

*Village of Barrington
Plan Commission Meeting
Minutes Summary*

Date: May 14, 2013

Time: 7:00 p.m.

Location: Village Board Room
200 South Hough Street
Barrington, Illinois

In Attendance: Harry Burroughs, Commissioner
Todd Sholeen, Commissioner
Mike Ward, Commissioner
Dan Hogan, Vice Chairperson
Anna Markley Bush, Chairperson

Staff Members: Jennifer Tennant, Zoning Coordinator
Jean Emerick, Recording Secretary

Call to Order

Vice-Chairperson Hogan called the meeting to order at 7:03 p.m.

Roll call noted the following: Harry Burroughs, present; Richard Ehrle, absent; Dan Hogan, present; Todd Sholeen, present; Mike Ward, present; Jeff Anderson, present; Chairperson Anna Markley Bush, absent (arrived at 7:40 p.m.).

There being a quorum, the meeting proceeded.

Vice-Chairperson Hogan announced the order of proceedings and swore-in those wishing to address the Commission.

New Business

PC 13-02: Hamilton Court of Barrington Subdivision (Kainer Court) – Special Use Planned Development Amendment

Petitioner: William Ryan Homes, Inc.
945 N. Plum Grove Road
Schaumburg, IL 60173

The petitioner seeks an amendment to the existing special use for a residential planned development (Ordinance No. 06-3310). The applicant is requesting an amendment to the building heights and landscaping requirements. The current use of the subject property is a

residential development where three of the eleven lots have been developed with single-family homes. The subject property is zoned R-5 Single-Family District, and is designated for single-family residential development by the Village of Barrington Comprehensive Plan.

Mr. Nate Wynsma, of William Ryan Homes, 945 N. Plum Grove Road, Schaumburg, distributed materials regarding the homes that will be built on the site. The petitioner has two requests. In Paragraph I in the Planned Development Ordinance, there is a table of restricting heights lot-by-lot. These lots have already been built on. They would like this table replaced by the current Zoning Code. The second item is a revision to the landscape plan that was approved. When Hamilton Court was approved, the landscape plan included plantings in the public parkway and also on the lots at the perimeter of the property. What they are proposing is specific to Lot 6, which is the closest lot to The Garlands. This location along the perimeter is the thinnest. The landscape plan included six arborvitae trees along the property line that have all died. They will be replaced with 6 – 8 foot Norway spruce and staggered behind them five additional Norway Spruce, eleven in total.

Ms. Tennant said the petitioner has requested two amendments. There was originally a third amendment requested to eliminate the requirement for a pond aerator, but they have withdrawn that request. When it was approved in 2006, there was much discussion about the height because Kainer Court sits above The Garlands. At that time, height was measured by the Zoning Ordinance to the midpoint of the roof regardless of the roof style or pitch. We now measure heights to the peak. A lower roof pitch allows for a lower height. The houses that have already been built are right on target with the current Zoning Ordinance. They cannot predict what houses will be put out there, but based on the models provided by William Ryan Homes, there will not be a great height difference. Staff feels it is compliant with Zoning Ordinance and the Comprehensive Plan. It should have a positive effect on the property values. Staff recommends approval to the Board.

Vice-Chairperson Hogan asked if the green cards were received and if there was proper notification.

Ms. Tennant answered yes.

Commissioner Anderson asked about the windows on the second story.

Ms. Tennant said William Ryan Homes has discussed potentially altering the rear elevation to reduce the second floor windows to either transom windows or a two-story family room. Staff is proposing not hold to them to a specific elevation.

Mr. Wynsma said they plan to custom build the homes.

Commissioner Burroughs asked if the model will be on Lot 6.

Mr. Wynsma said the model will be on Lot 2. They intend to take over the development from the lender and will be responsible for the completion of all the subdivision improvements.

Commission Burroughs asked about the removal of the soil pile.

Mr. Wynsma said the pile of soil is on Lot 11 and it will be cleaned up. It is the top soil to respread on various lots.

Commissioner Sholeen asked about the reason for the amendment.

Mr. Wynsma said that the current planned development limits the architecture that they can offer. Every lot is set at a different height limit. They have already built on the three easiest lots.

Mr. Ed Ganz, Vice-President for Barrington Venture Holding Company, which owns the Garlands of Barrington, said they were compliant with many restrictions when The Garlands was built. They are an established neighborhood now. Sequoia Villa, which has two units, sells for \$1 million apiece. The master bedroom and deck are on the backside and face Lot 6. They are also concerned about a pond on the north end of the site and object to a fountain in the pond. They believe they should use an aerator rather than a fountain. Their concerns include protection of their investment, site lines that are well screened, and quiet areas.

Mr. Don Matthews, of Gewalt Hamilton and Associates, said that their concerns are with the height and the ponds. They reviewed the height limitations and only looked at Lot 6. If the engineering plans don't change, then they have no objection. If the home is elevated, they want it no higher than the current ordinance. Their pond is immediately downstream of the pond in Hamilton Courts detention pond. They don't want silt-laden water to come into their pond. They want a commitment from William Ryan Homes that they will place sod rather than seeding to avoid runoff to their pond. They are also asking for a backup plan that if there is runoff, they will introduce polymers into the pond with a mixing tank so the sediments will fall out on Hamilton Courts. Aeration of the pond will be beneficial and his preference is a tube that runs the perimeter of the pond infused with air that bubbles up to the surface.

Mr. Jim Yeager, the landscape partner, has been involved with The Garlands since the beginning. He is well aware of all of the concerns The Garlands had with being a good neighbor. The Norway spruce William Ryan Homes is planning to use is too immature, they will need larger 10 - 14 foot spruce trees and an additional, making a total of twelve. There are three oak trees that should be transplanted to provide a healthier growing environment and screening. He is asking for a monthly check of their water system.

