

**City of Rolling Meadows  
Planning and Zoning Commission  
City Council Chambers  
7:00 PM  
March 5, 2019**

**APPROVED**

**Motion to Open the Meeting**

Chairman Bisesi asked for a motion to open the March 5 Planning and Zoning Commission meeting. Mr. Whitney moved to open the meeting and Mr. Lynch seconded. Motion carried. Roll call:

**Presiding:** Chairman Bisesi

**Present:** Fink, Lynch, Whitney, Patterson, Rataiczky, Rybarczyk

**Absent:** O'Brien, Stefaniuk

**Also Present:** Fred Vogt, Public Works Director; Elizabeth Payne, Administrative Services Coordinator; Barry Krumstok, City Manager; Judy Brose, Deputy City Clerk (Recording Secretary)

**Call to Order**

**Chairman Bisesi** called the meeting to order at 7:04 pm and declared a quorum.

**Approval of Minutes**

**Chairman Bisesi** asked for a motion to approve the minutes from the February 5, 2019 Planning and Zoning Commission. Mr. Whitney moved to approve the minutes as written and Mr. Rataiczky seconded.

**Roll call:**

**Mr. Fink:** Yes

**Mr. Lynch:** Yes

**Mr. Patterson:** Yes

**Mr. Rataiczky:** Abstain

**Mr. Rybarczyk:** Yes

**Mr. Whitney:** Yes

**Chairman Bisesi:** Yes

Motion carried. Minutes approved as written.

**Upcoming Public Hearings: NONE**

**Pending Business:**

1. Presentation of the draft Comprehensive Plan presented by Teska Associates, City of Rolling Meadows, Petitioner

**Mr. Vogt** – Michael Blue is here from Teska Associates for support and to answer any questions if we have any discussion. We don't have a presentation tonight because all of you that are here have seen those presentations and the one on February 5, 2019.

The draft Comprehensive Plan update text itself has not been revised since it was distributed to the Planning and Zoning Commission and made available to the public in early February, 2019. Instead, Teska Associates and City staff have compiled an "Additions and Revisions Memo", for items to be included within the Comprehensive Plan update, that reflects both the comments received (from the Commission as well as from the general public) and responses compiled by the consultant with assistance from staff.

The Planning and Zoning Commission is asked to indicate support and acceptance of this format for the final Comprehensive Plan update document preparation. The items contained in the "Additions and Revisions Memo" will be merged into the final Comprehensive Plan document after reviews are completed, and the document is adopted by the Planning and Zoning Commission as well as the City Council. This is presented as a condition of approval for the Commission's consideration.

Any additional comments received at the March 5 meeting from Planning and Zoning Commission members and the public will be added to the "Additions and Revisions Memo" for consideration.

The Planning and Zoning Commission is asked to vote on the draft Comprehensive Plan update, as revised by the "Additions and Revisions Memo", at this meeting. The recommendation of this body will be forwarded to City Council for their consideration of an Ordinance to adopt the Plan. First reading is expected to take place at the March 26, 2019 City Council meeting. Final approval of the document is targeted for April 9, 2019.

In addition:

1. It was suggested that an "Executive Summary" be produced at the beginning of the document. A two to four page "Executive Summary" will also be prepared for inclusion with the 2019 Comprehensive Plan update and for possible separate distribution (City newsletters, placement at City Hall, the Library, or other locations) to improve communications between the City and its businesses and residents for this important work.
2. It was requested that an analysis/commentary be provided to look back upon the 2006 Comprehensive Plan recommendations (called in that document "Community Vision"). This is provided as a separate report, included in the materials provided for the Commission's review.

**QUESTIONS AND COMMENTS FROM THE BOARD:**

**Chairman Bisesi** opened the meeting to commissioners' questions and comments.

**Chairman Bisesi** – Are the changes or summary being posted online so the community can see it?

**Mr. Vogt** - I don't recall if it's been posted online but it can be.

**Ms. Payne** – Reminding everyone that we will continue to accept comments through the adoption by the City Council. Contact Staff, myself or Mr. Vogt to submit comments or you can submit comments through the Comprehensive Plan website [www.plan4rollingmeadows.org](http://www.plan4rollingmeadows.org). We will provide the comments to the consultants for consideration and inclusion into the Plan.

**Mr. Rataiczky** – I like the idea of the Executive Summary specifically in the newsletter as more people in the community will see it.

**Ms. Payne** – Mr. O'Brien submitted comments and wanted me to express on his behalf that he is in favor of how the update was written and is also in favor of including any comments from the meeting tonight and has been noted in the Motion language that has been provided tonight to the Commission.

**Chairman Bisesi** – As for myself, I do like all the updates. Number 9, page 34...as much as I would like it stricken it's not a show stopper. If there are any other revisions that you would like to consider I would ask that maybe list some pros and cons or other options. It kind of reads that we're advocating that and this is the direction that we're going. I know that this is not the intent it just seems that way.

**Michael Blue**, Teska Associates was sworn in by Chairman Bisesi.

**Mr. Blue** – One of the reasons we looked at this was based on the conversations that we all had. We're not going to change boundaries for the school districts or the park district, those things aren't going to happen. A lot of the other things that are in here like some of the urban design ideas about dealing with the streetscape along Golf and Algonquin, those fit into that. They create a definitive line that you're in Rolling Meadows kind of feel. The reason that the notion about changing districts around is because it was the only one that was left. If there's concern about the language and if it sounds too definitive, it certainly wasn't the intent.

**Mr. Vogt** – If you're looking for something along the lines to just clarify that this is not necessarily a recommendation, we can certainly do that.

**Mr. Whitney** – Can you clarify for the people in the audience what you're talking about?

**Chairman Bisesi** – There's a section within the Comprehensive Plan that suggests that one of the ways that we can address some of the challenges we've been having in Council regarding a dead lock between different views depending on which Ward you're in was potentially having a mixed Council. Basically meaning we would redraw the Ward lines and have 3 or 5 or Wards and the balance would be "at large" Alderman who theoretically would be representing the entire City. I'm just trying to avoid the appearance of that's what we're looking at.

**Mr. Vogt** – We can certainly work with the consultant to reformat that section differently.

**QUESTIONS AND COMMENTS FROM THE AUDIENCE:**

**Chairman Bisesi** opened the meeting for comments from the public.

**Jesus Serrato, 3804 Pheasant Avenue, Rolling Meadows, IL** was sworn in by Chairman Bisesi.

**Mr. Serrato** - Thank you for putting the notice in the churches as I saw it in the bulletin this past week. I finally got to read the whole document and one of the things that I wanted to emphasize is that we have the creek that runs through the City and we're turning our backs to it, I think we should make it more a feature. In the summer I notice kids use the path a lot and I think we should focus on lighting to make it walkable at night. This is something that we should emphasize and make it a lot better as it connects the whole town from one end to the other. Thank you for your time.

