



Meeting of the Village of Buffalo Grove Planning and Zoning Commission

Regular Meeting
January 19, 2022 at 7:30 PM

Fifty Raupp Blvd
Buffalo Grove, IL 60089-2100
Phone: 847-459-2500

I. Call to Order

2. Open Meetings Act Compliance

Pursuant to orders issued in response to the COVID-19 pandemic, this Public Hearing is closed to in-person, public attendance. The hearing is being held via Zoom web conference meeting, which permits the public to fully participate in the virtual Public Hearing via Zoom on a computer, tablet or phone. Details on how to access and participate in this online virtual hearing are available below. More information pertaining to the meeting information and links to the virtual meeting can be found at

You are invited to a Zoom webinar.

When: Jan 19, 2022 07:30 PM Central Time (US and Canada)

Topic: PZC

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81173471387?pwd=Z3AwbXI4aTNlbzFOUjhMc01jQ3NPZz09>

Passcode: 976458

Or One tap mobile :

*US: +13126266799,,81173471387#,,,,*976458# or
+19294362866,,81173471387#,,,,*976458#*

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Dial(for higher quality, dial a number based on your current location):

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Webinar ID: 811 7347 1387

Passcode: 976458

International numbers available: <https://us02web.zoom.us/j/kcMfhxHeHu>

II. Public Hearings/Items For Consideration

1. Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct. (Trustee Pike) (Staff Contact: Nicole Woods)

III. Regular Meeting

A. Other Matters for Discussion

B. Approval of Minutes

1. Planning and Zoning Commission - Regular Meeting - Dec 15, 2021 7:30 PM
2. Planning and Zoning Commission - Regular Meeting - Dec 1, 2021 7:30 PM

C. Chairman's Report

D. Committee and Liaison Reports

E. Staff Report/Future Agenda Schedule

F. Public Comments and Questions

IV. Adjournment

The Planning and Zoning Commission will make every effort to accommodate all items on the agenda by 10:30 p.m. The Board, does, however, reserve the right to defer consideration of matters to another meeting should the discussion run past 10:30 p.m.

The Village of Buffalo Grove, in compliance with the Americans with Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the ADA Coordinator at 459-2525 to allow the Village to make reasonable accommodations for those persons.



Action Item : Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.

Recommendation of Action

As staff does not believe the petitioner adequately meets the variation standards, staff recommends denial.

The petitioner, who resides at 811 Summer Ct recently expanded his driveway without applying for a permit and after receiving a stop work order notice. The driveway expansion exceeds the required 40% front yard coverage. As a result, a variation is required.

ATTACHMENTS:

- Staff Report (DOCX)
- Plan Set (PDF)

Trustee Liaison

Pike

Staff Contact

Nicole Woods, Community Development

Wednesday, January 19,
2022

**VILLAGE OF BUFFALO GROVE
PLANNING & ZONING COMMISSION
STAFF REPORT**

MEETING DATE:	January 19, 2021
SUBJECT PROPERTY LOCATION:	811 Summer Ct
PETITIONER:	Ornis Mala
PREPARED BY:	Rati Akash, Village Planner
REQUEST:	A variation to allow for an existing driveway to exceed the 40% of front yard coverage maximum.
EXSITING LAND USE AND ZONING:	The property is improved with a single-family home currently zoned R3.
COMPREHENSIVE PLAN:	The approved Village Comprehensive Plan calls for this property and the immediate neighborhood to be single family detached.

PROJECT BACKGROUND

The petitioner, Ornis Mala recently expanded his driveway on the south without applying for a permit, and after receiving a stop work order notice from the Village.

The Petitioner applied for a permit and a variance after the driveway expansion work was completed. The existing driveway expansion exceeds the required 40% front yard coverage. As a result, a variation is required.

After an inspection was conducted on site, it was found that the existing driveway expansion does not comply with the drainage pattern. Since then, the Petitioner has worked with the Village Staff and agreed to remove a portion of the driveway on the drainage easement and repour it to be in compliance with the existing drainage pattern in the easement.

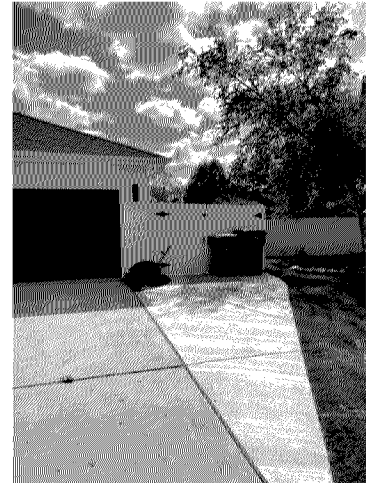


Attachment: Staff Report (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)

- In preparation for the continuation, the Petitioner has provided a letter which reaffirms their agreement to remove and re-pour the concrete to meet the grading requirements. Fulfilling these engineering requirements has been and continues to be required. The petitioner is not proposing to reduce or change the driveway extension. Consequently, the current plan is identical to the proposal presented on December 1, 2021.

Summary of the Changes

- The existing driveway expansion has been extended on the south portion of driveway. Pursuant to the Zoning Ordinance, the maximum permitted front yard coverage must be 40%, the property is allowed up to approximately 804 square feet of impervious coverage for their driveway and walkways.
- The existing driveway expansion on the south of the driveway measures 60 square feet in total.
- The total impervious surface in the front yard measures 45.12%. The total impervious surface exceeds the permissible 40% front yard coverage by 5.12%.
- The approximate area of the driveway on the drainage easement, which requires the grade changes is 25 square feet. Even if this portion of the driveway is removed, a variance is still required as the impervious surface will still exceed 40%.
- In the petitioner's response to standards, the petitioner claims that the unique circumstances for this variation is that the fence door opening requires ground support.
- After a site inspection was conducted, staff found that the fence on the subject property is a 6' tall fence, which is not a permitted fence. The Petitioner has indicated that he will reduce the extension of the new fence to 5' tall.



Variation Requested

A front yard coverage variation from **Section 17.36** from the Buffalo Grove Zoning Code states that the maximum of 40% of the required front yard area may be covered by approved paved and impervious surfaces including driveways and walkways.

