



**SPECIAL PLANNING, BUILDING AND ZONING COMMISSION MEETING
VILLAGE OF HAWTHORN WOODS
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS
TUESDAY, JANUARY 13, 2015
6:00 p.m.**

MINUTES

I. Call to Order and Roll Call

Present: Chairperson Susy Rein called the meeting to order at 6:03 p.m.
The following members were present: Commissioners Kaiser,
Lindquist, LaGro and Rein
Absent: Rychlik, Donovan, Merkel
Staff: Donna Lobaito, Chief Administrative Officer
Erika Frable, PE, Public Works Director/Village Engineer
Michael Cassata, AICP, Planning Manager
Consultants: Lee Fell, PE, Christopher B. Burke Engineering, Ltd.
Al Maiden, Rolf C. Campbell & Associates
Trustee: None
Village Attorney: Patrick Brankin

A quorum was established.

II. Opportunity for the Public to Address the Commission

Ms. Liepa, – Ms. Liepa inquired about flooding and water issues regarding the Stonewood Glen project. Chairperson Rein stated Stonewood Glen would be discussed later in the evening.

Brian Daly, – Mr. Daly questioned the notice he received.
Chairperson Rein stated Stonewood Glen would be discussed later in the evening.

Commissioner Donovan arrived at 6:05 p.m.
Commissioner Merkel arrived at 6:06 p.m.

Samantha Kalamaras, – Inquired as to the entrance for Stonebridge.

III. Approval of Minutes

A. Approval of Minutes of the December 9, 2014 Planning, Building and Zoning Commission Meeting

Motion by Kaiser, second by Donovan to approve the minutes of the December 9, 2014 Planning, Building and Zoning Commission meeting.

Commissioner Lindquist noted that the word “bollard” was misspelled throughout the transcript.

Commissioner Merkel noted that the transcript did not reflect the individual names on pages 167 and 168 as it relates to the vote on the connection to Acorn Acres issue. It was noted that Commissioners Merkel and Lindquist were in favor of including the emergency access only connection, not Commissioners Donovan and Rychlik as reflected in the transcript.

Motion by Kaiser to amend his motion based on these changes, and second by Donovan.

Upon a voice vote, all voted aye and the motion carried unanimously.

IV. Old Business

A. Consideration and Recommendation of the Findings of Fact—Stonebridge Planned Unit Development—William Ryan Homes

Village Attorney Brankin noted that the findings required Commission action to formalize their recommendation to the Village Board regarding the Stonebridge Planned Unit Development. He noted that the Commissioners are voting on whether the proposed development meets the standards outlined in the Village Code.

Commissioner LaGro stated he would be recusing himself as he was not present at the public hearing.

Motion by Donovan, second by Kaiser to approve the Findings of Fact—Stonebridge Planned Unit Development.

Commissioner Merkel noted that there were a number of recommendations he did not see reflected in the findings. Mr. Brankin noted that staff can incorporate the conditions into the findings.

Motion by Donovan to amend his motion to include the additional conditions, second by Kaiser. Upon a voice vote, all voted aye and the motion carried unanimously.

V. Public Hearing

- a. Stonewood Glen—Orleans Homes—Consideration, Review and Recommendation to the Village Board of a Request for:
 - i. Amendment to the Official Zoning Map of Hawthorn Woods;

- ii. Variations from the Land Subdivision Ordinances as Set Forth in the Application or as Amended During the Course of the Public Hearing Process;
- iii. Preliminary Plat of Subdivision approval;
- iv. Special Use to Allow up to 4 Display Homes on the Subject Property; and
- v. Such Other Relief or Approvals as the Commission and the Village Board May Determine Reasonably Necessary.

Motion by LaGro, second by Kaiser to open the public hearing. Upon a voice vote, the motion carried and the public hearing was opened.

Chairperson Rein reviewed the procedures of the public hearing.

Mr. Rick Zirk, Orleans Homes, 1834 Walden Office Square, Schaumburg, introduced his consultants and provided an overview of the subject property. He noted that this development was before the Plan Commission in 2007 under a different developer, but that the Village Board did not proceed on the application at that time. Orleans Homes has applied to the Village to bring the plans forward for consideration. Orleans is seeking R-1 One Family Residence zoning.

Mr. Zirk reviewed various additions he has made to the plan since the 2007 consideration. The Orleans plans include varied front yard setbacks, sidewalks, a bike trail in an outlot, landscape island, and wetland buffer setbacks.

