

**Planning and Zoning Commission Meeting
Minutes**

June 19, 2024

CALL TO ORDER

The Regular Meeting of the Planning and Zoning Commission of the Village of Mundelein was held on June 19, 2024, at 300 Plaza Circle, Mundelein. Commissioner Kerry Geresche called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Commissioner Geresche led the Pledge of Allegiance

ATTENDANCE

Commissioner Garesche took the roll call. It indicated as follows:

Commission Attendance

PRESENT: K. Anderson, K. Garesche, S. Petti, S. Schneckloth

ABSENT: J. Holden, T. Roswick, , K. Teehan

Village Attendance

A. Orenchuk, Director of Community Development, C. Malec, Senior Planner, J. Marvin, Associate Planner, and E. Swanson, Recording Secretary

MINUTES APPROVAL

Approve the Planning and Zoning Commission Regular meeting minutes from April 3, 2024.

Motion to Approve the Planning and Zoning Commission Meeting minutes of April 3, 2024.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Steven Petti
SECONDER:	Commissioner Kevin Anderson
AYES:	Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

PUBLIC COMMENTARY

No Public Commentary

OLD BUSINESS

No Old Business

NEW BUSINESS

PUBLIC HEARING - PZC-05-2024 - 739 West Maple Avenue - Variation

Open Public Hearing

Motion to Open Public Hearing PZC-05-2024

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Sophia Schneckloth
SECONDER:	Commissioner Kevin Anderson
AYES:	Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

J. Marvin reviewed the attached PowerPoint and gave a detailed history of the property. The petitioner is requesting Approval of a Variation to permit his property to exceed the maximum impervious surface coverage to allow him to install a new pool to replace one that had previously been installed and dismantled. J. Marvin detailed a piece of the front end of the parcel that was taken for the future widening of Maple Avenue that reduces the overall lot size as well as comparing impervious lot coverage to other neighboring lots.

Petitioner(s) Sworn In

Brent Zimmerman of 739 W Maple Avenue was sworn in. Mr. Zimmerman gave a history of the property and answered questions from the Commission in regard to fencing in the yard and possible stormwater on the property.

Open the Floor to Public Commentary

Commissioner Garesche opened the floor to public commentary. There were no public comments.

Close the Floor to Public Commentary

Commissioner Garesche closed the floor to public commentary.

Commission Discussion

Recommendation

Motion to recommend Approval of a variation to Table 20.28-2 of Section 20.28.030 granting relief in the maximum impervious surface coverage to accommodate up to an 18’ diameter above-ground pool at 739 West Maple Avenue, Mundelein, IL 60060.

- 1. Recommended Condition: This impervious surface coverage relief only applies to the proposed above-ground pool. If the proposed pool is removed, the square footage gained from the pool can only be used for replacement pools and cannot be used elsewhere on the lot.

The Commission discussed the need for maximum impervious coverage for stormwater drainage to reduce the strain on the sewer system. Questions were raised about the piece of property that was dedicated to the widening of Maple Avenue being a non-buildable piece. It was decided that this still would have previously been included in the calculation as it still offsets stormwater drainage despite being an unbuildable part of the property.

Motion to recommend Approval of a variation to Table 20.28-2 of Section 20.28.030 granting relief in the maximum impervious surface coverage to accommodate up to an 18’ diameter above-ground pool at 739 West Maple Avenue, Mundelein, IL 60060 with the condition that this impervious surface coverage relief only applies to the proposed above-ground pool. If the proposed pool is removed, the square footage gained from the pool can only be used for replacement pools and cannot be used elsewhere on the lot.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Sophia Schneckloth
SECONDER:	Commissioner Kevin Anderson
AYES:	Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

Close Public Hearing

Motion to Close Public Hearing PZC-05-2024

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Sophia Schneckloth
SECONDER:	Commissioner Kevin Anderson
AYES:	Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

PUBLIC HEARING - PZC-06-2024 - Flaherty & Collins – Multi-Family Residential (275-

301 Plaza Circle)

Open Public Hearing

Motion to Open Public Hearing PZC-06-2024

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Steven Petti
SECONDER:	Commissioner Kevin Anderson
AYES:	Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

C. Malec reviewed the attached PowerPoint and gave a detailed history of the project. She also presented the different proposed architectural elements of the project as well as the reasons for staff support of the separate variation requests. C. Malec also reviewed the recommended staff condition to allow a sidewalk to be proposed connecting Chicago Avenue with the Metra station and another recommended staff condition to have the plat of survey approved and recorded before any building permits are issued.

Commissioners brought up questions to C. Malec about whether the building would be for general occupancy, or if it will be for seniors, as well as questions about if the parking garage proposed will be for sole use of the residents or if it will be open to the public. C. Malec confirmed that the building would be general occupancy, and deferred the parking garage question to the petitioner to answer.

Petitioner(s) Sworn In

Zack Henley of Flaherty and Collins, Craig Pryde of KTGy, and Demitrios Stavrianos of KTGy were all sworn in.

Mr. Henley addressed prior questions about the parking garage and stated that it would be meant for the sole use of residents of the building. There is no current access control in place, but there are plans for future control measures if there is an issue with members of the public using the parking garage. Mr. Henley reviewed the attached PowerPoint and discussed the Flaherty and Collins company background. Mr. Pryde provided a background on the design team for the project.

Mr. Henley proceeded to review the floorplan of the multifamily housing project and unique aspects of the plan. Some of the features of the building will include a large lobby, an outdoor courtyard, a fitness center that looks out onto a pool deck, a dog spa

and a dog park.

Mr. Pryde gave an overview of the variations being requested. Some of the challenges with multifamily design are stacking units structurally along a right of way, along with the natural curvature of the parcel, creating a unique design challenge for the project.

Questions were raised by the commission on rooftop mechanicals and how those would be screened from view. Mr. Pryde detailed the exterior wall providing the screening needed to conceal mechanicals from anyone viewing the building from within the plaza.

Mr. Pryde described building element choices due to wanting to reduce the number of residences that would be affected by the train tracks on the east side of the building. Also discussed the challenges of the current building code.

Commissioners had questions on the material and overall height of the grid wall proposed against the parking garage. The fiber cement grid will be roughly 2.5 stories high.

Mr. Pryde addressed the accessory structures and the multiple pergolas planned to meet the needs of many residents.

Mr. Henley addressed some questions about a possible mural on the blank wall of the parking garage as an alternative to the grid proposed. Mr. Henley also discussed possibly adding additional lighting features in lieu of a mural.

Open the Floor to Public Commentary

Commissioner Garesche opened the floor to public commentary. There were no public comments.

Close the Floor to Public Commentary

Commissioner Garesche closed the floor to public comment.

Commission Discussion

The commission discussed the proposed mural along the blank wall of the parking garage. It was noted that it is difficult to mandate a mural without having a clear idea of what the mural will be. It was discussed that this would be the largest mural to date in the Village of Mundelein and at this point it should be optional as to not create a stall the project. It was discussed that the fiber cement grid is already either pre-finished or painted as is.

The lighting feature options were discussed as an alternative to a mural as well as

added architectural features. Enhancing the uprights with lighting and architecture was discussed as preferable to a mural or a flat grid wall.

Recommendation

Motion to recommend Approval of a variation to Section 20.36.040(C) regarding Upper Story Setback on Public ROW Elevation in the C-5-VC District

Motion to recommend Approval of a variation from Section 20.36.040(C) granting relief in the upper story setback requirements for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented with the condition of adding a sidewalk along the south property line to connect Chicago Avenue to the Metra Station, subject to staff approval.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Sophia Schneckloth
SECONDER:	Commissioner Steven Petti
AYES:	Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

Recommendation

Motion to recommend Approval of a variation to Section 20.36.050(A)(2)(a) regarding the requirements for breaking up flat roofs.

Motion to recommend Approval of a variation from Section 20.36.040(C) granting relief in the varied roof height requirements for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Steven Petti
SECONDER:	Commissioner Kevin Anderson
AYES:	Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

Recommendation

Motion to recommend Approval of a variation to Section 20.36.050(B)(3) prohibiting blank, windowless walls (if evidence is presented that staff comments and any potential PZC comments are addressed).

Motion to recommend Approval of a variation from Section 20.36.050(B)(3) to allow two windowless walls above the parking garage for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Sophia Schneckloth

SECONDER: Commissioner Steven Petti
AYES: Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

Recommendation

Motion to recommend Approval of a variation to Section 20.36.050(5) relating to trim requirements.

Motion to recommend Approval of a variation from Section 20.36.050(5) granting relief from the window and door trim width requirement for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented.

RESULT: Passed [Yes 4, No 0, Abstained 0]
MOVER: Commissioner Sophia Schneckloth
SECONDER: Commissioner Kevin Anderson
AYES: Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

Recommendation

Motion to recommend Approval of a variation to Section 20.36.050(C)(1)(a) regarding building articulation (if evidence is presented that staff comments and any potential PZC comments are addressed).

Motion to recommend Approval of a variation from Section 20.36.050(C)(1)(a) granting relief from the building articulation requirements on and above the parking garage for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented.

RESULT: Passed [Yes 4, No 0, Abstained 0]
MOVER: Commissioner Sophia Schneckloth
SECONDER: Commissioner Steven Petti
AYES: Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

Recommendation

Motion to recommend Approval of a variation to Section 20.36.080 regarding accessory structure standards, particularly size limitations as it relates to larger, multi-family structures.Possible conditions:

- Extend sidewalk along south property line to run along length of Metra lot
- Apply for special use for mural before building permit is issued?
- Require recording of the plat before building permit is issued or within a certain

timeframe of the permit issuance

Motion to recommend Approval of a variation from Section 20.36.080 granting relief from the maximum accessory structure size and height for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Sophia Schneckloth
SECONDER:	Commissioner Kevin Anderson
AYES:	Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

Close Public Hearing

Motion to Close Public Hearing PZC-06-2024

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Sophia Schneckloth
SECONDER:	Commissioner Kevin Anderson
AYES:	Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

PZC-16-2023 - 550 North Midlothian Road - Plat of Subdivision

Motion to recommend Approval of the Plat of Subdivision of Sunshine Management North Part "A".

J. Marvin gave a brief overview on the case. Proposing a subdivision of lot for a possible future sale or redevelopment.

COMMISSION DISCUSSION

Questions on if subdivided lot will be turned into parking or if there were any current plans of redevelopment. There were not plans at this point in time.

Motion to recommend Approval of the Plat of Subdivision of Sunshine Management North Part "A".

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner Sophia Schneckloth

SECONDER: Commissioner Kevin Anderson
AYES: Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

QUESTIONS AND COMMENTS

No questions or comments.

ADJOURNMENT

Motion to Adjourn the Planning & Zoning Commission Meeting of June 19, 2024.