DEPARTMENTAL REVIEWS

Village Department	Comments
Engineering	The Engineer has reviewed the driveway expansion and provided the attached memo that show concerns with grading in the drainage easement. As noted above, the Petitioner has agreed to remove and re-pour the concrete to meet the grading requirements.

SURROUNDING PROPERTY OWNERS

Pursuant to Village Code, the contiguous property owners were notified and a public hearing sign was posted on the subject property. The posting of the public hearing sign and the mailed notifications were

completed within the prescribed timeframe as required. As of the date of this Staff Report, two calls were received, however no objections were raised. The petitioner has also submitted an email from his neighbor concerning the fence, not the driveway, that is included in the packet.

STANDARDS

The Planning & Zoning Commission is authorized to grant variations to the regulations of the Zoning Ordinance based upon findings of fact which are made based upon evidence presented at the hearing that:

1. The plight of the owner is due to unique circumstances;
2. The proposed variation will not alter the essential character of the neighborhood;
3. There are practical difficulties or particular hardships in carrying out the strict letter of this Chapter which difficulties or hardships have not been created by the person presently having an interest in the property; and,
4. The proposed variation will not be detrimental to the public health safety and welfare.

The petitioner has provided a response to the standards.

STAFF RECOMMENDATION

Village Staff recommends denial of the variation to allow a driveway expansion that would exceed the required front yard coverage by 5.12%, as staff believes the petitioner does not adequately meet the variation standards.

ACTION REQUESTED

The Planning & Zoning Commission (PZC) shall open the public hearing and take public testimony concerning the request. The PZC shall make a recommendation to the Village Board.

Suggested PZC Motion

PZC moves to grant denial of the variation which would allow a driveway expansion that would exceed the required front yard coverage by 5.12% based on failure to meet the variation standards.



PETER ALAN WASEM, ESQ.

PETER ALAN WASEM P.C. - ATTORNEY AT LAW
330 E. MAIN STREET – 3rd FLOOR - P. O. BOX 3372 BARRINGTON ILLINOIS 60010
Tel: 847.381.4430 - Fax: 847.381.4409 - Email: peteralanwasem@gmail.com

Tuesday, January 4, 2022

Ms. Rati Akash
 Village Planner
 Community Development
 Village of Buffalo Grove
 50 Raupp Boulevard
 Buffalo Grove, IL 60089

Regarding: 811 Summer Court

Dear Ms. Akash:

I submit this correspondence In anticipation of the continued hearing on the variance request of my client Mr. Mala, which hearing is set for January 19, 2022, at 7:00 p.m.

This will confirm that my client as agreed to remove and re-pour part of the concrete to meet the grading requirements of the Village and in accordance with the engineer's recommendations. I ask that you submit as part of the hearing materials the engineer's recommendations. along with any notes or documents that memorialize engineer's my clients discussions.

Further, I am attaching hereto a picture of the extension showing certain dimensions which should further provide clarity to the proposed reconfiguration of the extension to the driveway. Finally, attached is a copy of the Plat of Survey, showing zoning approval in 1994.

If I can be of further assistance or if you need anything else, please feel free to contact me directly.

Cordially,

Peter Alan Wasem

By: _____

Peter Alan Wasem, Esq.

File No.21-4616-001

Cc: Mr. Ornis Mala

Mr. Nicholas D. Standford

Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)

Thursday, November 4, 2021

Ms. Rati Akash
Village Planner
Community Development
Village of Buffalo Grove
50 Raupp Boulevard
Buffalo Grove, IL 60089

Regarding: 811 Summer Court

If I can be of further assistance, please feel free to contact me directly.

Peter Alan Wasem

By: _____

Peter Alan Wasem, Esq.

File No.21-4616-001

Cc: Mr. Ornis Mala

Mr. Nicholas D. Standford

Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)

From: Ornis Mala

Address: 811 Summer Ct, Buffalo Grove IL 60089

To: Planning & Zoning Commission, Village of Buffalo Grove

To Whom It May Concern:

We are trying to add an additional section to the sidewalk, to the right-hand side of the house (looking from the front). The measurements are displayed in the attached file. The reason for this addition is because we have fixed the fence doors three times since we purchased the house in 2018, because the doors hang luke after we open them, and the bottom does not touch the concrete no longer.

Therefore, we had the company that maintains our yard prepare the drawing for us.

If you have any other questions, please let us know!

Sincerely,

Ornis Mala

Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)



PETER ALAN WASEM, ESQ.

PETER ALAN WASEM P.C. - ATTORNEY AT LAW
330 E. MAIN STREET – 3rd FLOOR - P. O. BOX 3372 BARRINGTON ILLINOIS 60010
Tel: 847.381.4430 - Fax: 847.381.4409 - Email: peteralanwasem@gmail.com

Thursday, November 4, 2021

Ms. Rati Akash
 Village Planner
 Community Development
 Village of Buffalo Grove
 50 Raupp Boulevard
 Buffalo Grove, IL 60089

Regarding: 811 Summer Court

Dear Ms. Akash:

This correspondence is written to memorialize the action taken by my client Mr. Ornis Mala with respect to the outstanding issues relative to certain outstanding building and zoning matters with the Village of Buffalo Grove.

1. **Maximum Front Yard Coverage**. Under a separate cover I have on behalf of Mr. Mala submitted a revised Response to Standard for the purpose of supplementing his request for variance relief for the addition of concrete in the front yard of his home.

2. **Fence**. Mr. Mala will reduce the height of the new fence to 5 feet in order to comply with existing standards. In addition, I am attaching a copy of an email dated October 18, 2021, from Mr. Preetham Dalvay, Mr. Mala's neighbor, confirming their conversation and memorializing Mr. Dalvay's acceptance of the extension of Mr. Mala's fence (including resolving any encroachment concerns) and Mr. Mala's promise to reduce the height of the new fence extension to 5 feet. A copy of that email is attached for your benefit.

3. **Basketball Court**. Mr. Mala has indicated and renews that statement he made that the dimensions of the basketball court in his backyard are the same as when he acquired fee simple title to the property.

Therefore, Mr. Mala believes he has properly addressed and resolved all pending issues, except with respect to the item 1 above, which is set for hearing on December 1.