**Mr. Blue** – There is text in there regarding the creek, using the creek as a resource and the bike path aspects of it. The comment that was made is great. The implementation of this is really been vested with the Environmental Committee. This could be the direction that come out of it as the Commission does its annual review. The concept of paths and seeing the creek as a resource and tying those together is an asset.

**Ms. Payne** – I think I found what we've been talking about. On page 77, the third item. It actually says to seek funding opportunities for major investments to improve access and mobility such as an overpass over Golf Road or a multiuse path along Salt Creek. That is mentioned as a potential recommendation to seek some funding for.

**Mr. Lynch** - Does it make sense to add to it to include lighting?

**Mr. Serrato** - As a follow-up, it's such a nice feature that we have. The way we did Kimball Hill Park, all those features I think we can replicate and get points of interest all through the whole creek from Euclid all the way to Algonquin.

**Chairman Bisesi** – It's also an intergovernmental thing here, a lot of the land that goes along Salt Creek is really governed by the Park District rather than the City. As we spoke in the Comp Plan, it's different bodies within the government communicating more about longer-term plans.

**Mr. Blue** - There's a lot of elements in the Plan that talk about intergovernmental cooperation with the different jurisdictions that talk about the path for pedestrian and biking. It also talks about way finding so there's a lot of suggestions in the Plan about more signs on how to find the gems that are in the City. The things that you are talking about are really connecting the threads that are throughout the Plan.

**With there being no further public comment, the public hearing was closed.**

**Mr. Whitney** made a motion to approve the Adoption the Comprehensive Plan Update Draft dated February, 2019, as created and presented by Teska Associates, City of Rolling Meadows, petitioner.

With the following conditions:

1. The Comprehensive Plan Update Draft is to be amended to include the “Additions and Revisions Memo” reported, dated February 27, 2019, by Teska Associates. The final draft of the document, to be prepared after adoption by the Planning and Zoning Commission and City Council, will include these items in the body of the text.
2. Comments provided by the Planning and Zoning Commissioners and general public at the March 5, 2019 meeting are to be incorporated as appropriate into the “Additions and Revisions Memo” and added to the final draft of the Comprehensive Plan Update when completed.

**Mr. Rataiczuk seconded.**

**Roll Call:**

**Mr. Fink:** Yes  
**Mr. Lynch:** Yes  
**Mr. Patterson:** Yes  
**Mr. Rataiczuk:** Yes  
**Mr. Rybarczyk:** Yes  
**Mr. Whitney:** Yes  
**Chairman Bisesi:** Yes

Yeas – (7) – Fink, Lynch, Patterson, Rataiczuk, Rybarczyk, Whitney, Bisesi

Nays – (0) - NONE

Absent – (2) – O’Brien, Stefaniuk

Abstain – (0) – NONE

**Motion Approved.**

**Mr. Vogt** – Staff will plan an annual review or discussion of this Comprehensive Plan every January or spring, we’ll tie it in with our zoning map that we always have to approve and publish regardless if there are any changes or not. This is Staff’s intent to do that going forward and if there are adjustments or items worthy of discussion or updates, modifications, changing of priorities that would be the time to have those discussions.

**Chairman Bisesi** - I do encourage once the final Plan is done we try to translate it for our large Hispanic community.

**New Business:**

1. Amendment to Planned Development for Vehicle Charging Stations at 1701 Golf Road, C-2 General Commercial Services District, T-1 Office, Institutional, and Research District, and M-1 Manufacturing District, Stephen Otis, WTA, Inc., Petitioner

**Chairman Bisesi asked if the file was in order.**

**Mr. Vogt stated that the file was in order and was made part of the record.**

**Stephen Otis, WTA Inc., 1 Village Dr., Abilene, TX** was sworn in by Chairman Bisesi.

**Mr. Otis** - Verizon is requesting a modification to the Planned Development to install three electric vehicle charging stations to serve five parking spaces, including one accessible parking space. The change would result in a net loss of one space, that space to be restriped for the accessible space. All affected spaces in the area are dedicated for use by Verizon, and currently have signage that states this. The signage is proposed to be changed to indicate that the spaces are reserved for electric vehicle parking only. The pavement is proposed to be painted to indicate that as well.

Verizon has ten spaces that are currently dedicated by the landlord for their use. Of these ten, six are being redeveloped for the electric vehicle charging, five for parking, and one for striping for accessibility. The additional space next to the specifically marked spaces is able to be used for electric vehicle parking, and will also be able to be used for parking a non-electric vehicle. The remainder of Verizon's ten dedicated spaces will remain normal parking spaces. The intent is to be more environmentally friendly and encourage less pollution. These spaces, if approved will not be included in any databases that list publically available charging stations.

The charging stations are planned to be installed between parking spaces, to serve two each. Each set of equipment is proposed to be located behind bollards to protect the equipment. A barrier within each space is also proposed to be installed to ensure that vehicles cannot run into the equipment. Power for the charging stations it proposed to be provided by Tower 2, where Verizon is currently located.

The charging stations are proposed to be installed on new concrete bases, and a sidewalk will be installed for the accessible space. No changes are proposed to landscaping at this time, and any disturbed landscaping through the course of the work is to be restored to existing conditions.

**QUESTIONS AND COMMENTS FROM THE BOARD:**

**Chairman Bisesi opened the meeting to commissioners' questions and comments.**

**Mr. Fink** – I was impressed by the drawings and the details. No questions.

**Mr. Lynch** – How will they work? These will be for Verizon employees only?

**Mr. Otis** – Yes.

**Mr. Lynch** – How do you police that?

**Mr. Otis** – Verizon employee will get a PIN and use an app on their phone to energize the charging station. It will not be available for public use.

**Mr. Lynch** – How long is Verizon's lease with the building owner?

**Jeff Horlbert, 9256 S. Francisco Ave., Evergreen Park, IL was sworn in by Chairman Bisesi.**

**Mr. Horlbert** – Verizon currently has a 10 year lease (until 2026) with two (2) five (5) year renewal options.

**Mr. Lynch** – What happens to these units should Verizon leave?

**Mr. Otis** – As a leasehold improvement they would have to be removed by contract.

**Mr. Lynch** – How will the handicap spaces be marked?

**Mr. Otis** – The handicap parking space will have both handicap and EV emblems. The ADA space will be accessible in compliance with government accessibility requirements.

**Mr. Whitney** – Are there other ADA spaces close by?

**Mr. Otis** – Yes. They're adjacent to the other ADA's for the entire complex.

**Mr. Whitney** – If a non-ADA vehicle were to park in one of those spaces how would that vehicle be removed?

**Mr. Horlbert** – The Facility Manager monitors it and notice is sent to the employees.

**Ms. Payne** – I have comments from Commissioner O'Brien with regards to this item. He had a question regarding if the connections are universal and that was already answered. He wanted to express that the loss of only one (1) space is acceptable for the lot based on the size and would have minimal impact.

