



MINUTES
Planning & Zoning Commission
Regular Meeting
Village Hall
1900 Hassell Road, Hoffman Estates, IL 60169

October 2, 2024

Council Chambers

6:30 PM

1. CALL TO ORDER/ROLL CALL

Chairperson Combs called the meeting to order at 06:30 PM.

Commissioners Present: Lon Harner, Lenard Henderson, Minerva Milford, Nancy Trieb, Denise Wilson, Adam Bauske, Eva Combs

Commissioners Absent: Excused: Tom Burnitz, Sarah McClarey, John Wise
Unexcused: Daniel Lee

A quorum was present.

Administrative Personnel Present: James Donahue, Senior Planner; Phil Green, Transportation & Long Range Planner; Daisy Dose-Adamzadeh, Assistant Planner; Jana Dickson, Assistant Corporation Counsel

2. APPROVAL OF MINUTES

A. Planning & Zoning Commission 09-18-2024

Motion by Commissioner Harner, seconded by Commissioner Henderson, to approve the September 18, 2024, regular meeting minutes. Voice vote taken. Ayes - 7, Nays - 0, (Absent: Burnitz, Lee, McClarey, Wise) (Abstain: None). Motion Passed.

3. CHAIRPERSON'S REPORT

None.

4. NEW BUSINESS

A. Public Hearings

1. Amendment to the Poplar Creek RPD General Plan of Development, Preliminary and Final Plat of Subdivision, Preliminary and Final Site Plan, Master Sign Plan, and a Variation from the Municipal Code for Kensington Fields Townhomes located at 1950 Hassell Road

Motion by Commissioner Harner, seconded by Commissioner Henderson, to Open Public Hearing. Voice vote taken. Ayes - 7, Nays - 0, (Abstain: None). Motion Passed.

Chairperson Combs swore the petitioners in.

Matt Brolley - Pulte Home Company
Peter Pluskwa - Cemcon, Ltd.
Chris Morgart - Cemcon, Ltd.
Scott Brejcha - V3 Companies
Greg Sagen - Signature Design Group, Inc.
Andrew Bowen - KLOA

Matt Brolley presented an overview of the project.
Greg Sagen presented an overview of the landscape plan for the project.

Chairperson Combs inquired about whether the landscaping would be dense enough to prevent kids and animals from running out onto Hassell Road. Mr. Sagen responded that the landscaping is dense. However, there will not be 100% opacity at the onset, but it will achieve that over time. In addition, there is an upward slope and then a slight berm that would help be a deterrent for kids running into that area.
Chairperson Combs inquired whether there would be a fence between the development and the pond. Mr. Sagen responded that there is not a fence between the development and the pond to which the Chairperson stated she has concerns about the safety of children, and feels it should be similar to a public pool and maybe this should be a consideration.

James Donahue presented an overview of the staff report.

Commissioner Trieb inquired whether residents would be allowed to garden on their property if they wished to do so. Mr. Brolley stated this would not be allowed per HOA requirements. An outside landscaping company would be responsible for mowing, landscaping, and snow maintenance.

Commissioner Harner inquired whether the HOA would be responsible for the pond area, including the trees. Mr. Brolley stated yes, the HOA would be responsible for maintaining this area including the trees.

Commissioner Harner inquired whether the current connection on the property to the golf course would remain or be closed off. Mr. Brolley stated the connection would be removed as part of the project. Pulte had expressed a desire to keep the connection, but it is being removed at the request of the golf course in order to discourage residents from walking onto the course. Mr. Donahue clarified that the connection was made when the previous tenant, ADP, had entered into an agreement between the golf course and the Village Hall at a time

when ADP employees were allowed to park at Village Hall, so the connection is no longer useful.

Commissioner Harner inquired about the parking restriction clauses in the HOA documents and how they would pertain to vehicles that are unable to fit into the smaller garage spaces being requested by the builder. Mr. Brolley stated there are forty-one (41) on-street parking spaces which would need to follow the Village's code for on-street parking. If you had a vehicle that did not fit in your garage, and couldn't stay in your driveway or on the street, a resident would need to make plans for that. Commissioner Harner clarified his question as to why there is a restriction in the HOA clause about how long you can park in your own driveway. Mr. Brolley stated this was standard language in their HOA agreements. However, the HOA is certainly able to change their clauses after the developer is gone. Some clauses can be provisional where they require Village approval before they can be changed by the HOA board.

