

CALL TO ORDER

The Regular Meeting of the Planning and Zoning Commission of the Village of Mundelein was held on November 6, 2024 at 300 Plaza Circle, Mundelein. Chair Terry Roswick called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Chair Roswick led the Pledge of Allegiance.

ATTENDANCE

Secretary Erin Swanson took the roll call. It indicated as follows:

Board Attendance

PRESENT: Chairman Roswick, Commissioner Anderson, Commissioner Garesche, Commissioner Holden, Commissioner Petti, Commissioner Schneckloth
ABSENT: Commissioner Teehan

Village Attendance

PRESENT: Senior Planner Colleen Malec, Recording Secretary Erin Swanson
ABSENT:

MINUTES APPROVAL

Approve the Planning and Zoning Commission Regular meeting minutes from September 4, 2024

Motion to approve the September 4, 2024, Planning and Zoning Commission Regular Meeting Minutes.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Kevin Anderson
SECONDER:	Commissioner Jennifer Holden
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

PUBLIC COMMENTARY

There was no public commentary.

OLD BUSINESS

There was no old business.

NEW BUSINESS

428 N Chicago Avenue - Plat of Vacation - Fenton Brewing

C. Malec reviewed the attached presentation and gave a brief overview of the case.

Scott Hezner of Hezner Corporation gave a description of the brew pub facility that is being designed for conceptual design and construction on the parcel. No variations will be requested for the project other than anticipated signage.

Commissioner S. Schneckloth raised questions on easements of the property. C. Malec noted that the Village Attorneys are already looking into any possible easement conflicts.

Chair T. Roswick requested any public commentary. There were no public comments regarding the plat of vacation.

Motion to Recommend Approval of a Plat of Vacation regarding the public alley south of 428 N Chicago Avenue.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Steven Petti
SECONDER:	Commissioner Sophia Schneckloth
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

PUBLIC HEARING - PZC-16-2024 - Flaherty & Collins – Townhouses (322-360, 331-339, and 385 Plaza Circle)

Motion to Open Public Hearing PZC-16-2024

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Jennifer Holden
SECONDER:	Commissioner Steven Petti
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth

NAYS: None
ABSTAIN: None

C. Malec reviewed the attached presentation and gave a detailed history of the case. The petitioner is requesting a special use to allow for Townhouses, as well as four variations regarding articulation of the townhouses. Commissioner K. Garesche questioned if the design was reviewed by Trustees. C. Malec confirmed that the negotiating team has been working with Flaherty and Collins on the design being presented.

Zack Henley of Flaherty and Collins and Craig Pryde of KTGy were sworn in. Mr. Henley gave a background a overall philosophy of Flaherty and Collins' approach to choosing and getting established in new communities. Mr. Pryde discussed the design approach of the multifamily project.

Mr. Henley gave an overview of the site plan of the townhouse project and reviewed the floor plans. Mr. Pryde gave an overview on the style of architecture and the multiple drafts gone over with staff and Trustees to make the townhouses better match the vision and architectural character of the Village Center.

Commissioner K. Anderson raised questions on the amount of variations on both the multifamily and townhouse projects. He inquired if our current zoning code is too restrictive for design. Mr. Pryde felt that the zoning code is not too restrictive as it is designed to create consistency throughout the community and the variations are made to assist with hardships. The variations requested are being requested in a holistic approach with the intent of the code in mind. C. Malec reiterated that the intent of the code is to create a baseline quality of architecture in the village, but the code cannot anticipate every architectural style and vision.

Commissioner K. Garesche inquired as to the location of the balconies above the garage and if that is standard design practice. There are several townhouses located within the Village that also have this design feature. C. Malec added that this allows for some privacy for the residents and keeps items like grills, storage, etc. out of public view.

Chair T. Roswick opened the floor to public commentary. There were no public comments received by staff.

Melanie Barret, an owner in the Cardinal Square building, was sworn in. She wanted to know what the new view would be as they are now used to the open field view. C. Malec and Mr. Pryde opened the aerial design to show Ms. Barret what the layout of the building would be. Ms. Barret inquired if the Village would meet with the Cardinal Square Condominium Association Board of Directors to give them an opportunity to weigh in on the project. T. Roswick let Ms. Barret know that the current meeting would

be the time to comment on the townhouse proposal, and the multifamily project was already passed at a previous meeting. Ms. Barret claimed that she knew of some owners who did not receive a notification about the meeting, so not everyone from the Cardinal Square building would be able to weigh in. C. Malec requested the names so that the Village could research the issue to ensure that everyone was on the mailing list that went out. (This item has since been addressed by staff). C. Malec did let Ms. Barret know that the item will progress to the Village Board and she is welcome to attend that meeting to speak as well.

Therese and Patrick Lupton, owners in the Cardinal Square building, were sworn in. Therese spoke about the open space and how the population enjoyed the open area for the annual Forth of July celebration in 2023 when it was held there.

Chair T. Roswick closed the floor to public commentary.

Commission Discussion

S. Schneckloth discussed the item on the parking garage and how the commission requested further design features to make the building more visually appealing. J. Holden clarified that the parking garage motion is a follow-up item that is separate from the public hearing on the townhouses.

Motion to recommend Approval of a Special Use pursuant to Section 20.36.020 for Townhouses in the C-5-VC Zoning District, including the findings of fact as presented.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Kevin Anderson
SECONDER:	Commissioner Kerry Garesche
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None
ABSTAIN:	None

Motion to recommend Approval of a Variation from Section 20.36.050(B)(8)(b) regarding window setbacks and projections, including the findings of fact as presented.