RESULT: Passed [Yes 4, No 0, Abstained 0]
MOVER: Commissioner Kevin Anderson
SECONDER: Commissioner Steven Petti
AYES: Kevin Anderson, Kerry Garesche, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

The Regular Meeting of the Planning & Zoning Commission adjourned at 8:51 PM.

erin swanson

Erin Swanson
Recording Secretary



VILLAGE OF

Mundelein

June 19, 2024

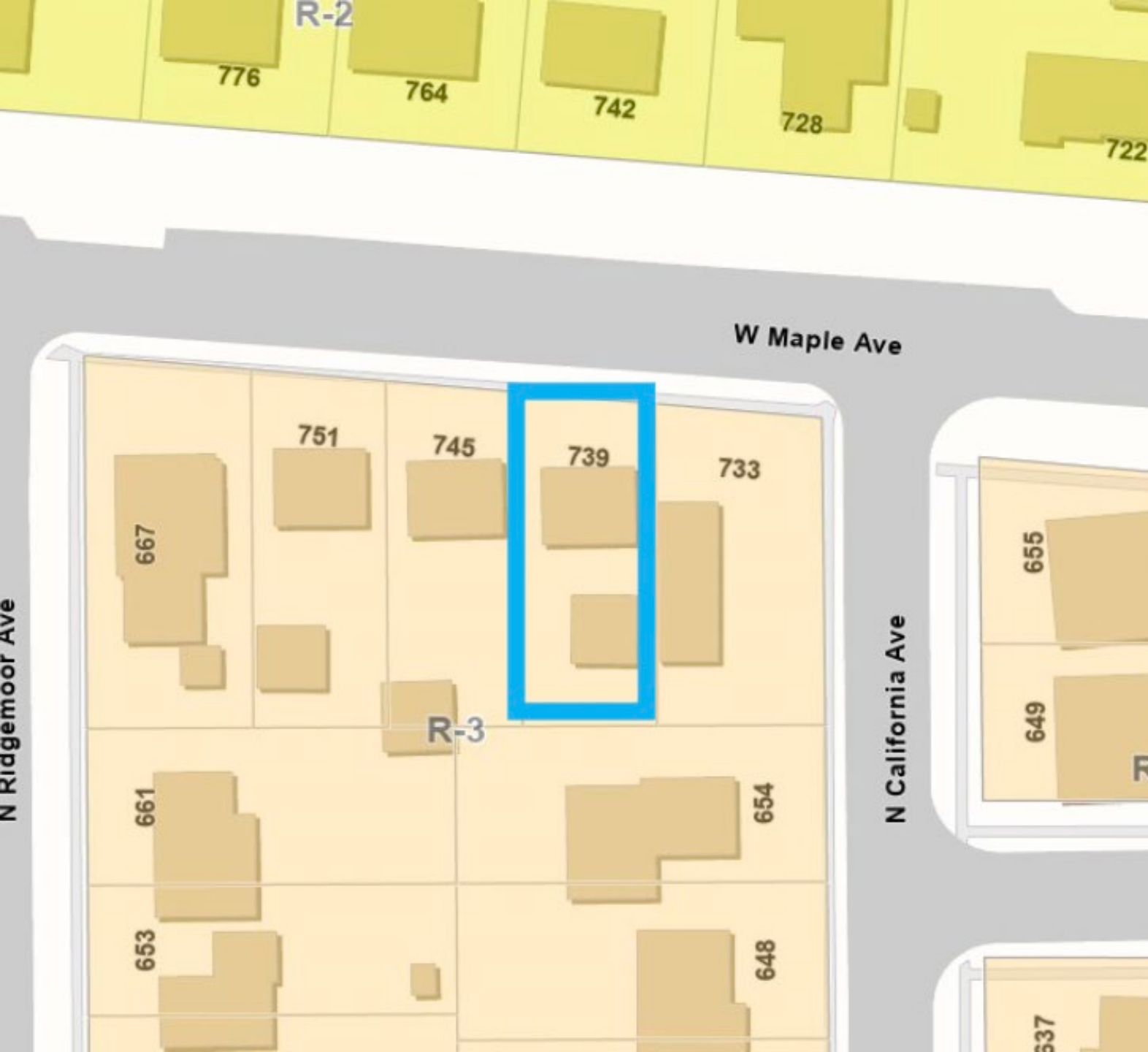
Village Hall

Sign-In Sheet

ADDRESS**PHONE/EMAIL**[illegible]

VILLAGE STAFF OVERVIEW:
739 W MAPLE AVENUE

PZC-05-2024
June 19, 2024



LOCATION MAP

AERIAL



BACKGROUND HISTORY

- The Petitioner applied for building permit to install an 18' diameter above ground pool (254 SF) in the rear yard.
- The building permit was denied because the property exceeded the maximum lot coverage of 50% in the R-3 Single-Family Residential Zoning District.
- The property is currently **1.6%** or **110.5 SF** over the 50% maximum lot coverage. The existing lot coverage is considered grandfathered in and cannot be increase further.
- The Petitioner previously had an above-ground pool installed before **1980**, which was removed in **2019**.
- The former pool was in place for **39-plus years**.

1980 AERIAL MAP



2019 AERIAL MAP

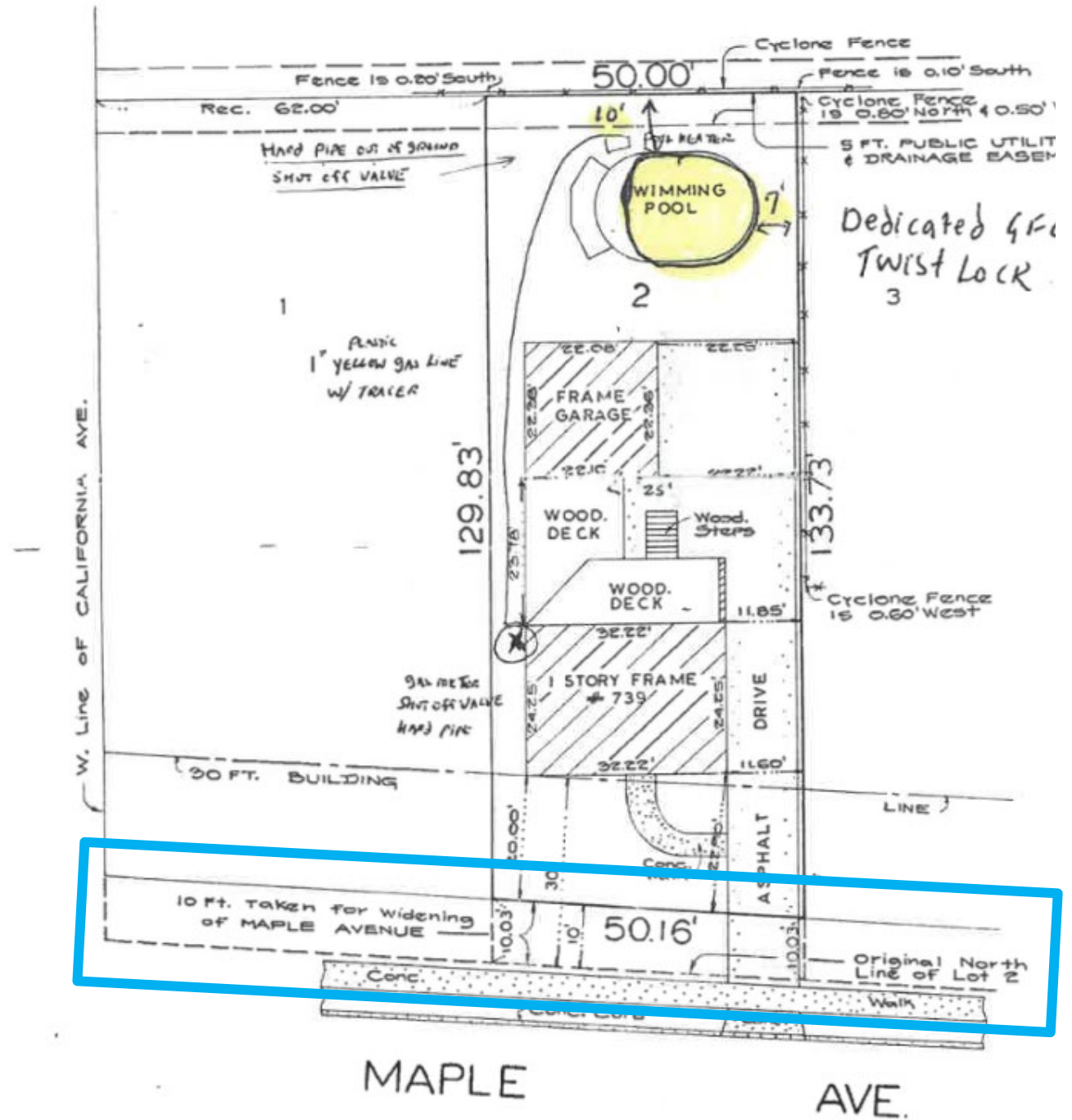


BACKGROUND HISTORY

- On the Petitioner's plat of survey, it notes a 50.16' x 10' area taken for widening of Maple Avenue resulting in the Petitioner losing over 500 SF to use for any future improvement on their property.

	Lot Coverage (SF)
Total SF Before the Widening of Maple Avenue	7,188.1
Total SF After the Widening of Maple Avenue	6,686.5

PLAT OF SURVEY



VARIATION REQUEST

- The Petitioner is requesting a variation to permit an accessory structure to exceed their lot coverage in their rear yard at 739 West Maple Avenue.
- The new lot coverage percentage for this property would be 55.4%.

ZONING ORDINANCE SECTION

- Table 20.28-2 of Section 20.28.030 of the Zoning Ordinance contains regulations for all properties within the Residential Zoning District.
- Properties within the R-3 Zoning District are limited to **50% lot coverage** unless the property is grandfathered in at the current lot coverage.
- This property is grandfathered in at **51.6% lot coverage**.

ANALYSIS

- Former Pool

- The former pool, which is 480 square feet above ground, existed for 39-plus years and was removed in 2019.
- The previous lot coverage was **58.8%** and will **decrease by 3.4%** with the proposed 18' diameter above-ground pool because it is smaller than the previous pool.

	Lot Coverage (SF)	Lot Coverage Percentage (%)
Grandfathered-In Lot Coverage in 2024	3,453.8	51.6%
Previously Existing Above Ground Pool (removed in 2019) (added 480 SF)	3,933.8	58.8 % (Over by 7.2%)
Proposed 18' Diameter Above Ground Pool (adding 254 SF)	3,707.8	55.4% (Over by 3.8%)

ANALYSIS

- Maple Avenue Expansion
 - The State currently owns the 500 SF section of the Petitioner's property that will be used for the widening of Maple Avenue.
 - The former pool was already installed when the updated plat of survey was created in October of 1999.
 - Due to the Maple Avenue expansion, it has reduced the amount of pervious property that the owner has to offset his impervious surface.

