

**VILLAGE OF HUNTLEY  
COMMITTEE OF THE WHOLE MEETING  
August 18, 2016  
MINUTES**

**CALL TO ORDER:**

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, August 18, 2016 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

**ATTENDANCE:**

**PRESENT:** Mayor Charles Sass; Trustees: Ronda Goldman, Tim Hoeft, Niko Kanakaris, Harry Leopold, John Piwko and JR Westberg

**ABSENT:** None

**IN ATTENDANCE:** Village Manager David Johnson, Assistant Village Manager Lisa Armour, Management Assistant Barbara Read, Director of Development Services Charles Nordman and Village Attorney John Cowlin.

**PLEDGE OF ALLEGIANCE:** Mayor Sass led the Pledge of Allegiance.

**PUBLIC COMMENTS:** None

**ITEMS FOR DISCUSSION:**

- a) Discussion – Approval of the July 22, 2016 Village Board Workshop, July 28, 2016 Liquor Commission and July 28, 2016 Village Board Meeting Minutes

Mayor Sass reported that the July 22<sup>nd</sup> Workshop Minutes were listed on the agenda and asked if the Committee would like them added to the Village Board Agenda to vote on or due to there being no quorum, would the Committee want the Minutes to be changed to Workshop Notes and not to be voted on but published for information purposes.

*It was the consensus of the Committee of the Whole to change the July 22, 2016 Workshop Minutes to Workshop Notes and published for information purposes only.*

Mayor Sass asked if the Committee had any comments or changes to the July 28, 2016 Minutes; there were none.

*It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the July 28, 2016 Liquor Commission and July 28, 2016 Village Board Meeting Minutes.*

- b) Discussion – Approval of the August 25, 2016 Bill List in the amount of \$ 371,975.24

Mayor Sass reported that the \$110,453.51 or (29.7%) of the total bill list is directly attributed to the payment of SSA Property Taxes (\$8,779.00), payment to Bonnell for the rehab of vehicle #1696 (\$63,205.51), and the purchase of a new PW vehicle (\$38,469.00).

Mayor Sass asked if the Committee had any comments or questions; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board the August 25, 2016 Bill List in the amount of \$ 371,975.24***

- c) Discussion – Consideration of an Ordinance Approving a Simplified Residential Zoning Variation for a Building Addition Encroaching into the Rear Yard Setback - 10753 Santa Fe Trail

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that the petitioners are requesting 1.18-foot relief from the forty (40') foot minimum rear yard building setback to accommodate the construction of a sunroom addition on the south side of the "RE-1 (PUD)" Residential Estate – Planned Unit Development-zoned residence at 10753 Santa Fe Trail.

The approximately 229 square foot sunroom addition will be setback 38.82 feet from the rear lot line, thereby encroaching 1.18-feet into the forty (40') foot rear yard setback..

The petitioners note that their property is unique because it backs to the open space corridor. Additionally, the Development Services Department has confirmed that the Georgian Place Homeowners Association does not require review and approval of building additions such as the sunroom addition proposed by the petitioners.

#### Zoning Board of Appeals Recommendation

The Zoning Board of Appeals reviewed the petitioners' request at a public hearing on August 3, 2016. No members of the public spoke in opposition to the request and the Zoning Board of Appeals unanimously, by a vote of 4 to 0, recommended approval of the request subject to the following condition:

1. No building permits or Certificates of Occupancy are approved as part of the Simplified Residential Zoning Variation.

Director Nordman reported that the petitioners were in attendance to answer questions.

Mayor Sass asked if the Committee had any comments or questions; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board an Ordinance Approving a Simplified Residential Zoning Variation for an addition encroaching into the Rear Yard Building Setback – Daniel and Jina Baggio, 10753 Santa Fe Trail.***

- d) Discussion – Consideration of a Resolution Approving a Temporary Use Permit for Huntley Fall Fest Committee to Hold a Carnival and Temporary Sign Request

Management Assistant Barbara Read reported that the Village is in receipt of a request from the Huntley Fall Fest Committee to hold its annual event at Deicke Park on September 23<sup>rd</sup> (from 5:00pm-11:00pm); September 24<sup>th</sup> (from 10:00am-11:00pm); and, September 25, 2016 (from 11:00am-7:00pm). The event which began in 2006 includes, but is not limited to, a carnival, entertainment, food and drink, craft fair, car show and fireworks. The Fall Fest Committee annually requests to place temporary signage throughout the Village to advertise the event.