Thursday, November 4, 2021

Ms. Rati Akash
Village Planner
Community Development
Village of Buffalo Grove
50 Raupp Boulevard
Buffalo Grove, IL 60089

Regarding: 811 Summer Court

If I can be of further assistance, please feel free to contact me directly.

Peter Alan Wasem

By: _____

Peter Alan Wasem, Esq.

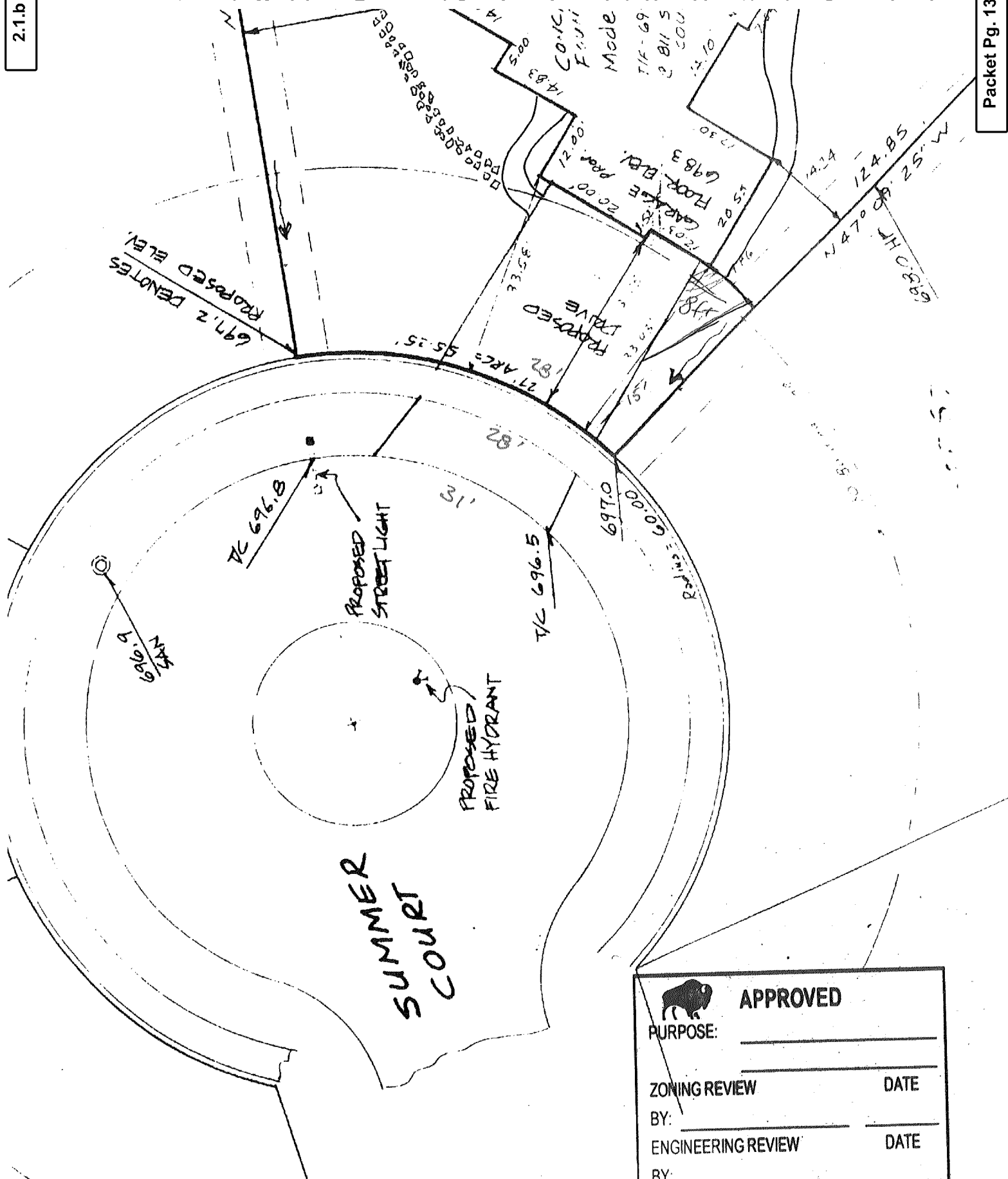
File No.21-4616-001

Cc: Mr. Ornis Mala

Mr. Nicholas D. Standford

Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)

69412



APPROVED

PURPOSE:

