City of McHenry
Planning and Zoning Commission Minutes
June 13, 2018

Chairman Strach called the June 13, 2018 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, Thacker and Walsh. Absent: None. Also in attendance were: Director of Economic Development Martin, City Attorney Cahill, Economic Development Coordinator Wolf and Economic Development Assistant Conaway.

There was nobody in attendance who wished to address the Commission with public comment.

Approval of Minutes
Motion by Walsh seconded by Gurda to approve the May 16, 2018 Regular Meeting minutes of the Planning and Zoning Commission Meeting as presented:

Voting Nay: None.
Not Voting: None.
Abstaining: Miller, Sobotta, and Strach.
Absent: None.

Motion carried 4-0.

Public Hearing: Haitham Ramadan
File No. Z-931
414 S Crystal Lake Road
Zoning Map Amendment from E - Estate to RM-2 - High Density Multi-Family Residential and other Variances to develop the subject property in accordance with the site plan to construct an approximately 74,000 square foot 72 unit independent unit living facility.

Chairman Strach read into record an email from the petitioner’s attorney, Sam Diamond, Diamond & LeSueur, PC, withdrawing application for a Zoning Map Amendment from E - Estate to RM-2 - High Density Multi-Family Residential and other Variances to develop the subject property in accordance with the site plan to construct an approximately 74,000 square foot 72 unit independent unit living facility at 414 S. Crystal Lake Road, McHenry, IL 60050.

Director of Economic Development Martin stated that Mr. Ramadan will submit a new Public Hearing Notice and plans on attending the July 11 Planning & Zoning Hearing.
Public Hearing: Graham Enterprise, Inc.  
File No. Z-932  
5301 Bull Valley Road  
Conditional use permit for an automobile fueling station and a variance from the Landscaping and Screening chapter of the Zoning Ordinance and a variance from outdoor lighting from the provision in the Zoning Ordinance

Chairman Strach called the Public Hearing to order at 7:43 p.m. regarding File No. Z-932 an application for a Conditional use permit for an automobile fueling station and a variance from the Landscaping and Screening chapter of the Zoning Ordinance and a variance from outdoor lighting from the provision in the Zoning Ordinance for the subject property located at 5301 Bull Valley Road.

Chairman Strach stated Notice of the Public Hearing was published in the Northwest Herald on May 29, 2018. Notices were mailed to all abutting property owners of record as required by ordinance. The subject property was posted. A Certificate of Publication and Affidavit of Compliance with notice requirements are on file in the City Clerk’s Office.

In attendance were Brian Wente, Graham Enterprise, Inc. 750 Bunker Court, Suite 100, Vernon Hills, IL 60061, Matt Ackerman and Chris Kalischefski, both of WT Group, 2675 Pratum Ave, Hoffman Estates, IL 60192. Mr. Kalischefski stated that Graham Enterprise Inc., plans to raze the west portion of the site at 5301 Bull Valley Road. He stated they plan to increase the gasoline dispensers from four to six pumps. He stated that the facility would be nearly new including underground storage tanks and piping. He stated they are in compliance with the stringent requirements of the State of IL and they are using the latest and greatest technology to ensure safety. Mr. Kalischefski stated the building would be just over 5200 square foot. He stated because of the uniqueness of the property they are proposing a sign that could be viewed from all directions. Mr. Kalischefski stated they are asking for a variance to the landscaping requirements due to the hardship to the business with respect to customers entering the building. He stated that they are not eliminating the landscaping and stated that they are going to move the materials that would be used at the outskirts of the property and opined that this would make the area more attractive. Mr. Kalischefski stated they are also requesting a variance for lighting for safety for the task related canopy area. He stated the LED lighting is not over national standard but the city standard. He stressed the safety aspect of his request. Mr. Kalischefski opined that the sophisticated urban design of the building makes it aesthetically pleasing. He stated they are proposing a seating area with an arbor/trellis that will be surrounded by landscaping. He stated they are only utilizing one fifth of the density allowed on the property and they would like a conditional use permit with the six requirements stated. He stated there is no environmental nuisance and opined that the building would enhance the neighborhood character. He stated the car wash would be removed and he opined that the new facility is a safe, harmonious use of the property and still preserves the rights of the neighbors. He stated zoning is consistent with C-1 Convenience Commercial.
Director of Economic Development Martin stated the subject property has been utilized as a gas station and the owner wishes to raze the site and rebuild and rebrand the station. It is located along a major state route and within the middle of numerous businesses at a major intersection near many residences.

The applicants are proposing to construct a Fueling center which will include: 12 fueling positions (6 pumps) with 5,213 square foot convenience store with accompanying overhang (which can protrude into the required yard).