Neighboring Properties Lot Coverage				
Address	Total Lot Coverage (SF)	50% Lot Coverage (SF)	Current Lot Coverage (SF) (based of aerals)	Current Lot Percentage (%)
739 West Maple Avenue (Petitioner)	6,686.5	3,343.2	3,453.8	51.6% (Over by 1.6% and Grandfathered In)
642 North California Avenue	6,850	3,425	4,173	60.9% (Over by 10.9%)
654 North California Avenue	8,220	4,110	4,636	56.4% (Over by 6.4%)



STANDARDS FOR GRANTING A VARIATION

- No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning and Zoning Commission and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:
 1. *The strict application of the terms of this Ordinance will result in undue hardship.*
 2. *The plight of the owner is due to unique circumstances.*
 3. *The variation, if granted, will not alter the essential character of the locality.*
- The Zoning Administrator, Planning and Zoning Commission and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate:
 1. *The particular physical surroundings, shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.*
 2. *The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.*
 3. *The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.*
 4. *The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety or impair property values within the neighborhood.*
 5. *The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.*
 6. *The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.*

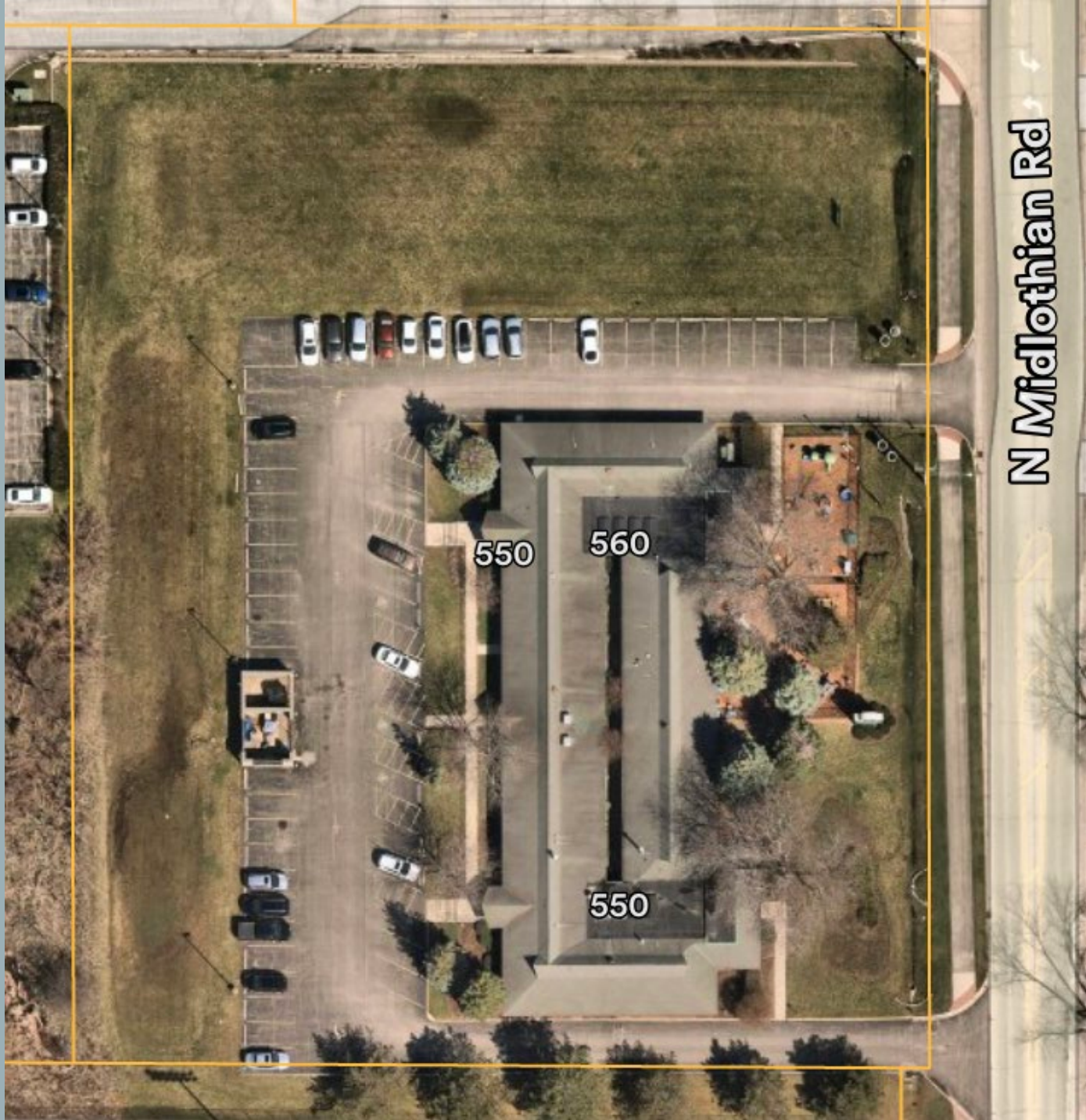
VILLAGE STAFF OVERVIEW:
550 NORTH MIDLOTHIAN ROAD

PZC-16-2023
June 19, 2024

BACKGROUND HISTORY

- VNA Properties Mundelein IL, LLC, owns the property.
- This property includes tenants such as the Serendipity Child Care Center of Mundelein, the Integrated Wellness Center, and the vacant lot north of the medical building.
- It is **2.58** acres in size.
- The owner desires to subdivide the property to create an individual lot to construct a commercial strip mall.
- The subdivision would result in **two** lots with an area of **1.961 acres and 0.628 acres**.

AERIAL



Lot 2

Lot 1

N Midlothian Rd



CLM - MUNDELEIN SUBDIVISION

LOT 1
THE NORTH LINE OF THE SOUTH 371 FEET OF THE EAST 344 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24-44-10

304.01'

-10 Feet Commonweath Edison Co. & Illinois Bell Telephone Co. Easement per Doc. No. 1291628-

FOUND IRON PIPE AT PROP. CORNER

40.00'

LOT 2
26,751 SQ.FT. = 0.614 ACRE.

304.01'

255.00'
215.00'

LOT 1
86,037 SQ.FT. = 1.975 ACRE.

LOT 3

THE WEST LINE OF THE EAST 344 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24-44-10

371.02'

283.02'

205.00'

-10 Feet Commonweath Edison Co. & Illinois Bell Telephone Co. Easement per Doc. No. 1291628-

20 Feet Minimum Setback

Rear Yard

Sideback

Front Yard

-10 Feet Public Utility and Drainage Easement-

FOUND IRON PIPE AT PROP. CORNER

40.00'

RD.
NOT B.O.W. - PUBLIC STREET OVERLIES LOT LINES FOR MAIN STREET by Doc. No. 377283
THE EAST LINE OF THE NORTHWEST 1/4 OF THE

MIDLOTHIAN

371.02'

283.02' & Easement per Doc. No. 1291628

-10 Feet Easement for Highway Purposes, Commonweath Edison Co. & Illinois Bell Telephone Co.

SET IRON ROD AT PROP. CORNER

40.00'

OWNER'S CERTIFICATE
STATE OF ILLINOIS
COUNTY OF LAKE SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ABOVE PLAT AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVISED AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY KNOWLEDGE AND ADAPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED HEREBY DEDICATED FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR HYDROGRAPHICAL, STREETS, ALLEYS AND PUBLIC SERVICES; AND HEREBY ALSO RESERVES FOR THE ILLINOIS BELL TELEPHONE COMPANY AND THE PUBLIC SERVICE COMPANY, DIVISION OF COMMONWEALTH EDISON COMPANY THE EASEMENT PROVISIONS WHICH ARE STATED ON THEIR STANDARD FORM WHICH IS ATTACHED HERETO.

DATED THIS DAY OF _____ A.D., 20____

OWNER _____ PRINTED NAME _____
OWNER _____ PRINTED NAME _____
ADDRESS OF OWNER: _____ ADDRESS OF OWNER: _____

TITLE: _____

ADDRESS OF OWNER: _____

NOTARY CERTIFICATE
STATE OF ILLINOIS
COUNTY OF LAKE SS

I, _____ A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS _____ A.D. 20____

BY: _____ NOTARY PUBLIC _____ PRINTED NAME _____

OWNER'S SURFACE WATER DRAINAGE CERTIFICATE
STATE OF ILLINOIS
COUNTY OF LAKE SS

THIS IS TO CERTIFY THAT _____ OWNER OF THE LAND HEREIN DESCRIBED OR FULLY AUTHORIZED ATTORNEY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC ARTERIES, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON THE PROPERTY OF ADJOINING LANDOWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS DAY OF _____ A.D. 20____

BY: _____ OWNER OR ATTORNEY _____ PRINTED NAME _____

TITLE: _____

ADDRESS OF OWNER: _____

ENGINEER'S SURFACE WATER DRAINAGE CERTIFICATE
STATE OF ILLINOIS
COUNTY OF LAKE SS

THIS IS TO CERTIFY THAT I, REGISTERED PROFESSIONAL ENGINEER, CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC ARTERIES, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON THE PROPERTY OF ADJOINING LANDOWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED _____ DAY OF _____ A.D. 20____

BY: _____ PROFESSIONAL ENGINEER _____ PRINTED NAME _____

PLANNING AND ZONING CERTIFICATE
STATE OF ILLINOIS
COUNTY OF LAKE SS

THIS IS TO CERTIFY THAT THE MEMBERS OF THE PLAN COMMISSION OF THE VILLAGE OF MUNDELEIN, ILLINOIS HAVE REVIEWED AND APPROVED THIS PLAT.

DATED AT MUNDELEIN, LAKE COUNTY, ILLINOIS, THIS _____ DAY OF _____ A.D. 20____

BY: _____ CHAIRMAN _____ PRINTED NAME _____

PROFESSIONALS ASSOCIATED-MM SURVEY CO.	
107632	
DATE:	REV ISIONS
10-03-2023.	PRELIMINARY PLAT FOR VILLAGE APPROVAL
01-24-2024.	ADDED SETBACKS FROM ZONING REPORT
01-30-2024.	CHANGED LOTS DIMENSIONS
03-06-2024.	CHANGED CERTIFICATES AND ADDED VOTUNITY MAP

ILLINOIS PROFESSIONAL LAND SURVEYOR NO.
MY LICENSE EXPIRES NOVEMBER 30, 2024.