Commissioner Henderson inquired whether the trees that are in front of houses are going to be relocated to other areas on the property. Mr. Donahue stated the developer will not be transplanting or moving trees. They will be saving some trees that are on the back of the pond as well as some along the golf course side of the property. Commissioner Henderson clarified his question as being for those houses that are unable to have a shade tree in front of the home, is there a count of how many that includes and where else on the property they will be placed? Mr. Donahue stated they are already included in the plan, and that all the common area has been landscaped above and beyond the code requirement. Commissioner Henderson inquired where the 40+ trees are located. Mr. Donahue stated they were placed in locations where the landscape designer felt they should be located.

Commissioner Henderson inquired about what the thought process was behind not placing a fence in front of such a big lake. Mr. Brolley stated they could work with Village staff on this if it is a concern of the commission. They are not opposed to placing the fence, but posed the question about what type of fencing would be appropriate. Chairperson Combs proposed a wrought iron fence so if the lake would still be visible, but would provide a barrier. Mr. Donahue stated this is the type of fence that is located on the west side of the property that the apartment complex has around their entire property. Commissioner Henderson brought up the question of the depth of the lake to which Mr. Brolley stated there was a recent discussion with their engineer about this, but he did not have the information on hand to provide to the Commission.

Additional discussion was held about whether putting a gate on the fence to provide maintenance access would be acceptable. Commissioner Henderson stated his main concern would be for the safety of children in the community and whether the developer is only concerned with the aesthetic appeal; what is the developer's experience with the communities they have completed that did not have fences installed around ponds/lakes? Mr. Brolley stated he had not heard of any concerns or issues experienced with their premier lots that back up to ponds or detention facilities. Mr. Donahue stated that several other developments that were completed in town have ponds that do not have fences. Mr. Brolley stated that sometimes areas that are not meant for mowing will be indicated with split rail fences.

Commissioner Wilson stated she is not concerned about the fencing since there are retention ponds all up and down Hassell Road.

Commissioner Wilson inquired about snow removal and garbage bin storage if garage sizes are being made smaller. Mr. Brolley stated that garbage bins would need to be stored in the garage, but residents would not need to have lawn mowers, shovels, yard equipment, etc. because they would not be maintaining the property with these items. Commissioner Wilson asked if they thought the garage would be big enough for storing the bins inside, to which Chairperson Combs stated she did not feel there was enough space. Mr. Donahue stated that the garages were only being reduced by 65 square feet. Mr. Brolley provided information about the smaller garage sizes being used in other communities and stated they have not had issues with residents storing the bins in their garages.

Commissioner Wilson inquired whether the Village would be responsible for snow removal. Mr. Donahue stated the Village would provide snow removal on the streets. He also stated the Public Works Department had reviewed the plans and had no concerns about the snow removal aspect. Commissioner Wilson asked for clarification about whether the residents would be able to park on the street during snow events. Mr. Donahue stated this would follow the Village's regulations for parking during snow events. Commissioner Wilson asked for clarification about whether the amount of parking would be adequate in this situation. Mr. Brolley stated the on-street parking would really be overflow for guests, so the four spaces (two in the garage, two in the driveway) would be sufficient.

Commissioner Milford expressed concerns about the association's timing of the parking in the driveway because it would work for families with small children. However, families with teens who have 2 adults and additional vehicles for teens would have an issue and this regulation creates a disservice those families. Mr. Brolley attempted to clarify the language. Chairperson Combs stated the language states 12-14 consecutive days. Mr. Brolley stated he believed the intent was for this to apply to vehicles that were not operable or were left sitting for long periods. Chairperson Combs stated she would not have a problem with having the regulation amended to state "non-operable vehicle" but still has an issue with the 12-14 consecutive days' verbiage.

Vice Chairperson Bauske inquired about an estimated time frame for the project. Mr. Brolley stated they have been under contract for a while. They will be closing within the next few months, possibly by the end of the year, demo the building, start land development over the winter, and are looking to paving by July, so the Grand Opening for Sales could begin in approximately one year (November 2025).

Vice Chairperson Bauske inquired whether staff had coordinated with local School Districts to get feedback about concerns. Mr. Donahue stated no, this location is not a large generator of children, but that they have been notified of what the cash-in-lieu will be and the Park District and everyone has seemed fine with this.

Vice Chairperson Bauske asked the petitioner if he agreed with the conditions of approval in the staff report. Mr. Brolley stated yes, clarifying that any edits to the HOA Declarations would occur before the first "For Sale" permit.