**QUESTIONS AND COMMENTS FROM THE AUDIENCE:**

**Chairman Bisesi opened the meeting for comments from the public. With there being no public comment, the public hearing was closed.**

**Mr. Lynch** made a motion to approve the Amendment to the Continental Towers Planned Development to allow installation of Three (3) Electric Vehicle Charging Stations with all associated equipment at 1701 Golf Road, C-2 General Commercial Services District, T-1 Office, Institutional and Research District, M-1 Manufacturing District, Stephen Otis, WTA, Inc., Petitioner

With the following conditions:

1. This area is to be developed in accordance with site plan dated 2/28/2019.
2. This area is to be monitored with surveillance cameras.
3. There must be three (3) feet of clear area between the sidewalk and any cabinet.
4. Building permits shall be required prior to any construction beginning.
5. Final engineering and landscaping for this part of the subject property is subject to the approval of the City Engineer and Public Works Department. Landscaping is to be consistent with the site as existing.
6. Protective bollards are to be installed as proposed to protect the equipment cabinet.
7. Prior to the issuance of permits, utility locates will be required at the site.

**Mr. Patterson seconded.**

**Roll Call:**

**Mr. Fink:** Yes

**Mr. Lynch:** Yes

**Mr. Patterson:** Yes

**Mr. Rataiczky:** Yes

**Mr. Rybarczyk:** Abstain

**Mr. Whitney:** Yes

**Chairman Bisesi:** Yes

Yeas – (6) – Fink, Lynch, Patterson, Rataiczky, Whitney, Bisesi

Nays – (0) - NONE

Absent – (2) – O'Brien, Stefaniuk

Abstain – (1) – Rybarczyk

**Motion Approved.**

**Mr. Vogt** – This matter will be scheduled for 1<sup>st</sup> reading Ordinance at the March 26, 2019 Council Meeting and 2<sup>nd</sup> reading would be April 9, 2019.

**Chairman Bisesi** – Suggested that the Commission discuss item number 4 on the agenda and then discuss items 2 and 3.

This was agreed to by unanimous voice vote.

2. Text amendment to the Zoning Code of Ordinances to update Section 122-27(d)(12), Temporary Seasonal Outdoor Seating, City of Rolling Meadows, Petitioner

**Ms. Payne** - In 2018, the Community Development Division had three requests come forward regarding outdoor seating. For various reasons, all three requests were required to proceed through the Special Use process. All three were heard by the Planning and Zoning Commission at their August 8, 2018 meeting, and all three were ultimately approved by the City Council with various conditions.

The City Manager then requested that staff investigate the existing codes regarding outdoor seating, and to have discussion with the Economic Development Committee to potentially update and improve the outdoor seating regulations. Staff met with the Economic Development Committee several times, and provided a draft of potential modifications to the outdoor seating code. The Economic Development Committee approved them. In December, 2018, the proposed modifications were presented to the Committee of the Whole. Staff was then given direction to bring the proposed updates before the Planning and Zoning Commission for approval.

Modifications to the code as proposed through the meetings with the Economic Development Committee include updates to the barrier requirement for outdoor seating with liquor service, and smaller modifications allowing staff to administratively approve more requests of this type.

At this time, staff is recommending postponement of this item. Outdoor seating is addressed in the zoning code, which will be updated in the coming months as a continuation of the Comprehensive Plan project. Postponement will allow staff to update the zoning code comprehensively, instead of piecemeal.

**Mr. Whitney** made the Motion to postpone the petition for the Text Amendment to the City's Comprehensive Zoning Code Section 122-27(d)(12) regarding outdoor seating, City of Rolling Meadows, Petitioner, to a future Planning and Zoning Commission Meeting on June 4, 2019 at 7:30 pm in the City Council Chambers.

**Mr. Rataiczuk seconded.**

**Roll Call:**

**Mr. Fink:** Yes

**Mr. Lynch:** Yes

**Mr. Patterson:** Yes

**Mr. Rataiczuk:** Yes

**Mr. Rybarczyk:** Yes

**Mr. Whitney:** Yes

**Chairman Bisesi:** Yes

Yeas – (7) – Fink, Lynch, Patterson, Rataiczuk, Rybarczyk, Whitney, Bisesi

Nays – (0) - NONE

Absent – (2) – O'Brien, Stefaniuk

Abstain – (0) – NONE

**Motion Approved.**

**Mr. Whitney** made a motion to recess and was seconded by **Mr. Rataiczuk** at 8:10 p.m.

**Mr. Rataiczyk** made a motion to reconvene and was seconded by **Mr. Patterson** at 8:22 p.m.

**New Business (continued):**

3. Final Approval of a Three-Lot Subdivision for property located at 2819-2915 Kirchoff Road, C-2 General Commercial Services District and R-4 Intermediate District, Marc McLaughlin, Taylor Morrison, Petitioner.
4. Final Approval of a Planned Development for property located at 2819-2915 Kirchoff Road, R-4 Intermediate District, Marc McLaughlin, Taylor Morrison, Petitioner

**Chairman Bisesi** asked if the file was in order.

**Mr. Vogt** stated that the file is in order and was made part of the record.

**Vince Rosanova, Attorney, 127 Aurora Ave., Naperville IL** was sworn in by Chairman Bisesi.  
**Marc McLaughlin, Taylor Morrison, 1834 Walden Office Square, Schaumburg IL** was sworn in by Chairman Bisesi.  
**Scott Barenbrugge**, Taylor Morrison, 1834 Walden Office Square, Schaumburg IL was sworn in by Chairman Bisesi.

**Mr. Rosanova** – Taylor Morrison is proposing to subdivide the 11.01 acres into three lots – two .8 acre commercial lots facing Kirchoff Road, and the 9.41 acres at the rear to be developed into 106 townhomes and rowhomes in generally the same lot and street configurations given preliminary approval in 2018 with a few enhancements.

**Marc McLaughlin** – Provided an overview of the proposed updated site plan and is in substantial conformance with the original plan with some enhancements. The enhancements are as follows:

1. The proposed site plan has eliminated the three dead-end street segments that were previously proposed, everything now is a continuous road.
2. The proposed site plan has improved upon connector walkway circulation throughout the development, from Kirchoff all the way to Meadow Drive.
3. Landscaping is facing all of the road frontages as well as all the fronts of the rear load buildings (facing Kirchoff and Meadow Drive).
4. Increased parking spaces for residents/guests (35 stalls) and every unit now has a 2 car driveway.
5. Enhanced the perimeter with 6 ft. board on board fence, going around the entire property.