ZONING REVIEW

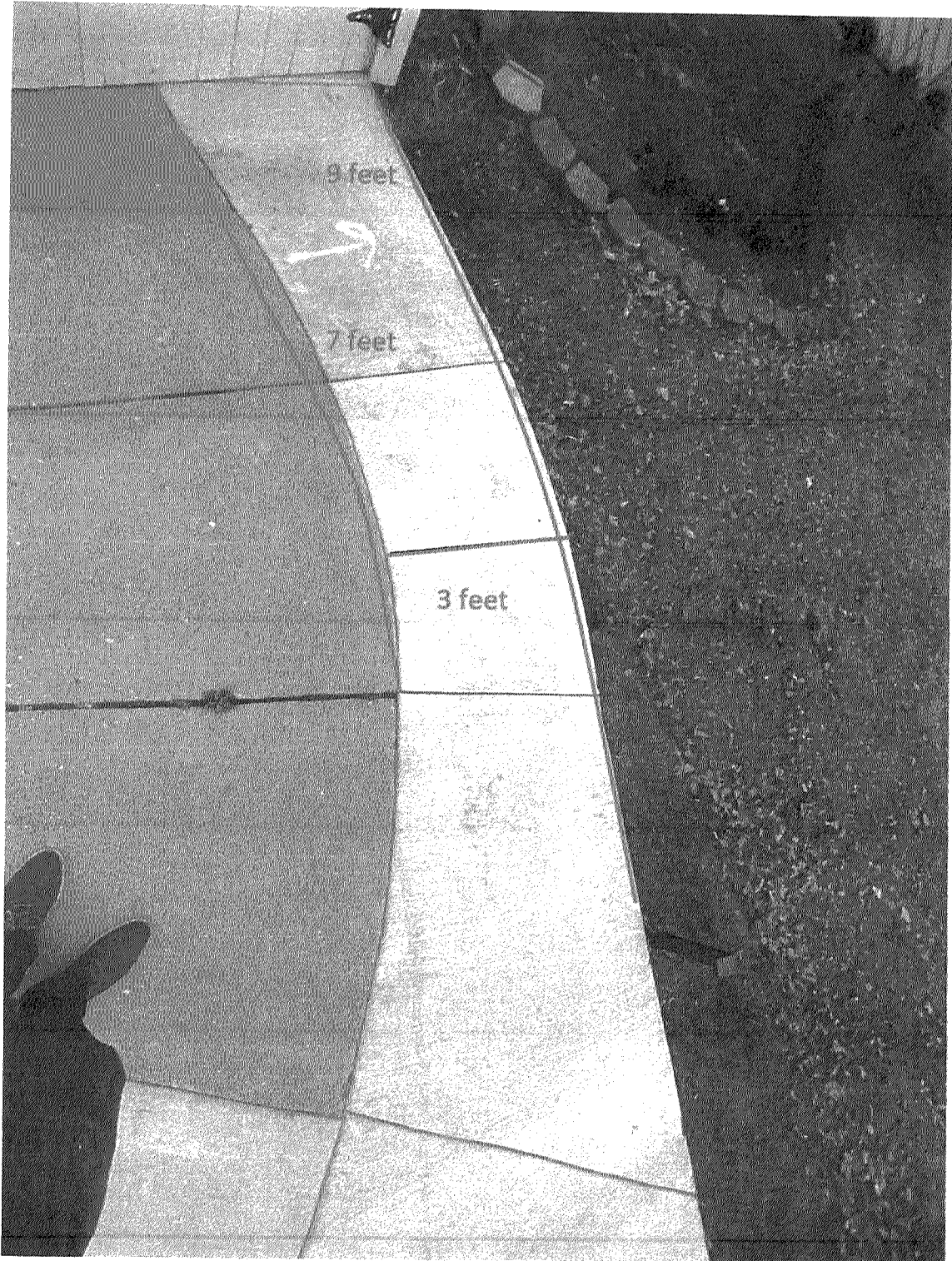
DATE _____

BY:

ENGINEERING REVIEW

DATE _____

BY:



Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)



Attachment: Plan Set (Consider A Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)



Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 1 Summer CJ)



Picture provided by Petitioner at Dec 1, 2021 Public Hearing



847-459-2530

Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)

REVISED**Response to Standards****1. The plight of the owner is due to unique circumstances;****Your Evidentiary Statement:**

The expansion of the of the paved and/or impervious surfaces in the front yard was done to remedy the unique circumstances of the topography of the yard in and around the fence gate adjacent to the garage. The ground and grass in that area was of such consistency as to cause the fence gate to deteriorate and prevented the gate from opening and closing properly. As a result, the fence gate could not be used, as intended, and needed constant repair and replacement. The new concrete surface installed allows the fence gate to be, opened, and, closed as intended and solves the problem of constant repair and replacement.

2. The proposed variation will not alter the essential character of the neighborhood;**Your Evidentiary Statement:**

The installation of the additional concrete surface does not alter the essential character of the neighborhood, in fact, it improves the neighborhood. The area where the surface was installed is now improved by being more aesthetically attractive, with a clean surface, which matches the gate. In addition, it helps maintain the integrity, condition, and look of the fence gate.

3. There are practical difficulties or particular hardships in carrying out the strict letter of this Chapter which difficulties or hardships have not been created by the person presently having an interest in the property; and,**Your Evidentiary Statement:**

The best solution to preventing the deterioration of the existing fence gate and ground in the area of the fence gate was to install the concrete. Due to the existing ground conditions the fence gate could not be operated as intended and required constant repair, to both the fence and ground. The only practical solution was to install the concrete so that the fence would operate properly, that is open and close using the wheels on the bottom of the gate. The fence gate and topography of the ground in and around the fence gate were existing and not created by the current homeowner.

4. The proposed variation will not be detrimental to the public health safety and welfare.

Your Evidentiary Statement:

The expansion of the paved and/or impervious surfaces is not located close to or in the area adjacent to the street and poses no safety concerns, as it is a smooth surface that allows for clean, consistent, easy, and safe access to through the homes fence gate. In fact, it improves safety and welfare of those using the area and the fence gate by providing a smooth surface to walk on and use the fence gate. The concrete installed is not detrimental to public safety and welfare.

Dated: November 4, 2021

Ornis Mala
811 Summer Court
Buffalo Grove, IL

VILLAGE OF BUFFALO GROVE



MEMORANDUM

DATE: January 7, 2022
TO: Rati Akash, Village Planner
FROM: Ted Sianis, Civil Engineer II
SUBJECT: 811 Summer Court – Driveway Extension/Sidewalk

The Engineering Department met with the resident at 811 Summer Court on September 15, 2021 to discuss grading the driveway extension adjacent to the home. A portion of the sidewalk was determined to have to be removed and repoured to meet the existing grade adjacent to the extension to comply with Village code regarding obstructions in the drainage easement. Enclosed is a picture showing the portion of driveway extension that is within the drainage easement that needs to be repoured sloping to a lower elevation should the Plan Commission approve a variance for this work. We additionally reiterated the homeowner should not undertake the work until the Plan Commission has approved the variance related to front yard impervious surface coverage, because if he repoured without their approval, he may need to remove the concrete a second time.

Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)



Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)

VILLAGE OF BUFFALO GROVE



MEMORANDUM

DATE: September 7, 2021
TO: Rati Akash, Village Planner
FROM: Ted Sianis, Civil Engineer II
SUBJECT: 811 Summer Court – Driveway Extension/Sidewalk

The Engineering Department received a request to inspect/verify grading for a driveway extension adjacent to the driveway serving 811 Summer Court. This work was performed without a permit and permitted post construction. Upon inspection, the newly poured concrete does not comply with Village code. The driveway extension has slightly raised the grade through a portion of the property where a drainage easement exists. There are three scenarios available to rectify this issue. The homeowner at 811 Summer Court may:

1. Remove the portion of concrete driveway extension within the easement and regrade adjacent to the remaining concrete;
2. Remove the new concrete in its entirety; or
3. Replace the concrete within the easement, lowering the new concrete to meet the previously existing grade.