[illegible]

FINDINGS OF FACT – VARIATION

CASE NUMBER	PZC-05-2024
PUBLIC HEARING DATE	June 19, 2024
VARIATION	A variation from Table 20.28-2 of Section 20.28.030 to permit a property to exceed the maximum lot coverage in the R-3 Residential Zoning District.
DRAFT MOTION	<u>Motion</u> by S. Schneckloth, second by K. Anderson to approve the Findings of Fact as published for PZC-05-2024 relating to a variation to Table 20.28-2 of Section 20.28.030 to permit a property to exceed the maximum impervious surface coverage in the R-3 Residential Zoning District.
On June 19, 2024, the Planning and Zoning Commission voted 4 - 0 for approval of a lot coverage variation to Table 20.28-2 of Section 20.28.030 to permit a property to exceed the maximum impervious surface coverage in the R-3 Residential Zoning District with the condition that the impervious surface coverage relief only applies to the proposed above-ground pool. If the proposed pool is removed, the square footage gained from the pool can only be used for replacement pools and cannot be used elsewhere on the lot.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
The strict application of the Zoning Ordinance would create an undue hardship for the petitioner because the Zoning Ordinance does not permit a residential property in the R-3 Zoning District to exceed the 50% maximum lot coverage. The Petitioner benefitted from a pool on the property for 39+ years, but as a result of removing it four years ago, the Petitioner lost the grandfathered-in lot coverage and cannot reinstall the pool.	
2. The plight of the owner is due to unique circumstances;	
The plight of the petitioner is due to unique circumstances because:(1) The former pool existed for 39 plus years; and (2) The Petitioner lost over 500 square feet of his property in October of 1999 to the widening of Maple Avenue, which reduced the amount of pervious surface he has to offset his impervious surface coverage.	
3. The variation, if granted, will not alter the essential character of the locality;	
The variation will not alter the essential character of the locality, since a few other neighboring properties are over the 50% lot coverage by amounts ranging from 6-10%. Additionally, the former pool previously existed for 39-plus years and the Village has never received a complaint.	
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
The Commission finds that the reduction in lot area as a result of 500 SF being acquired for the widening of Maple Avenue creates a hardship or difficulty to the applicant, as it is now more difficult for him to meet the impervious surface coverage maximum.	
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
The Commission finds that the Petitioner has not created this hardship because the State took over 500 square feet of the Petitioner's lot for the widening of Maple Avenue. The widening of Maple Avenue has reduced the amount of previous property that the owner has to offset his impervious surface.	
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
The Commission finds that the granting of the requested variation will not be detrimental to the public welfare in which the property is located, as this portion of the backyard was previously impervious for 39+ years without issue.	
4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	

5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.
The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.
6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.



Flaherty & Collins

Plaza Circle Redevelopment: “AREA”

Zoning Application for Multi-Family Residential

Staff Presentation
PZC-06-2024
June 19, 2024

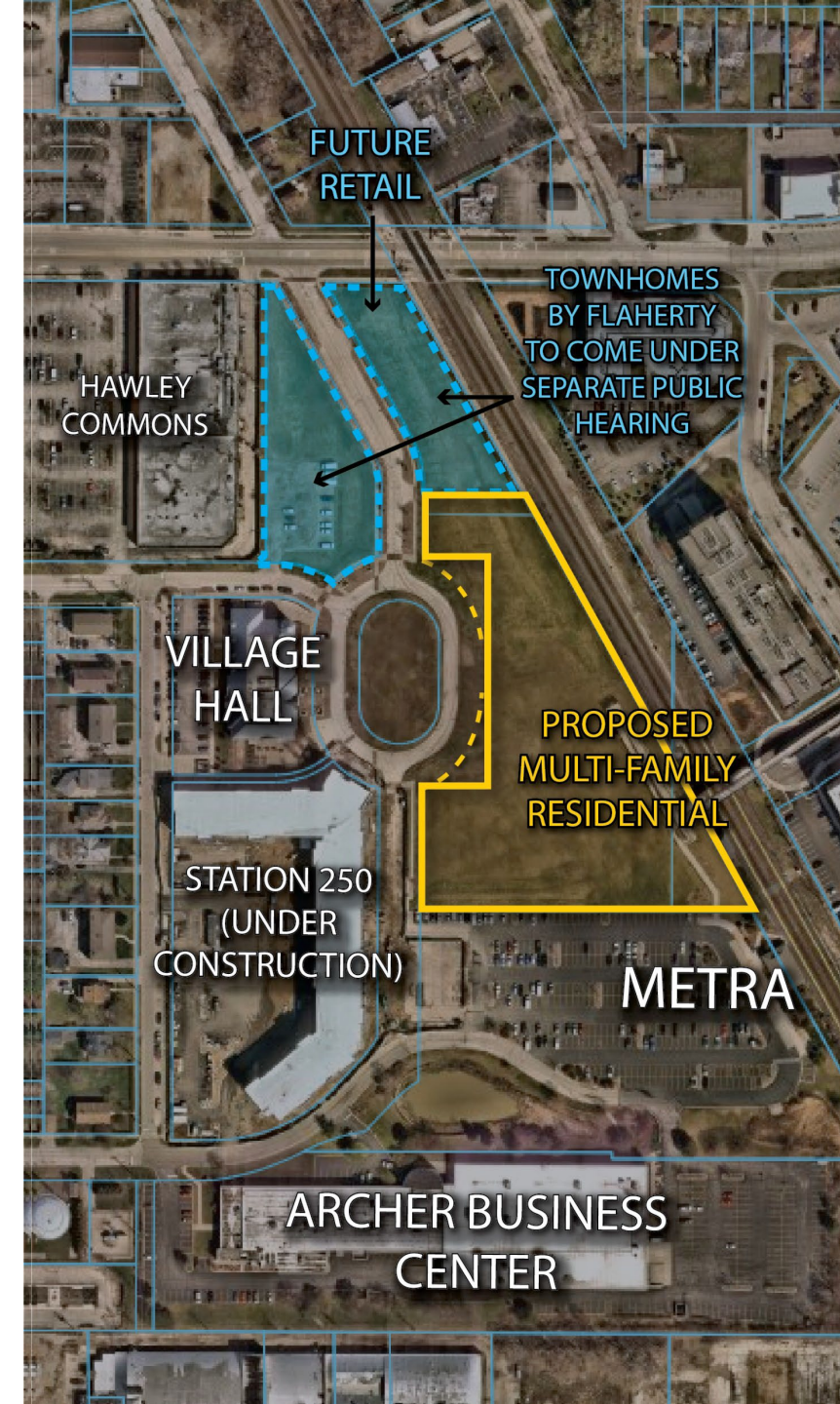
Village Hall Subdivision History

- Village Hall Subdivision was previously occupied by an industrial user (Sigma Services).
- Mundelein plans began to envision the area surrounding the Metra Station as a **focal point for the community**, including retail, residential, and civic uses:
 - *2004 - Transit Oriented Development (TOD) Plan*
 - *2005 - TIF district created to incentivize development*
 - *2012 - Master Redevelopment Implementation Plan*
 - *2012 – New Zoning Ordinance created the “Downtown” designation and phased out industrial users*
- To fulfill those goals, Village acquired the Sigma Services property to create the Village Hall Subdivision.
- In 2014, Village entered into a PPP with Weston Solutions to construct the first building (Mundelein Village Hall).
 - *Remainder of property was subdivided to create “shovel-ready lots”.*



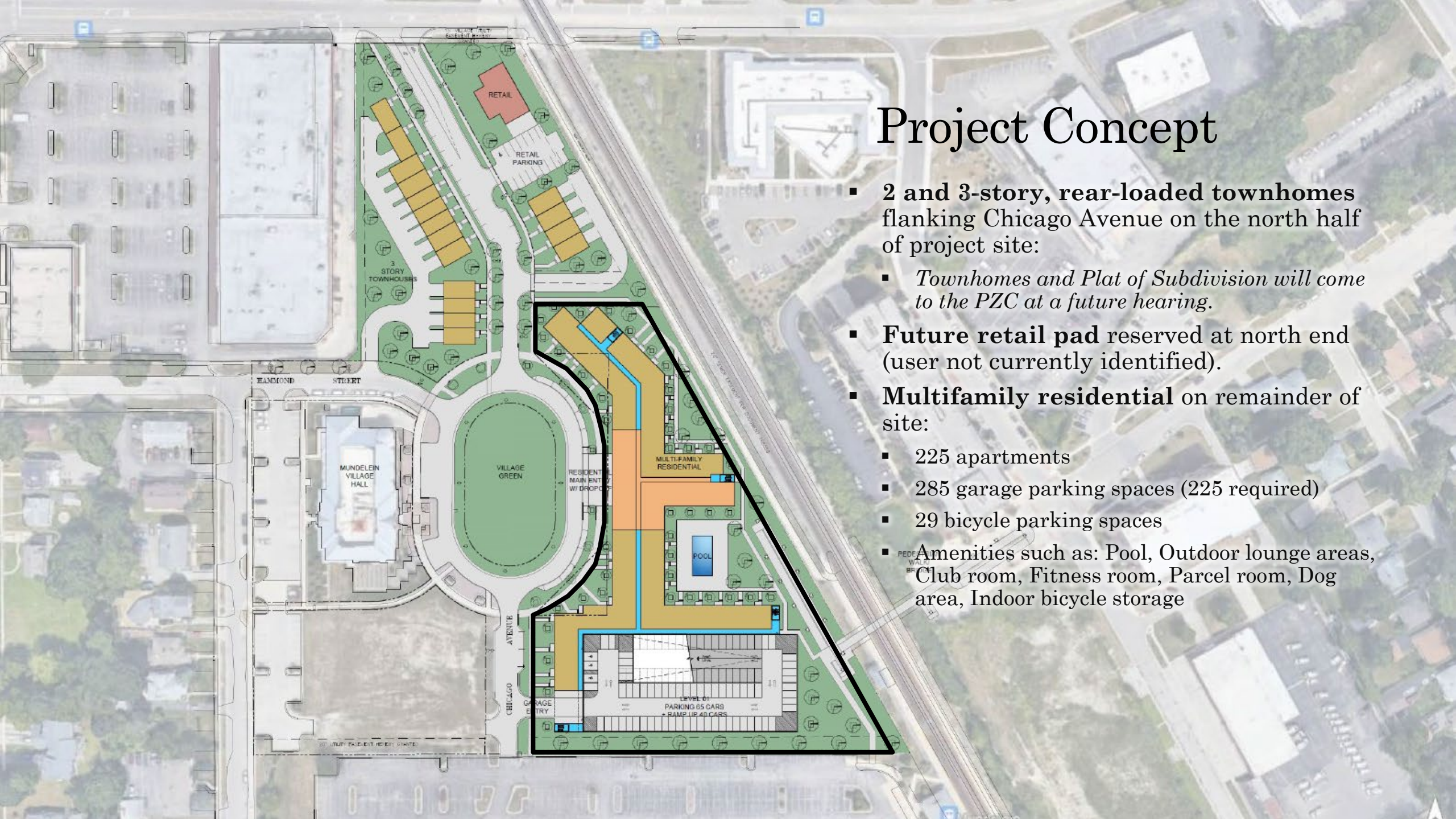
Village Hall Subdivision History

- Since then, Village has worked with interested developers to find the best fit for the subdivision.
- Older plans called for ground floor retail around the circle, but financial consultants, research, and market feedback indicate that retail would need more visibility to succeed. Plan has shifted to predominantly residential around the circle as a result, with the possibility for retail near Hawley Street.
- Station 250 (165 apartments) broke ground on Lot 3 in 2023.
- Flaherty & Collins, a multifamily developer, now proposes a project for the remainder of the lots:
 - *Lot 5 – Multifamily residential (225 apartments)*
 - *Lots 2 and 4 – Townhomes and a pad for future retail at the northernmost end.*
- Flaherty & Collins team has been working diligently with Mundelein since 2022 to create a site plan and architectural design that capture's Mundelein's vision for an urban, vibrant, walkable TOD.



