Vice-Chairman Thacker called the May 16, 2018 regularly scheduled meeting of the City of McHenry Planning and Zoning Commission to order at 7:33 p.m. In attendance were the following: Doherty, Gurda, Thacker and Walsh. Absent: Miller, Sobotta, and Strach. Also in attendance were: Director of Economic Development Martin, City Attorney Cahill, Economic Development Coordinator Wolf and Economic Development Assistant Conaway.

Vice-Chairman Thacker opened the public portion of the meeting at 7:34 p.m. Wayne Jett, 7016 Liam Lane, McHenry, thanked all of the commissioners on behalf of the City Of McHenry for their dedication and commitment of the Planning & Zoning Commission. He stated it is an honor to appoint the commissioners and thanked them for their service. Mayor Jett welcomed Art Gurda to the Planning & Zoning Commission.

Vice-Chairman Thacker closed the public comment portion of the meeting at 7:35 p.m.

Approval of Minutes

Motion by Walsh seconded by Doherty to approve the April 11, 2018 Regular Meeting minutes of the Planning and Zoning Commission as presented:

Voting Aye: Doherty, Walsh, and Thacker.
Voting Nay: None.
Not Voting: None.
Abstaining: Gurda.
Absent: Miller, Strach, and Sobotta,
Motion carried 3-0.
Public Hearing: John Koch  
File No. Z-929  
1706 Beach  
Variance to exceed maximum permissible setback and Variance to exceed maximum cumulative square footage for all accessory structures/buildings

Vice-Chairman Thacker called the Public Hearing to order at 7:36 p.m. regarding File No. Z-929 an application for a Variance to exceed maximum permissible setback and Variance to exceed maximum cumulative square footage for all accessory structures/buildings for the property located at 1706 Beach.

Vice-Chairman Thacker stated Notice of the Public Hearing was published in the Northwest Herald on April 20, 2018. Notices were mailed to all abutting property owners of record as required by ordinance. The subject property was posted. A Certificate of Publication and Affidavit of Compliance with notice requirements are on file in the City Clerk’s Office.

In attendance was John Koch, 1706 Beach, McHenry, IL who was sworn in by Vice-Chairman Thacker. Mr. Koch stated that he is here to get approval for a garage variance. He stated that he is building a barn style garage and would like a variance from 15’ to 5’ back yard setback.

Director of Economic Development Martin stated the applicant would like to construct an approximately 998 square foot detached garage off W Beach Place and needs two variances. One is to construct a detached garage in the required side yard and the other is to exceed the maximum cumulative square footage for accessory structures to 1,238 square feet (1,000 square feet permitted).

Director Martin stated the applicant is proposing to construct a 24’ X 41’ 6” detached garage approximately 4’6” from the side property line. The RS-4 zoning district requires a 6’ side yard setback; therefore a Variance is required because the garage would be 1’6” inside the side yard setback. Additionally, the application has an existing 240 square foot shed, and the detached garage is approximately 998 square feet, which if approved, will total 1,238 square feet. This will require a variance of 238 square feet.
Director Martin believes the proposed detached garage will not detract or adversely impact neighboring properties and is appropriately located on the lot. This situation is unusual to this property in that the City property (W Beach Place) exists and contains an unimproved driveway. Table 32, approval criteria for variances, states special circumstances that do not apply generally to other properties in the same zoning district. It may apply to one or two others; however, it certainly does not apply to many. Further, the variance will not alter the local character and is consistent with the zoning ordinance and comprehensive plan. Director Martin stated the applicant has a double lot and would like to construct the garage as close to the property line as possible.

Director Martin stated Staff recommends Approval of Variances to allow the applicant to exceed the cumulative accessory square footage requirement by 238 square foot and to allow the construction of the proposed garage in the side yard setback in accordance with the plans submitted as part of the public hearing application.

Vice-Chairman Thacker invited questions and/or comments from the Commission.

