DATE: Wednesday, March 20, 2019
TIME: 7:30 p.m.
PLACE: McHenry Municipal Center (Council Chambers)
       333 South Green Street, McHenry, IL 60050

AGENDA

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Public Input – (five minutes total on non-agenda items only)

5. Consideration of Approval of Meeting Minutes: February 20, 2019 Regular Meeting

6. Z-944 Final Plat of McCullom Place Lot 1 Resubdivision

   Applicant: Illiana Realty, LLC, 1331 E. Ludlow Ridge Rd., Port Ludlow, WA 98365

   Requested Action: Approval of the Preliminary and Final Plat of McCullom Place Lot One Resubdivision.

   Size and Location of Subject Property: The subject property address is 1860 N. Richmond Road and consists of approximately 8.9 acres and is located at the southeast corner of Richmond Road (IL Route 31) and McCullom Lake Road.

7. Staff Report: Next Meeting Date: April 17, 2019 at 7:30 p.m.

8. Adjourn

Posted: March 15, 2019

The City of McHenry is dedicated to providing the citizens, businesses and visitors of McHenry with the highest quality of programs and services in a customer-oriented, efficient and fiscally responsible manner.
City of McHenry
Planning and Zoning Commission Minutes
February 20, 2019

Chairman Strach called the February 20, 2019 regularly scheduled meeting of the City of McHenry Planning and Zoning Commission to order at 7:33 p.m. In attendance were the following: Doherty, Gurda, Miller, Sobotta, Strach, and Walsh. Absent: Thacker. Also in attendance were Director of Economic Development Martin and Economic Development Coordinator Wolf.

Chairman Strach opened the public portion of the meeting at 7:33 p.m. There was nobody in attendance who wished to address the Commission with public comment.

Approval of Minutes
Motion by Sobotta seconded by Doherty to approve the December 13, 2018 Regular Meeting minutes of the Planning and Zoning Commission as presented:

Voting Aye: Doherty, Gurda, Sobotta, Strach, and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: Miller.
Absent: Thacker.
Motion carried 5-0.

File No. Z-943
Final Plat of Subdivision: McHenry Senior Partners Subdivision; and
Variance from the Subdivision Control and Development Ordinance Section 6.13
To allow above-ground structures along Bull Valley Road.

Chairman Strach called the discussion to order at 7:35 p.m. regarding File No. Z-943 an application for a Final Subdivision Plat Approval for McHenry Senior Partners Subdivision and Variance from Section 6.13 of the Subdivision Control and Development Ordinance to allow above-ground structures along Bull Valley Road with Conditions.

In attendance was Andrew Heinen - Civil Engineer, Kimley-Horn, 1001Warrenville Road, Lisle, IL. Mr. Heinen stated he is present representing Troy Bertsch, the developer and future owner of the property. Mr. Heinen stated this is the final plat process since the preliminary plat has already been approved.

Director Martin provided the Commission with the Staff Report regarding this matter stating the subject property is part of a larger tract of land which wraps around from Bull Valley Road to Illinois Route 31 and consists of approximately 5.825 acres. The applicant is proposing to subdivide a smaller tract of land off from a larger piece. Additionally, the applicant is requesting a variance from Section 6.13 of the Subdivision Control and Development Ordinance, which requires all new subdivisions to bury existing utility structures.
The Final Plat of Subdivision for the subject property was presented. Director Martin stated Staff has reviewed the plat, spoken to the City Engineer and believes the final plat is in substantial conformance with the preliminary plat approved last year. Staff has found the plat to be in substantial conformance with all city ordinances relating to a final plat of subdivision and would recommend the Planning and Zoning Commission recommend approval of the final plat.

A statement of justification/criteria submitted for the applicant’s requested variation from Section 6.13 Public Utilities, Underground, was presented.

Director Martin stated Staff believes the variance is justified particularly due to the planned future roadway expansion (Bull Valley Road) and the reasons stated in the statement of justification/criteria submitted by the applicant. He further stated that while any future roadway expansion will occur as part of an overall plan McHenry County has, there is no definitive timetable and burying the power lines and then having to relocate them in the future does not make sense and is impractical. Director Martin remarked a similar variance was granted to the Ricky Rockets Subdivision along Chapel Hill Road.

Director of Economic Development Martin stated Staff recommends approval of the Final Plat of Subdivision: McHenry Senior Partners Subdivision prepared by Compass Surveying Ltd. dated 6/29/18 with a latest revision date of 1/2/19 and Variance from Section 6.13 of the Subdivision Control and Development Ordinance to allow above-ground structures along Bull Valley Road with conditions as presented.