RESULT:	Passed [Yes 6, No 0, Abstained 0]
MOVER:	Commissioner Jennifer Holden
SECONDER:	Commissioner Steven Petti
AYES:	Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS:	None

ABSTAIN: None

Motion to recommend Approval of a Variation from 20.36.050(C)(1)(a) regarding building articulation on the side and rear elevations, including the findings of fact as presented.

RESULT: Passed [Yes 6, No 0, Abstained 0]
MOVER: Commissioner Steven Petti
SECONDER: Commissioner Sophia Schneckloth
AYES: Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

Motion to recommend Approval of a Variation from Section 20.36.050(H)(1) regarding attached garage details, including the findings of fact as presented.

RESULT: Passed [Yes 6, No 0, Abstained 0]
MOVER: Commissioner Jennifer Holden
SECONDER: Commissioner Sophia Schneckloth
AYES: Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

Motion to recommend Approval of a Variation from Table 20.36-5 of Section 20.36.040 regarding the front build-to zone for townhouses, with the findings of fact as presented.

RESULT: Passed [Yes 6, No 0, Abstained 0]
MOVER: Commissioner Steven Petti
SECONDER: Commissioner Jennifer Holden
AYES: Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

Motion to Accept the redesigned architectural elevations for the previously approved multi-family building regarding enhanced vertical uprights above the parking garage, with the findings of fact as presented.

RESULT: Passed [Yes 6, No 0, Abstained 0]
MOVER: Commissioner Kerry Garesche
SECONDER: Commissioner Sophia Schneckloth
AYES: Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

Motion to Close Public Hearing PZC-16-2024

RESULT: Passed [Yes 6, No 0, Abstained 0]
MOVER: Commissioner Jennifer Holden
SECONDER: Commissioner Steven Petti
AYES: Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

QUESTIONS AND COMMENTS

ADJOURNMENT

Motion to Adjourn the Planning and Zoning Commission Meeting of November 6, 2024.

RESULT: Passed [Yes 6, No 0, Abstained 0]
MOVER: Commissioner Steven Petti
SECONDER: Commissioner Sophia Schneckloth
AYES: Terry Roswick, Kevin Anderson, Kerry Garesche, Jennifer Holden, Steven Petti, Sophia Schneckloth
NAYS: None
ABSTAIN: None

The Regular Scheduled Meeting adjourned at 8:19 PM.

Respectfully Submitted,

Erin Swanson

Erin Swanson
Recording Secretary

Sign-In Sheet

NAME/COMPANY

ADDRESS

PHONE/EMAIL

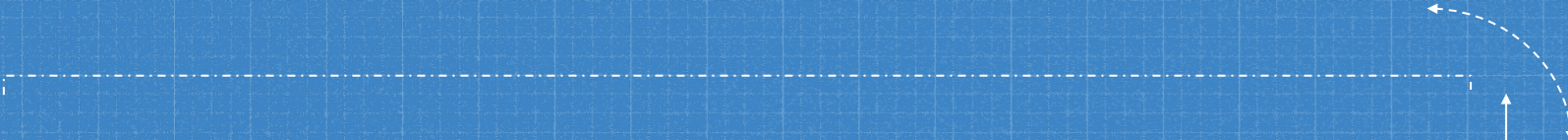
Name: ZACH HENLEY		Phone: 317-213-5413
Company: FLCO		Email: henleyzc@gmail.com
Name: CRAIG PRYDE		Phone: 630-881-3950
Company: KTSY		Email: CPRYDE@KTSY.COM
Name: Ben Fenton	428 N. Chicago	Phone: 847-533-4771
Company: Fenton Brewing		Email: BenXfenton@outlook.com
Name: Joe Fenton		Phone: 847-533-4291
Company: Fenton Brewing	438 N. Ch. Co	Email: Joe.fenton@comcast.net
Name: Alex Fenton		Phone: 847 533 4192
Company: Fenton BREW	" "	Email: alexfenton18@hotmail.com
Name: NANCY FENTON		Phone: (847) 533-4290
Company: FENTON BREWING	" "	Email: nancyifenton@comcast.net
Name: Venul Kakumani		Phone: }
Company:		Email: } 2243212608
Name: Hima Kakumani		Phone: }
Company:		Email: } venulkakumani@icloud.com
Name: HASVIKA KUMARI		Phone:
Company:		Email:
Name:		Phone:
Company:		Email:
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Village Hall

Sign-In Sheet

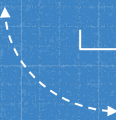
PHONE/EMAIL

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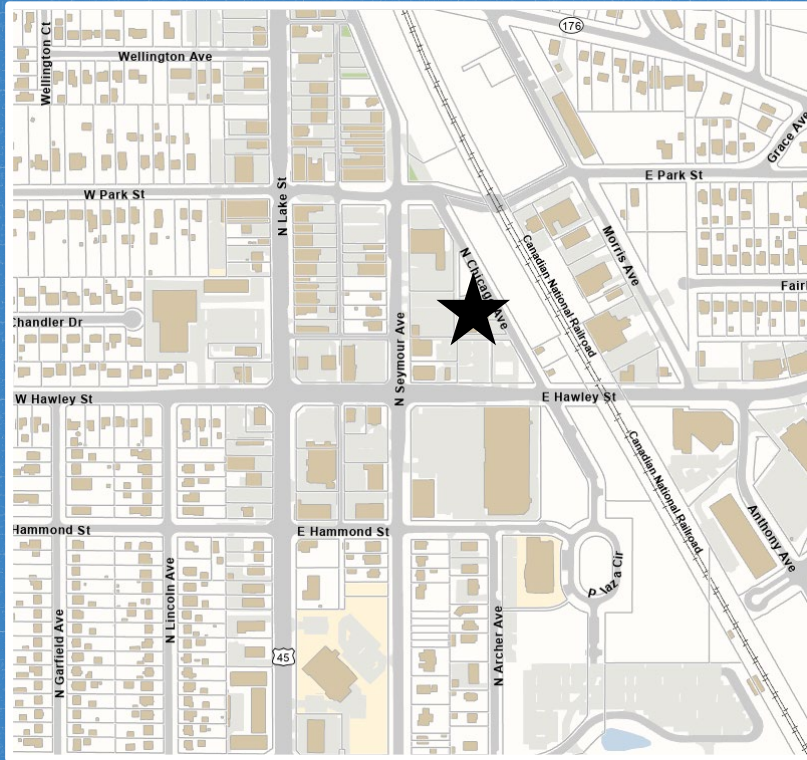
Fentons Brewing Company

