it was an improvement. **Member Watson** asked if they would be seeking any additional variations, and Mr. Guerard replied no. **Member Watson** asked if the four additional lots meet the lot size requirements, and **Lauren Blayney** replied yes.

No one from the public came forward to speak for or against the petition.

With no further discussion, **Vice-Chairman McClure** asked for a motion to accept the Findings of Fact:

A Special Use Permit shall be granted only if evidence is presented to establish that:

1. The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Findings: Yes, the development is consistent with the Village Comprehensive Plan and previous annexation agreement. The subdivision was previously approved by the Village and the final plat was recorded on June 6, 2018.

2. The proposed special use is compatible with the character or adjacent properties and other property within the immediate *vicinity of the proposed special use*.

Findings: Yes, the property is surrounded by open space and will impact no neighbors. The subdivision was previously approved by the Village and the final plat was recorded on June 6, 2018.

3. The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Findings: Yes, the project will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use. The subdivision was previously approved by the Village and the final plat was recorded on June 6, 2018.

4. The proposed special use will be provided with adequate utilities, access roads, drainage, and/or other necessary facilities.

Findings: Yes, the proposed special use will be provided with adequate utilities, access roads, drainage, and/or other necessary facilities. The subdivision was previously approved by the Village and the final plat was recorded on June 6, 2018.

5. The proposed special use is consistent with the intent of the elements of the Comprehensive Plan, the Unified Development Ordinance, and the other land use policies of the Village.

Findings: Yes, the proposed special use is consistent with the intent of the elements of the Comprehensive Plan, the Unified Development Ordinance, and the other land use policies of the Village. The subdivision was previously approved by the Village and the final plat was recorded on June 6, 2018.

A motion by **Member Micklevitz** that the Planning and Zoning Commission accept the Findings of Fact as presented by the Petitioner was seconded by **Member Kusswurm**. There was no further discussion of the motion. A voice vote of all ayes and no nays; the motion carried. Vote as follows:

Ayes:	Kusswurm, McClure, Metz, Micklevitz, Tarka, Watson
Nays:	None
Abstain:	None
Absent:	Carlson

The motion carried (6-0-0-1).

**Vice-Chairman McClure** asked if there was any discussion. Hearing no comments or concerns **Vice-Chairman McClure** entertained a motion to close the public hearing.

With no further testimony, a motion by **Member Watson** to close the public hearing was seconded by **Member Tarka**. There was no further discussion of the motion. A voice vote of all ayes and no nays; **Vice-Chairman McClure** closed the public hearing at 7:15 p.m. Vote as follows:

Ayes:	Kusswurm, McClure, Metz, Micklevitz, Tarka, Watson
Nays:	None
Abstain:	None
Absent:	Carlson

The motion carried (6-0-0-1).

A motion by **Member Watson** that the Planning and Zoning Commission recommend approval to the Village Board of petition CD19-03 for a Major Site Plan, Final Plat of Subdivision, and an Amended Special Use for a Planned Development for the South Pointe 1<sup>st</sup> Resubdivision located at 1055 E Middle Street in the R-2 Single-Family Residential District was seconded by **Member Tarka**. There was no further discussion of the motion. Vote as follows:

Ayes:	Kusswurm, McClure, Metz, Micklevitz, Tarka, Watson
Nays:	None
Abstain:	None

Absent: Carlson

The motion carried (6-0-0-1).

#### **E. Discussion**

CD19-08: Concept Plan Consultation for a Major Subdivision and Planned Development request in an I-Industrial District located at 325 Umbdenstock Road – Joseph Montemayor

**Lauren Blayney** explained the applicant, Joseph Montemayor, is requesting review and feedback of a Concept Plan for an Industrial Subdivision and Planned Development for the property located at 325 Umbdenstock Road, which is commonly known as the Spohr Family Farm.

**Lauren Blayney** explained that the applicant, Joseph Montemayor, is proposing a 17 Lot, industrial subdivision to be known as “Montemayor Business Park” which would consist of 16 lots 2 to 6 acres in size and one 30 acre lot. The property is approximately 84 acres and is currently zoned I-Industrial District.

**Lauren Blayney** stated the current concept plat generally meets the following zoning requirements of the UDO for the subject property located in the I-Industrial District: permitted uses, lot size, and setbacks in the I-Industrial District. Village staff has noted in a preliminary review letter previously submitted to the petitioner that the proposed 4-acre lot at the northeast corner of the development does not meet minimum lot width requirements in the I-Industrial District. This lot will need to meet the minimum lot width of 50 feet along the proposed street. In addition, Village staff has not reviewed landscaping, parking or signage plans at this time. These plans will be required if this project moves to the next stage.

**Lauren Blayney** introduced Joseph Montemayor, 1695 N. Lancaster Road South Elgin, IL 60177; Peter Bazos, 1250 Larkin Ave Suite 100 Elgin, IL 60123; and Michael Gazzola, 3550 Salt Creek Lane Suite 104 Arlington Heights, IL 60005.

Mr. Bazos explained that Mr. Montemayor is a local business owner, a resident of South Elgin and is a member of the South Elgin Economic Development group. He explained Mr. Montemayor is looking to purchase the subject property for a first class industrial park. He explained that the zoning designation of the Spohr Farm is I-2 Industrial per the terms of Annexation Agreement adopted with Ordinance 2000-45 in September of 2000. He added that per state statute annexation agreements last 20 years and governs the land use of this property while still in place.

