

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

CASE NUMBER: 19-ZPA-07-001

HEARING DATE: September 12, 2019 (Continued from August 22, 2019)

PROPERTY ADDRESS: 400 Haber Road

PETITIONER: Dave Cook, Elm Tree Properties

OWNER: Elm Tree Properties, LLC (Contract Purchaser)
Community High School District 155 (Owner)

PIN NUMBER: 19-14-429-002, 19-14-429-006 through 014

REQUEST:

1. Map Amendment (Rezone from R-1 to R-3)
2. Approval of a Planned Development (46 Residential Units) Containing Departures from the Unified Development Ordinance

MEMBERS PRESENT: Khoury, Jasper, O’Laughlin, Pippen, Kretschmer, Williams

MEMBERS ABSENT: Graziano

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 and hearing one additional case, Chairman Khoury re-called Village Case No.19-ZPA-07-001 that was continued from August 22nd.

Director Simmons stated the Petitioner, Elm Tree Properties LLC, is proposing to redevelop the property located at 400 Haber Road, most recently occupied by the District 155 Haber Oaks Campus School, into a residential planned development. The subject property is located on Haber Road just south of its intersection with Harper Avenue. The petitioner is seeking a map amendment to rezone the subject property from R-1 Single-Family to R-3 Multifamily Residential and approval of a forty-six (46) residential unit Planned Development containing departures from the Unified Development Ordinance. The proposed plan incorporates the existing eight (8) unit Harper Pointe duplex project and will add fourteen (14) additional duplex units, for a total of twenty-two (22), and convert the existing school building into a two-story apartment complex with twenty-four (24) apartments for seniors. The original hearing was properly noticed in the Northwest Herald newspaper and required written notice was sent to property owners within 250 feet. A Village public hearing sign remains on the Subject Property.

Director Simmons stated the case was originally introduced during a public hearing on August 22, 2019 and was continued to allow the petitioner additional time to respond to comments regarding the setback of proposed garages along the eastern property line.

Director Simmons reviewed recent changes made to the proposed plan.

The Petitioners, Jeremy Davis School District 155 and Dave Cook Elm Tree Properties, LLC were present to answer questions.

Mr. Cook updated Board members of the specific changes to the proposed plan, including revised parking garage and parking space locations and additions to the project's green space.

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

Discussion

Member O'Laughlin asked for details on the proposed developments west side emergency access. Director Simmons stated the Fire Department approves of the emergency access modifications.

Member Phippen asked for additional detail on stormwater sewers. Director Simmons stated the stormwater sewer locations would be reviewed by Village engineers as plans for the project move forward.

Director Simmons reviewed conditions listed in the staff report.

Chairman Khoury entertained a motion.

Member O'Laughlin moved, seconded by Member Phippen, to recommend to the Village Board of Trustees 1) approval of a map amendment to rezone the subject property, located at 400 Haber Road, from R-1 Single-Family Residential to R-3 Multifamily Residential and 2) approval of a 46-unit planned development with zoning departures, subject to the conditions listed in the staff report.

Aye: Khoury, Jasper, Williams, Phippen, O'Laughlin, Kretschmer

Nay: None

Abstain: None

Absent: Graziano

Motion Passed: 6-0

Chairman Khoury entertained a motion to adjourn at 8:01 pm.

All Ayes by Voice Vote

Motion Passed

Respectfully submitted,



Susan Greene, Deputy Village Clerk

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

CASE NUMBER: 19-ZPA-08-002

HEARING DATE: September 12, 2019

PROPERTY ADDRESS: 678 Northwest Highway, Cary

PETITIONER: Identity Services, LLC

PROPERTY OWNER: Nondas Plesiotis / McDonald's Corporation

PIN NUMBER: 19-12-301-013

REQUEST:

1. Variance for a 3 sq. ft. canopy sign
2. Variance for a 33 sq. ft. wall sign
3. Variance for two additional wall signs on west building elevation

MEMBERS PRESENT: O'Laughlin, Kretschmer, Khoury, Jasper, Williams, Pippen

MEMBERS ABSENT: Graziano

STAFF MEMBERS PRESENT: Brian Simmons
Director of Community Development

Chairman Khoury called the meeting to order at 7:30 PM. After approving minutes from a previous meeting, Chairman Khoury called Village Case No. 19-ZPA-08-002.

Director Simmons stated the Petitioner, Identity Services LLC, is seeking variances related to proposed signage for the existing McDonald's restaurant located at 678 Northwest Highway. The restaurant is currently being remodeled as part of a rebranding effort. The petitioner is working with McDonald's on the installation of signage on the newly remodeled facility. The petitioner is seeking approval of variances for a canopy sign on the north building elevation, variance for a 33 square foot wall sign on the south elevation, and variance for two additional wall signs on the west building elevation. These signs will be in addition to other signage permitted on the structure. The ZPA hearing was properly noticed in the August 27, 2019, edition of the Northwest Herald newspaper. In addition, the Petitioner has completed the required written notice to property owners within 250 feet and staff posted a public hearing sign on the Subject Property.

There has been no negative feedback from surrounding property owners.

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

Discussion:

Member Khoury asked for information regarding sign variance voting by the ZPA under the recently adopted UDO.

Member Jasper asked if the proposed signage is like other signage in the shopping center. Director Simmons stated it is.

The Petitioner, Brian Shaner, Arlington Heights, stated the proposed signage is consistent with other McDonald restaurants in the area.

Chairman Khoury entertained a motion.

Member Pippen moved, seconded by Member Williams, a motion to approve variances for a 3 sq. ft. canopy sign, 33 sq. ft. wall sign, and two additional wall signs on the west building elevation for the property located at 678 Northwest Highway, subject to the conditions listed in the staff report.

Aye: O'Laughlin, Williams, Khoury, Jasper, Kretchmer, Pippen

Nay: None

Abstain: None

Absent: Graziano

Motion Passed: 6-0

After hearing an additional case, Chairman Khoury entertained a motion to adjourn at 8:01 pm.

All Ayes by Voice Vote

Motion Passed

Respectfully submitted,


Susan Greene, Deputy Village Clerk