**QUESTIONS AND COMMENTS FROM THE BOARD:**

**Chairman Bisesi** opened the meeting to commissioners' questions and comments.

**Ms. Payne** – Shared comments from Mr. O'Brien. He wanted to note that it's a very good thing to see the three (3) dead ends removed; is impressed by the improved parking options; it's great to see the just under one (1) acre space is staying available on Kirchoff (possibly for a Chili's?) and had a question: the streets will be maintained by the Homeowners Association and is assuming that snow removal and

garbage will be the same and just wanted to make sure that first responders will be able to access the site as well?

**Mr. McLaughlin** – Public road from Kirchoff to our property then it will be private HOA maintained with snow removal, pot hole and garbage collection.

**Mr. Vogt** – 216 feet from Kirchoff to the property line which is providing access to the future commercial site and hopefully to the existing commercial site that's why that section is public.

**Ms. Payne** – The Fire Department did review this plan and is comfortable.

**Mr. Whitney** – Biggest area of concern is along Meadow Drive, it's an 11.5 setback and the sidewalk looks extremely close to the curb. The homes along there are rear loaded, the front is facing Meadow which means there's no fence or anything in front of those, correct?

**Mr. McLaughlin** – That is correct.

**Mr. Whitney** – Biggest concern is that it's a pretty heavily traveled sidewalk with kids and having the sidewalk within a 1 foot or 2 of the road is concerning to me.

**Mr. McLaughlin** – We made revisions to that particular sidewalk so it will now be 5 feet off the back of curb.

**Mr. Whitney** – But it doesn't increase the setback at all.

**Mr. McLaughlin** – The building setback is remaining 11.5, the sidewalk will be placed 5 feet back of curb so it will give the impression that the building is set back 20+ feet from the sidewalk.

**Mr. Whitney** – Where lot 22 is that's a 25.5 foot setback so that's greater. Along the backside it's 20.5, 30 feet is required, and that's a 6 foot board on board fence all along the back?

**Mr. McLaughlin** – Correct.

**Mr. Whitney** – Retention area. Are the storm sewers going to drain directly into there and then out of the retention area into the storm sewer or is it overflow from the storm sewer?

**Mr. McLaughlin** – It will drain into that area and then release along Meadow Drive, at the west northwest corner.

**Mr. Whitney** – Happy to see the parking stalls increase and the dead ends disappear. Aster Lane may be a little confusing because we already have an Astor Lane.

**Mr. McLaughlin** – We will be choosing a new name.

**Mr. Whitney** – Biggest concern still is the 11.5 foot setback on Meadow Drive but moving sidewalk alleviates one of my concerns.

**Mr. Patterson** – Thinks the detention pond needs to be deeper. West of site between there and the church, when there's a good rain it's "Lake Meadow Drive". That's not all on you but it will need to be addressed somehow. I think if the detention pond was slightly deeper it will take care of it but doesn't want to go too deep that it turns it from a detention pond to a retention pond.

**Mr. McLaughlin** – We've taken into consideration off site flow so we've calculated enough storage on site to accommodate any contributory flow.

**Mr. Patterson** – 8 or 12 inch lines for fire hydrants?

**Mr. McLaughlin** – 12 inch.

**Mr. Vogt** – The 12 inch watermain request was because the City in the long term plan is seeking to have a 12 inch watermain along Kirchoff to upgrade the system and improve service.

**Mr. Rataiczky** – Was unsatisfied with a good deal of the responses to Staff's comments and wants to go through a bunch of those to get clarification. Biggest point of contention is the Meadows setback. As it sits right now 11.5 feet setback from front of building to property line/right of way line. The setback from curb I thought you said earlier was 20 from the back of the curb? Or no?

**Mr. McLaughlin** – Curb of Meadow Drive, 5 feet parkway, 5 foot sidewalk, 19-20 feet to building and in between there is the property/right of way line. It will look like from the sidewalk to the building it will be 20 feet of grass but there's actually a property line in there that we're blending because it's all just grass.

**Mr. Rybarczyk** – How far from the street?

**Mr. McLaughlin** – From the street, 32 feet.

**Mr. Rataiczky** – The 20 feet in Staff comment that is being requested, where is that 20 feet being quantified as?

**Mr. Vogt** – The 20 foot setback is what we originally requested. We had the developer take the bike path out because a lot of it will be damaged and we compromised and moved the sidewalk to 4 or 5 feet away from the curb. Staff feels comfortable that if we had a 4 or 5 foot parkway and a 5 foot sidewalk at least we accomplished about a 5 foot addition that it will appear that its 15-17 feet back from the property line.

**Mr. Patterson** – The bike path is now going to be part of the street? The street is not going to be expanded?

**Mr. Vogt** – 20 years ago the City put in that bike path from Kirchoff to the end of what was the Dominick's property. I'm not sure what the intent was going south. Looking at the bike path update that was done in 2017 we didn't identify that as an offstreet path but rather an on street path.

**Mr. Patterson** – Is concerned that if they move it into the street (Meadow Drive) there's not enough room for cars and a bike lane.

**Mr. Rataiczky** – Is the idea to move it into the street and expand the street? Or keep the street at its existing width and add a bike path?

**Mr. Vogt** - At this point we don't have a specific plan for that but it's possible that some point in the future the street could be widened to accommodate a bike lane otherwise it would be a shared bike lane like you see in the City of Chicago and Arlington Heights that developed in recent years.

**Mr. Rataiczky** – This is an important piece of consideration now as it will impact the setback in the future and there seems to be a fair amount of uncertainty.

**Mr. Vogt** - Also, there are a certain number of utilities that needs to be taken into account, traffic control boxes, streetlights and the like. I know it's a congested area.

**Mr. Rybarczyk** - Do you know what the setback was for Ryan Homes?

**Mr. Vogt** – No, I don't recall.

**Mr. Rybarczyk** - Would you be opposed to removing 7A and 10A? You would be losing two units.

**Mr. McLaughlin** – Yes, we're engineered on this site, we're past that point of losing or adjusting as we're in for a final. We're in substantial compliance. We're already down to 106 units from the original 113. 106 is locked.

**Mr. Rybarczyk** - Are those the three-story homes?

**Mr. McLaughlin** – Yes, the rear load are the three-story homes.

**Mr. Rybarczyk** - Doesn't it say in here that three-story homes will not be constructed were adjacent to existing single-family homes nor adjacent to Meadow Drive?

**Mr. McLaughlin** – They're not accessed off of Meadow Drive.

**Mr. Rataiczky** – Access is different than adjacent.

**Mr. Vogt** - That was our understanding that they were not to be three-story when we prepared the conditions.

**Mr. McLaughlin** – Facing Meadow Drive is the front loaded product.

**Mr. Rybarczyk** - The ones that are all to the south?

**Mr. McLaughlin** – The ones along Geranium Way those are the front load two-story that are adjacent to the existing single-family homes.