Mr. Bazos explained that Village staff had noted a concern regarding the turning radius of the proposed roadway near the northeast part of the development appears to be too small for semi-truck movement without lane encroachment. The Village would like to see a more gradual, sweeping curve and will be required if engineering moves to the next stage. He explained they petitioner would correct that as requested by staff during engineering should

the project move forward.

Mr. Bazos provided visual of the proposed buildings adding that they will be built as a pre-fabricated, concrete precast style building. Mr. Bazos stated that the Spohr family and their attorney was also at the meeting to answer any questions.

Mr. Gazzola briefly summarized his background as a commercial real-estate broker. He stated that they have been approached by a Fortune 500 company for the proposed 30 acre lot, submitted an RFP response for this land to be considered by the company, and this property has made the first cut for potential locations. He said that if successful in the RFP response this proposed business could provide 80-100 jobs. He explained that if they do not make the next review then they would keep that parcel for a different business.

He explained that the Montemayor Business Park will be an upscale business park and will provide aesthetically pleasing buildings, with on-site amenities such as sidewalks, bike path connections, landscaping, fiber optics, off-site stormwater, proper curbs, proportional contribution to Stearns Road improvements, as well as provide approximately 350 jobs to the community. Mr. Gazzola added that he projects this project could generate over \$100 million in property taxes. He explained the business park will have covenant restrictions through the Planned Development process.

Mr. Gazzola outlined the efficiency of the site plan, highlighting that they were sensitive to the surrounding residential subdivisions by providing a 200-foot detention area to act as a buffer with an additional 30-foot existing utility easement. He felt that this would be a nice transition between the existing residential uses to the north and the proposed industrial park.

**Member Kusswurm** said he would like to see a traffic analysis done to see how the development will impact future intersection operations. He also liked the proposed industrial subdivision.

**Member Watson** said he liked the concept review presented. He expressed the same concerns as **Member Kusswurm** regarding traffic. He requested trucks be required to make all back-up or reverse movement on-site only, and not in the street. **Member Watson** also suggested no parking be allowed on the street. **Member Watson** added that he would also like to see a berm by the existing residential areas along the northern property line. He further suggested there be a berm along the eastern property line as well, in anticipation of future residential development on the neighboring Cabot property.

**Member Micklevitz** did not want to see any sort of queuing on the street with trucks thus causing potential congestion. Mr. Bazos said that they would adhere to the parking requirements. Mr. Gazzola said that they did not want queuing on street either. He assured the Planning and Zoning Commission that this would be addressed with the implementation of covenant restrictions.

**Member Metz** asked if they had a timeline for the proposed project. Mr. Gazzola said they would like to close on the property this fall, start applying for permits over the winter, and have building begin in January for completion by this time next year. He explained that the Fortune 500 company they are scouting has a requirement to have a building finished by the end of next year.

**Member Tarka** questioned the future intersection operations capacity for the proposed businesses.

**Vice-Chairman McClure** expressed concerns regarding anticipated site-generated traffic from both employees and trucks and whether this can be adequately accommodated at the proposed access locations. It was noted that trucks cannot go north on Umbdenstock Road north of this property. She suggested there be sufficient landscape or natural plantings to transition to the residential areas. Mr. Gazzola assured **Vice-Chairman McClure** that they would meet the Village's landscaping requirements.

**Member Tarka** asked if future businesses in the development would have outdoor storage. Mr. Gazzola said they would be requesting outdoor storage; however, they would regulate it per the covenants to be properly screened. **Member Micklevitz** suggested they work with staff to use fencing and landscaping to conceal it. **Lauren Blayney** explained that outdoor storage would be allowed per the annexation agreement in the I-2 Zoning District classification; however, through the Planned Development there could be added regulations for outdoor storage and other uses. Mr. Bazos explained that outdoor storage was a component they need to offer in order to have a successful business park. The Commission agreed that some outdoor storage would be acceptable as long as it is screened with fences and landscaping and could not be viewed over any fences. **Member Micklevitz** specifically noted that any landscaping that screens outdoor storage should be green all year round.

The Commission discussed building design and agreed the sample design provided by the applicant would be attractive and generally acceptable to them.

Mr. Bazos described some of the financial aspect of this project. He explained that if the project moves forward Mr. Montemayor would be required to pay to Kane County a substantial amount for impact fees. He stated that the developer believes the impact fees paid to Kane County should be redirected into the cost of the Stearns Road/Umbdenstock Road improvements, including a traffic signal. He stated he believes this intersection is a regional issue and the burden should not fall on one developer.

No one from the public came forward to speak for or against the application.

By a general consensus the Planning and Zoning Commission agreed that they could support the proposed project with the suggestions outlined by staff and requested a Traffic Impact Study be provided as part of any future submittal.

**F. PUBLIC COMMENT**

No one from the public came forward to address the Commission.

**G. NEW BUSINESS**

There was no new business to report.

**H. ADJOURNMENT**

Having no further business, a motion was made by **Member Micklevitz** to adjourn the regular meeting of the Planning and Zoning Commission, and was seconded by **Member Kusswurm**. With a voice vote of all ayes and no nays, **Vice-Chairman McClure** adjourned the meeting at 7:50 p.m.

Respectfully submitted,



Dione Stirmell  
Recording Secretary