Project Concept

- **2 and 3-story, rear-loaded townhomes** flanking Chicago Avenue on the north half of project site:
 - *Townhomes and Plat of Subdivision will come to the PZC at a future hearing.*
- **Future retail pad** reserved at north end (user not currently identified).
- **Multifamily residential** on remainder of site:
 - 225 apartments
 - 285 garage parking spaces (225 required)
 - 29 bicycle parking spaces
 - Amenities such as: Pool, Outdoor lounge areas, Club room, Fitness room, Parcel room, Dog area, Indoor bicycle storage



Plaza Improvements

- Developer agrees to make a \$300,000 contribution towards the design and construction of a public open space in the central plaza.
- Village agrees to complete the improvements no later than August 1, 2028.
- Plaza will feature landscaping and hardscaping, along with other possible features such as seating, open lawn space, pergolas, water features, lighting, and signage.



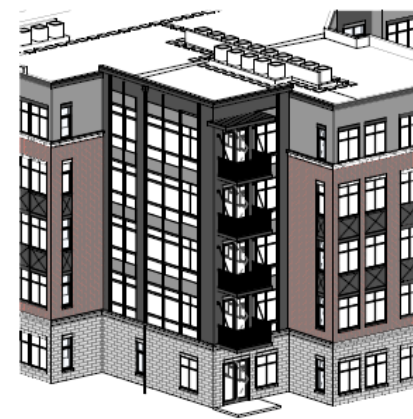
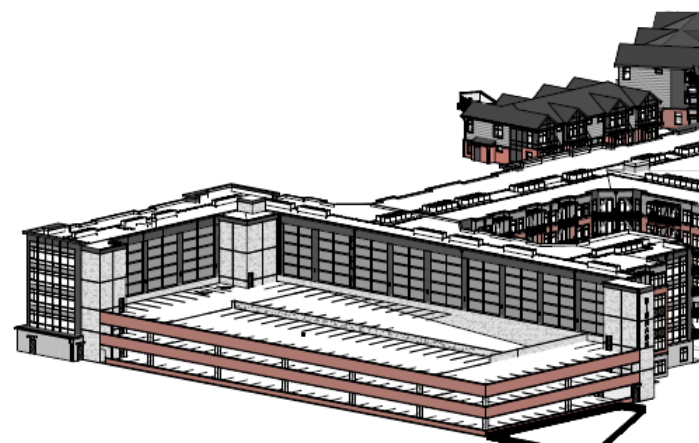
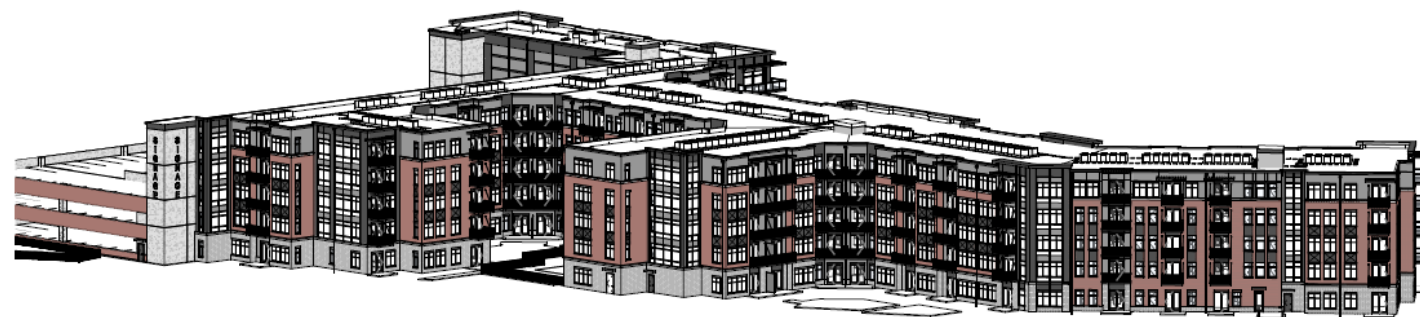
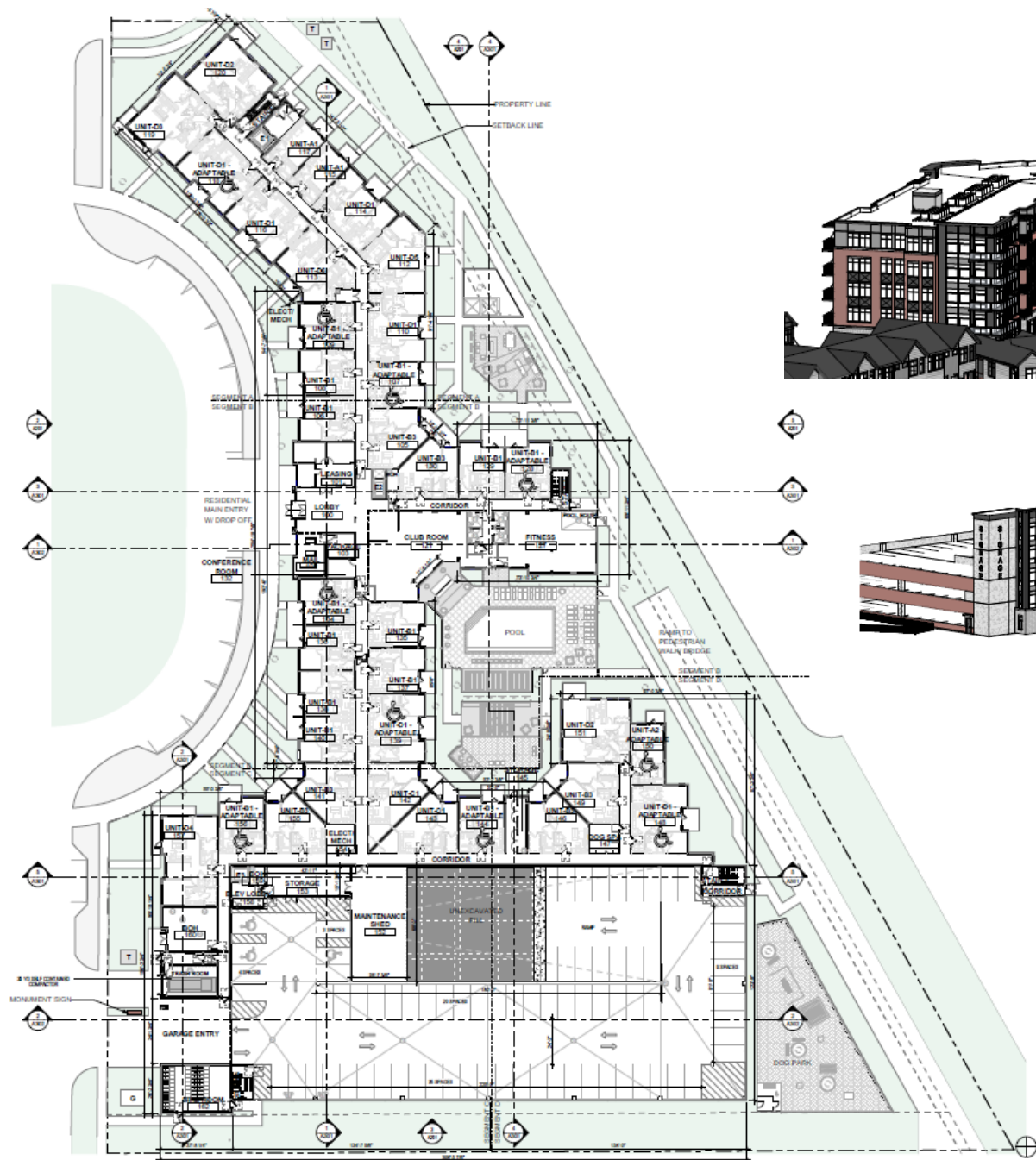
Multifamily Architectural Design