**Mr. Vogt** - Staff misunderstood based on the renderings that didn't come until later last week which is one of the reasons we distributed them after the packets went out.

**Mr. Rybarczyk** - Are you still opposed to those being three stories then?

**Mr. Vogt** - We're certainly not excited about it compared to the two-story option. That was one of our concerns initially when we looked at the setbacks and tried to work with the developer to minimize that impact. We would've preferred a 20 foot setback and preferred them to be two-story.

**Mr. Rataiczky** – Walking in here tonight, was it your understanding that those were two-story buildings?

**Mr. Vogt** - Until Friday, yes.

**Mr. Rataiczky** - That changed based on what?

**Mr. Vogt** - Getting the renderings and verifying that those were all three-story.

**Mr. Rataiczky** - Did that seem to be a shared understanding up until that point?

**Mr. McLaughlin** – It was, the renderings have been completed for months. I think it was a clerical error. They've always been three-story. Rear load has always been three-story, front load has always been two story.

**Mr. Vogt** - The Staff report was prepared on Thursday when I did not yet have the renderings.

**Mr. Rybarczyk** - Do you know how tall the three-story units are?

**Mr. Barenbrugge** – The architecture is a concept at this stage. We haven't developed full construction drawings on this because we're developing the product custom for this site it's never been built before. Generally, we're looking at the first 2 stories at 9 foot, 8 foot bedroom level. What I don't know is the height of that to the roof troughs. It would be very typical three-story construction, 26 foot plus the height of the roof.

**Mr. Rataiczky** – I'm not going to go through all of these. I feel wholly uncomfortable with the degree of detail that we're provided and the level of kind of ambiguity and confusion that we're dealing with here. This is a massive project, it's a big lot, it's a big development and it's a big impact on this City. I'm not getting a very clear impression that you guys have a deep desire to work within our comments and our responses. As it sits right now, I am a hard "no" on it. The only thing that would change me is a greater degree of detail and a lot more interaction to get questions and concerns answered. I feel like this is way too big of a project to have this many open questions and lack of details.

**Mr. Fink** – Reading through all the communications back and forth. Did you guys have a meeting February 26<sup>th</sup> with the engineering staff? Were all of your concerns met? There were a lot of questions taken care of on the 26<sup>th</sup>. Were you comfortable with all of their responses?

**Mr. Vogt** – Staff is comfortable with the level of responses at the meeting with the petitioners engineer as well as the City’s engineer present. For projects of this size we make the condition that it’s subject to final engineering approval. There are certainly a number of minor issues that still need to be re-submitted and resolved to make sure everything is in compliance with our engineering standards and requirements but we don’t see any major issues or concerns after the meeting on the 26<sup>th</sup>. There is nothing that would cause us to deviate or bring to your attention anything that’s alarming from the City engineer design to not to move it forward subject to the City engineer approving plans before any permits were issued.

**Mr. Fink** – Questions about the board on board fence. You mentioned that it’s going to go around the whole site.

**Mr. McLaughlin** – It starts behind 22A, along the south property line and then again along the east property line and then on the north property line until the corner, it will stop at the 7 parking stalls and then there’s an additional fence on the south property line by the current Taco Bell.

**Mr. Fink** – Is there any breaks in there at all? The reason I ask, if any kids in this area go to the school or that nature, is there any thoughts of having a break or extending the sidewalk to get to the park, etc.?

**Mr. McLaughlin** – There is not at this time. There is a retaining wall along that fence as well.

**Mr. Fink** – Lighting. I don’t see any lighting here. Is it your intent to match the City’s LED plan?

**Mr. McLaughlin** – Yes, we will be doing the LED cobra heads, we’re working with the City to get their new standard.

**Mr. Fink** – The way other towns regulate fire systems is there a way the City can regulate the sediment inspections for the traps on-site? I would hate for the City to do something using City funds to help clear out some of these areas if they do flood or backup because the HOA isn’t maintaining the sediment traps and things of that nature. Is there something we could put in place so that there’s third party that can come in and inspect that annually, semiannually or whatever it is to specify with the City that it’s okay?

**Mr. Vogt** - We’ve had discussions with other developments about maintenance of drainage systems. I know we’ve talked with the developer specific to the stormwater retention area and that there would be a three year commitment in terms of once the detention pond is improved and the plants are put in that the developer would be responsible before it goes to the HOA. As far as rear yard swales, we really deal with that on a complaint basis, we don’t have a system in place where every development and every area we inspect swales or structures themselves but sedimentation traps and the like would certainly have to be in place until such time the City did a final inspection.

**Mr. Barenbrugge** – The largest issue that we have with erosion control is during the construction phase is in the early years of the development so even before we turn over the HOA, three or four years into construction, we do an initial first year of monitoring through a third-party, we use Christopher Burke

Engineering. They are like the preeminent of erosion control specialists in Lake County. Following that we have certified compliance officers, our construction managers go through that training and get certified to manage it thereafter. The HOA will be responsible for any of that after turnover and by that time they will be sedimentation basins traps in the structures. Everything will be stabilized and any cleanup of storm sewer would be done prior to that turnover.

**Mr. Fink** - Is there a restrictor somewhere? I didn't see it in the plan? Or because of the depth in the retention area?

**Mr. Barenbrugge** – The release is managed through the downstream outfall at Meadow Drive so we are discharging the low-flow to the storm sewer system only in the event of Noah's Ark like storm would you say that facility would overtop into the road.

**Mr. Fink** - Could you explain to me the phasing? What is your flow intent?

**Mr. McLaughlin** – It's a two-phase buildout. Phase 1 consists of the entire spine road which would be Aster Lane or Meadow Square and west of Geranium Way which will also include Lily Lane and then the small segment between Geranium and Lily Lane. Phase 2 would be Trillium Circle and then the remaining circle part of Geranium Way. The models are expected to be at the intersection of Geranium Way and Aster Lane.

**Mr. Fink** – If approved, is there any problems with limiting construction traffic to only Kirchoff Road and not Meadow Drive? Can we have that somewhere written?

**Mr. Vogt** – That has been discussed and to the best of our ability we intend to limit access to Kirchoff Road with the probable exception when buildings are constructed on Meadow Drive.

**Mr. McLaughlin** – We're going to have to work out the details on that, the intent is Kirchoff but we're not agreeing to no access on Meadow at this point.

**Mr. Lynch** - As is are all private streets; what authority will Rolling Meadows Police have to ticket, tow obstruction cars?

**Mr. Vogt** – Typically with HOA's there are agreements needed for enforcement.

**Mr. Lynch** – Do you intend to seek an agreement? Will it be included in the HOA declaration? What happens if the agreement gets terminated?

**Mr. Rosanova** – The Declaration will have extensive provisions relating to the regulation of the private streets within the community. If for some reason the regulations are being violated the Declaration will also have provisions that the association will have enforcement rights, fines, penalties and ultimately towing.