Enclosed with this memo are:

1. The plat that was submitted with the permit post construction which shows the Engineering Department comments for the work, and a circled area where the new concrete does not meet Village Code.
2. A picture illustrating the grade change.
3. Aerial pictures illustrating additional unpermitted fence replacement.

Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)

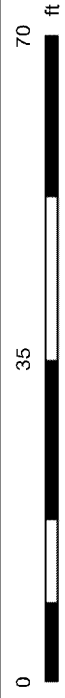






Legend

Print Date: 9/7/2021



Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

----- Forwarded message -----

From: **Preetham Dalvay** <dalvay@gmail.com>

Date: Mon, Oct 18, 2021 at 12:48 PM

Subject: Fence between our properties 811/813 Summer Ct

To: Ornis Mala <ornis@thesocialplus.com>

Hi Ornis,

As discussed regarding the fence between our properties of 811 (yours) and 813 (mine) Summer Ct Buffalo Grove:

1. I am ok with you extending your fence on your property, as has already been done.
2. Thanks for letting me know that you will bring the height of the fence down to 5 ft, as required by the Buffalo Grove village.

Regards,
Preetham

Attachment: Plan Set (Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct.)

12/15/2021

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE
VILLAGE OF BUFFALO GROVE HELD IN THE COUNCIL CHAMBERS, 50 RAUPP BOULEVARD,
BUFFALO GROVE, ILLINOIS ON WEDNESDAY, DECEMBER 15, 2021**

Call to Order

The meeting was called to order at 7:30 PM by Chairman Frank Cesario

Public Hearings/Items For Consideration

1. Consider Approval of Rezoning, Special Use for a PUD, Prelim Plan, Plat of Sub, and Variations for a New Development at 16051 Deerfield (Trustee Pike) (Staff Contact: Nicole Woods)

Community Development Director Nicole Woods provided an overview of the project at the subject property. She discussed the subject property in its entirety and the project plan. Ms. Woods discussed the framework of the site itself and its geometry.

Village Planner Rati Akash discussed the resident meeting that was conducted and the school impact study. Additionally, she discussed the landscape plan the developers have tried to accomplish.

Mr. Freedman, developer's attorney, noted the property is being annexed and needs to be rezoned.

Mr. Mike Zaransky, founder and managing principal, gave an introduction on the firm. He discussed the intention of the site and the work that has been done with Village staff.

Mr. Brad Zaransky provided detail on the proposed project, detailing the units, materials and the amenities offered to the residents who will occupy the units.

Com. Worlikar asked the petitioners to walk the commissioners through page 63 and the school study that was conducted, and the factor used.

Deputy Village Manager Chris Stilling responded that the formula is in the Village Code, which is widely used. The numbers were shared with the school districts, and they are supportive.

Com. Worlikar ask how often the multiple is updated.

Community Development Director Woods said the schools are good at keeping pulse on potential impact.

Deputy Village Manager Chris Stilling said that the number that is usually produced is always higher than what the turnout is.

Mr. Mike Zaransky also noted that these types of 1 and 2 bedrooms don't turn out too many kids.

Com. Weinstein asked the petitioner to go through the variance they are asking to.

Mr. Freedman noted the responses that were provided in the staff report.

Com. Weinstein asked about the perimeter setback.

Mr. Mike Zaransky said it is only on the east side.

Com. Weinstein asked about the private street's vs public street's

Minutes Acceptance: Minutes of Dec 15, 2021 7:30 PM (Approval of Minutes)

12/15/2021

Mr. Brad Zaransky said it was a product of workshop. It also reduces burden on the Village to maintain the streets.

Com. Weinstein asked about the issue of the cell tower.

Mr. Freeman noted it is part of a lease that they do not have the power to terminate.

Com. Moodhe asked about the landscaping plan. He understands what needs to go on the subject property. He notes that his concern is the age of the trees they are planning to put.

Mr. Martin discussed the diameter of the trees and will be meeting the standard.

Com. Moodhe asked about the type of trees.

Mr. Martin said evergreens, spruce, pine, elm, red oak, and plane tree.

Community Development Director Woods said the forestry department noted these would effectively screen the site.

Com. Moodhe just wanted to point out that it will take time for the trees to mature, but once they do, they will look much nicer than what is currently there.

Com. Moodhe asked how long it takes for the trees to be mature.

Mr. Martin said after a couple years they start to mature, and they are planted with other type to provide effective screening.

Com. Moodhe asked about the style of the homes.

Mr. Brad Zaransky said they are townhome style because they have their own entrance.

Com. Moodhe asked how many garages.

Mr. Brad Zaransky said 9.

Com. Moodhe asked if the garages would be leased.

Mr. Brad Zaransky said some will be attached others will be detached.

Com. Moodhe asked about the turn radius of the fire apparatus.

Mr. Brad Zaransky worked with the fire department and made modifications to meet their needs.

Com. Moodhe asked if a lot needs to be cleaned up on the subject property before the begin.

Mr. Martin noted that clay will need to be brought out to help grade the site.

Com. Moodhe asked staff if they have numbers from Windbrook.

Deputy Village Manager Stilling said he doesn't have the numbers in front of him, but the school said it was minimal impact.

Com. Moodhe noted the number of children he saw coming from windbrook. He noted potential residents want to be in the BG school district.

Deputy Village Manager Stilling noted the cost of the units. He also noted the conversations with the schools.

Mr. Brad Zaransky noted that they only allow 2 people per bedroom and follow the IBC code.

Minutes Acceptance: Minutes of Dec 15, 2021 7:30 PM (Approval of Minutes)

12/15/2021

Com. Moodhe noted the wetlands and price points of those properties.

Community Development Director Woods spoke more about the schools and their attention to undeveloped land.

Com. Spunt referenced page 6 and 29. Asked if the pool changed and if the club house the same size or has change.

Mr. Brad Zaransky discussed the difference

Com. Spunt asked if the pool was going to be screened.

Mr. Brad Zaransky said they do leave them open but do put some landscape.

Com. Khan asked if there are any other developments they own that have private streets

Mr. Mike Zaransky said most of them are private streets.