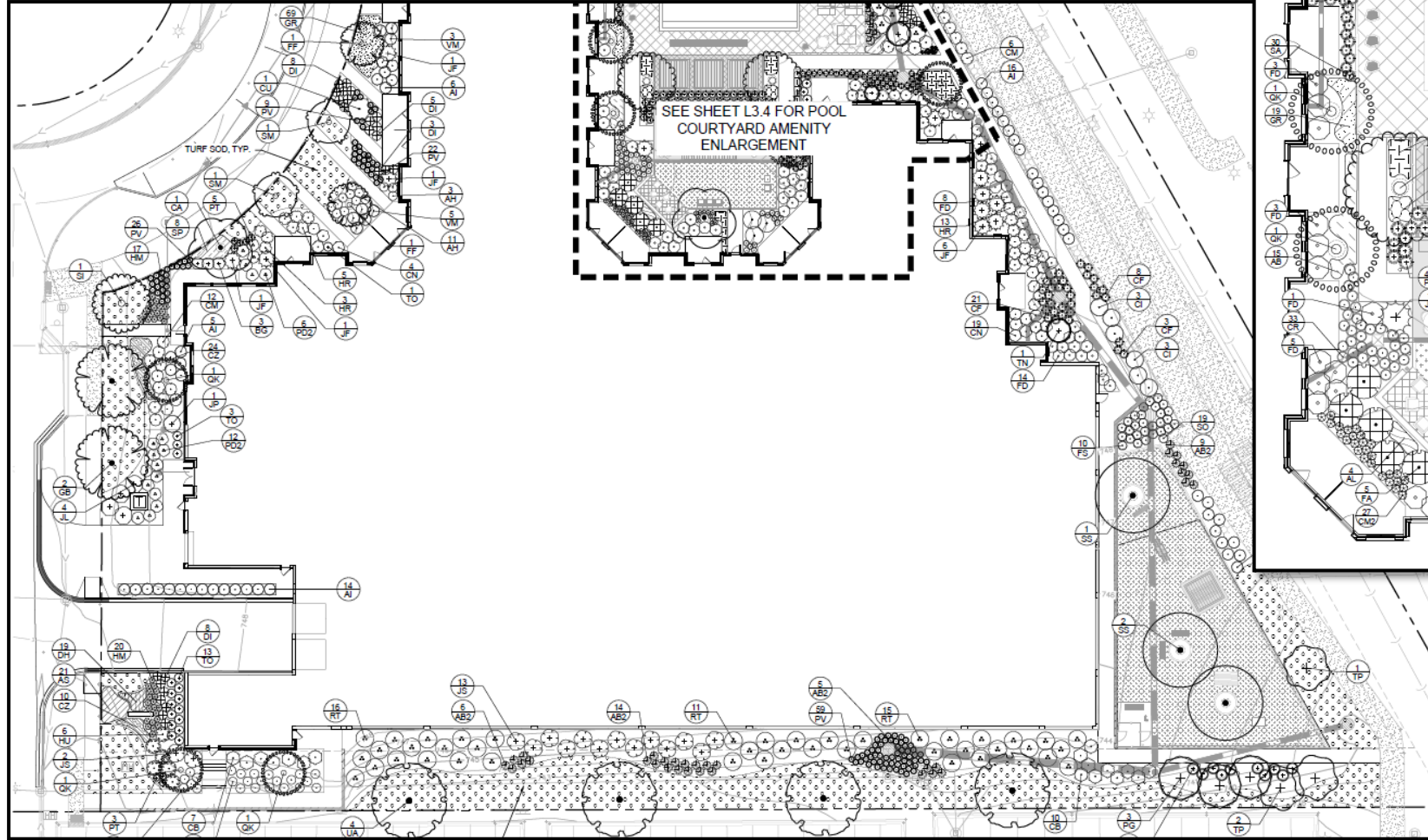
Multifamily Architectural Design

- Five stories
- High quality building materials - brick, stone, fiber cement accent panels, and metal accent panels.
- Important to Village during discussions:
 - Accentuated main entryway with a two-story appearance;
 - Building massing is broken up with articulation, building shape, and materials;
 - Taller appearance to first floor; and
 - Defined base, middle, and top of the building.
- Staff note – character and balance of the building aesthetic is more important than strict adherence to the Zoning Ordinance design requirements.

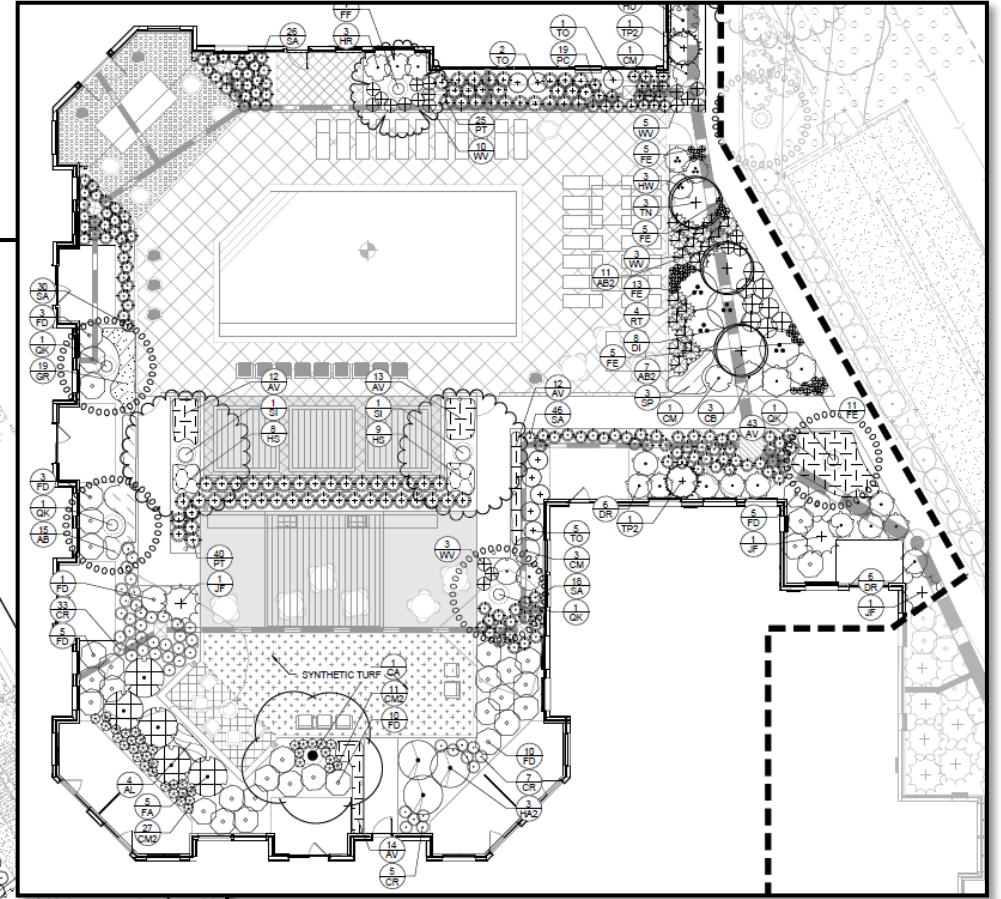




Landscape Plan Excerpts



South Half of Building



Rear Courtyard

Zoning Variation Requests (6)

General note: Due to the importance of building character in the Village Center, staff emphasizes quality design and balanced aesthetic over strict adherence to the Zoning Ordinance.

1. Upper Story Setback on Front Elevation





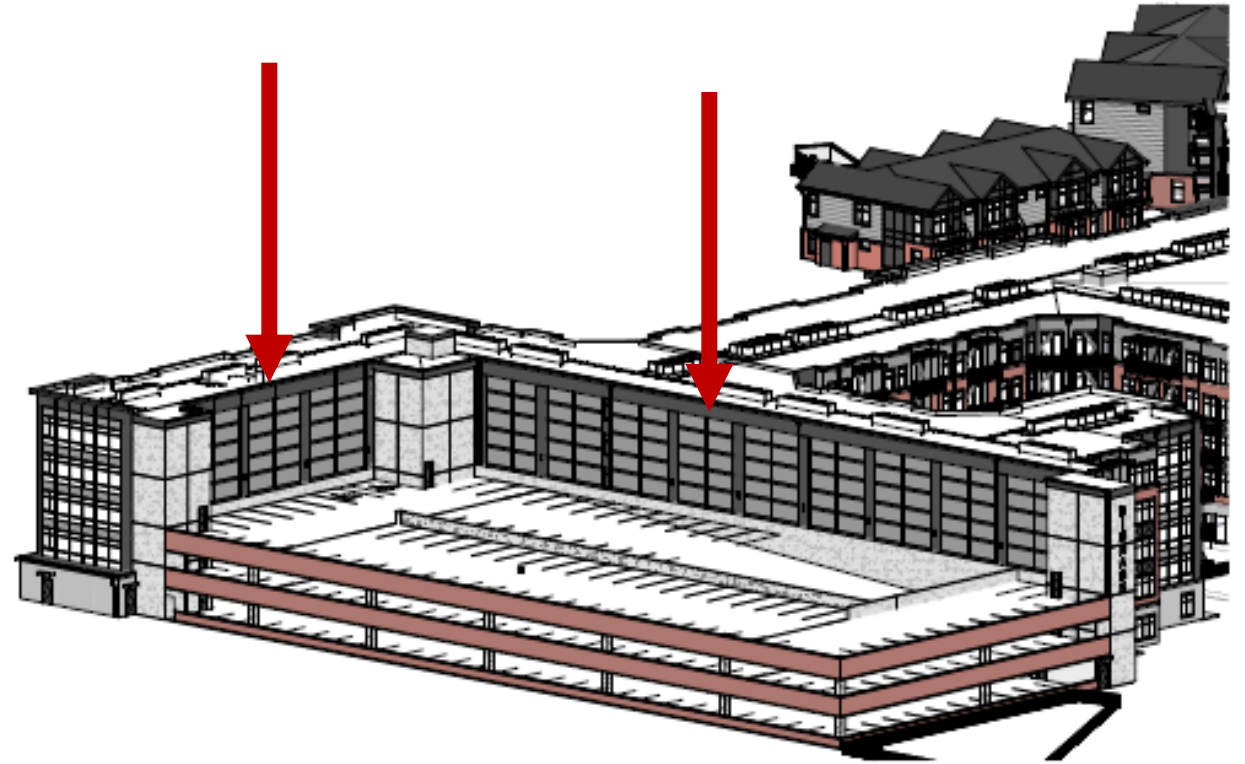
2. Flat Roofs

- Requirement: *Rooflines shall be modulated at max. every 75' through the use of varied roof heights.*
- Sections of the building on the west façade, east façade, and south façade have areas that exceed 75' of one roof height.
- Staff supports this variation:
 - On the west elevation, the architecture achieves a similar intent through **architectural details** near the top of the building, changes in **building materials**, and building articulation that **creates the illusion of varied height**.
 - The larger expanses without varied roof height are above the parking garage and face south/east.



3. Blank, Windowless Walls

- Requirement: *Blank, windowless walls are prohibited.*
- The facades above the parking garage are featureless and do not contain windows.
- Staff supports this variation:
 - There are building code requirements that put restrictions on the size and number of windows along the vertical plane where the principal building meets the parking structure.
 - The applicant has been advised that there is support for this variation if decorative elements are added to the garage and these facades in lieu of articulation.