**Mr. Lynch** - Comment to Staff, as I requested on an unrelated earlier development, I'd like to ask that the final plat include GPS coordinates. For Taylor Morrison, will these homes be allowed to have decks?

**Mr. McLaughlin** – There will be patios as opposed to decks.

**Mr. Lynch** – I assume there will be a provision in the Declaration that if a homeowner chooses to make a change to an outside appearance will have to seek the approval and obtain permits from the City.

**Mr. McLaughlin** – Correct.

**Mr. Lynch** – As I look at how this space is all filled out, how do you anticipate the HOA will deal with snow piles?

**Mr. McLaughlin** – Through our engineering we've calculated locations for snow between driveways, between units and general grass areas. We can accommodate that on site.

**Mr. Lynch** – In the materials that you supplied you make reference to the landscaping plan informing us as to which of these buildings will be rear loaded and front loaded, I looked at it several times, building 10 is not in there.

**Mr. McLaughlin** – Understood, we'll have to look at that.

**Mr. Lynch** – According to the documents, it says the three-story homes will be designed for three car garages.

**Mr. McLaughlin** – That is correct. It's a typical 2 car garage with a 3<sup>rd</sup> car tandem which will be standard.

**Mr. Lynch** – You can also offer it as an option to build it out as shop of some sort.

**Mr. McLaughlin** – That is correct.

**Mr. Lynch** – As I did some basic measuring, it appears that coming in off of Kirchoff and off of Meadow, Geranium and Aster are 20 feet wide? When I get to the others they appear to be only 17 feet?

**Mr. McLaughlin** – No, the public section of Aster is 27 feet wide, the remaining of Aster and Geranium is 24 feet wide and the others are 21 feet wide, all with curb and gutter.

**Mr. Lynch** – In the February 22<sup>nd</sup> memorandum under additional comments you make reference to filing the appropriate certifications with District 214 and District 135. The district here is District 15.

**Mr. Vogt** - We presumed that was a typo.

**Mr. Lynch** – It appears that all of the AC units are missing. Where are the AC units going to go and are they going to be landscaped?

**Mr. McLaughlin** – They will be in the rear of the units for all of them.

**Mr. Lynch** - Do you have any idea what the HOA fees are going to be?

**Mr. Barenbrugge** – Our projected assessment would be \$145-\$170 per month.

**Mr. Lynch** – Will the HOA be required to have a reserve fund?

**Mr. McLaughlin** – Absolutely.

**Mr. Lynch** - What percentage of occupancy do you intend to permit homeowners to participate in the governance of the HOA?

**Mr. McLaughlin** – 70% sold.

**Mr. Lynch** – How long after you turn it over how long are you responsible for on-site infrastructure warranties?

**Mr. Rosanova** - 3 to 4 years, with adequate reserve funds at the time of turnover.

**Mr. Barenbrugge** – Our corporate policy at Taylor Morrison is to fund any shortfalls, at the time of turnover we make sure that the reserve fund is no less than 70% funded.

**Mr. Rybarczyk** - When Mr. Lynch was talking about decks, you said something about going through an architecture review committee. Anything that is done to the outside of this has to come through here, right? Because it's a planned unit development (PUD)?

**Mr. Vogt** - I would have to look at but PUD requires but that is a good point. A deck is outside.

**Ms. Payne** - With regards to making modifications to things that are already existing, like siding or changing the roof, things like that are not amendments to the PUD. Repaving or restriping the visitor parking, that's existing as it was meant to be it does not have to come back before this Board because it is taking it out and putting it right back in. If they were changing things substantially, absolutely. Landscaped islands for example. The Commission could leave some room for administrative approval for small modifications like patios or decks and add a condition that Staff is allowed to administratively approve small modifications to the exterior of the home such as fences, decks, patios, etc. provided that the architectural review committee of the homeowners association has given prior approval. That would give us a little bit of wiggle room. The PUD is part of the zoning code so these are all the things that we are going to be reviewing as well.

**Mr. Barenbrugge** – Significant modifications to the homes are usually frowned upon unless it's medically necessary.

**Mr. Rataiczky** - It would be sensible to consider it now then down the road.

**Mr. Lynch** - The declaration becomes the Bible and under Illinois law it takes two thirds affirmative vote of all of the HOA members to make changes.

**Mr. Fink** – You referenced patios. What would it look like for building 1 or building 2 as it faces Meadow Drive? Where would those patios be?

**Mr. McLaughlin** – Those two buildings would not have patios. The rear load product would not have patios and the front load would have patios.

**Mr. Fink** – Then where were the air-conditioners be for building 1 one and building 2 along Meadow?

**Mr. McLaughlin** – In between the driveways not facing Meadow Drive on the east side of the buildings.

**Mr. Lynch** - Will the declaration directly address rentals? Will the declaration contain language that requires the owner to advise the HOA that the units is being rented? And that the owner who rents it must obtain a City rental license?

**Mr. Barenbrugge** – We can certainly disclose that in the declaration. Staff has recommended a percentage cap on rentals, we are taking that under advisement. In general, that's not something we're in favor of but we do understand that is a concern.

**Ms. Payne** – We are recommending a cap of 20% units being rented. Also, the Community Development Division, on an annual basis, reaches out to HOA's for list of rentals.

**Mr. Rataiczuk** – I know it's not something that you usually do but would you agree to a 20% cap?

**Mr. McLaughlin** – We're still taking that under advisement, that's something that needs to go through corporate. A draft of the declaration was already submitted.

**Mr. Rataiczuk** – If we're going to move forward on a vote, I'm going to make recommendation to postpone. I don't think we have the information as a Body to make an informed decision on this. If we are going to move forward it is my recommendation to make that conditional because I think a lot of the things that we discussed tonight are less important. A rental cap has an impact on the neighborhood and the potential impact on the City so yes my recommendation if this moves forward this evening.

**Mr. McLaughlin** – We will not be in favor of that condition.

**Mr. Rataiczuk** – I got the impression.

**Mr. Lynch** - Ours is only a recommendation to City Council.

**Mr. McLaughlin** – Understood.

**Mr. Barenbrugge** – What additional information hasn't been transmitted with the final petition that maybe we can address tonight?

**Mr. Rataiczuk** – It's not going to get addressed in a satisfactory manner tonight.

**Mr. McLaughlin** – We're at final engineering, this is locked in. What information is lacking that we can address?

**Mr. Rataiczuk** – Building heights.

**Mr. McLaughlin** – We'll be under the code for building heights.

**Mr. Rataiczuk** – I don't want an answer that we'll be under the code for building heights I want to know your building height. I feel these are very simple thresholds. I'm not satisfied.