Com. Khan said he wanted them to understand their competence in maintaining their streets.

Mr. Mike Zaransky understands the responsibility of maintaining roads.

Com. Kahn asked who owns water and sewer.

Mr. Mike Zaransky discussed hooking into the Village water and sewer from the adjacent property. After the meter it is private and will be maintained by the property owner.

Com. Kahn asked what is contained in the special use.

Mr. Freedman said the special use is the development itself.

Community Development Director Woods discussed the code and special use.

Com. Richard referenced packet page 20. He asked how that impacts the neighboring parking.

Mr. Mike Zaransky said there are a net of 3 parking spaces on the adjacent site

Com. Richard asked if a traffic study was done on the other street.

Deputy Village Manager Stilling said it will be gated - emergency use only.

Mr. Brad Zaransky said it is existing and will be repaved

Com. Worlikar asked about the sign variation and the lighting bleeding into the neighboring community.

Mr. Brad Zaransky discussed the photometric plan, which showed no issues.

Com. Worlikar asked about the dates they were completed.

Mr. Brad Zaransky said June 30th 2021 and compared it with 2016, it was 25% less in 2021 and adjusted to meet the 2016 numbers.

Chairperson Cesario asked about parking onsite.

Mr. Brad Zaransky said they will meet the Village code.

Chairperson Cesario asked if there were sidewalks.

Mr. Brad Zaransky said yes.

Chairperson Cesario noted the additional buffering of the cell tower.

Minutes Acceptance: Minutes of Dec 15, 2021 7:30 PM (Approval of Minutes)

12/15/2021

Mr. Martin talked about the site plan and the buffering of the cell tower as physically possible. They will be revising the fence that is currently there to provide better screening with landscape.

Mr. Brad Zaransky said there is nobody who wants that cell tower gone more than the developers

Chairperson Cesario talked about the 65 feet to the nearest development. All other buildings are further than 65 feet.

Mr. Martin said DOT has fully supported the development.

Staff report entered as exhibit one.

Resident at 3134 Marvas Way explained they did not attend the last meeting. Asked questions regarding the development and the higher elevation of their homes. The fence does not provide screening. Construction noise and timing of the project, and height of the property.

Resident at 4111 Mavens way spoke about the disruption of the development and animals.

Mr. Brad Zaransky discussed start and stop times and discussed construction code.

Community Development Director Woods discussed the standards that are required for construction.

Mr. Brad Zaransky discussed the timing of the development. First part is to demo the existing site and the build is 12-month build. Safety is a top priority.

Mr. Marin discussed the 65 feet and the shift of site to the east. It exceeds the minimum requirement. Mr. Marin talked about the slope. The fence will be at the property. The buildings will be low as possible to remain aesthetically pleasing.

Com. Moodhe asked about the land clearing.

Mr. Brad Zaransky said they are not planning on phasing it.

Com. Moodhe asked if there is a way to leave some of it.

Mr. Brad Zaransky doesn't see why they couldn't, but would see what the contractors have to say.

Com. Spunt asked about windows and rooms.

Mr. Brad Zaransky discussed the windows and the rooms.

Mr. Costello discussed the window plans on the apartments.

Mr. Martin also noted that they approached the Illinois department of natural resources and have discussed the site.

Chairperson Cesario asked if they are comfortable with the conditions within the staff recommendation

Mr. Brad Zaransky said yes.

The public hearing was closed at 8:42 PM.

Minutes Acceptance: Minutes of Dec 15, 2021 7:30 PM (Approval of Minutes)

12/15/2021

Com. Weinstein made a motion to approve the R9 Multiple-Family District along with a special use for a Residential Planned Unit Development and approval of a Plat of Subdivision and Preliminary Plan with variations,

subject to the conditions outlined in the staff report.

Com Richards seconded the motion

Chairperson Cesario gave closing remarks and spoke in favor of the motion.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Moodhe, Spunt, Cesario, Goldspiel, Khan, Weinstein, Richards, Worlikar
ABSENT:	Amy Au

Regular Meeting

Other Matters for Discussion

1. Workshop - Proposed Redevelopment of Town Center at Northwest Corner of Lake Cook Rd and McHenry Rd (Trustee Johnson) (Staff Contact: Nicole Woods)

Community Development Director Woods introduced the redevelopment.

Mr. Shodish, developer for Kensington, discussed the vision of the development and how it came together. He spoke about the legacy of Kensington and their developments over the last 15 years.

He talked about the 22 acres and spoke about burger king and Boston market, and Bowlero. He believes the Bowlero will be a nice addition. John went over the development and the anchor of the grocery store which is necessary for the residential portion. Letter D is a Mexican restaurant. H is a park to active community. Behind the park is the residential development and 20 thousand sq feet of retail.

He also noted phase two will house those who they want to keep for the final development while they work on construction in phase one.

Mr. Wells, with Urban Street Group, discussed the residential mixed-use development. He explained the 7 story luxury apartments and 3 story parking garage. They will have a club room, coffee, sales and leasing, an amazon pick up location, room for food delivery, a dog washing station, a business center for work for home tenants, electrical vehicle charging stations, bike storage, exterior pool, gas fire features, and grilling stations. He also discussed the strong corner feature with a restaurant.

Mr. Shodish talked more about the site plan and the layout of the grocer and the residential aspect. He talked about parking. The parking garage will be exclusive for residential.

Chairperson Cesario referenced packet page 231. He asked about the green space.

Mr. Shodish spoke to the rendering on page 231. 0.6 acers owned by the Village and the park district

Minutes Acceptance: Minutes of Dec 15, 2021 7:30 PM (Approval of Minutes)

12/15/2021

Chairperson Cesario referenced packet page 230.

Mr. Shodish spoke to the outdated rendering on page 231. And referenced page 229. He spoke about the need for surface level parking for restaurants. Changes were based on retailer feedback.

Chairperson Cesario asked about access.

Mr. Shodish talked more in detail about the access, turning and signalized access points.

Com. Spunt asked if old checker is going to be redone to BG road.

Mr. Shodish said it is still being discussing where it starts and stops. He said the closures of the roads will still work with tenants so they can continue to operate.