Mr. Zirk noted he has a will serve letter from Aqua Illinois for potable water, and that sewer will connect to the District 95 lift station. The fire department provided turn data for their fire trucks to ensure maneuverability around the landscape island.

Mr. Bob Gudmundson, RWG Engineering, 975 E. 22nd Street, Wheaton, spoke about drainage on the subject property. He noted that there is approximately 15 surface acres tributary to the existing stormwater basin between 49 and 51 Gentry in Copperfield. 5.3 acres are tributary on the Stonewood Glen property. Mr. Gudmundson also stated that the .15 cfs stormwater release rate conforms to the SMC requirement which can result in a lower high water level in the basins.

Regarding the landscape plan, Mr. Zirk commented that there will be a lot of landscaping along Old McHenry Road, over story trees in the outlot on the HOA property will be used, and the cul-de-sac island will be landscaped to provide a more visually pleasing streetscape. He also stated that the parkway trees will be clustered. The foundation plan detail showed the use of differing types of trees, grasses and flowers to provide diversity.

Mr. Zirk next reviewed the house plans, and stated there will be five floor plans with four elevations each, or 20 different floor plan/elevation options on 28 lots. He noted these will be the same elevations as being built in the Sanctuary Club in Kildeer. The side load/front load garages will eliminate the domineering look from both the front and side elevations. He stated a combination of window grids will be used, along with stone,

brick, water brick, bracketing, eaves structures, metallic bronze color roof over the porch, balcony on the second floor, and limestone sills. The price point for the homes will be a minimum of \$700,000+. He also commented that CCRs will be recorded with homeowner association control. The homeowner association will be responsible for the maintenance of the wetlands and detention area with a back-up SSA being created. He also said the homeowner association will be responsible for the cul-de-sac, bike trail and outlot maintenance.

Mr. Chuck Byrum, Meltzer, Purtill & Steele, 300 South Wacker Drive, Suite 3500, Chicago, commented that there will be a public hearing before the Village Board for the consideration of an annexation agreement and impact fees.

At this point, Chairperson Rein swore in any audience member wishing to present testimony.

Renee Kessel – Ms. Kessel commented on the drainage issue in her back yard, and that she is concerned that with the construction of a home behind her, she is going to flood. She stated that the former nursery operator raised the grade behind her home. Mr. Gudmundson stated he was aware of the berm along the eastern side of the property and that the developer would be enhancing this berm. He also spoke of the 15 acres tributary to this area and that Stonewood Glen would take 5 acres runoff and capture it in its onsite water basin. Furthermore, he said the developer will control the release rate and send the water to the south, not the east.

Mr. Lee Fell commented that there is a detention basin between 49 and 51 Copperfield Drive, and if water cannot outlet to the south, the basin will fill up with water. He noted that the basin is serving its purpose, and that the developer will help the overflow route by directing the water west. Mr. Gudmundson commented that the five acres will be taking away a lot of tributary area and that the release rate will help. Mr. Gudmundson stated the Stonewood Glen's water will not come into her basin.

Commissioner Donovan asked about the release rate of the recently considered Stonebridge development and if the development of these two properties were taken into consideration. Mr. Gudmundson stated that water travels westerly under Old McHenry Road to south and west of the school site. He noted that the surface runoff from agricultural property is greater than what will be the controlled rate of runoff of .15 cfs.

Samantha Kalamaras, – Ms. Kalamaras mentioned she was in real estate and had concerns about why there was no connection to Old McHenry Road. She was also concerned about school district rezoning and the ability for the schools to handle all the children. Mr. Zirk responded that the school district boundaries do not change. Furthermore, Mr. Zirk stated he would speak to Lake County Division of Transportation about a construction access off of Old McHenry Road.

Commissioner LaGro asked if the water under Old McHenry Road would pose a negative impact to Acorn Acres. Mr. Gudmundson responded that the release rate from

agricultural property is much faster now than once the release rate is controlled by the development.

Arnie Liepa, – Mr. Liepa commented that the Village should deal with the water issues in this area in a more comprehensive way. Mr. Gudmundson spoke about the release rate again and the design of the ponds. Mr. Liepa asked that the Village take the lead on stormwater issues in this area and fix Old McHenry Road. He noted that tens of millions of gallons of water flow into Acorn Acres after a rainfall. Ms. Frable responded that the Village cannot fix Old McHenry Road as it is under the ownership of Lake County, not the Village, and that one cannot quantify the water under Old McHenry Road and that the tributary area is not large.