**Mr. Barenbrugge** – There's a lot of time and investment that went into this and we take this extremely serious.

**Mr. Rataiczuk** – There's a lot that's unanswered.

**Mr. Barenbrugge** – When we were working with Staff we didn't realize that building height was in the purview of plat of subdivision and PUD approval.

**Mr. Lynch** – For Staff, my recollection is that this Body did not approve the Ryan plan, is that correct?

**Ms. Payne** - This body did vote on December 20, 2017 to not recommend approval of the re-zoning and the subdivision but I believe there was a neutral recommendation on the PUD, if I'm recalling correctly. Staff is requesting a recommendation this evening even if the recommendation, as Mr. Rataiczuk put it, a hard no. We are requesting a recommendation for City Council.

**Mr. Fink** – What is the price point for these again?

**Mr. McLaughlin** – The base price, we're expecting to start in the high \$270,000-\$275,000 and option up from there.

**Chairman Bisesi** – Most of my questions have been asked and answered. You said that there's a retaining wall going around the whole development. I was looking at the southeast corner, is that fully closed? Is there going to be a wall around the whole thing?

**Mr. McLaughlin** – There is a revision, the fence also goes along the entire property.

**Chairman Bisesi** – I'm concerned about lots 19, 20 and 22 backing up to the residents.

**Mr. McLaughlin** – Those are the 2 story front load townhomes.

#### **QUESTIONS AND COMMENTS FROM THE AUDIENCE:**

**Chairman Bisesi opened the meeting for comments from the public.**

**Karen Gill, 2408 Martin Lane, Rolling Meadows, IL** was sworn in by Chairman Bisesi.

**Karen Gill** – I have a couple concerns. Hopefully, you guys know the history of this location. There has been a lot of things that have tried to come into this location and it's been shut down quickly. You had made a comment that made the hair stand up on the back of my head. If you had said that

at a City Council meeting with other residents here it would not have went over well. I don't remember exactly what you said. Question though, these properties always want to fence it off completely, is this considered private property now?

**Mr. McLaughlin** – Yes.

**Ms. Gill** – So if I'm out just riding my bicycle and I decide to go down Lily Lane, am I trespassing?

**Mr. McLaughlin** – Technically, yes. But it will not be posted as trespassing we made that decision through our attorney's advice.

**Mr. Barenbrugge** – But we do have public thoroughfare on the private roads.

**Ms. Gill** – But not out by Carl Sandburg or the field? I would suggest in the future you put one of those sets back there so we can see what you're talking about because I don't know where Trillium or Lily is. Mr. Lynch had mentioned that the houses that they're backing up to there on Martin Lane, they're one or two stories. You're putting up 2 stories, so that's a good thing. I would hate to see a 3 story looking down into a 1 story house. You're also cutting off access through that property if you're coming from my neighborhood which is across the track and field there. The corner of where the church and the grade school. You have no access to this part of the neighborhood.

**Mr. McLaughlin** – No.

**Ms. Gill** – No gates, nothing to allow your residents to come out into that field?

**Mr. McLaughlin** – We are not proposing that at this time.

**Ms. Gill** – Any reason why? Once it's there it's your own little world and nobody is allowed in or out is the impression I get.

**Mr. McLaughlin** – We focused on pedestrian connectivity Kirchoff and Meadow Drive not through grass.

**Ms. Gill** – It's a field, it's a place dogs could run, kids could play, there's a ballpark right there. There's a grade school, maybe some of the residents will be going to that school.

**Mr. McLaughlin** – That's why we have pedestrian connectivity on Kirchoff and Meadow to lead to the public sidewalk to go down Martin to the school.

**Ms. Gill** – Is this going to be level with Kirchoff? Is it going to cause a flooding issue in the field for the school?

**Mr. McLaughlin** – It will not, we're not allowed to cause additional flooding,

**Ms. Gill** – That's all I had, I was concerned about the access to the school yard.

**Mr. Lynch** – Having been a president of an HOA, if I were the president or member of the board of this HOA I would be very concerned over liability because once the public starts using that thoroughfare between the park and the private property you open yourself up to a lot of liability and lawsuits.

**Patricia Callahan, 3400 Wellington Ct., Rolling Meadows** was sworn in by Chairman Bisesi.

**Patricia Callahan** – I live on Wellington Court, I live in the one that faces Kirchoff Road. There are 3 buildings there and I live in this unit here. There are approximately 150 units and this little triangle right here, this is our green space. On Owl Drive that's a 4 story unit that backs up to homes. We allow dogs and this is where all the dogs go, in this little triangle right here in our green space. If you guys get a chance go to Google Earth and go to Wellington Court. Also, I live here in this unit here that faces Kirchoff Road, I live on the 2<sup>nd</sup> floor that faces the courtyard. Below me is asphalt, do you know what that's like facing the south? That's getting heated up all day long. My air conditioning is on from April to November. There's not a lot of green space, not a lot of grass to offset that. So when you guys are looking at places when there is a unit and there's asphalt right below it or there's a lot of asphalt that's something to think about when you're building these multi-unit places, it is hot. You got the sun beating on the unit and you have the asphalt below. I cannot tell you how hot my unit gets. Then there's no green space. There's no place to go. Out of 150 units where I live there are no children out of all these units there are no children. Then you use the hype of seniors retiring wanting to have a place to live maintenance free. They come to where I live because they are 1 story. They're not going to come to 2 story and 3 story units because like me I have bursitis in my hip, they don't want stairs. They want 1 story living. Where I live a place goes up for sale and they're gone, they sell very quickly because they are a great location and they have no stairs. We have elevator buildings and because we have underground parking. The same thing with Kimball Square. Elderly people don't want stairs. Look at how condensed these are, where do children play? They don't. You got the same thing again here, you got a lot of asphalt and you don't have enough green space. Please think about this when you guys are looking at these multi-unit dwellings like this. That's all I have to say. Thank you very much.

**Chairman Bisesi** – I would like to say when Ryan Homes came here, they wanted to build over here before, one of the things that this board did and the reason it was a mixed vote was because of what you mentioned. This plan is much more spaced out and there is more green space.

**Mr. Barenbrugge** – What is being proposed this evening versus a midrise condominium development. She showcased about at 1000 square feet of grass serving a 150 units. We have about 1000 square foot of grass for every residence in Meadow Square. It's dramatically different.

**With there being no further public comment, the public hearing was closed.**

**Chairman Bisesi** – We'll split this in two motions. I think we should probably vote on it.

**Mr. Lynch** made a motion for the Final approval of a three lot subdivision, located at 2819-2915 Kirchoff Road, Marc McLaughlin, Taylor Morrison, Petitioner

With the following conditions:

1. Plat of subdivision is to be recorded within two years of the approval of the City Council.
2. A public right-of-way is to be dedicated for the proposed street to be constructed, from Kirchoff Road to a point 216 feet south of the south right-of-way line of Kirchoff Road.