Chairperson Combs inquired about the garage sizing requesting a clarification of where the developers' numbers are coming from since they did not match what she was seeing on the plans. Mr. Brolley stated they were measured from the architectural plans and could verify this. Mr. Donahue stated that when the building plans are submitted, if they are granted the

variation to 375 square feet, they have to be 375 square feet. Chairperson Combs clarified she is worried that the dimensions she is seeing are not matching what the developer is saying, plus there were no dimensions shown on the carved out section. Mr. Donahue stated the Building Official will ensure that the plans meet the size variation prior to issuing permits.

Chairperson Combs stated she is still concerned that there will not be enough space for the garbage cans in the garage.

Chairperson Combs inquired whether there was a pole in the center of the garage. Mr. Brolley stated no, this is all open space. Chairperson Combs inquired whether a person can open the door and be able to exit, especially if they are pregnant. Mr. Brolley stated that the door opened inward, to which Chairperson Combs clarified she meant the door to the car. Mr. Brolley stated that residents would need to navigate the space as it best fits their needs. Mr. Brolley also stated these are national floor plans that aren't able to change, to which Chairperson Combs stated the developer still needs to get the Commission's approval.

Chairperson Combs expressed concerns about the Statement of Awareness being signed prior to closing on the property since she feels buyers should have the ability to obtain legal counsel to know what they are getting into prior to the sale. Mr. Brolley stated the developer has their own disclosures that far exceed the Statement of Awareness. The Statement of Awareness will therefore be attached as a secondary disclosure. He is unaware of what their contract states with regard to attorneys, but can research and send information to staff.

Chairperson Combs made an additional comment on the garage size not being accommodating of bikes and strollers.

Chairperson Combs inquired about signage for on-street parking, which is shown to be on alternating sides of the street. Mr. Brolley stated that the roads are Village regulated, so the developer would follow Village regulations, but what they did determine with the staff was that certain areas would be signed as "No Parking" specifically around the inside corners, so there would be no parking allowed in those areas. There will also be fire hydrants. The developer did not show parking there. Outside of this, it would be the standard practice of the Village.

Chairperson Combs inquired about water faucets for watering; are they front and back of the home? Mr. Brolley stated they were probably just on the back side. Chairperson Combs asked how the residents are supposed to water the plantings in the front, since the HOA documents state residents are required to water everything in front and back. Mr. Brolley was unsure whether the watering was during establishment or in perpetuity, but he was fairly certain residents were not responsible for the maintenance of the grass.

Chairperson Combs inquired about the color chart for the subdivision. Mr. Brolley stated the building would be graphite colored and the shutters would be the coordinated color in the standard package for the community, but would be willing to choose a different color package at the Village's request if necessary.

Chairperson Combs inquired about car charge hookups available in the amenities. Mr. Brolley stated the pre-hookup wiring is required by the state. Chairperson Combs inquired about fire hazards related to this. Mr. Brolley stated he was not qualified to answer this question. However, they are required to provide the conduit chases within the house.

Chairperson Combs proposed several questions about the HOA document. In Section 8.14, it says no swimming pools, but isn't defined. Does this include wading pools for children? Mr. Brolley was unsure and stated he would find out. In Section 8.07, it says the HOA can regulate the pet type, and the number of pets. Would the resident have to move out or get rid of the pet if the HOA decided to change the regulation? Mr. Brolley stated this would likely be the case. Chairperson Combs did not feel this was a fair regulation. She inquired of staff whether the Village has regulations with regard to pet types. Mr. Donahue stated he was not aware of the Village having a regulation regarding pet types.

Chairperson Combs stated that the Commission will need to take votes on car parking for 14 consecutive days if adding "inoperable vehicle" would be appropriate, the fence in the back near the lake and what type of fence, make sure to have the modification within the conditions on Motion 4 Section h to say the "second" building permit, and Motion 4 Section m whether the Commission would like to require the disclosure to be signed at the closing or at the time of contract. Mr. Donahue stated the language in the disclosure has been used over the past twenty years. Chairperson Combs disagreed, and stated they would be doing the buyer a disservice if they were not made aware of this information prior to the closing.

Phil Green reminded the Commissioners that there were members of the audience that needed to provide public comment prior to any continuation of voting. Chairperson Combs stated they would be going through the conditions prior to getting public comment since they were not voting on the motions but rather voting on modifications to the motions. Failing to come to a consensus on this point, the Commission moved on to Public Comment prior to continue discussion.

Chairperson Combs asked if there were any members of the audience that would like to comment on the request. One audience member requested to speak.