Mr. Kaiser commented that the issues being discussed right now are not for the Planning, Building and Zoning Commission to address or solve. Chairperson Rein stated that the Commission can recommend that staff look at the broader issue of stormwater management in the area.

Mr. Lindquist commented that 2013 saw more water coming into Acorn Acres than previous years and the only change between Acorn Acres and Old McHenry Road was the new storm sewer. Ms. Frable commented that the stormsewer was installed in 1971 and was not new. Mr. Lindquist clarified that there has been an extension to the stormsewer. Ms. Frable noted the extension pipe at 1 Acorn Drive was installed on private property and was not put in by the Village, and that the pipe is shown on the LCDOT plans from 1971. She commented that the water from Stonewood Glen will not make its way to the Acorn Acres subdivision.

Cathy Bayer, – Ms. Bayer wants to ensure new development keeps water on-site. Ms. Frable responded that Lake County Watershed Development Ordinance allows for the release of water, and to change that would require a change in our ordinance.

John Gilbert – Mr. Gilbert stated that in 2007, there was an agreement with the County to allow for construction access off Old McHenry Road. He also asked if the trees would be preserved. Mr. Zirk responded staff asked that the trees be maintained. Mr. Gilbert spoke of the traffic issues on Old McHenry Road at Abbey Glen Drive. Chairperson Rein asked staff to look into the traffic light timing with LCDOT.

George Sambor, – Mr. Sambor questioned whether this development meets the Village's R-1 zoning standards. Mr. Cassata noted that the minimum lot size for R-1 zoning is 40,000 square feet, and this development meets that requirement. Mr. Sambor questioned why street lighting was being considered in this development as there is virtually no street lighting throughout the Village. Mr. Zirk stated lighting is not reflected on the preliminary plans, but will be included as a part of the final plans. Mr. Cassata stated the Village wants to use dark skies initiatives, and that street lighting is not required, but will be addressed if proposed.

There were no other audience comments.

Commissioner Merkel noted that the building elevations show brick is to be used on the rear elevations of the homes backing up to Old McHenry Road. He asked the developer to consider this enhancement on the homes backing up to Abbey Glen and Copperfield. Mr. Zirk responded the rear brick was not a part of their general offering, and that it is not in demand at their price point. Chairperson Rein asked for brick on the backs of lots 10 - 14. Mr. Zirk stated there was no requirement in the code for such, but that he would talk to Orleans. Mr. Zirk will also look at adding shutters.

Chairperson Rein asked for clarification on how many display homes would be built. Mr. Zirk responded that they are asking for four as a part of the special use permit; however, they may build fewer than that.

Commissioner Lindquist spoke about the material distribution on the home. He commented that he is not opposed to the use of all siding and that the Hawthorn Woods Country Club has homes with all siding. He is opposed to all the attention and money being paid to the front elevation only. Mr. Zirk responded that the full brick is not suitable for homes in the \$700,000 - \$900,000 price range, and this is the present housing price point demand. He said that Orleans uses bump outs and brackets for architectural appeal. Mr. Lindquist said he would like to see some sustainable design features. Mr. Zirk will look into this request.

Chairperson Rein asked if Outlots A and B could be redesigned to look less lineal. Mr. Gudmundson will look into this request. Mr. Zirk also noted the wetlands and buffer areas will be in a conservation easement with the maintenance being performed by the HOA.

Chairperson Rein stated that Commissioner Rychlik asked for a bow in the road, not a curve. Mr. Zirk will look into this request, but expressed concern as to whether he could maintain the minimum lot size. He noted the setbacks will be varied to break up monotony.

Chairperson Rein asked if the cul-de-sac islands could be made smaller. Mr. Zirk responded that a reduction in size was not necessary as the fire department's auto turn exhibit shows plenty of room for their engines to maneuver.

Commissioner Kaiser asked which lots the model homes would be built upon. Mr. Zirk responded lots 27 and 28.

Commissioner Donovan asked if the natural gas line on lot 28 would be moved. Mr. Zirk is working to have it moved. Mr. Donovan asked if a tree survey was completed, and suggested renewal plantings be done, because some of the box elders and other older trees will not last long, plus some trees would be lost during construction.

Commissioner Donovan also asked why there was no easement to connect to the bike path on Old McHenry Road. Mr. Zirk responded that would be a huge undertaking with minimal benefit. He noted that this would appear as a piecemeal trail as there is no bike path on Old McHenry Road as of yet. Commissioner Donovan suggested an easement be placed now for long term plans. Mr. Zirk will look into this, but stated he preferred an outlot as opposed to an easement so as to not impact the lot width.