The Village of Huntley Zoning Ordinance allows for the issuance of a temporary use permit (TUP) for temporary signs and carnivals.

Temporary signs are subject to the following conditions: 1) not to exceed 30 days, 2) maximum size of 50 square feet and no more than 8 feet above ground, 3) not to be displayed on a fence or tree, and 4) not to be located in the rights-of-way.

Carnivals are subject to the following conditions: 1) approval on the basis of the adequacy of the parcel size, parking provisions, and traffic access and the absence of undue adverse impact on other properties, 2) limited to a period not to exceed five (5) days, and 3) adequate fire extinguishers, refuse containers and cleanup of the site upon termination of the event.

#### Staff Analysis

The Village is in receipt of a request from the Huntley Fall Fest Committee for the following:

1. To post 15 (3'x 10') banners in the following locations listed below, as were done in previous years. The banners are the same type of banner that was used for last year's Fall Fest. These will be posted two weeks prior to the event. They are also requesting the assistance of the Public Works Department to hang the banners.
  - 1) RT 47 and Reed Road
  - 2) RT 47 and Algonquin Road
  - 3) RT 47 and Mill Street
  - 4) RT 47 and Del Webb Boulevard
  - 5) RT 47 and Kreutzer Road
  - 6) RT 47 and Dean St
  - 7) RT 47 and Main Street (N/E)
  - 8) Algonquin Road and Haligus Road (E/B)
  - 9) Algonquin Road and Haligus Road (W/B)
  - 10) Huntley/Dundee Road and Haligus Road
  - 11) Huntley/Dundee Road and Main Street
  - 12) Reed Road and Haligus Road
  - 13) Haligus Road and Main Street
  - 14) Kreutzer Road and Main Street
  - 15) Kreutzer Road and Haligus Road

The Fall Fest Committee acknowledges that some sites may not be under the Village's jurisdiction and others may not be feasible in the noted location. If these sites are unacceptable, the Committee requests permission for other sites with the approval of the Village Manager.

Additionally, no signs will be posted on private property without prior authorization of the property owner and no more than one (1) sign will be placed at any of the specified locations.

2. To post snipe signs at the subdivision entrances. These will be posted from September 18-26.
3. To post directional signage on the day of the event at the following locations:
  - a) West Main Street at Lois Lane
  - b) Deicke Park entrance
  - c) Route 47 and Mill Street

A variation from the Ordinance is required to locate the signs in the Village's rights-of-way.

4. To hold a carnival in the Stingray Bay parking lot area.

The Fall Fest Committee will hire private security for the event.

#### Financial Impact

It is being requested that the temporary use permit for the carnival and any fees associated with the Fall Fest be waived.

Management Assistant Read reported that Bryant Haniszewski from the Fall Fest Committee was in attendance to answer questions.

Mayor Sass asked if the Committee had any comments or questions.

Trustee Leopold asked if the carnival rides are inspected by the Village; Mr. Haniszewski stated that the rides are inspected by both the State of Illinois and the Huntley Fire Protection District.

There were no other comments or questions.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval a Resolution granting the issuance of a Temporary Use Permit to hold a carnival and Temporary Sign Permit and the Waiving of Fees to the Huntley Fall Fest for the 2016 Huntley Fall Fest.***

- e) Discussion – Consideration of an Ordinance for the Approval and Issuance of a Class “E” Liquor License; Global Hands Project / 2016 Huntley Fall Fest

Management Assistant Barbara Read reported that the Village of Huntley regulates the sale of alcoholic beverages in the Village through its Liquor Control Ordinance, which provides for the issuance of certain classes of liquor licenses and establishes the number of licenses available in each class.

A Class “E” Liquor License is being requested at this time. A Class “E” Liquor License is a temporary license, not to exceed three days, issued to not-for-profit organizations with a license fee of \$75.00.

#### Staff Analysis

The Liquor Commission is being presented with the request from The Global Hands Project (Global Hands) for the issuance of a Class “E” Liquor License. Global Hands is a not-for-profit corporation associated with a band member from Seventh Heaven that will be performing at the Fall Fest and has held a liquor license through the State of Illinois for several local festivals such as the Elgin Ribfest. Global Hands is requesting to sell Cayman Jack Margarita's, Bob Chinn's Mai Tais, beer, Mike's Hard Lemonade flavored coolers and wine only. The request is for the 2016 Huntley Fall Fest taking place on Huntley Park District property, 12015 Mill Street on September 23, 24 and 25, 2016.