Commissioner Walsh inquired if W Beach Place was paved and maintained. Director Martin stated that the City of McHenry owns the lot. Commissioner Walsh inquired where the garage access would be. Mr. Koch stated access would be on the south side of the road. He further stated that his corner is twenty feet from back lot line. Commissioner Walsh inquired what would be stored in the garage. Mr. Koch stated it would be a workshop with tools.

Commissioner Doherty inquired if the entry would be off Beach Place. Mr. Koch stated it would. Commissioner Doherty inquired if there was any runoff of water towards the rear of the lot. Mr. Koch stated that the City of McHenry had come out and stated that there was a 6” drop in back for sewage. Director Martin stated that the City of McHenry Public Works Department would come out to shoot the grade for the culvert and that they would address the situation. Mr. Koch stated that the Public Works Department would need to reshoot the grade.
Vice-Chairman Thacker inquired what Mr. Koch meant by barn style. Mr. Koch stated the garage would be sided to match his home.

Vice-Chairman Thacker opened the floor to questions and comments from the audience. There was nobody in attendance who wished to address the Commission regarding this matter.

Vice-Chairman Thacker closed the public comment portion of the hearing at 7:47 p.m.

Motion by Doherty seconded by Gurda to recommend to the City Council with regard to File No. Z-929 an application for a Variance to exceed maximum permissible setback and Variance to exceed maximum cumulative square footage for all accessory structures/buildings for the property located at 1706 Beach, as presented. Staff finds that requirements for Table 32 have been satisfied.

Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: Miller, Strach, and Sobotta
Motion carried 4-0.

Vice-Chairman Thacker closed the Public Hearing regarding File No. Z-929 at 7:48 p.m.

Public Hearing: Aldi, Inc.
File No. Z-930
2226 N. Richmond Road
Variance from Article V. Commercial Districts, Table 6: Commercial District Requirements, to allow a reduction in the required front yard building setback requirement, from 30’ to 14’ to allow the expansion of an existing retail grocery store and construction of a 2,947 square-foot addition to the existing building

Vice-Chairman Thacker called the Public Hearing to order at 7:49 p.m. regarding File No. Z-930 an application for a Variance from Article V. Commercial Districts,
Table 6: Commercial District Requirements, to allow a reduction in the required front yard building setback requirement, from 30’ to 14’ to allow the expansion of an existing retail grocery store and construction of a 2,947 square-foot addition to the existing building for the property located at 2226 N. Richmond Road.

Vice-Chairman Thacker stated Notice of the Public Hearing was published in the Northwest Herald on April 18, 2018. Notices were mailed to all abutting property owners of record as required by ordinance. The subject property was posted. A Certificate of Publication and Affidavit of Compliance with notice requirements are on file in the City Clerk’s Office.

In attendance were Peter Thomas, Aldi Inc., 1200 N. Kirk Road, Batavia, IL, Chris Stair, Aldi Inc., 1200 N. Kirk Road, Batavia, IL 60510, and Robert Gudmundson, RWG Engineering, LLC, 975 E. 22nd Street, Wheaton, IL 60189. Mr. Thomas stated that Aldi Inc. is expanding to increase the store size to allow for an additional 400 products. Mr. Thomas stated that the extension is the new sleek, prototype store design and that Aldi is doing a “long wall” expansion, to accommodate a new freezer cooler, lunchroom, office, bathrooms. He further stated that Aldi would need a front yard setback variance to expand to the south. Mr. Thomas stated for the record that the new elevation plan submitted has not been approved by corporate. Mr. Thomas stated a cart coral expansion, if needed, would not affect parking and has been approved by the property owner.