Plat of Vacation – 428 N. Chicago

Staff Presentation – November 6, 2024

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PROPERTY LOCATION



HISTORY



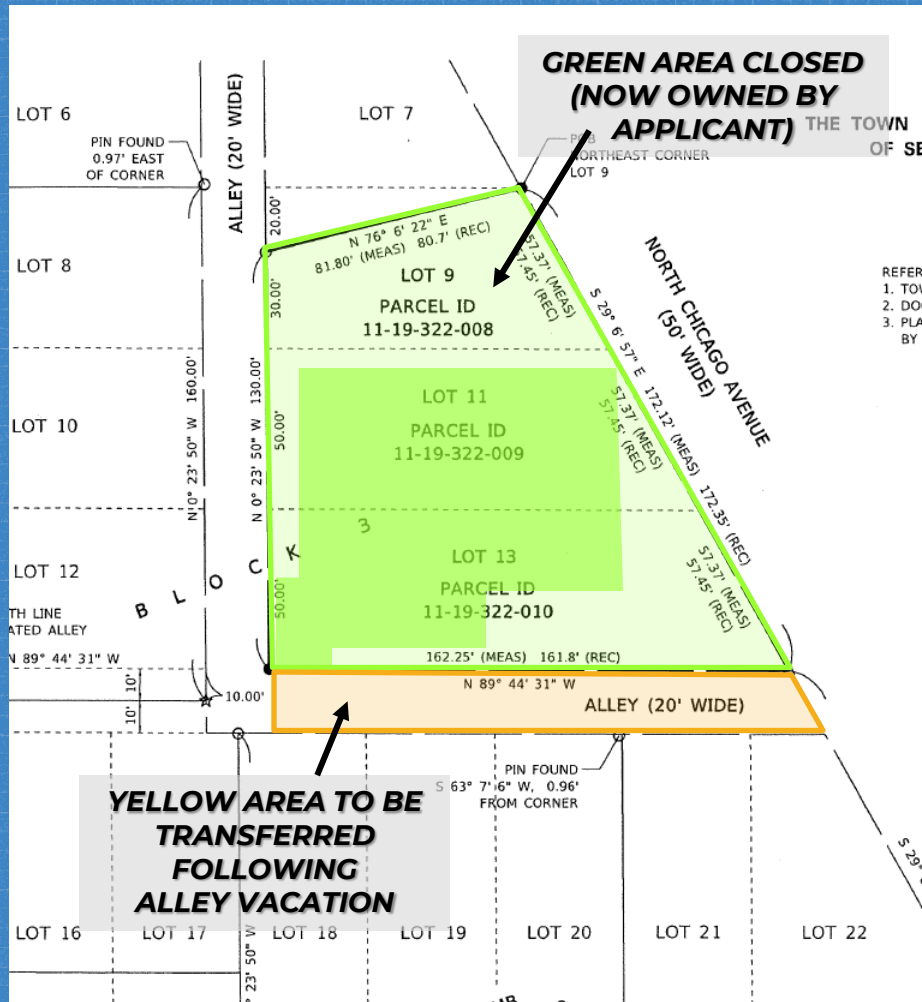
- Property owned by Village since at least 1910.
- Home to many municipal uses for a century.
- For the last 70 years, it was home to the Public Works Water Division.
- After the new Public Works Headquarters was built in 2020, space was vacated.
- For 4 years, it was used as an incubator for the Mundelein Tool Library. It also housed the North Central 'O' Gaugers Model Railroad Club.
- Both occupants have relocated within Downtown Mundelein.