Global Hands is requesting the license to operate a beer garden during the hours of 5:00 pm to 11:00 pm on Friday, September 23<sup>rd</sup>, 10:00 am to 11:00 pm on Saturday, September 24<sup>th</sup>, and 11:00 am to 7:00 pm on Sunday, September 25<sup>th</sup>. Alcohol serving will stop at 10:30 pm on Friday and 10:30 pm Saturday night, and at 6:30 pm on Sunday, which is a half-hour before the event closes each day. The beer garden area will be fenced off and there will be no removal of alcohol from this area to the festival area.

The event will be monitored by the Fall Fest organization's own security with a wristband ID service. Mr. Thom Palmer, Executive Director of the Huntley Park District, has submitted a letter on behalf of the Park District authorizing the beer garden on their property.

An application has been placed on file and reviewed by the Village Clerk's Office. The application is being presented with the provision of the State license and insurance documents being provided closer to the date of the event. This stipulation will be included as a condition of approval. The liquor license would be issued for September 23, 24 and 25, 2016 only. All other required documentation has been submitted and meets code requirements.

#### Financial Impact

Global Hands is requesting waiver of the payment of the \$75.00 fee. The Commission has waived the fee in the past.

#### Legal Analysis

Section 110 of the Village Code of Ordinances regulates liquor sale in the Village. The application has been reviewed and is in compliance with Section 110: Alcoholic Beverages requirements.

Management Assistant Read reported that Bryant Haniszewski from the Fall Fest Committee was in attendance to answer questions.

Mayor Sass asked if the Committee had any comments or questions.

Trustee Leopold noted that the list of the alcoholic beverages being served is getting to be a more like a bar than a festival. Mr. Haniszewski stated that the items offered are the same drinks served last year.

Trustee Piwko asked how many years has The Global Hands Project been in existence. Mr. Haniszewski stated that he wasn't sure how long in total but stated that he has worked with them at Elgin Ribfest for four (4) years and that they offered to help with Huntley Fall Fest until the Fall Fest Committee becomes a 501(c)3.

Trustee Piwko asked if The Global Hands Project representatives would be on hand to oversee the serving of alcohol as at the 2015 Huntley Fall Fest he witnessed beer being given out to someone without a wristband. Mr. Haniszewski stated that he wished he would have been informed of this at the time it took place.

Trustee Goldman stated that when worked in the Beer Tent it was very organized.

There were no other comments or questions.

***It was the consensus of the Committee of the Whole to forward on to the Liquor Commission an Ordinance approving the issuance of a Class "E" Liquor License to The Global Hands Project for the 2016 Huntley Fall Fest subject to the following conditions of approval:***

- 1. Petitioner must show proof of the State of Illinois Liquor License before the Village of Huntley Class "E" Liquor License becomes effective.***
- 2. Petitioner must provide proper insurance coverage and documentation prior to the event.***
- 3. The approved alcohol can only be sold and consumed in the designated beer garden area.***

f) Discussion - Conceptual Review of a Proposed Site Plan and Building Elevations for

## Resort Lifestyle Communities, ±30 acres Powers Road

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that Resort Lifestyle Communities (RLC) is proposing to develop a 130-unit senior independent living facility on a ±9.6 acre site (Lot 1) located along an eastern extension of Powers Road. RLC is a developer of all-inclusive resort style communities exclusively for adults 55 and over. They are based in Lincoln, Nebraska and have 22 facilities in 15 states. Huntley would be RLC's first community in Illinois. Their communities feature amenities that include 24/7 concierge, housekeepers, gourmet chefs, valet parking attendants, and a full-time lifestyle director.

The ±9.6 acre RLC site is part of the 30-acre "R-4" Townhouse Residential zoned parcel that was annexed in December 2006 as part of the Riedl Annexation Agreement. The Annexation Agreement for the property includes both the 54 acre commercial property along Route 47 (Huntley Crossings Phase 2) and the 30 acre residential property. RLC would purchase the entire 30 acre residential property and subdivide it into three lots. RLC would construct their facility on a 9.6 acre parcel (Lot 1) and would request the ability to develop the remaining 4.5 acre (Lot 2) and 11.5 acre (Lot 3) parcels with townhomes or a second senior independent living facility. Approximately 4.4 acres of the site would be dedicated right-of-way for public roads.

The proposed three-story building on Lot 1 would include a total of 130-units which would consist of 4 studio apartments, 72 one-bedroom apartments, 50 two-bedroom apartments, and 4 three-bedroom apartments. The site plan also includes 40 garage spaces in addition to 120 surface parking spaces.