Director of Economic Development Martin stated the applicant is requesting a Conditional Use Permit to allow an automobile fueling station. Access points will not change. Two access points are proposed, one off of Crystal Lake Road and one off of Bull Valley Road. This will not change from what exists now. A traffic study was completed and concludes there is plenty of capacity and there will be no adverse impacts as a result of the proposed redevelopment. He opined that this is a major enhancement to area and further stated it does not change what exists.

Director of Economic Development Martin stated trip generation to the proposed gas station/convenience store is directly proportional to the number of fueling positions the gas station offers. It should be noted, however, a large percentage of trips are generated from pass-by traffic or traffic already going past the site en route to another primary destination (60%). Director of Economic Development Martin stated he thought this figure was more in the rate of 80-90 percent.

Director of Economic Development Martin stated the applicant is seeking the following variances from the zoning ordinance:

- Variance to eliminate the front foundation plantings;
- Variance to exceed the on-site lighting requirement.

Director of Economic Development Martin stated the applicant is requesting a variance from the requirement to do front foundation plantings for the purpose of site safety. The operator believes this, along with the enhanced lighting will make the site safer for its customers. Staff does not have a problem with this variance. The applicant is depicting landscaping on all other sides of the building. Safety is valid request for variance.

Director of Economic Development Martin stated the applicant is requesting a variance to exceed the maximum number of foot candles of lighting, specifically under the canopy. The ordinance allows 40, and the applicant has upwards of 60 plus, however this is strictly limited to under the canopy. Due to the concentration of the LED lighting the lighting levels around the remainder of the site are much lower and very low at the property lines. Staff does not have a concern with this. Staff believes with the switch to LED lighting the site will have more of a uniform
appearance from a lighting perspective and does not believe this will adversely impact neighboring sites. Variance is out of date, 60 is not that much higher. Led does not have much spill over. Director of Economic Development Martin opined this is an enhancement of property.

Director of Economic Development Martin stated that Staff is recommending Approval of the Conditional Use Permit to allow an automobile fueling station subject to the following conditions:

- The project is developed in accordance with the Improvement Plans prepared by W-T Engineering Group dated 5/18/18 and consisting of ten pages;
- Sidewalks shall be installed along Bull Valley Road and Crystal Lake Road along the entire frontage of the property;

Staff finds the requirements set forth in Table 31 have been met.

Approval of a Variance from Chapter VIII. Landscaping and Screening Table 15 to forgo the requirement for building plantings at the front.

Approval of a Variance from the Outdoor Lighting Regulations to allow outdoor lighting in conformance with the plan submitted by WT Engineering.

Staff finds the requirements set forth in Table 32 of the Zoning Ordinance have been met.

Chairman Strach invited questions and/or comments from the Commission. Commissioner Miller stated she did not see the plans for sidewalks on Crystal Lake and Bull Valley Roads. Mr. Kalischefski stated that because of the property layout and large swale, there is not room for a sidewalk to the south. They would consider a sidewalk along Crystal Lake Road with an agreement from the City to maintain since that would need to be on the Graham property. Director of Economic Development Martin stated that there is a city ordinance that all commercial properties have a sidewalk but further stated that there may be alternatives. Discussion ensured regarding sidewalk placement. Chairman Strach opined a solution could be found between Staff and the petitioner.

Commissioner Sobotta inquired if standard lighting had presented any incidents. Mr. Kalischefski stated that there were none. Mr. Wente concurred. Chairman Strach opined the increase was due to the change from florescent to LED. Director of Economic Development Martin stated it is also energy and cost effective, long term. Commissioner Doherty inquired about the building texture. Mr. Kalischefski stated there are three different materials that are being proposed; stone panels, smooth Aluminum Composite Material – which is clean, smooth and insulated and a stucco type. He further stated this is around all four sides. Commissioner Doherty inquired if there would be a curb around the building. Mr. Kalischefski stated there would be a transitional, curb free area with safety devices to stop cars from going through the building. Commissioner
Doherty inquired how many tables were on the side. Mr. Kalischefski stated there would be three tables on the side.
Commissioner Thacker inquired if they had this structure in another area or if this would be a first. Mr. Kalischefski stated this would be the first of its type. Commissioner Thacker inquired if once City Council approval is given what the timeframe for completion would be. Mr. Kalischefski stated as soon as possible, by the end of the year.

Commissioner Miller inquired if this would be a 24 hour per day operation. Mr. Wente stated it would be. Chairman Strach inquired if it was currently. Mr. Wente stated no but there have been requests for early morning hours.