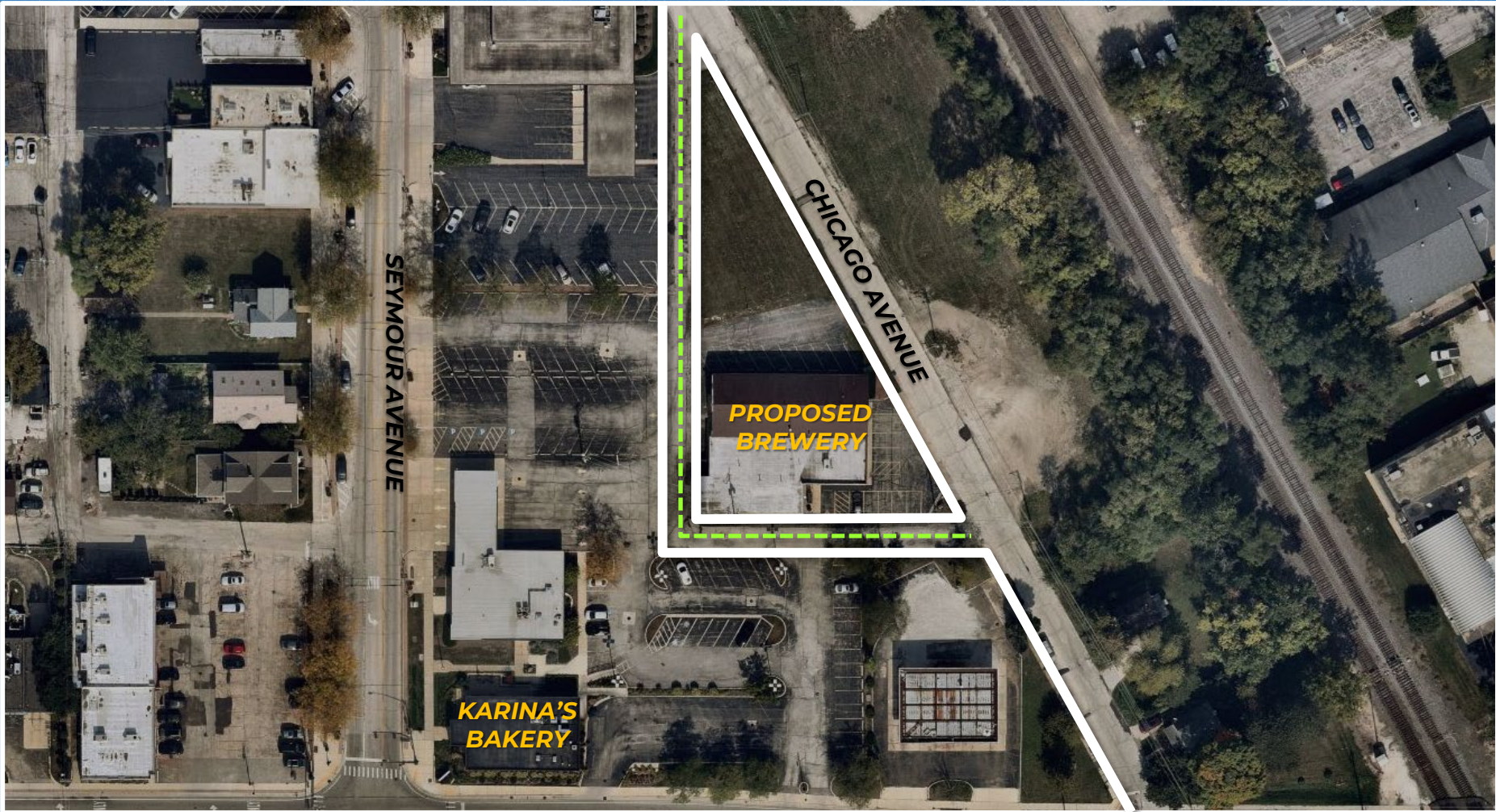
An aerial photograph of a commercial property in a winter setting. The central focus is a large, single-story white building with a brown gabled roof. It has several large garage-style doors on the left side and a sign that partially reads "REPAIRS". To the left of this building is a parking lot with several cars parked. To the right is a larger, mostly empty parking lot. In the background, there are other commercial buildings, a road, and a snow-covered field. The foreground shows the edge of a roof with a metal grate. A blue arrow icon is in the bottom right corner.

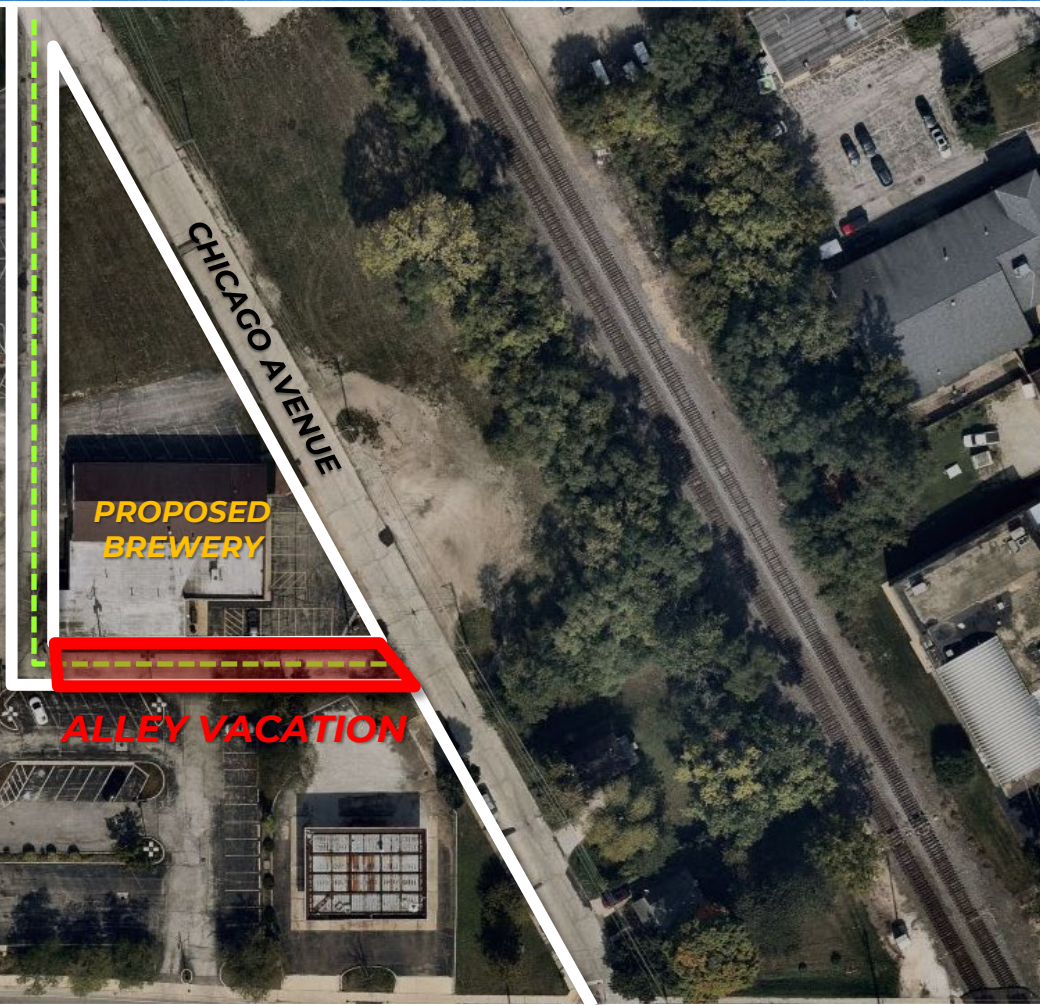
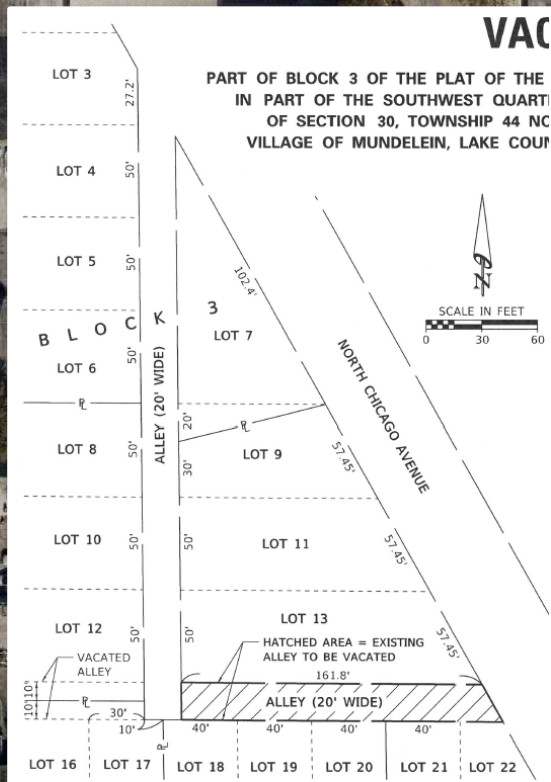