### Staff Analysis

The subject property was annexed in December 2006 (Ordinance (O)2006-11.08) and is subject to an Annexation Agreement which covers the entire 84 acre property. Highlights of the Annexation Agreement as they pertain to the 30 acre residential property are as follows:

- The Agreement only provides for rezoning of property; does not include any approvals of preliminary plat, preliminary planned unit development, or preliminary engineering. *These approvals will be requested as part of the RLC development application.*
- Construction of townhome units will not be allowed to begin until a building permit has been issued and construction has begun on at least one "big box" retail store in excess of 100,000 square feet in either Phase I or Phase II. *RLC is requesting that this requirement be removed from the Annexation Agreement.*
- Residential design standards include a limit of no more than six (6) units per gross acre; The number of three (3) bedroom units shall be limited to 69% of the total number of units; All single family attached structures (townhomes) shall have a minimum of 1,100 square feet of livable space for one (1) story/level dwellings and 1,500 square feet of livable space for all other dwelling units; There may be no more than six (6) units per building for all single-family attached structures (townhomes). The six (6) per gross acre will remain for the undeveloped parcels. *The same development standards would still be applicable for townhomes.*
- Residential portion – Phase III, consisting of 30 acres and no more than 182 townhome units, zoned "R-4 PUD" Townhouses and Condominiums. *RLC is requesting to modify this restriction to allow 130 units of senior independent living on a ±9.6 acre parcel (Lot 1). RLC is also*

*requesting the ability to develop the remaining 4.5 acre (Lot 2) and 11.5 acre (Lot 3) parcels with townhomes or a second senior independent living facility.*

In addition to the above noted amendments to the Annexation Agreement, the following reviews and approvals shall be required from the Plan Commission and Village Board:

- Preliminary/Final Plat of Subdivision
- Preliminary/Final Planned Unit Development, including any necessary relief
- Special Use Permit for Residential – Retirement

#### Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “*Promote New Business Development, Retention, and Expansion*” as a Strategic Priority, and “*Diversify Residential Development Options*” as a goal.

#### Financial Impact

RLC’s project is an approximately \$30,000,000 investment and is expected to create 30 full-time jobs.

#### Legal Analysis

The proposed amendment to the Annexation Agreement will require a public hearing by the Village Board. Similarly, the required development actions will require a public hearing by the Plan Commission.

Director Nordman reported that Bob Lewis from Cameron General Contractors, Inc. and Attorney Scott Richmond were in attendance on behalf of Resort Lifestyle to answer questions.

Mayor Sass asked if the Committee had any comments or questions.

Trustee Westberg asked if Resort Lifestyle had any properties currently in the area; Mr. Lewis stated that they have facilities in Lincoln, Nebraska and Portland, Maine and there is currently one under construction in Syracuse, New York. Mr. Lewis stated that this was the first project in Illinois. Trustee Westberg stated that he had concerns with the lack of garages for the residents; Mr. Lewis stated that approximately 50% of their residents do not own a vehicle.

Trustee Leopold asked if the facility would be subsidized housing; Mr. Lewis stated that it will not be subsidized housing as it privately owned and the residents would have month-to-month rent. Trustee Leopold asked if the market fails if they would change to subsidized housing; Mr. Lewis stated that they have never had that issue so he could not answer that question.

Trustee Kanakaris asked what the average monthly rent would be at this location. Mr. Lewis stated as follows: Studio/1 Bedroom \$3,000; 2 Bedroom \$3,200-\$3,500; 3 Bedroom \$3,500-\$4,000. Mr. Lewis stated that if the resident wanted to rent garage space that would be an additional fee, otherwise it is all inclusive.

Trustee Goldman asked if the resident would have to take the meal plan; Mr. Lewis stated that it is all included and the resident would have to take the meal plan. Trustee Goldman asked if the buildings had elevators; Mr. Lewis stated that the buildings had elevators. Trustee Goldman asked if the indoor garage space is an additional cost to rent; Mr. Lewis said yes. Trustee Goldman asked if the facility was totally independent living; Mr. Lewis stated that the facility was totally independent living.

There were no other comments or questions.