Com. Spunt asked about main access.

Mr. Wells said old checker and buffalo grove road.

Com. Moodhe wished there could be less asphalt. He noted he would rather see adding another story to the garage to make more green space. He asked about how wide the sidewalks will be to make it pedestrian friendly.

Mr. Shodish said 6 to 8 feet and in some areas 10 feet.

Com. Moodhe asked about outdoor dinning.

Mr. Shodish said every building is programmed for outdoor seating with extra wide sidewalks.

Com. Moodhe asked about Burger King and Boston Market.

Mr. Shodish said right now they are not interested in selling.

Com. Moodhe asked what about the other current tenants.

Mr. Shodish said they are in negotiations with 7 to 8 tenants that want to stay. They see the vision.

Com. Moodhe asked staff if it was already B5 zoning

Deputy Village Manager Chris Stilling said yes in late 80's.

Com. Moodhe asked about the name of that area.

Mr. Shodish said they are going through a branding approach.

Com. Moodhe liked the mixed use and would like to hear the developments opinion.

Mr. Shodish said it didn't work from day one. There was no anchor to the project.

Com. Moodhe asked about the post office.

Deputy Village Manager Stilling said they have no interest in moving.

Com. Weinstein asked if it there was no Burger King and Boston Market, would there still be out lots.

Mr. Shodish said the concept would be the same.

Minutes Acceptance: Minutes of Dec 15, 2021 7:30 PM (Approval of Minutes)

12/15/2021

Com. Weinstein asked about the roofline in phase 2.

Mr. Shodish talked about the north and the short-term renovations.

Com. Richards asked about the J out lot and what might end up there.

Mr. Shodish said it is part of their underlying agreement with bowling alley. Noting it could be several things.

Com. Richards asked if there are going to be any variations.

Deputy Village Manager Chris Stilling said most likely. They are currently going through engineering but have been focused on the site plan. Setbacks and density for the building.

Com. Spunt asked about location K.

Mr. Shodish talked about the building.

Com. Spunt asked about the stop light.

Deputy Village Manager Stilling said they are regulated by IDOT and that there will not be any more.

Mr. Shodish said there is a nice dedicated left turn lane. Noting there will be a formal traffic report.

Com. Khan spoke about the grocery store anchor and jewel being the competition.

Mr. Shodish said that they are on a NDA with the grocer and believes that there is more competition in the trades. He spoke about the importance of the grocer to the development.

Com. Khan said that another light would be nice. Maybe convenience it.

Com. Worlikar referenced packet page 234.

Mr. Shodish said that is an old rendering. There will be full access to 83.

Chairperson Cesario said the traffic study is going to be a topic of high discussion.

Com. Moodhe asked staff if the road will go through from Church.

Deputy Village Manager Chris Stilling said no. The development is aware of it. The developer has been in contact with the property owner.

Com. Moodhe asked if we have heard from developers.

Deputy Village Manager Chris Stilling said yes.

Mr. Shodish said they have received multiple calls. He discussed developers desire to move into Buffalo Grove.

Com. Spunt asked about the delivery truck route.

Mr. Wells said it will be used for move-ins and garbage. Packages would all be through in the front.

Marilyn Weissberg, a Buffalo Grove Resident talked about style of the building and believes the modern style looks cold. She hopes that the development is

Minutes Acceptance: Minutes of Dec 15, 2021 7:30 PM (Approval of Minutes)

12/15/2021

pretty and inviting and not dark and not overly industrial looking. A nice entrance and not to forget about the back of the building.

Resident at 737 Bernard wants to make sure that the Village doesn't make the same mistakes they did in the past.

Approval of Minutes

Chairman's Report

Chairperson Cesario deferred to the committee liaison report.

Committee and Liaison Reports

Com Worliaker discussed the Village Board Meeting he attended and the tribute to the former Commissioner Goldspiel.

Staff Report/Future Agenda Schedule

Staff discussed upcoming schedule.

Public Comments and Questions

Adjournment

The meeting was adjourned at 10:10 PM

Action Items

Chris Stilling

APPROVED BY ME THIS 15th DAY OF December, 2021

Minutes Acceptance: Minutes of Dec 15, 2021 7:30 PM (Approval of Minutes)

12/1/2021

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE
VILLAGE OF BUFFALO GROVE HELD IN THE COUNCIL CHAMBERS, 50 RAUPP BOULEVARD,
BUFFALO GROVE, ILLINOIS ON WEDNESDAY, DECEMBER 1, 2021**

Call to Order

The meeting was called to order at 7:30 PM by Chairman Frank Cesario

Public Hearings/Items For Consideration

1. Consider a Variation to Allow for a Driveway to Exceed the Maximum Coverage at 811 Summer Ct. (Trustee Johnson) (Staff Contact: Nicole Woods)

Community Development Director Woods provided history on the subject property, which was a work prior permit for a driveway over max 40 percent. Ms. Woods discussed the other issues at the subject property, which the property owner has agreed to comply with. She said in closing the property owner is seeking to exceed the driveway maximum by 5 percent.

Mr. Wasem, 330 E. Main Street, Petitioner's Attorney. He noted that if the property owner removed the triangular part, it would help alleviate the draining issues.

Community Development Director Woods said unfortunately even with the removal of that part of the driveway, it still exceeds the 40 percent maximum. Though it does alleviate the drainage issues.

Mr. Wasem spoke about why they are seeking the variation. He noted exhibit two.

Community Development Director Woods asked Mr. Wasem is the property was willing to reduce the size.

Mr. Wasem said yes.

Chairperson Cesario asked Mr. Wasem to point out what section of the driveway will be removed.

Mr. Wasem explained what section of the driveway would be removed, providing clarity to the Commissioners.

Community Development Director Woods referenced the plat of survey to show the drainage and easement, which also showed the proposed driveway.

Chairperson Cesario repeated back what was on display to provide clarity on what would be removed.

Chairperson Cesario asked if the petition has any dispute with the series of events on page 4 of the staff report.

Mr. Wasem said the statement is accurate.

Chairperson Cesario asked how much concrete is required to allow access of the gate.

Mr. Wasem said the opening and closing of the gate is a problem.

Chairperson Cesario asked why concrete is on the driveway for the gate.