Commissioner Gurda opined that the appearance would be an improvement. He inquired if the seating would be for customer use. Mr. Kalischefski stated that is the intent. Commissioner Gurda inquired if alcohol consumption would be allowed. Mr. Wente responded that their liquor license does not allow for alcohol to be consumed on the premises. He further stated that alcohol consumption would not be allowed, supported or encouraged.

Commissioner Walsh inquired if there was a sidewalk out the rear of the building. Mr. Kalischefski stated it was for employee use and emergencies.

Chairman Strach opened the floor to questions and comments from the audience. There was nobody in attendance who wished to address the Commission regarding this matter. Chairman Strach closed the public comment portion of the hearing 8:14 p.m.

Commissioner Walsh inquired if the variance would be changed to reflect the front landscaping. Director of Economic Development Martin stated he would have the motion specify front landscaping. Chairman Strach stated the motion should consider Table 32 requirements have been met as well. Director of Economic Development Martin stated that is correct for both variances, that the requirements have been met for Table 32.

Motion by Miller seconded by Thacker to recommend to the City Council with regard to File No. Z-932 approval of an application for a Conditional Use Permit to allow an automobile fueling station for the subject property located at 5301 Bull Valley Road, subject to the following conditions,

- The project is developed in accordance with the Improvement Plans prepared by W-T Engineering Group dated 5/18/18 and consisting of ten pages;
- Sidewalks shall be installed along Bull Valley Road and Crystal Lake Road along the entire frontage of the property as discussed and negotiated;

Staff finds the requirements set forth in Table 31 have been met.
Approval of a Variance from Chapter VIII. Landscaping and Screening Table 15 to forgo the requirement for building plantings in the front.

Approval of a Variance from the Outdoor Lighting Regulations to allow outdoor lighting in conformance with the plan submitted by WT Engineering.

Staff finds the requirements set forth in Table 32 have been met.

Voting Aye: Doherty, Gurda, Miller, Sobotta, Strach, Thacker and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: None.

Chairman Strach closed the Public Hearing regarding File No. Z-932 at 8:18 p.m.

Continuation of the Discussion of the City's Comprehensive Land Use Plan And Development Policies (Focus on Existing Land Use and Future Land Use Maps)

Director of Economic Development Martin stated the “McHenry Pedestrian Loop” map layout and goals. He stated that this is a Downtown McHenry Loop which emanates from each of the City’s three downtown areas out to the rest of the City, tying in Main Street with Riverside Drive and Green Street. He stated the blown up map shows the mixed use category. Director of Economic Development Martin stated that approximately 5.8 acres know as the King farm is for sale. He stated the focus of this meeting would be on the western part of city. The area depicted as the “purple bubble” is not within the city limits. Director of Economic Development Martin presented the map layout that was discussed at the last meeting. He presented the Existing Future Land Use Map and pointed out the Facility Planning Area which is the hash tag marking. He stated the commission should pay close attention to that area which could be served with city water and sewer. He stated that we had discussed adding a mixed use and agricultural category to our Zoning Ordinance. He stated that McHenry County has two agricultural categories which are used as a holding zones that can be rezoned when someone comes in. Director of Economic Development Martin would like to complete the plan and hold open public meetings prior to bringing the updated maps to City Council. Director of Economic Development Martin stated he also included the Riverwalk preliminary design.

Chairman Strach stated he would like to help Commissioner Gurda catch up to the discussion and stated the Commission would like to tie the downtown areas together with the proposed bike loop. He stated the McHenry County Conservation Districts’ trail stops and the goal is to extend that trail down Main Street, cross over IL Route 31 down to Rotary Park and as Riverwalk is finished, catch the edge of the Riverwalk east down to Riverside Drive pedestrian bridge, extending down Riverside Drive to McCullom Lake Road west bound crossing over IL
Route 31 and catch up to the Prairie Path at Petersen Park. Chairman Strach opined the “Loop” would bring everything together. Discussion ensued regarding dangerous crossings at Main Street and IL Route 31 and McCullom Lake Road and IL Route 31. The commissioners were in agreement that this is an issue that would need to be addressed. Chairman Strach opined if the path becomes highly usable then it would be beneficial to go either over or under IL Route 31. Commissioner Miller inquired the length of the Loop in total. Chairman Strach stated he would measure the length and report back to the Commission. Economic Development Coordinator Wolf stated that she attended the McHenry County Active Communities Work Group and stated that their goal is safety education for bike path use. She stated Chicago drivers are more aware and that there is an initiative to have county-wide drivers become more safe and aware of bike traffic. Commissioner Miller opined that the Loop could tie the area together with no building and little expense.

