

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF ZONING, PLANNING AND APPEALS**

**CASE NUMBER:** 19-ZPA-03-001

**HEARING DATE:** May 23, 2019 (Continued from April 25, 2019)

**PROPERTY ADDRESS:** Country Commons Shopping Center  
271 Country Commons Road

**PETITIONER/OWNER:** Mike Lawson, Country Commons, LLC

**PIN NUMBER:** 19-14-426-001

**REQUEST:**

1. Conditional Use for a Multi-Family Dwelling (17 units)
2. Variation to Increase Maximum Permitted Density for a Multi-family Dwelling (15 units/acre)
3. Variation to Reduce the Required Number of Parking Spaces (from 38 to 36 spaces)

**MEMBERS PRESENT:** Khoury, Jasper, Kretschmer, Graziano, Pippen

**MEMBERS ABSENT:** Williams, O’Laughlin

**STAFF MEMBERS PRESENT:** Brian Simmons  
Director of Community Development

Chairman Khoury called the meeting to order at 7:30 PM. After approving previous meeting minutes, Chairman Khoury recalled Village Case No.19-ZPA-03-001. Member Jasper arrived at 7:33 PM.

Director Simmons stated the Petitioner, Country Commons LLC, had asked for a continuation from the April 25<sup>th</sup> ZPA meeting in order to incorporate some minor changes into the petition. The Petitioner is proposing to convert existing retail space within the current Country Commons Shopping Center mixed use building into additional residential apartment units. The subject property is located at 217 Country Commons Road on the northeast corner of this roadway’s intersection with Cary Algonquin Road. The Petitioner is seeking to convert four (4) of the existing commercial units into residential immediately and convert the remaining five (5) units at a future date following the end of existing commercial leases for these tenant spaces. Following the conversion of the entire building to residential units the final unit count would not exceed seventeen (17). Director Simmons stated the property currently has a total of thirty-one (31) parking spaces. Per code, multifamily dwellings are required to provide 2.25 spaces per dwelling unit while office uses require 1 space per 300 sq. ft. of gross floor area. The property currently is nonconforming as the existing building configuration requires a minimum of forty-four (44) spaces per code. However, the conversion of the office area to residential will reduce the number of parking spaces required per code to thirty-eight (38) spaces.

Director Simmons reviewed details of changes made to the original petition.

The Petitioners, Mike Lawson and Dave Kim, were present to answer questions. Mr. Kim discussed changes made to the parking lot configuration on the property.

Chairman Khoury opened the floor to Public Comment.

George Hinkes, Little Stonegate, restated his concerns with traffic safety as traffic will increase. He stated the number of parking spaces will not be enough for the seventeen units when they are occupied. He believes the density is too high.

David Hall, Turkey Run, Trout Valley, restated his concern that there is an uncovered dumpster on the premises. He would also like the owners to be good neighbors to the surrounding neighborhood.

With no further comment from those present, Chairman Khoury closed the Public Comment portion of the meeting.

Discussion:

Member Jasper asked why the minimum parking requirements are not being met as there is enough property square footage to accommodate the zoning requirements. Mr. Kim stated the topography of the property is very steep and would require excavation and tree removal to meet the minimum parking space requirements.

Director Simmons stated the existing parking lot holds thirty-four spaces with two additional spaces offset from the main lot.

Member Jasper asked if there were additional details on the location and design of the residential units. Director Simmons reviewed the unit details.

Member Kretschmer asked Mr. Kim if existing business tenants would be able to renew leases. Mr. Kim stated they would welcome the commercial tenants staying in place.

Member Kretschmer asked if having commercial and residential in the building would affect the parking requirements. Director Simmons stated parking requirements would decrease with a mixed use.

Member Pippen asked Mr. Kim for a timeline for the full build out. Mr. Kim stated commercial tenants would only be replaced with residential if the commercial tenant chose to leave. The timeline will be fluid. Member Pippen asked if perimeter ground cover would be removed. Mr. Kim stated neighbors in Trout Valley prefer the coverage and so no changes are planned.

Chairman Khoury asked Director Simmons to confirm the number of parking spaces shown on the plan.

Member Kretschmer asked that residential units have designated parking spots.

Member Graziano stated he does not agree with designated spots. Member Jasper concurred.

Member Kretschmer agreed for designated parking spots when the building is fully residential.

Director Simmons stated the code requires 2.25 spaces per unit which allows for visitor parking as well as tenants.

***Chairman Khoury entertained a motion.***

***Member Graziano moved, seconded by Member Pippen, to recommend to the Village Board of Trustees approval of a conditional use for a multifamily dwelling and density and parking variances for the property located at 271 Country Commons Road subject to staff investigation of assigned parking spaces once the property becomes fully residential and the conditions listed in the staff report.***

*Aye: Khoury, Jasper, Graziano, Pippen, Kretchmer*  
*Nay: None*  
*Abstain: None*  
*Absent: O'Laughlin, Williams*


*Motion Passed: 5-0*

Chairman Khoury entertained a motion to adjourn at 9:07 pm. Member Jasper moved, seconded by Member Graziano to adjourn at 9:07 pm.

*All Ayes by Voice Vote*

*Motion Passed*

Respectfully submitted,

  
Susan Greene, Deputy Village Clerk