Chairman Strach invited questions and/or comments from the Commission.

Commissioner Doherty inquired if sidewalks are being added. Director Martin stated there will be sidewalks along Ridgeview and noted one of the conditions of his recommendation is that a monetary contribution is made in lieu of bike path construction along Bull Valley Road. He further noted the petitioner is also dedicating 20’ of right of way along Bull Valley Road.

Motion by Miller, seconded by Sobotta, to recommend to City Council that the Final Plat of Subdivision for McHenry Senior Partners Subdivision prepared by Compass Surveying Ltd. dated 6/29/18 with a latest revision date of 1/2/19 and Variance from Section 6.13 of the Subdivision Control and Development Ordinance to allow above-ground structures along Bull Valley Road, be approved, subject to the following conditions, as presented:

1. Compliance with all revisions and comments pertaining to site engineering by Staff; City engineer and McHenry County Highway Division;
2. Plat must be recorded within six months of City Council approval by ordinance and;
3. A storm water permit, along with a storm water pollution prevention plan, shall be submitted and approved by the city engineer and staff prior to construction or any site work being completed;
4. Monetary contribution shall be made in lieu of bike path construction along Bull Valley Road.

Voting Aye: Doherty, Gurda, Miller, Sobotta, Strach, and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: Thacker.
Motion carried 6-0

Chairman Strach closed the discussion regarding File No. Z-943 at 7:40 p.m.

Staff Report
Director Martin also stated that the March 20, 2019 regularly scheduled meeting will be held at 7:30 p.m. in the Council Chambers.

Adjournment
Motion by Sobotta seconded by Miller to adjourn the meeting at 7:45 p.m.

Voting Aye: Doherty, Gurda, Miller, Sobotta, Strach, and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: Thacker.
Motion carried 6-0. The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Shawn Strach, Chairman
City of McHenry
Planning & Zoning Commission
Applicant
Illiana Realty, LLC
1331 E Ludlow Ridge Rd.
Port Ludlow, WA 98365

Requested Actions
Approval of the Preliminary and Final Plat of McCullom Place Lot One Resubdivision

Site Information
Location and Size of Property
Southeast corner of Richmond Road and McCullom Lake Road, property is approximately 8.9 acres

Comprehensive Plan Designation
Commercial

Existing Zoning and Land Use
C-3 Community Commercial, Parking Lot with Big R Store

Adjacent Zoning and Land Use
North:  C-3 Community Commercial, McDonald’s and Vacant Building (McHenry Commons Shopping Center)
South:  C-3, Vacant Arby’s building, Applebee’s, inline retail
West:   C-3, McHenry Grounds Shopping Center
East:   RA-1, Residential Attached, Timber Trails Subdivision

Background
The subject property consists of approximately 8.9 acres, of which the applicant is proposing to subdivide off an outlot consisting of 1.3 acres.

The preliminary and final plats are being combined due to the relative simplicity of the request. In accordance with the Subdivision Control and Development Ordinance “The subdivider may submit a final plat simultaneously with the submission of a preliminary plat if the proposed subdivision meets all of the following requirements:

A. The proposed subdivision contains three or fewer lots; and
B. The proposed subdivision does not require or create any new public rights-of-way or easements for access; and
C. The proposed subdivision requires no extensions of public utilities and no new public facilities; and
D. The proposed subdivision does not include any territory that is located in a Special Flood Hazard Area, or contain any proposed lots that may be unbuildable because of the nature
of the soils located thereon.

The proposed plat must be considered by the Planning and Zoning Commission at a public meeting and the Planning and Zoning Commission recommendation is forwarded to the City Council. Staff has reviewed the plat and it is in substantial conformance with the requirements set forth in the subdivision control and development ordinance.

Analysis
Attached is the Final Plat of Subdivision for the subject property. The Planning and Zoning Commission must consider the plat at a public meeting and the Planning and Zoning Commission recommendation is forwarded to the City Council. Staff has reviewed the plat and believes the final plat is in substantial conformance with all city ordinances relating to a final plat of subdivision and would recommend approval by the Planning and Zoning Commission of the final plat. The plat was also reviewed by the City Engineer.