Chairperson Combs swore in the speaker.

Bianca Aguilar (1848 Jamestown Circle)

Bianca Aguilar stated she loved the presentation and appreciated that we are bringing more housing to Hoffman Estates and is grateful for the commission's insight thus far. She expressed her support of the smaller garage sizes having had experience with the parking challenges of the Barrington Square area for the past 20 years. She says her family has been able to navigate these challenges and also rides a bike as her primary form of transportation. She expressed her belief that having two-car garages and the amount of on-street parking that has been proposed should be adequate for residents. She expressed her feelings that larger garage sizes invites larger vehicles. She expressed her confidence in the Hoffman In Motion plan to bring alternate forms of transportation to the area. She stated that the school is within walking distance and felt there is no need for a family to drive to drop off students at the local schools with bike lanes available for access to the local high school as well. She stated her concerns that removing any of the proposed parking options would provide a challenge. She expressed her feeling that the smaller garages were sufficient for the garbage cans and felt other items could easily be stored within homes. She stated that currently vehicles block the bike lanes and the bus stops for the On Demand Pace and school bus service. She mentioned that concerns about snow are minimal since over the past few years, there has been less snow (maybe twice per her recollection). She expressed that people who move into these types of homes are aware that they have minimal parking

and have to make accommodations. She expressed her concerns about safety as they relate to the golf course and having to dodge golf balls; having trees does not stop the golf balls, and golf carts will still drive into private yards. She also mentioned that there are a lot of detention ponds along Hassell and maybe have sidewalks/paving around the areas would work better. Putting fencing would not be very inviting. She expressed a request to make the homes affordable.

Chairperson Combs asked the Commissioners to vote on a recommendation to change the wording on the parking restrictions from 14 consecutive days to only apply to inoperable vehicles. Mr. Brolley asked to provide responses to the Commissioners on some of their questions prior to voting on their requests for changes. He stated that the developer did not oppose amending the wording regarding the consecutive days to include the inoperable vehicle phrasing as this was the intent of the restriction.

Mr. Brolley stated the wading pools are not banned, they can be kept outside when residents are using them, then they need to be brought inside. Chairperson Combs pointed out that the restriction does not say this.

Mr. Brolley stated they have the design plans from when the CDK building was constructed which were provided by Village staff. He stated the cross-section of the basin from below the normal water line to the bottom of the basin at the deepest is ten (10) feet, but there is a safety shelf built in that is six (6) foot wide and goes down about two (2) feet deep and comes up about six (6) inches. Developer would not oppose a split rail fence in this location but feels a wrought iron fence style would be a bit much in this case. Chairperson Combs stated she was under the impression that the developer was concerned with the views from the houses that back up to the lake, to which Mr. Brolley responded, yes, that a split rail would work nicely with the native/fescue (plantings) behind this location to demarcate the area and would not interfere with mowing in the area.

Chairperson Combs stated this would take their first concern about the consecutive days off the list of items to vote on. Staff would have to work to change the HOA document 8A to only apply to inoperable vehicles for the 14 consecutive days. Mr. Donahue stated the developer already agreed to this. Chairperson Combs stated it needs to be within the documentation so there needs to be a condition that they will be changing their HOA documents. Mr. Green commented that, as a preface to the training that is about to occur, that whenever it comes up about HOA documents or legal documents that our Corporation Counsel would typically review, the way we would go about this is instead of a condition requiring that they edit those documents, usually the wording we would be looking for in a case like this would be a condition that the applicant works with staff or provides staff with an updated copy of the documents that reflects the changes you are requesting to therefore allow us to review those documents with our Corporation Counsel. Chairperson Combs clarified this is what she was requesting.

Chairperson Combs asked the Commissioners to voice their vote on a recommendation to require a fence at the lake. Voice Vote Taken: Ayes - 3 (Trieb, Henderson, Combs) No - 4 (Harner, Milford, Wilson, Bauske). Recommendation Failed.

Chairperson Combs asked the Commissioners to voice their vote on a recommendation to amend Motion 4 Section h to state the HOA Declarations shall be recorded prior to the issuance of the second building permit instead of the first. Voice Vote Taken: All Ayes.

Recommendation Carried.

Chairperson Combs asked the Commissioners to voice their vote on a recommendation to amend Motion 4 Section m to state "The statement shall be required to be signed by all prospective purchasers prior to the contract." instead of prior to closing. Voice Vote Taken: All Ayes. Recommendation Carried.