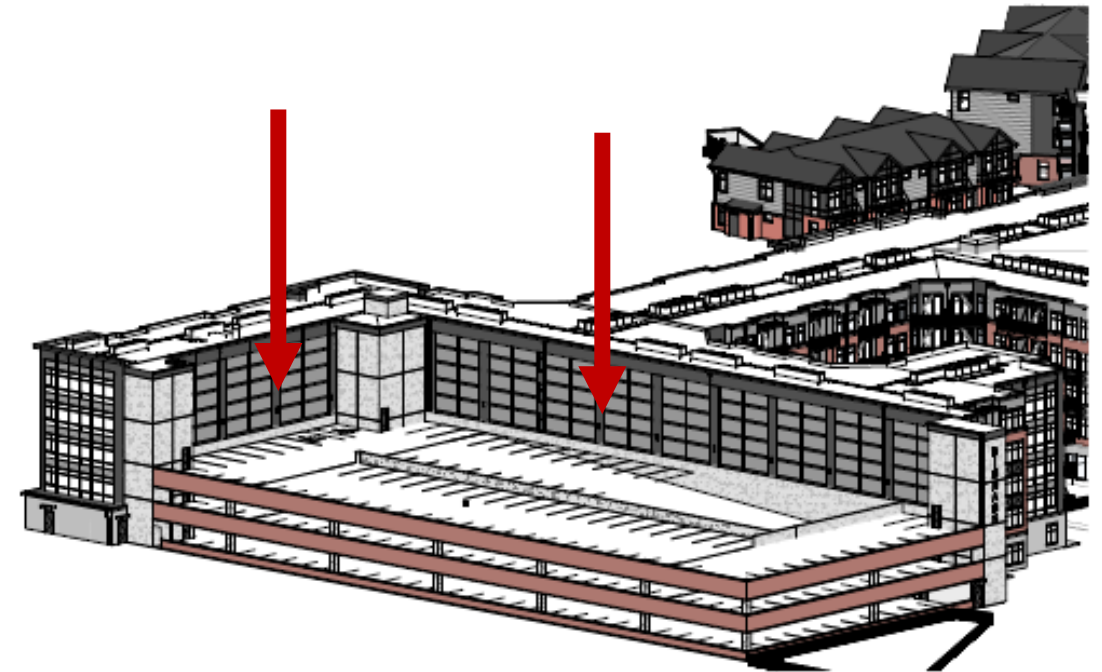
4. Window and Door Trim

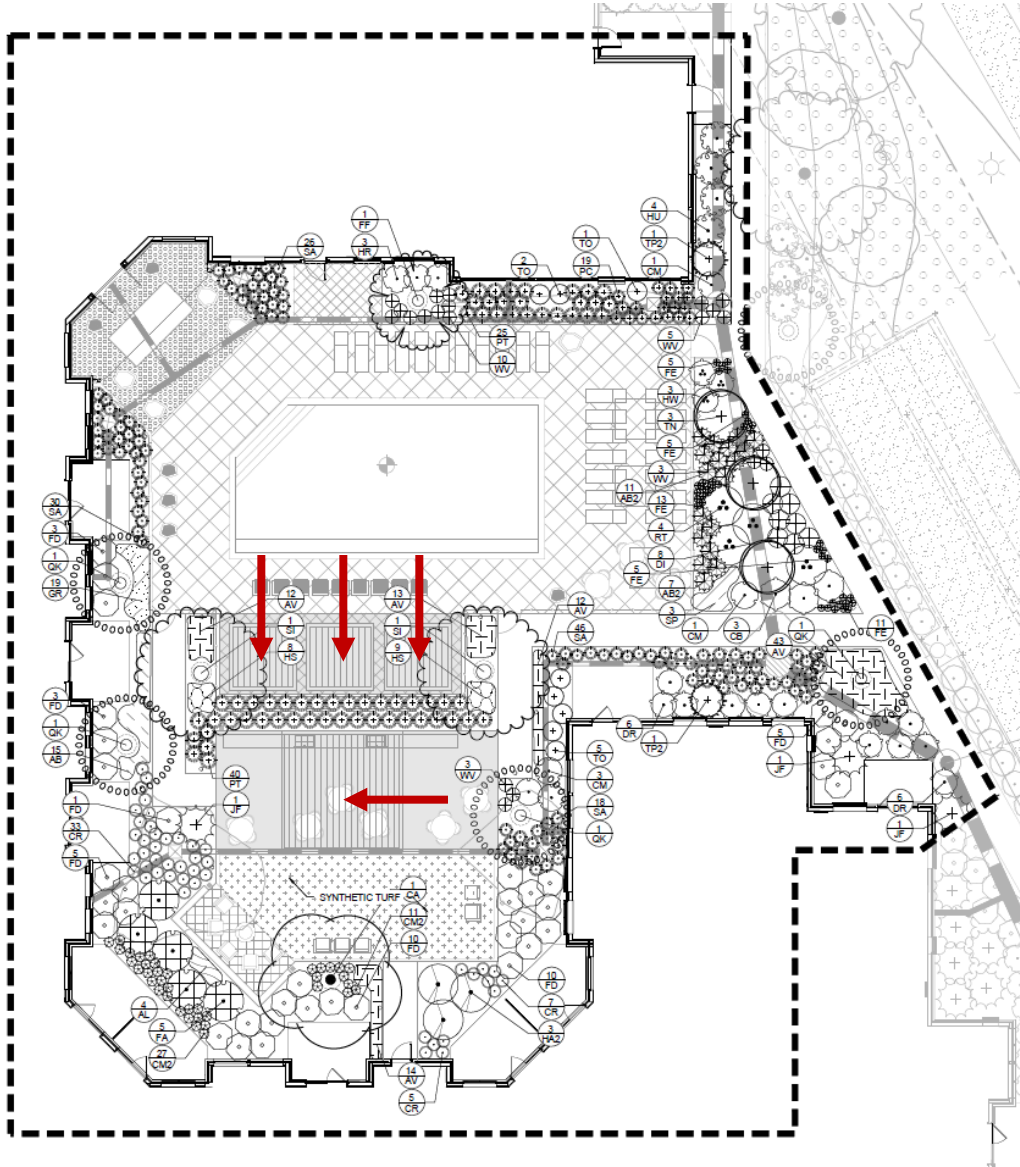
- Requirement: *All inside and outside corners and all sides of windows and doors **must contain window trim wraps of not less than 3 1/2"** unless the building is constructed of full masonry stone or stucco.*
- There are areas of the building that are not masonry/stucco but do not have 3 1/2" trim (fiber cement panel areas).
- Staff supports this variation:
 - The use of fiber cement panels is similar in look and feel to stucco.
 - The architectural style of the building is better suited for cleaner boundaries around windows, and it is not structurally required in this instance.



5. Building Articulation

- Requirement: *All facades require articulation of no less than 12" in depth and 36" in width.* Walls less than 25' in width are required one area of articulation. Walls between 25'-75' in width are required two significant areas of articulation. Walls over 75' are required one articulation of significance for every 25' in building width at regular intervals.
- Articulation requirement not met on the two walls above the parking garage, as well as the walls of the parking garage itself.
- Staff supports this variation:
 - The applicant has been advised that there is support for this variation if decorative elements are added to the garage and these facades in lieu of articulation.



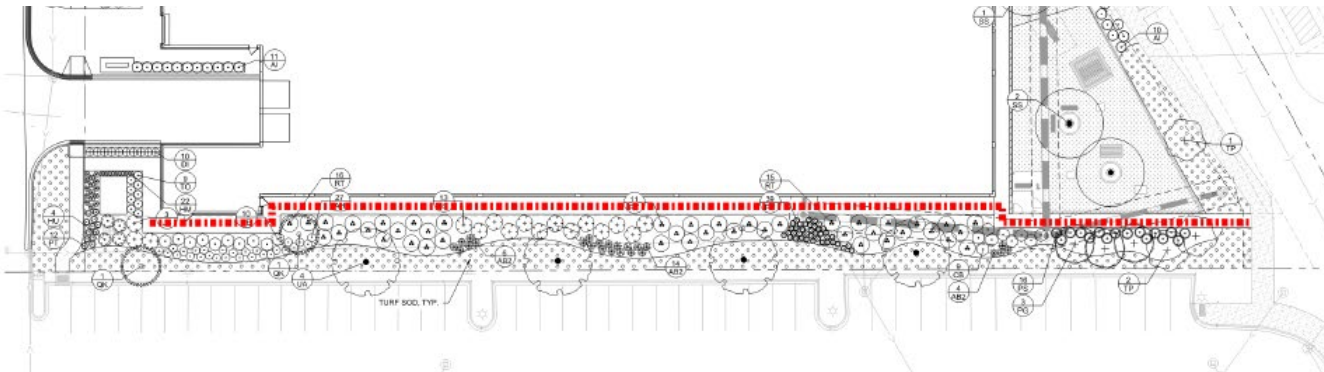


6. Accessory Structure Size

- Requirement: *Gazebos, pergolas, and other accessory structures are limited to 144 SF and 15' in height.*
- The rear amenity area contains pergolas and other structures up to 350 SF in size.
- Staff supports this variation:
 - The accessory structure standards were created with single-family and two-family in mind, and does not adequately address multi-family properties that serve a large population.

Two Recommended Conditions

1. A sidewalk must be installed along the south property line that connects Chicago Avenue to the Metra Station, the location and design of which is subject to Staff review and approval.
2. The Plat of Subdivision must be approved and recorded prior to building permit issuance.



Questions for Staff?
Next: Petitioner's Presentation

FINDINGS OF FACT – VARIATION (1) – UPPER STORY SETBACK

CASE NUMBER	PZC-06-2024
PUBLIC HEARING DATE	June 19, 2024
MOTION	Motion by S. Schneckloth, second by S. Petti to recommend approval of a variation from Section 20.36.040(C) granting relief in the upper story setback requirements for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented.
On June 19, 2024, the Planning and Zoning Commission voted 4-0 to recommend approval of the aforementioned motion, with a condition.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
DRAFT APPROVAL	The strict application of the Zoning Ordinance would create an undue hardship for the petitioner because the Zoning Ordinance cannot anticipate every architectural style that may be presented, making conflicts with the specific requirements of the code a likely occurrence. The Petitioner proposes a building with high-quality design and has worked closely with the Village Board and Staff to develop an architectural design that fits the Village’s vision for the Village Hall Subdivision.
2. The plight of the owner is due to unique circumstances;	
DRAFT APPROVAL	The plight of the petitioner is due to unique circumstances because the architecture achieves a similar effect through building articulation and visual segmentation (upper, middle, lower) through the use of materials and varied floor height.
3. The variation, if granted, will not alter the essential character of the locality;	
DRAFT APPROVAL	The variation will not alter the essential character of the locality because the number of stories only triggers this regulation by a one-story margin, as it is a five-story building. The requirement would simply force the top-most story to be setback, which will have minor impacts on the feeling the building creates at the street level.
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
DRAFT APPROVAL	The Commission finds that the particular physical surroundings, shape, or topographical conditions of the property do not present a particular hardship.
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
DRAFT APPROVAL	The Commission finds that the Petitioner has not created this hardship because the Village created their own Zoning Ordinance requirements, which cannot anticipate every architectural style that may be presented.
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
DRAFT APPROVAL	The Commission finds that the variation would not be detrimental to the public welfare in the neighborhood that the property is located within, as the Petitioner has presented a high-quality building design that mitigates any drawbacks caused by lack of upper story setback.
4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
DRAFT APPROVAL	The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	

DRAFT APPROVAL	The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which were written to encourage better building design within the Village Center.
6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.	
DRAFT APPROVAL	The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