Vice-Chairperson Hogan asked when the site is mature, what sort of maintenance program will be necessary.

Mr. Yeager said aeration, there should be no phosphorus. The Garlands uses a company to monitor their water system.

Chairperson Bush arrived at 7:40 p.m.

Commissioner Ward asked if there was some agreement between The Garlands and the homeowners.

Mr. Wynsma said that they have not developed a plan regarding runoff from the property,

Vice-Chairperson Hogan asked about after the homes are built, will William Ryan Homes have any continuing involvement.

Mr. Wynsma said no, then it will be under the homeowners' association. They will use necessary precautions as they build. The homeowners want something in the pond to keep down the mosquito population. Mowing and maintenance of the pond will be the homeowners' responsibility.

Ms. Tennant said that the three existing homeowners had to consent to this amendment. They specifically consented to only the two changes proposed.

Mr. Wynsma said that any changes require full consent of the property owners. They have a time constraint and they will abide by the original 2006 ordinance if they have to.

Vice-Chairperson Hogan asked about their willingness to stabilize runoff by placing sod rather than seed.

Mr. Wynsma this is what they do as standard practice, weather permitting. If a home is completed in January, they will not lay sod the weather permits.

Mr. Wynsma said the homeowners have consented to what was petitioned for.

Commissioner Ward questioned the comment made about a condition that the height be at least as restrictive as prior ordinance. What is the process?

Ms. Tennant said there is a site engineering plan that was approved that they are held to.

Commissioner Ward asked how the Village handles current ordinances versus prior, which is more restrictive.

Ms. Tennant said that a planned development ordinance trumps the Zoning Ordinance. In this case, the height restriction would be eliminated and it is assumed that it falls under current Zoning Ordinance.

Commissioner Anderson said as he understands it, the homeowners cannot add anything without coming in.

Ms. Tennant said the aerator would need the consent of the homeowners. If they consented in writing, based on a recommendation from the Plan Commission, prior to The Village Board seeing it, it may be an option. It is a question for the attorney.

Mr. Wynsma said that if between now and when the Board decides, if all parties consent to any change, the Board would have the right to approve it.

Mr. Keith Venturi, 114 Kainer Avenue, said at the beginning of the street where it lines up with Lake-Cook, it depresses down to the pond. The Garlands would be looking at the incline and they would see roof lines. He said they need to be concerned about how will the original homes look next to the new homes. He asks that the Commission pass what they can today since the developer is under time constraints.

Ms. Susan O'Malley, 622 East Main Street, said that six of these properties will back up to hers on the east. Her concern is the landscaping, screening her home from those properties.

Mr. Ganz said they want to see this development. The pond is most sensitive issue for The Garlands. He is asking for screening and water management.

Mr. Dennis Diamond, 113 North Kainer Court, thanked William Ryan Homes. Said he did not speak for everyone, but he does not want a giant fountain. The Garlands is a great neighbor. They need time to figure it out. He is asking that the Commission approve what they can today.

Vice-Chairperson Hogan closed public comment.

Ms. Tennant said her recommendation is to move forward with the amendment and make a recommendation for the pond, subject to the consent of the homeowners.

Mr. Wynsma proposed that in the next few days they could have their landscape architect propose a specific model of bubbler that they will substitute, and then get the appropriate consents before it goes to the Board. The closing will be in the first two weeks of July, and they would like to break ground in August.

Commissioner Anderson said it seems that all are in agreement. He does not want to mess with the timing.

Ms. Tennant said it will go to the Board as a receive and place on file on June 10th and final Board approval will be June 24th.

Chairperson Bush said she is happy to have a developer in place to finish the project and she would like to see the bubbler issue resolved.

Commissioner Hogan said it seems that there is a level of cooperation between the developer and The Garlands and hopes the bubbler issue can be resolved.

Chairperson Bush said they could approve it as stated with the direction that if there is an agreement between the parties it will supersede their recommendation.

Ms. Tennant asked if the Commission will be approving the landscape plan as proposed by the petitioner or with the larger spruce trees and an additional one.

Commissioner Sholeen asked how it can be guaranteed that the eleven homeowners will maintain the pond, etc.

Ms. Tennant answered that the Ordinance is the enforcement tool.

Commissioner Anderson moved and Commissioner Sholeen seconded to approve PC 13-02, a special use planned development amendment to the building heights and landscaping requirements and that in the event the homeowners and the Garlands reach an agreement that a bubbler will be used in the pond rather than a fountain.

Roll call Vote: Mr. Burroughs, yes; Mr. Ehrle, absent; Mr. Hogan, yes; Mr. Sholeen, yes; Mr. Ward, yes; Mr. Anderson, yes; and Chairperson Bush, yes. The vote was 6 – 0; the motion carried.

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Approval of Minutes

March 12, 2013

Commissioner Sholeen made a motion to approve the March 12, 2013 meeting minutes, Commissioner Burroughs seconded the motion. A voice vote noted all ayes, and Chairperson Bush declared the motion approved.

Planners Report

Ms. Tennant said there will be a Text Amendment that will address the pending state legislation on medical cannabis and other miscellaneous zoning issues. The next meeting will be June 25.

Adjournment

There being no further business to come before the Commission, a motion was duly made by Commissioner Anderson and seconded by Commissioner Ward to adjourn the meeting at 8:25p.m. Commissioner Burroughs declared the motion approved.

Respectfully submitted,
Jean Emerick

Dan Hogan, Vice-Chairperson
Plan Commission