Motion by Commissioner Harner, seconded by Commissioner Henderson, to Close Public Hearing. Voice vote taken. Ayes - 7, Nays - 0, (Abstain: None). Motion Passed.

Chairperson Combs asked for the amended wording for the changes to the HOA as Mr. Green had suggested. Mr. Donahue stated he believed that we were not making a condition for this. Chairperson Combs stated this was not her understanding. Mr. Green clarified that yes, the suggestion was at this level that it is not typically within the purview of the Planning & Zoning Commission, nor is it generally recommended to suggest exact language changes to another party's legal documents on the fly. Mr. Green would suggest more general language of a condition that staff and the applicant work together to review those documents based on the feedback of the Planning & Zoning Commission, because what we never want to do is put ourselves in a position where a condition is so instructive and then, upon further review our own Corporation Counsel is not comfortable with it and then we are in a situation of "we have a condition". Chairperson Combs asked Mr. Green to work with Mr. Donahue to come up with language in order for the Commission to vote. Mr. Green agreed.

After a brief interlude, Mr. Donahue stated that Motion 4 Condition P would become Q since this statement needs to be last in the list of conditions. New Condition P will say "Staff will work with applicant to revise language in HOA documents as discussed at the 10/2/2024 Planning & Zoning Commission meeting".

Motion by Vice Chairperson Bauske, seconded by Commissioner Harner, to adopt the Findings of Fact for Site Plan, Master Sign Plan and Variation as outlined in the Findings & Recommendations Summary as of the 10/2/2024 Staff Report.

Roll call vote:

Aye: Eva Combs, Adam Bauske, Lon Harner, Lenard Henderson, Minerva Milford, Nancy Trieb, Denise Wilson

Nay: None

Absent: Daniel Lee, Tom Burnitz, Sarah McClarey, John Wise

Motion Passed.

Motion by Vice Chairperson Bauske, seconded by Commissioner Harner, to recommend the Village Board approval of an Amendment to the Poplar Creek RPD General Plan of Development to allow for attached single-family residential use.

Roll call vote:

Aye: Eva Combs, Adam Bauske, Lon Harner, Lenard Henderson, Minerva Milford, Nancy Trieb, Denise Wilson

Nay: None

Absent: Daniel Lee, Tom Burnitz, Sarah McClarey, John Wise

Motion Passed.

Motion by Vice Chairperson Bauske, seconded by Commissioner Harner, to recommend to

the Village Board approval of Preliminary & Final Plat of Subdivision, subject to the Final Plat of Subdivision for Kensington Fields as attached hereto.

Roll call vote:

Aye: Eva Combs, Adam Bauske, Lon Harner, Lenard Henderson, Minerva Milford, Nancy Trieb, Denise Wilson

Nay: None

Absent: Daniel Lee, Tom Burnitz, Sarah McClarey, John Wise

Motion Passed.

Motion by Vice Chairperson Bauske, seconded by Commissioner Harner, to recommend to the Village Board approval of Preliminary and Final Site Plan, Master Sign Plan, and a Variation from Section 9-3-6-K-1 of the Municipal Code to allow all garages to be 375 square feet instead of the required 440 square feet, subject to conditions "a" through "q" as presented in the 10/2/2024 staff report along with modifications to line "h", "m", "p", and "q" as amended at the 10/2/2024 Planning & Zoning Commission meeting.

Roll call vote:

Aye: Eva Combs, Adam Bauske, Lon Harner, Lenard Henderson, Minerva Milford, Nancy Trieb, Denise Wilson

Nay: None

Absent: Daniel Lee, Tom Burnitz, Sarah McClarey, John Wise

Motion Passed.

Chairperson Combs state that this recommendation would be presented to the Village Board at the next regular meeting on October 7, 2024 at 7:00 p.m.

5. STAFF DISCUSSION

A. Planning & Zoning Commission Training: Ethics & Findings of Fact Follow-Up

Phil Green and Jana Dickson presented a training session on Ethics & Findings of Fact and Standards Follow-Up.

Ms. Dose-Adamzadeh stated there will be a meeting on October 16, 2024, to discuss a master sign plan request.

6. PUBLIC COMMENT

None.

7. ADJOURNMENT

Motion by Commissioner Harner, seconded by Commissioner Henderson, to adjourn at 09:21 PM. Voice vote taken. Ayes - 7 | Nays - 0 (None) | Abstain - 0 (None). Motion Passed.

Minutes prepared by Marquelle Cnota, Administrative Assistant.



Chairperson's Approval

10/16/24

Date Approved