Director of Economic Development Martin asked commissioners to look at the city boundaries on the map. He stated most areas are platted except the gravel pit which is low density residential. He inquired if the amount of low density residential zoning was necessary for growth. He stated that there was 1000 plus acres in that area. Discussion ensued regarding vacant land bordering the west end of the city most of which is currently zoned RS-1 Low Density Single-Family Residential, some of which is wetland and changing the current residential zoning to the new agricultural zoning category. Commission Thacker inquired about the cornfield on Dartmoor that is for sale. Director of Economic Development Martin stated that is not Gerstad, Chairman Strach stated the property is unincorporated. Discussion ensued regarding the change from residential to agricultural for future use. Commissioners agreed that changes should be made from RS1 to Agricultural for future growth to the gravel pit area – north of IL Route 120. Director of Economic Development Martin stated the area of Wonder Lake Road and IL Route 120 has a pre annexation agreement for CS Highway Commercial.

Chairman Strach inquired if McHenry County’s agricultural category works for the city. Director of Economic Development Martin opined it would. Commissioner Strach inquired in the McHenry County 9.1a overview of agricultural worked for the commission. The commissioners were in agreement to have Director of Economic Development Martin move forward with the addition of agricultural zoning category.

Chairman Strach inquired about the area west of IL Route 31, west of railroad, south of Patriot Estates would be agricultural zoning. Discussion ensued regarding current zoning of the areas west of IL Route 31, including the new agricultural zoning area category was discussed on the parcels bordering IL Route 31. Director of Economic Development Martin stated the logical south boundary would be the “Puccini” property south of Bull Dogs Ale House, that is currently agricultural and wetland.

Commissioner Doherty inquired if Thatcher Woods was in the City limits. Director of Economic Development Martin stated it is in Wonder Lake.
Director of Economic Development Martin stated there could be a logical extension of Curran Road – the west bypass – that would move south to the Stade property and connect to Crystal Lake Road. He inquired if there could be a need for Petersen Park South.

Commissioner Sobotta opined that since there are no utilities in the Finch Farm parcel, a solar farm might be a good fit. He further opined that it could help with energy costs, create jobs and be of no cost to the city. He stated that in Elk Grove, industrial parks are a huge revenue builder. Director of Economic Development Martin stated we should make that property agricultural with a note as a reminder of the solar farm idea. Chairman Strach opined that would be ideal use for the low land areas. Commissioner Miller opined that might bring developers who are interested in alternative energy. Discussion ensued regarding the alternative power industry.

Chairman Strach inquired if the area at Martin Road and IL Route 120 was currently agricultural. Director of Economic Development Martin confirmed that it was. Commissioner Doherty inquired about the current property use. Chairman Strach stated corn is farmed there. Commissioner Miller opined that in the future, it would probably become estates like Martin Woods. All commissioners were in agreement with the current zoning of the property. Discussion ensued regarding the mapping of the area North of IL Route 120, East of Wonder Lake Road and West of Ringwood Road. Chairman Strach inquired if the review was completed for tonight. Director of Economic Development stated he would like to see the agricultural land use laid out and further stated that there was a need to finish south and east areas at the next meeting. Chairman Strach stated every year the commission should work to keep the maps up to date. He further stated that the intent of the commission should be to annually revisit the Future Land Use Map. Commissioner Doherty inquired if any of the property from Martin Road to Ridge Road was within the city limits. Chairman Strach stated the gravel pit property was within the city. Director of Economic Development Martin stated the property on the south side of IL Route 120 was in the city. Chairman Strach stated the farm houses on the south side were not in the city limits. Commissioner Doherty inquired if there was any property that could be zoned commercial. Chairman Strach stated the corner of Wonder Lake Road and IL Route 120 on the south side is within the city and the north side has a pre-annexation agreement with the city. Chairman Strach stated that a map of the Riverwalk was also included for review.

The commissioners gave approval to Director of Economic Development Martin to formulate a general description of the agricultural zoning classification and agreed on the general future land uses for the western and southern areas.

**Staff Report**

Director of Economic Development Martin stated that the July 11, 2018 meeting would be held at 7:30 p.m. in the Council Chambers. There are presently one case for July 11th.
Adjournment

Motion by Thacker, seconded by Doherty, to adjourn the meeting at 8:05 p.m.

Voting Aye: Doherty, Gurda, Miller, Sobotta, Strach, Thacker and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: None.
Motion carried 7-0. The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

[Signature]

Shawn Strach, Chairman
City of McHenry, Planning & Zoning Commission