FINDINGS OF FACT – VARIATION (2) – FLAT ROOFS

CASE NUMBER	PZC-06-2024
PUBLIC HEARING DATE	June 19, 2024
MOTION	Motion by S. Petti, second by K. Anderson to recommend approval of a variation from Section 20.36.040(C) granting relief in the varied roof height requirements for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented.
On June 19, 2024, the Planning and Zoning Commission voted 4-0 to recommend approval of the aforementioned motion.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
DRAFT APPROVAL	The strict application of the Zoning Ordinance would create an undue hardship for the petitioner because the Zoning Ordinance cannot anticipate every architectural style that may be presented, making conflicts with the specific requirements of the code a likely occurrence. The Petitioner proposes a building with high-quality design and has worked closely with the Village Board and Staff to develop an architectural design that fits the Village's vision for the Village Hall Subdivision. The significant size of the building also presents a particular hardship when it comes to incorporating frequent roofline height variations.
2. The plight of the owner is due to unique circumstances;	
DRAFT APPROVAL	The plight of the petitioner is due to unique circumstances because the architecture achieves a similar effect through architectural details near the top of the building, changes in building materials, and building articulation that creates the illusion of varied height from the ground level.
3. The variation, if granted, will not alter the essential character of the locality;	
DRAFT APPROVAL	The variation will not alter the essential character of the locality because the effect of the longer stretches without roofline variation are mitigated by building articulation. The areas that are less mitigated are on the rear and south elevations above the parking garage, and are less visible to the public.
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
DRAFT APPROVAL	The Commission finds that the particular physical surroundings, shape, or topographical conditions of the property do not present a particular hardship.
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
DRAFT APPROVAL	The Commission finds that the Petitioner has not created this hardship because the Village created their own Zoning Ordinance requirements, which cannot anticipate every architectural style that may be presented.
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	

<i>DRAFT APPROVAL</i>	The Commission finds that the variation would not be detrimental to the public welfare in the neighborhood that the property is located within, as the Petitioner has presented a high-quality building design that mitigates any drawbacks caused by lack of varied roof height.
4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
<i>DRAFT APPROVAL</i>	The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
<i>DRAFT APPROVAL</i>	The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which were written to encourage better building design within the Village Center.
6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.	
<i>DRAFT APPROVAL</i>	The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

FINDINGS OF FACT – VARIATION (3) – BLANK, WINDOWLESS WALLS

CASE NUMBER	PZC-06-2024
PUBLIC HEARING DATE	June 19, 2024
MOTION	Motion by S. Schneckloth, second by S. Petti to recommend approval of a variation from Section 20.36.050(B)(3) to allow two windowless walls above the parking garage for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented, with a condition.
On June 19, 2024, the Planning and Zoning Commission voted 4-0 to recommend approval of the aforementioned motion.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
<i>DRAFT APPROVAL</i>	The strict application of the Zoning Ordinance would create an undue hardship for the petitioner because the Building Code restricts wall openings (windows, doors) along the vertical plane where the principal structure meets the parking garage.
2. The plight of the owner is due to unique circumstances;	
<i>DRAFT APPROVAL</i>	The plight of the petitioner is due to unique circumstances because the building utilizes a parking garage to stack resident parking spaces in lieu of a large surface parking lot, which meets the goals of Village plans for the Village Center area.
3. The variation, if granted, will not alter the essential character of the locality;	
<i>DRAFT APPROVAL</i>	The variation will not alter the essential character of the locality because the applicant proposes to install a mural on the two featureless walls in lieu of windows, which will enhance the view of the south and east elevations.
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
<i>DRAFT APPROVAL</i>	The Commission finds that the particular physical surroundings, shape, or topographical conditions of the property do not present a particular hardship.

2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
<i>DRAFT APPROVAL</i>	The Commission finds that the Petitioner has not created this hardship because the Village created their own Zoning Ordinance requirements, which did not anticipate conflicts with attached parking garages.
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
<i>DRAFT APPROVAL</i>	The Commission finds that the variation would not be detrimental to the public welfare in the neighborhood that the property is located within, as the Petitioner has proposed to install a large mural on the two windowless walls that will enhance any views from that angle.
4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
<i>DRAFT APPROVAL</i>	The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
<i>DRAFT APPROVAL</i>	The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which encourage public art installations, especially in conjunction with new development.
6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.	
<i>DRAFT APPROVAL</i>	The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

FINDINGS OF FACT – VARIATION (4) – TRIM

CASE NUMBER	PZC-06-2024
PUBLIC HEARING DATE	June 19, 2024
MOTION	Motion by S. Schneckloth, second by K. Anderson to recommend approval of a variation from Section 20.36.050(5) granting relief from the window and door trim width requirement for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented.
On June 19, 2024, the Planning and Zoning Commission voted 4-0 to recommend approval of the aforementioned motion.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
1. The strict application of the terms of this Ordinance will result in undue hardship;	
<i>DRAFT APPROVAL</i>	The strict application of the Zoning Ordinance would create an undue hardship for the petitioner because the architectural style proposed by the developer, which is in line with the vision and goals of the Village, would not be well-suited for 3 ½” trim, and forcing it to be modified may compromise the aesthetic of the building.
2. The plight of the owner is due to unique circumstances;	
<i>DRAFT APPROVAL</i>	The plight of the petitioner is due to unique circumstances because the building otherwise achieves the intent of the code section, which is intended to encourage a certain standard of architecture quality in the Village Center.
3. The variation, if granted, will not alter the essential character of the locality;	
<i>DRAFT APPROVAL</i>	The variation will not alter the essential character of the locality because the lack of 3 ½” trim suits the architectural style of the building.
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
<i>DRAFT APPROVAL</i>	The Commission finds that the particular physical surroundings, shape, or topographical conditions of the property do not present a particular hardship.
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
<i>DRAFT APPROVAL</i>	The Commission finds that the Petitioner has not created this hardship because the Village created their own Zoning Ordinance requirements, which do not anticipate every architectural style.
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
<i>DRAFT APPROVAL</i>	The Commission finds that the variation would not be detrimental to the public welfare in the neighborhood that the property is located within, as the Petitioner proposes an aesthetically appealing building.
4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
<i>DRAFT APPROVAL</i>	The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
<i>DRAFT APPROVAL</i>	The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which are designed to encourage a certain standard of architectural quality.
6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.	
<i>DRAFT APPROVAL</i>	The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

FINDINGS OF FACT – VARIATION (5) – BUILDING ARTICULATION

CASE NUMBER	PZC-06-2024
PUBLIC HEARING DATE	June 19, 2024
MOTION	Motion by S. Schneckloth, second by S. Petti to recommend approval of a variation from Section 20.36.050(C)(1)(a) granting relief from the building articulation requirements on and above the parking garage for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented.
On June 19, 2024, the Planning and Zoning Commission voted 4-0 to recommend approval of the aforementioned motion.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
4. The strict application of the terms of this Ordinance will result in undue hardship;	
<i>DRAFT APPROVAL</i>	The strict application of the Zoning Ordinance would create an undue hardship for the petitioner because building code requirements create difficulty in introducing articulation in the parking garage, and may be cost prohibitive.
5. The plight of the owner is due to unique circumstances;	
<i>DRAFT APPROVAL</i>	The plight of the petitioner is due to unique circumstances because the areas lacking articulation are facing the rear, and the Petitioner is proposing to mitigate the lack of articulation with public art and lighting fixtures.
6. The variation, if granted, will not alter the essential character of the locality;	

DRAFT APPROVAL	The variation will not alter the essential character of the locality because the areas lacking articulation are facing the rear, and the Petitioner proposes a mural above the parking garage (as well as small murals and sconces on the exterior walls of the parking garage), which will enhance views of the area.
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
7. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
DRAFT APPROVAL	The Commission finds that the particular physical surroundings, shape, or topographical conditions of the property do not present a particular hardship.
8. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
DRAFT APPROVAL	The Commission finds that the Petitioner has not created this hardship because the Zoning Ordinance does not adequately address parking garages that are attached to principal structures.
9. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
DRAFT APPROVAL	The Commission finds that the variation would not be detrimental to the public welfare in the neighborhood that the property is located within, as the Petitioner proposes to offset the lack of articulation with public art and lighting fixtures.
10. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
DRAFT APPROVAL	The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.
11. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
DRAFT APPROVAL	The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which are designed to ensure the building is attractive from all angles.
12. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.	
DRAFT APPROVAL	The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

FINDINGS OF FACT – VARIATION (6) – ACCESSORY STRUCTURE SIZE

CASE NUMBER	PZC-06-2024
PUBLIC HEARING DATE	June 19, 2024
MOTION	Motion by S. Schneckloth, second by K. Anderson to recommend approval of a variation from Section 20.36.080 granting relief from the maximum accessory structure size and height for the proposed multifamily building at 275-301 Plaza Circle and to approve the Findings of Fact as presented.
On June 19, 2024, the Planning and Zoning Commission voted 4-0 to recommend approval of the aforementioned motion.	
<i>No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:</i>	
7. The strict application of the terms of this Ordinance will result in undue hardship;	
DRAFT APPROVAL	The strict application of the Zoning Ordinance would create an undue hardship for the petitioner because the Zoning Ordinance does not adequately address accessory structures suited for common area use by larger populations, like in a multifamily building. If the applicant were to install compliant

	gazebos and pergolas, they would be out of scale with the surrounding building and not be functional for the proposed use.
8. The plight of the owner is due to unique circumstances;	
<i>DRAFT APPROVAL</i>	The plight of the petitioner is due to unique circumstances because the proposed accessory structures are in a shared common area for a large multifamily building, and not on a single-family or two-family residential property, which have smaller lots and buildings.
9. The variation, if granted, will not alter the essential character of the locality;	
<i>DRAFT APPROVAL</i>	The variation will not alter the essential character of the locality because the proposed accessory structures are appropriate in relation to the size and scale of the surrounding multifamily building.
<i>The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.</i>	
13. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.	
<i>DRAFT APPROVAL</i>	The Commission finds that the particular physical surroundings, shape, or topographical conditions of the property do not present a particular hardship.
14. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.	
<i>DRAFT APPROVAL</i>	The Commission finds that the Petitioner has not created this hardship because the Zoning Ordinance does not adequately address accessory structures for multifamily buildings.
15. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.	
<i>DRAFT APPROVAL</i>	The Commission finds that the variation would not be detrimental to the public welfare in the neighborhood that the property is located within, as the structures are appropriately sized in relation to the multifamily building.
16. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.	
<i>DRAFT APPROVAL</i>	The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.
17. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.	
<i>DRAFT APPROVAL</i>	The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies, which encourage amenities and outdoor common areas.
18. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.	
<i>DRAFT APPROVAL</i>	The value of the property in question will not be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.