Director of Economic Development Martin stated Aldi relocated their store to its current location several years ago and since that time has done extremely well. He stated that the lot is unusual since it ends in the middle of a parking lot and that Blake Blvd. makes that a “front yard”. Director Martin stated that Aldi is a great company to deal with professionally and personally. He state they are currently seeking to expand their footprint to the south by about 2,947 square feet. In order to do so however they require a 16’ front yard setback variance. The addition will be located north of the 6’ sidewalk and utility relocation will be required however, there will be no adverse impact on adjacent properties. Aldi will also be improving their façade and upgrading the interior of their store so this is a major improvement.
Director Martin believes the proposed addition will not detract or adversely impact neighboring properties. Conversely, positive addition to the city this situation is unique to this property. Table 32, approval criteria for variances, states special circumstances that do not apply generally to other properties in the same zoning district. This situation most likely does not specifically apply to other properties in this zoning district. It may apply to a few however; it certainly is not ubiquitous to all lots in the same zoning classification.

Director Martin stated additionally, due to the minimum 30-foot setback required if a variance were not granted, it would result in an unnecessary hardship on the property owner. Further, the variance will not alter the local character and is consistent with the zoning ordinance and comprehensive plan. He stated that there is vacant land across the street to the east that is still available.

Director of Economic Development stated Staff Recommends Approval of a Variance from Article V. Commercial Districts, Table 6: Commercial District Requirements, to allow a reduction in the required front yard building setback requirement, from 30' to 14’ to allow the expansion of an existing retail grocery store and construction of a 2,947 square-foot addition to the existing building for the property located at 2226 N Richmond Road and that Table 32 requirements have been satisfied.

Vice-Chairman Thacker invited questions and/or comments from the Commission.

Commissioner Doherty inquired if the cart coral would be in the same location. Mr. Thomas stated yes and further stated the cart coral could be extended. He stated that Aldi would use the current front entrance. Commissioner Doherty inquired if there would be any new doors on the addition side. Mr. Thomas stated there would not.

Vice-Chairman Thacker inquired about the current size of the store. Mr. Gudmundson stated the addition would be an increase of fifteen percent to 21,667 square feet. Mr. Gudmundson opined the addition would give Aldi ample space to add products. Mr. Gudmundson stated for the record the survey of the existing wall shows the wall is not parallel with the south property line. He further stated he would like the terminology to reflect an average of fourteen feet for permitting
purposes. Director Martin stated that when the motion is made, the commission could state the term “an average of fourteen feet” for the variance. Mr. Gudmundson stated there is no impact to the utilities or sidewalk easements. Mr. Thomas stated that Aldi would replace any trees that would be disrupted in the construction process.

Vice-Chairman Thacker opened the floor to questions and comments from the audience. There was nobody in attendance who wished to address the Commission regarding this matter.

Vice-Chairman Thacker closed the public comment portion of the hearing 8:00 p.m.

Motion by Doherty seconded by Walsh to recommend to the City Council with regard to File No. Z-930 approval of a Variance from Article V. Commercial Districts, Table 6: Commercial District Requirements, to allow a reduction in the required front yard building setback requirement, from 30’ to an average of 14’ variance to allow the expansion of an existing retail grocery store and construction of a 2,947 square-foot addition to the existing building for the property located at 2226 N. Richmond Road, as presented. Staff finds that the requirements of Table 32 have been met.

Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: Miller, Strach, and Sobotta.
Motion carried 4-0.

Vice-Chairman Thacker closed the Public Hearing regarding File No. Z-930 at 8:05 p.m.

Staff Report

Director Martin welcomed Art Gurda to the Planning & Zoning Commission and thanked him for his involvement in the community. Director Martin stated that
the June 20, 2018 regularly scheduled meeting had been cancelled and a special meeting is scheduled for June 13, 2018, which would be held at 7:30 p.m. in the Council Chambers. There are presently two cases for the June 13, 2018 meeting as well as continued discussion of the Comprehensive Plan.

Adjournment

Motion by Doherty seconded by Walsh to adjourn the meeting at 8:06 p.m.

Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: Miller, Strach, and Sobotta.
Motion carried 4-0.

The meeting was adjourned at 8:06 p.m.

Respectfully submitted,

Tina Conaway
Economic Development Asst.
City of McHenry