Another microbrewery offering on-site food and drink service is coming to downtown Mundelein.

The village board on Monday agreed to sell a former municipal building at 428 N. Chicago Ave. to a limited liability company planning to open Fenton's Brewing Company there. The village also sold the company some vacant









Important Notes

- No formal submittal received for building renovations yet.
- If there are zoning requests related to the use, layout, or architecture, those would come at a future time.
- Planning and Zoning Commission's role for Plats of Vacation? In brief – not much.
- If the applicant resubdivides or consolidates, that would come to the PZC at a future time.

QUESTIONS FOR STAFF?
Next: Applicant's Presentation



Flaherty & Collins

Plaza Circle Redevelopment: “AREA”

Zoning Application for Townhouses

Staff Presentation
PZC-16-2024
November 6, 2024

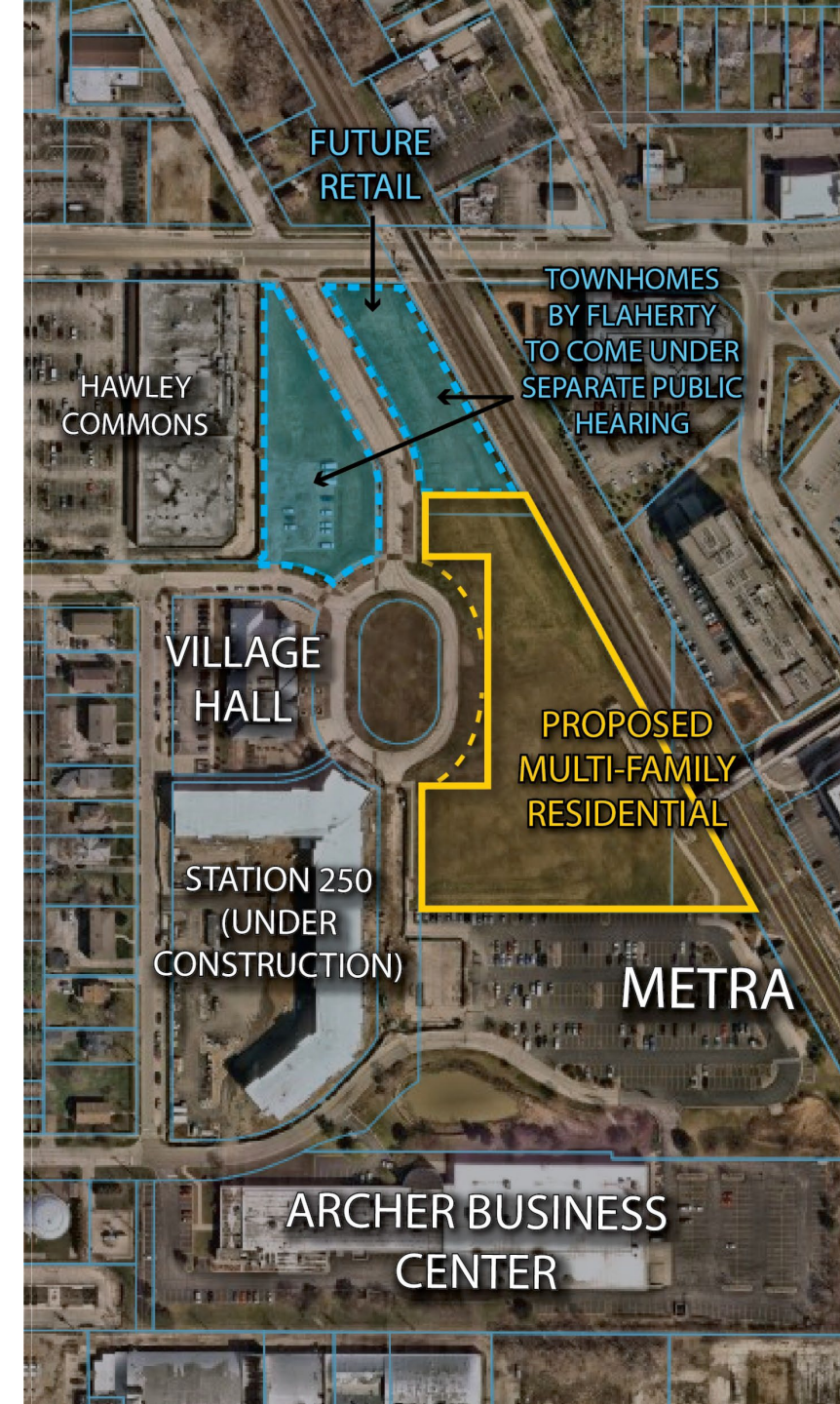
Village Hall Subdivision History

- 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.