**Mr. Whitney seconded.**

**Roll Call:**

**Mr. Fink:** Yes

**Mr. Lynch:** Yes

**Mr. Patterson:** Yes

**Mr. Rataiczky:** No

**Mr. Rybarczyk:** No

**Mr. Whitney:** Yes

**Chairman Bisesi:** Yes

Yeas – (5) – Fink, Lynch, Patterson, Whitney, Bisesi

Nays – (2) - Rataiczky, Rybarczyk

Absent – (2) – O'Brien, Stefaniuk

Abstain – (0) – NONE

**Motion Approved.**

**Mr. Vogt** – This matter will be scheduled for 1<sup>st</sup> reading Ordinance at the March 26, 2019 Council Meeting and 2<sup>nd</sup> reading would be April 9, 2019.

**Mr. Lynch** made the motion to approve the Final Planned Development for the redevelopment of property located at 2819-2915 Kirchoff Road, R-4 Intermediate Residential District, Marc McLaughlin, Taylor Morrison, Petitioner.

With the following conditions:

1. Site is to be developed in substantial conformance with the preliminary plat of survey dated January 18, 2019.
2. Final engineering and landscape plans are subject to approval by City staff and City Engineer.
3. Site landscaping is to be consistent with plans submitted by Gary R. Weber Associates, Inc., February 22, 2019.
4. Documents establishing the Homeowner's Association are subject to review by the City Attorney. **(amended)**
5. All streets, site storm sewers, stormwater detention area, and street lighting are to be privately maintained by a Homeowner's Association.
6. All three-story buildings will provide for a three-car garage. **(stricken)**
7. Three-story homes will not be constructed where adjacent to existing single family homes.
8. The owner of lots 25 and 26, as noted on the submitted plat of subdivision, will be responsible for construction of a wooden fence, minimum six foot high and board on board, upon development of the first of these commercially-designated lots.
9. The developer is responsible for the removal of the existing driveway apron currently serving lot 25 upon the issuance of occupancy certificates for the on-site model homes. Construction/sales trailer must be removed within 30 days of occupancy of the model homes.
10. The owner (Clark Street Development) is to negotiate for the construction of a proposed driveway apron and on-site pavement modifications on the east side of the right-of-way public street to provide permanent ingress and egress to the existing commercial property, and close the existing westernmost driveway on Kirchoff Road, all at owner's cost. City staff is available to assist with negotiations upon request of the developer.
11. The developer shall reimburse the City for costs associated with completion of the downstream sanitary sewer capacity study.
12. The developer (eventually the Homeowner's Association) shall provide for refuse and recycling collection service for the property via a private company.
13. Off-street parking areas that are intended for guests shall be signed accordingly. No resident parking shall be allowed in these spaces. The Homeowner's Association shall be responsible for enforcement.
14. Not more than 20% of the dwelling units in the subject property shall be allowed as rental properties.
15. A Special Use is hereby granted for the proposed temporary sales trailer to be located on lot 25 or 26.

**Mr. Whitney seconded.**

**Mr. Whitney** made a motion to amend per the Petitioners request to remove item #6 *“All three-story buildings will provide for a three-car garage.”*

**Mr. Rataiczuk seconded.**

**Roll Call:**

**Mr. Fink:** Yes

**Mr. Lynch:** Yes

**Mr. Patterson:** Yes

**Mr. Rataiczuk:** Yes

**Mr. Rybarczyk:** Yes

**Mr. Whitney:** Yes

**Chairman Bisesi:** Yes

Yeas – (7) – Fink, Lynch, Bisesi, Patterson, Whitney, Rataiczuk, Rybarczyk

Nays – (0) - NONE

Absent – (2) – O’Brien, Stefaniuk

Abstain – (0) – NONE

**Motion to Amend Approved.**

**Mr. Lynch** made a motion to amend item #4 to read *“Documents establishing the Homeowner’s Association are subject to review by the City Attorney who shall also review the public record the discussion regarding the Declaration and to consider them in his review.”*

**Mr. Rataiczuk seconded.**

**Roll Call:**

**Mr. Fink:** Yes

**Mr. Lynch:** Yes

**Mr. Patterson:** Yes

**Mr. Rataiczuk:** Yes

**Mr. Rybarczyk:** Yes

**Mr. Whitney:** Yes

**Chairman Bisesi:** Yes

Yeas – (7) – Fink, Lynch, Bisesi, Patterson, Whitney, Rataiczuk, Rybarczyk

Nays – (0) - NONE

Absent – (2) – O’Brien, Stefaniuk

Abstain – (0) – NONE

**Motion to Amend Approved.**

**Chairman Bisesi** – We now have a revised motion. We have stricken item #6 and revised item #4.

**Roll Call:**

**Mr. Fink:** Yes

**Mr. Lynch:** Yes

**Mr. Patterson:** No

**Mr. Rataiczky:** No

**Mr. Rybarczyk:** No

**Mr. Whitney:** No

**Chairman Bisesi:** Yes

Yeas – (3) – Fink, Lynch, Bisesi

Nays – (4) - Patterson, Whitney, Rataiczky, Rybarczyk

Absent – (2) – O’Brien, Stefaniuk

Abstain – (0) – NONE

**Mr. Vogt** – This matter will be scheduled for 1<sup>st</sup> reading Ordinance at the March 26, 2019 Council Meeting and 2<sup>nd</sup> reading would be April 9, 2019.

**Miscellaneous Business: NONE**

**Matters Not on the Agenda: NONE**

**Reports:**

**Ms. Payne** – The next meeting will be in April. There is one (1) item on the Agenda so we will be having a meeting, it is the continuation of the billboard on Tollview, 3105 Tollview. Mr. Roti who was here in January and it was postponed until April. Since this is the only item on the Agenda, we would have to convene anyway if we were to postpone it.

The April Planning and Zoning meeting falls on Election Day. If you want to modify the April date, we can consider moving it to April 17<sup>th</sup> which is published as our alternate date, it would be the 3<sup>rd</sup> Wednesday.

**Mr. Whitney** made a motion to move the April 2, 2019 meeting to April 17, 2019 and **Mr. Rybarczyk** seconded.

By unanimous vote the next scheduled meeting will be April 17, 2019 at 7:30 p.m.

**Barry Krumstok, City Manager** - School Health will be in full operation on March 18, 2019.

**Adjournment**

A motion to adjourn was made by Mr. Whitney and seconded by Mr. Rataiczky. Motion carried by unanimous voice vote. The regular meeting of the March 5, 2019 Planning and Zoning Commission was adjourned at 10:38 pm.

Respectfully Submitted,

*Judy Brose*

Judy Brose

Deputy City Clerk

**Distribution:**

Mayor

City Manager

Planning and Zoning Commissioners

Community Development Department

Clerk's Office

**Minutes approved at the April 17, 2019 Planning and Zoning Commission meeting as written.**