Mr. Wasem said it was to provide consistent access and for better aesthetic.

Minutes Acceptance: Minutes of Dec 1, 2021 7:30 PM (Approval of Minutes)

12/1/2021

Com Au asked why the homeowner did not stop during the stop work order.

Mr. Wasem said he does not know.

Com. Au talked about how important it is to be proactive when these types of issues arise.

Com. Worlikar asked about the gate and the relief that is being sought. He asked how the gate works.

Mr. Wasem said he believes that both doors open.

Com. Moodhe asked staff if a permit has been pulled at this point.

Community Development Director Woods said they have requested a permit but is currently on hold.

Com. Moodhe asked what was in the permit. He asked if electrical was within the permit because he noticed lighting.

Mr. Wasem said the property owner agreed what is recommended here, he will do.

Com. Moodhe asked if the property owner believed what they did what fit in with the neighborhood.

Mr. Wasem said he believes the property owner did.

Com. Khan asked Ms. Woods asked about the email exchange between the neighbors on packet page number 21 regarding the height of the fence. He asked if there was anything the Village has said to the applicant about the fence.

Community Development Director Woods said there has been discussion with the property owner. She said the property owner has agreed to lower the fence to five feet.

Com. Khan asked if they applied for a permit with the fence.

Community Development Director Woods said no.

Com. Khan clarified this is another project without a permit. He commented that he is upset that the homeowner did not stop work when requested.

Chairperson Cesario wanted to note that the item before the Commission is on the driveway not the fence.

Mr. Brankin, Village Attorney, said the fence is foundational and relevant in the discussion.

Com. Moodhe asked how the homeowner will reduce the height.

Mr. Wasem said the company is going to come out and reduce the height.

Com. Moodhe asked if the rest of the fence 6 feet solid.

Community Development Director Woods said yes.

Com. Moodhe expressed his concern for the disregard of the permit process.

Community Development Director Woods discussed how the enforcement of changes that will be required.

Com. Moodhe said he would like to see final plans because what is being presented is very vague.

Minutes Acceptance: Minutes of Dec 1, 2021 7:30 PM (Approval of Minutes)

12/1/2021

Mr. Wasem said he understands.

Com. Spunt reference packet page 18.

Com. Spunt asked about the red line. He asked if that was original to the house and if it could be removed for better drainage.

Mr. Wasem said that part of the driveway at the bottom was part of the house already.

Community Development Director provided clarification on the driveway.

Mr. Wasem said they can be specific in the changes so they can calculate the exact coverage.

Com. Worlikar referenced packet page 9 and the basketball court.

Mr. Wasem said the basketball court was brought up. The homeowner said it was there when they purchased the home.

Community Development Director Woods said the basketball court has been expanded in size without a permit, but the homeowner said it was before he moved in. She noted it is out of the purview of the Commission, however, it still needs to have a permit and be inspected.

Com. Au asked Village Attorney if it would be best to put the plan together.

Mr. Brankin discussed how the Commission should proceed with what they have in front of them tonight. There is no additional relief being sought.

Com. Weinstein wanted to confirm the existing driveway already exceeded the 40 percent before the addition.

Community Development Director Woods said no.

Com. Weinstein commented that if the petitioner can cooperate with the Commission on the other issues, they are more likely to work in favor of the petitioner. He noted the gate is not a unique circumstance. Com. Weinstein said if they came back with something more specific the Commission would be helpful.

Mr. Wasem said he agrees which is why he wants to continue the hearing.

Com. Goldspiel expressed his concern over the ordinance.

Chairperson Cesario asked the Village Attorney about the continuance action.

Mr. Brankin said that the order would be to make a motion to continue the hearing to January 19, 2022 after consulting with staff to give time to the petitioner and staff to put together and review

Com. Moodhe asked staff if they looked at pervious permits for this property.

Community Development Director Woods said yes.

Com Moodhe asked if any were pulled by the current homeowner.

Community Development Director Woods said she does not know.

Com. Moodhe asked if was aware of the Villages permit process.

Mr. Wasem said yes, but not the 40 percent.

Minutes Acceptance: Minutes of Dec 1, 2021 7:30 PM (Approval of Minutes)

12/1/2021

Chairperson Cesario entered the staff report as exhibit one and the picture as exhibit two.

Mr. Wasem said the homeowner wants to work with the Village of Buffalo Grove.

Com. Weinstein made a motion to continue the public hearing to January 19, 2022 at 7:30 PM at Village Hall.

Com. Khan seconded the motion.

RESULT:	TABLED [8 TO 0]
AYES:	Moodhe, Spunt, Cesario, Khan, Weinstein, Au, Richards, Worlikar
ABSTAIN:	Stephen Goldspiel

Regular Meeting

Other Matters for Discussion

None

Approval of Minutes

1. Planning and Zoning Commission - Regular Meeting - Nov 17, 2021 7:30 PM

RESULT:	ACCEPTED [8 TO 0]
AYES:	Moodhe, Spunt, Cesario, Goldspiel, Khan, Weinstein, Richards, Worlikar
ABSTAIN:	Amy Au

Chairman's Report

Chairperson deferred to President Sussman to begin the chairperson report. President Sussman thanked Commissioner Goldspiel for his years of service.

Trustee Johnson provided thanks to Commissioner Goldspiel for his service to the Village of Buffalo Grove.

Chairperson Cesario thanked Commissioner Goldspiel for all his great work to the Village of Buffalo Grove and the Commission.

Community Development Director Woods gave thanks to Commissioner Goldspiel for his thoughtfulness to development over the years as well as his overall commitment to the community.

Committee and Liaison Reports

None.

Staff Report/Future Agenda Schedule

Community Development Director Woods provided an overview of what will be coming to the Planning and Zoning Commission on future agendas.

Public Comments and Questions

Minutes Acceptance: Minutes of Dec 1, 2021 7:30 PM (Approval of Minutes)

12/1/2021

None.

Adjournment

The meeting was adjourned at 8:33 PM

Chris Stilling

APPROVED BY ME THIS 1st DAY OF December, 2021

Minutes Acceptance: Minutes of Dec 1, 2021 7:30 PM (Approval of Minutes)