John Gilbert, – Mr. Gilbert noted that the surrounding subdivisions do not have sidewalks, and that the proposed sidewalks seemed out of character. Mr. Cassata responded that the sidewalks are to provide a safe passage to the Copperfield Park, and would not be constructed on Monticello Road. Mr. Gilbert asked about signage for advertising. Mr. Zirk stated the Village has strict signage standards and that Orleans is not asking for a variance in this regards.

Motion by Merkel, second by LaGro to close the public hearing. Upon a voice vote, the motion carried unanimously and the public hearing was closed.

Ms. Rein read into the record all the potential action items from Mr. Cassata's staff memorandum:

1. Zoning of the Subject Property to R-1 One-Family Residence District.
2. Special Use Permit for Display Homes subject to:
 - A. Approval of the preliminary and final plat by the Board of Trustees.
 - B. Approval of the preliminary and final engineering plans by the Village Engineer.
 - C. Maximum of four (4) display homes.
 - D. Approval of building permits for the display homes by the Building Department.
3. Preliminary plan/preliminary plat subject to:
 - A. Approval of the preliminary and final Plat of Subdivision by the Board of Trustees.
 - B. Approval of the preliminary and final engineering plans by the Village Engineer.
 - C. Approval of any off-site roadway improvement plans and access permits by the Lake County Division of Transportation and/or Ela Township Highway Department.
 - D. Plan review comments provided by Christopher B. Burke Engineering, Ltd. dated December 4, 2014.
 - E. Plan review comments provided by Erika Frable, PE, Village Engineer, dated January 6, 2015.
 - F. Plan review comments provided by Michael Cassata, AICP, Village Planning Manager, dated December 19, 2014.
 - G. Plan review comments provided by Rolf C. Campbell & Associates dated October 17, 2014.
 - H. Plan review comments provided by Lake Zurich Fire and Rescue Department dated October 16, 2014 and December 9, 2014.

- I. Review and approval of response-to-comments provided by the Applicant, copies of which are in the Preliminary Plan Submittal booklet.
 - J. Approval of the following variations from the Land Subdivision Ordinance (Title 10), which are also depicted in the Preliminary Plan Submittal booklet.
 - a. Street Length: Section 10-3-2.B.3.a.4 – Required if street length is more than 1,000 feet or 10 lots. The provided street length is 1639.63 feet.
 - b. Stormwater Release Rate: Section 10-3-9.B.5.a – Release rate allowance from 0.05 to 0.15 cfs/acre.
 - c. Cul-De-Sac Design: Section 10-3-2.B.3.a(1)(A): Required minimum inside back-of-curb radius is 35 feet; 19 feet provided.
 - d. Cul-De-Sac Design: 10-3-2.B.3.a(1)(B): Required minimum outside back-of-curb radius is 58 feet; 50 feet provided.
 - e. Cul-De-Sac Design: 10-3-2.B.3.a(1)(C): Required minimum ROW diameter is 160 feet; 120 feet is provided in both cul-de-sacs.
4. Preliminary subdivision engineering plans subject to:
 - A. Approval of the preliminary and final plat by the Board of Trustees.
 - B. Plan review comments provided by Christopher B. Burke Engineering, Ltd. dated December 4, 2014.
 - C. Plan review comments provided by Erika Frable, PE, Village Engineer, dated January 6, 2015.
 - D. Approval of the preliminary and final engineering plans by the Village Engineer.
 - E. Approval of the Public Service Uses by all federal, state, and local regulatory agencies.
 - F. Approval of public water from Aqua Illinois.
 - G. Approval of public sewer.
 5. Preliminary landscape plan subject to:
 - A. Approval of the preliminary and final engineering plans by the Village Engineer.
 - B. Approval of the final landscape plan by the Board of Trustees.
 - C. Plan review comments provided by Michael Cassata, AICP, Village Planning Manager, dated December 19, 2014.
 - D. Plan review comments provided by Rolf C. Campbell & Associates, dated October 17, 2014.
 6. Signage plan as a part of Final Plat approval.
 7. Lighting plan as a part of Final Plat approval.
 8. Building elevations subject to approval by the Board of Trustees.
 9. Approval of a construction entrance plan depicting all construction vehicles accessing the subject property via a temporary access to be determined during final engineering.
 10. Approval of HOA documents by the Board of Trustees.