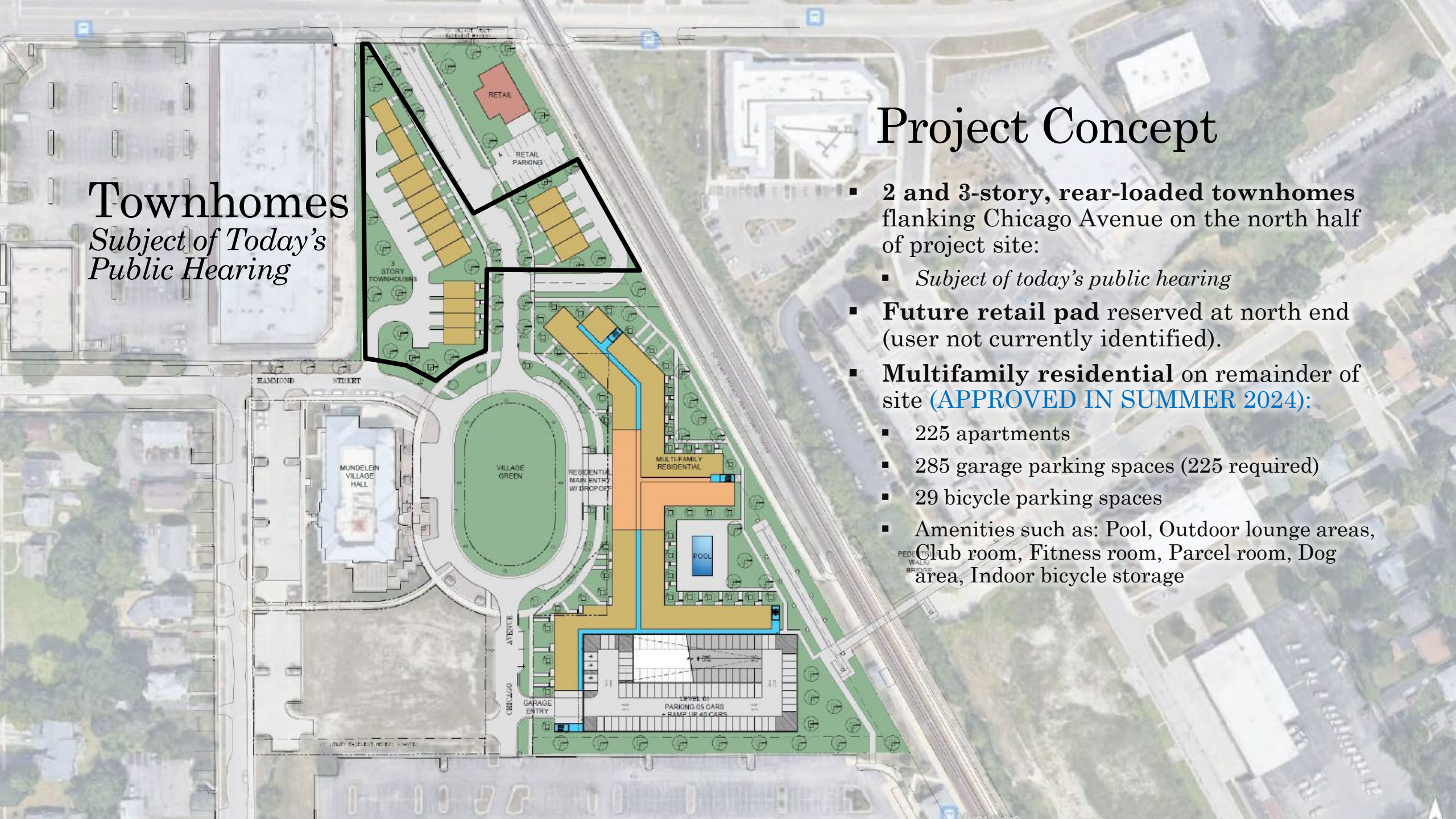


Townhomes

*Subject of Today's
Public Hearing*

Project Concept

- **2 and 3-story, rear-loaded townhomes** flanking Chicago Avenue on the north half of project site:
 - *Subject of today's public hearing*
- **Future retail pad** reserved at north end (user not currently identified).
- **Multifamily residential** on remainder of site (**APPROVED IN SUMMER 2024**):
 - 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