***It was the consensus of the Committee of the Whole to refer Resort Lifestyle Communities to the Plan Commission to begin the formal development review and approval process.***

- g) Discussion – Consideration of a Resolution Approving a Release Agreement with Ruby-02-Hntlycmrcl, LLC and Ruby-02-Hntlyresi, LLC

Village Manager David Johnson reported that the Village of Huntley approved Ordinance (O) 2006-11.108 approving an Annexation Agreement with Evelyn A. Riedl, as trustee and Donald Riedl, Ann M. Seemann, and John L. Riedl as successor trustees and sole beneficiaries of Evelyn Riedl Trust under trust agreement dated June 23, 1993, and known as Evelyn A. Riedl Trust, as general partner of the Riedl Family Limited Partnership and Rubloff Huntley, LLC. The 54 ± acre commercial Phase II property is now under the ownership of Ruby-02-Hntlycmrcl, LLC, while the 30 ± acre residential Phase III property is currently owned by Ruby-02-Hntlyresi, LLC. The release agreement addresses payment of the recapture due to SBTC Redevelopment, LLC, Series Pistakee as a result of the recapture agreement with Pistakee Partners, LLC, recorded on March 20, 2003, as Document No. 2003K045428 with the Kane County Recorder of Deeds.

#### Staff Analysis

Ruby-02-Hntlycmrcl, LLC or Ruby-02-Hntlyresi, LLC will make payment of \$650,000 in satisfaction of the recapture obligation due for the commercial and residential portions of Huntley Crossings Phases II and III within 10 business day from the date of the Release Agreement. The agreement releases the owners from any further recapture obligations due pursuant to the Pistakee Partners, LLC recapture agreement.

#### Legal Analysis

The Village Attorney has reviewed the Release Agreement.

Mayor Sass asked if the Committee had any comments or questions; there were none.

***It was the consensus of the Committee of the Whole to forward to the Village Board a Resolution Approving a Release Agreement with Ruby-02-Hntlycmrcl, LLC.***

- h) Discussion – Consideration of a Resolution Approving a Settlement Agreement with SBTC Redevelopment, LLC, Series Pistakee

Village Manager David Johnson reported that the Village of Huntley approved Ordinance No. 98-10-22-10 approving an Annexation Agreement with Harris Bank of Woodstock, Successor to the State Bank of Woodstock, not personally but as Trustee under Trust No. 4365; Floyd F. Drendel, as Trustee of the Floyd F. Drendel Trust No. 1; Margaret E. Drendel, as Trustee of the Margaret E. Drendel Trust No. 1, and Huntley Investments, LLC. Huntley Investments was the owner of the property south of Kreutzer Road and east of Route 47 known as Regency Square. The annexation agreement provided for a recapture agreement on behalf of the developer for improvements made to Route 47 and the Phase II expansion of the West Wastewater Treatment Plant. The undeveloped portion of the property (approximately 88 acres) was acquired by Standard Bank and Trust Company (STBC) through a Deed in Lieu of Foreclosure in 2015. STBC also acquired the rights to the recapture payments as outlined in the recapture agreement between the Village and the original developer in 2002 and recorded with the Kane County Recorder of Deeds as Document No. 2003K045428.

Staff Analysis

The settlement agreement addresses the following items: payment of \$650,000 to SBTC by Ruby-02-Hntlycmrcl, LLC and Ruby-02-Hntleyresi, LLC as payment in full of their recapture obligations for the property on the east side of Route 47 known as Huntley Crossings Phase II (between Regency Parkway and Powers Road); completion of public improvement punch list items for Phases I and 2a of Regency Square, which includes, but is not limited to, the final surface course on Regency Parkway, and the final surface course on Princeton Drive south of Regency Parkway; and acknowledgement that no further payments from any other benefitted properties are due pursuant to the 2002 recapture agreement. The agreement also identifies the responsibility for future development to complete the remaining improvements including the extension of Regency Parkway to Kreutzer Road, and water main installation along Kreutzer Road and Regency Parkway extended (per the attached exhibit); and remaining sidewalks.

Legal Analysis

The Village Attorney has reviewed the settlement agreement.

Mayor Sass asked if the Committee had any comments or questions; there were none.

*It was the consensus of the Committee of the Whole to forward on to the Village Board a Resolution Approving a Settlement Agreement with SBTC Redevelopment, LLC, Series Pistakee.*

**VILLAGE ATTORNEY’S REPORT:** None

**VILLAGE MANAGER’S REPORT:** None

**VILLAGE PRESIDENT’S REPORT:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** None

**ACTION ON CLOSED SESSION ITEMS:** None

**ADJOURNMENT:**

**There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:30 p.m.**

**MOTION: Trustee Kanakaris**

**SECOND: Trustee Westberg**

**The Voice Vote noted all ayes and the motion carried.**

Respectfully submitted,

Barbara Read  
Recording Secretary