11. Any other relief or approvals the Commission may determine are necessary.
12. Review and approval of any necessary documents as determined by the Village Attorney.
13. Resolution of parkland/cash donation.
14. Execution of an Annexation Agreement prior to Final Plat approval.
15. Execution of a Subdivision Improvement Agreement for on-site and off-site improvements prior to Final Plat approval.
16. Agree to approval of back-up SSA for homeowner's association landscape assurances.

The Commissioners added the following additional conditions:

1. Solicit LCDOT for temporary construction access off of Old McHenry Road.
2. Village Staff shall review and work with applicable regulatory agencies on area stormwater management issues.
3. Village Engineer shall request LCDOT to examine the traffic situation at Abbey Glenn Drive / Old McHenry Road intersection to include analysis of turning radii and queue lanes.
4. Confirm the topographic survey is current.
5. Detention ponds shall have a natural design.
6. The various wetlands and wetland buffers located on private dwelling lots shall be included in the areas maintained by the Homeowners Association.
7. Building setback lines shall vary as to not create a soldiering effect of homes.
8. Developer shall work with Nicor to relocate the 10-foot gas line easement on Lot 28 to the front of the lot.
9. Increase the number of renewal plantings in the landscape buffer zones between Stonewood Glen subdivision and adjacent subdivisions.
10. Consider connecting the bike path on Old McHenry Road to the Stonewood Glen subdivision via an easement between Lots 12 and 13 or through an outlot.
11. Evergreens or trees with a 3-inch caliper shall be planted behind Lots 23, 24, 3, 5 & 7.
12. Consider changing the tangent of Stonewood Glen Drive slightly to make the road more curvilinear without causing lots to fall under the 40,000-square foot minimum lot size requirement.

13. Rear elevations on Lots 10 and 14 shall be enhanced, in addition to the rear elevations on Lots 11, 12 and 13.
14. Shutters or other architectural elements on the rear of homes shall be considered to enhance the windows.

Motion by Merkel, second by LaGro to recommend to the Village Board the potential action items outlined in Mr. Cassata's staff memorandum plus the additional conditions as outlined herein.

Roll call vote.

Ayes: Kaiser, Lindquist, LaGro, Donovan, Merkel

Nays: None

Abstain: None

Absent: Rychlik

Motion carried.

Ms. Rein noted the Findings of Fact will be on the Planning, Building and Zoning Commission agenda on February 10, 2015.

- b. Medical Cannabis—Consideration, Review and Recommendation to the Village Board of a Request for Various Amendments of the Village Code of the Village of Hawthorn Woods Relating to Medical Cannabis in Title 9, Chapter 9-2-2—Definitions; Title 9, Chapter 9-6A1-3—Office Research and Development District Special Uses; Title 9, Chapter 9-11-5—Schedule of Parking Requirements; Title 9, Chapter 9-12-8—Signs in Business and Industrial Districts; and Title 9, Chapter 14—Special Uses

Motion by Kaiser, second by Lindquist to open the public hearing. Upon a voice vote, the motion carried unanimously and the public hearing was opened.

Mr. Cassata reported that the State of Illinois has approved the use of medical marijuana, and that tonight's request is to provide some local control by requiring a special use permit in the ORD zoning district. Mr. Brankin noted that the only issue left up to the municipality is that of zoning; all else being regulated by the state. He noted that municipalities cannot regulate medical marijuana out by zoning.

Mr. Cassata reviewed four locations zoned ORD. He noted that he used the state act for buffering, and that the cultivation centers and dispensaries have different buffering standards.

Commissioner Kaiser questioned some of the defined terms in the proposed amendment. Mr. Brankin noted that the definitions come from the state. Commissioner Kaiser asked that on page 28, regarding k. Drive-Through, that the word "may" be changed to "shall".

Motion by Kaiser, second by Merkel to close the public hearing. Upon a voice vote, the motion carried unanimously and the public hearing was closed.

Motion by Merkel, second by Kaiser to recommend to the Village Board the potential action item outlined in Mr. Cassata's staff memorandum, plus the one change noted on page 28, letter k. Upon a voice vote, the motion carried unanimously.

VI. Adjournment

Motion by LaGro, second by Donovan to adjourn the meeting. Upon a voice vote, all voted aye, and the motion carried. There being no further business, the meeting adjourned at 9:58 p.m.



Susy Rein, Chairperson