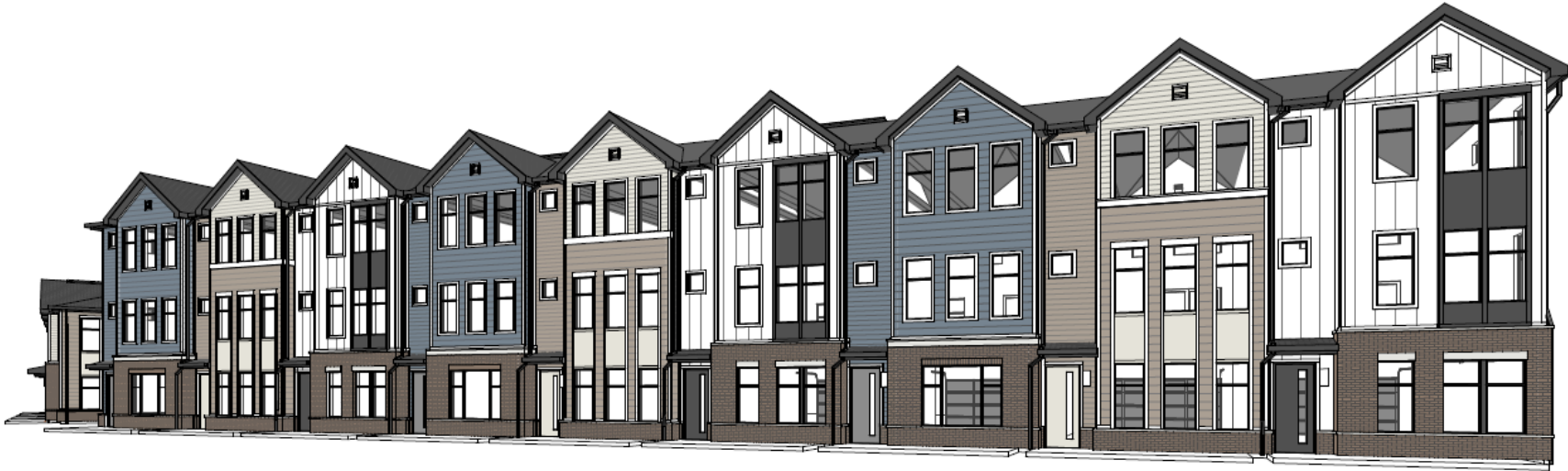


Plaza Improvements

- 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.



Townhouse Architectural Design



- 17 units across 3 buildings
- 68 parking spaces provided (half enclosed in garages)
- Exceeds parking requirements (1 enclosed space per unit required)
- Height:
 - ❖ 3 stories (9 units)
 - ❖ 2 stories (8 units)

Townhouse Architectural Design Background

- Architecture was negotiated extensively between Flaherty & Collins and the Village Board (Negotiating Team).
- Original design was very different than what is now proposed. The developer and architect worked diligently with the Negotiating Team to rework the architecture into a design they felt had the right character.
- Some elements that were desired by the Negotiating Team and incorporated into the design:
 - ✓ More of a residential feel
 - ✓ More emphasis on vertical elements rather than horizontal elements
 - ✓ Visual differentiation between units
 - ✓ Cleaner design rather than busy (e.g. less is more)
 - ✓ Brighter color scheme
 - ✓ No unnecessary articulation where it clutters the design and doesn't add architectural value
- Staff supports all variation requests, as the character and balance of the building aesthetic is more important than strict adherence to the Zoning Ordinance design requirements.



Zoning Variation Requests (4)

Section 20.36.050(B)(8)(b) – Window Setbacks and Projections.

Code Reads: “*Windows and doors shall have raised elements to create shadow and articulation. In addition, three-dimensional elements, such as balconies and bay windows, should be incorporated to provide dimensional elements on a façade. **Windows shall be set back (“punched”) into or projected out from the façade** to provide façade depth and shadow, vertical in orientation and of a consistent style.”*

- **Variation Required – Windows are not punched in or projected from façade.**

Section 20.36.050(C)(1)(a) – Building Articulation on Side and Rear Elevations.

Code Reads: “***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’ and 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.”*

- **Variation Required – Articulation requirements not fully satisfied on the side and rear elevations (front meets them).**

Zoning Variation Requests (4)

Section 20.36.050(H)(1) – Garage Details.

Code Reads: *“Attached garage overhead doors in the C-5-VC Zoning District must contain windows or other details such as applied brackets, hinges, arched panels, or other design elements to enhance the look of the overhead door.”*

- **Variation Required – Garages do not have embellishments (windows, brackets, etc.)**

Table 20.36-5 of Section 20.36.040 – Front Build-To Zone for Townhouses.

Townhouses and most other building types in the C-5-VC Zoning District are subject to a **“Build-To Zone” along the front property line**, which is the opposite of a front yard setback. The front of the building must start within **0’ – 15’** of the front property line. The intention of this section is to encourage development in the Village Center to be closer to the street for an urban, walkable feel.

- **Variation Required – Small section on the southern end of Building D is further than 15’ away from the front property line.**

June 19th Meeting Condition Follow-Up (Multi-Family Building)

*“The applicant must bring potential designs to **enhance the blank vertical uprights above the parking garage** (stairwell and elevator columns) back to the Planning and Zoning Commission for consideration at a public meeting prior to the issuance of a building permit.”*



Questions for Staff?
Next: Petitioner's Presentation

**FINDINGS OF FACT – SPECIAL USE PERMIT
AREA – Townhouses (Flaherty & Collins)**

CASE NUMBER	PZC-16-2024
PUBLIC HEARING DATE	November 6, 2024
Motion to recommend approval of a Special Use Permit pursuant to Section 20.36.020 for Townhouses in the C-5-VC Zoning District.	
On November 6, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval/denial of the aforementioned motion.	
1. The establishment, maintenance, and operation of the special use in the specific location proposed will not endanger the public health, safety, or general welfare of any portion of the community.	
The Commission finds that the proposed townhouse use is consistent with, and complimentary to, the proposed multi-family building to the south of this site. The proposed development provides valuable housing stock to the community and will not endanger the public health, safety, or general welfare of the community.	
2. The proposed special use is compatible with adjacent properties and other property within the immediate vicinity of the special use.	
The Commission finds that the proposed townhouse use is compatible with the adjacent uses, which include multi-family, the Village Hall, and a shopping center. The project is designed to compliment the proposed multi-family building to the south.	
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance and the Village land use policies.	
The Commission finds that the proposed townhouses are consistent with the spirit and intent of the Zoning Ordinance and Comprehensive Plan, which encourage a diverse mix of residential types in the downtown.	
4. The special use conforms to the applicable regulations of the zoning district in which it is to be located.	
The Commission finds that the proposed townhouses conform to all requirements of the Zoning Ordinance, minus four architectural variations which are separately requested.	