A large part of Big R's business is the sale of seasonal merchandise as well as outside sales generally. The areas Big R conducts their outdoor sales within the parking lot encompass 82 parking spaces. The parking requirement for Big R is 4 spaces/1,000 sf. of net floor area or 85% of gross so Big R is required to maintain 324 spaces. Subtracting the 82 spaces for the outdoor sales areas will still leave an excess of 115 parking spaces which is adequate to construct an outlot.

Staff Recommendation Prior to Meeting
Staff recommends approval of the Final Plat of McCullom Place Lot One Resubdivision prepared by HRGreen dated 8/21/18 with a latest revision date of 3/12/19 with the following conditions:

1. Compliance with all revisions and comments pertaining to site engineering by Staff and City engineer.
2. Plat must be recorded within six months of City Council approval by ordinance and;
3. A stormwater permit, along with a stormwater pollution prevention plan, shall be submitted and approved by the city engineer and staff prior to construction or any site work being completed.

Attachment
- Location Map
- Outside Display Areas
- Proposed Outlot
- Application Packet
Outdoor Display Areas

North side of lot

East side of lot
Outdoor Display Areas

On sidewalk adjacent to building
Proposed Outlot

West side of lot

West side of lot
PLAT/DEVELOPMENT APPLICATION

City of McHenry

333 South Green Street  o  McHenry, IL 60050  o  Tel: (815) 363-2170  o  Fax: (815) 363-2173

1. Name of Applicant  Illiana Realty, LLC  Tel 815-383-0657
   Address  1331 E. Ludlow Ridge Rd., Port Ludlow, WA 98365  Fax  N/A

2. Name of Property Owner  Illiana Realty, LLC  Tel 815-383-0657
   (If other than Applicant)
   Address  1331 E. Ludlow Ridge Rd., Port Ludlow, WA 98365  Fax  N/A

3. Name of Engineer  H R Green (Mike Fischer)  Tel 815-759-8318
   (If represented)
   Address  420 N. Front St., McHenry, IL 60050  Fax 815-385-1781

4. Name of Attorney  Michael R. Seghetti  Tel 309-672-6365
   (If represented)
   Address  416 Main Street, Suite 1400, Peoria, IL 61602  Fax 309-637-8514

5. Common Address or Location of Property  1860 N. Richmond Rd., McHenry, IL 60051
   (Big R Store at corner of McColom Lake Rd. and IL Route 31)

6. Requested Action
   ___ Preliminary Plat
   ___ Final Plat
   ___ Development

   Provide a brief description of the Requested Action. For example, indicate the number of lots and the
type of subdivision (single-family, townhome, commercial, industrial, etc.) or include a description of
the development project:

   Dividing existing commercial parcel into two lots, creating an outlot along IL Route 31
7. Current Use of Property  retail (Big R Store)

8. Current Zoning Classification of Property, Including Variances or Conditional Uses
   C-3

9. Current Zoning Classification and Land Use of Adjoining Properties
   North:  C-3
   South:   C-3
   East:    RA-1
   West:    C-3

10. Required Attachments - Please refer to the attached checklist.

11. Disclosure of Interest

   The party signing the application shall be considered the Applicant. The Applicant must be the owner
   or trustee of record, trust beneficiary, lessee, contract purchaser, or option holder of the subject
   property or his or her agent or nominee.

   **Applicant is Not Owner**
   If the Applicant is not the owner of record of the subject property, the application shall disclose the
   legal capacity of the Applicant and the full name, address, and telephone number of the owner(s). In
   addition, an affidavit of the owners(s) shall be filed with the application stating that the Applicant has
   the authority from the owners(s) to make the application.

   **Applicant or Owner is Corporation or Partnership**
   If the Applicant, owner, contract purchaser, option holder, or any beneficiary of a land trust is a
   corporation or partnership, the application shall disclose the name and address of the corporation’s
   officers, directors, and registered agents, or the partnership’s general partners and those shareholders
   or limited partners owning in excess of five percent of the outstanding stock or interest in the
   corporation or interest shared by the limited partners.

   **Applicant or Owner is a land Trust**
   If the Applicant or owner is a land trust or other trust or trustee thereof, the full name, address,
   telephone number, and extent of interest of each beneficiary shall be disclosed in the application.
12. Certification

I hereby certify that I am aware of all code requirements of the City of McHenry that relate to this property and that the proposed use or development described in this application shall comply with all such codes.

I hereby request that the City process this application in accordance with the codes and ordinances of the City.

Signature of Applicant(s)
Print Name and Designation of Applicant(s)

ILLIANA REALTY, LLC

By: ____________________________
    Jerry L. Gibbs, Manager

318-2113.d1