**FINDINGS OF FACT – VARIATION (1) – WINDOW SETBACKS AND PROJECTIONS
AREA – Townhouses (Flaherty & Collins)**

CASE NUMBER	PZC-16-2024
PUBLIC HEARING DATE	November 6, 2024
VARIATION	A variation from Section 20.36.050(B)(8)(b) regarding window setbacks and projections .
On November 6, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval/denial of the aforementioned variation.	
<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 require the developer to increase the thickness of the walls beyond necessary to accommodate the “punched or recessed” windows, which would add cost with little architectural value added.
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, which was heavily negotiated by the Village Board, achieves a similar effect through trim elements and color changes.
3. The variation, if granted, will not alter the essential character of the locality;	

DRAFT APPROVAL	The variation requested is with the intent to allow the proposed development to help “establish” the essential character of the locality as guided by the Comprehensive Plan. A large portion of the Village Center is undeveloped and there is an opportunity to establish an architectural character.
<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 physical surroundings, shape, or topographical conditions of the property do not present a particular hardship with regards to window design.
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, as the architecture of the townhouses has been heavily negotiated by the Village Board through the adoption of the Redevelopment Agreement.
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 offset the lack of window recesses with ample articulation, changes in material, and other architectural detail.
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) – WINDOW SETBACKS AND PROJECTIONS
AREA – Townhouses (Flaherty & Collins)**

CASE NUMBER	PZC-16-2024
PUBLIC HEARING DATE	November 6, 2024
VARIATION	A variation from Section 20.36.050(C)(1)(a) regarding building articulation on the side and rear elevations.
On November 6, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval/denial of the aforementioned variation.	
<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 require the developer to create articulation beyond necessary to satisfy the letter of the articulation requirements, which would add cost with little architectural value added.

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 architecture, which was heavily negotiated by the Village Board, achieves a similar effect with trim elements that provide “visual articulation”, “doghouse” structures on the side elevation for utilities, and using at least two materials on the side elevations. The roof design along the front and rear also achieve a visual articulation effect.
3. The variation, if granted, will not alter the essential character of the locality;	
<i>DRAFT APPROVAL</i>	The variation requested is with the intent to allow the proposed development to help “establish” the essential character of the locality as guided by the Comprehensive Plan. A large portion of the Village Center is undeveloped and there is an opportunity to establish an architectural character.
<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 physical surroundings, shape, or topographical conditions of the property do not present a particular hardship with regards to articulation.
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, as the architecture of the townhouses has been heavily negotiated by the Village Board through the adoption of the Redevelopment Agreement.
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 introduced ample architectural detail such as trim, changes in material, etc.
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) – ATTACHED GARAGE DETAILS
AREA – Townhouses (Flaherty & Collins)**

CASE NUMBER	PZC-16-2024
PUBLIC HEARING DATE	November 6, 2024
VARIATION	A variation from Section 20.36.050(H)(1) regarding attached garage details .
On November 6, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval/denial of the aforementioned variation.	

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:

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 require unnecessary embellishment on elevations that the Village Board has negotiated and feels that it meets the intent of the Village Center vision. The applicant also feels that adding windows in the garage door creates security and maintenance issues.
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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 architecture, which was heavily negotiated by the Village Board, achieves visual interest on the rear elevation through articulation, balconies, changes in materials, 5+ windows and/or doors, etc.
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3. The variation, if granted, will not alter the essential character of the locality;

<i>DRAFT APPROVAL</i>	The variation requested is with the intent to allow the proposed development to help “establish” the essential character of the locality as guided by the Comprehensive Plan. A large portion of the Village Center is undeveloped and there is an opportunity to establish an architectural character.
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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.

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 physical surroundings, shape, or topographical conditions of the property do not present a particular hardship with regards to garage details.
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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, as the architecture of the townhouses has been heavily negotiated by the Village Board through the adoption of the Redevelopment Agreement.
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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 offset the lack of garage embellishments with articulation, balconies, changes in materials, and ample windows and doorways.
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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.
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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.
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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.
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**FINDINGS OF FACT – VARIATION (4) – FRONT BUILD-TO ZONE FOR TOWNHOUSES
AREA – Townhouses (Flaherty & Collins)**

CASE NUMBER	PZC-16-2024
PUBLIC HEARING DATE	November 6, 2024
VARIATION	A variation from Table 20.36-5 of Section 20.36.040 regarding the front build-to zone for townhouses.
On November 6, 2024, the Planning and Zoning Commission voted 6-0 to recommend approval/denial of the aforementioned variation.	
<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 require the developer to wrap the southern portion of one of the 4-unit buildings around the curved roadway, which would incur great cost and could result in a less visually appealing and less efficient building design.
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 amount of the building that exceeds the 15' build-to zone is very minimal, and the costs of altering the building design to satisfy this requirement would far outweigh any visual or placemaking benefits.
3. The variation, if granted, will not alter the essential character of the locality;	
<i>DRAFT APPROVAL</i>	The Commission finds that the amount of the townhouse building that exceeds the 15' build-to zone is very minimal and will not be apparent to residents, visitors, or passerby.
<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 shape of the property presents a particular land-based hardship, as the building would need to be wrapped around a curvilinear shape to satisfy the code requirement.
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, as the shape of the property was put into place by the Village many years before the applicant proposed a project on the property.
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.
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.