

Plan Commission Public Hearing:
Fox Lake Country Club
Partnership, LLC Special Use
PUD and Variations
November 18, 2015

I. **CALL TO ORDER:** David Gauger called the Plan Commission Public Hearing for the Fox Lake Country Club Partnership LLC to order at 6:35pm.

II. **ROLL CALL:**

A. Present
1: Jeff Bell
2: Danice Moore
3: David Schultz
4: Judy Martini
5: David Gauger
6: Brian Marr, Trustee
7: Donovan Day, Community Development Director
Not Present
1: Rick LaPiana
2: Tim Foster

III. **HEARING:**

Presentation by Bill Robinson representative for CalAtlantic Homes formerly Ryland Homes

- History and overview of Ryland Homes
- Country Club Hills was chosen because of the upscale nature of the community, proximity to transportation corridors and the surrounding open space
- Requesting set back and lot coverage relief for remaining undeveloped lots
- Original homes constructed were not within the standards of the R-4 zoning district, exceeding lot coverage standard in most cases over 40%

IV. **BOARD QUESTIONS**

A: Jeff Bell

- No changes made to the original, approved, recorded plan?
 - 1: Mr. Robinson
 - Will keep original plan
 - Our engineers found the original homes did not fit with any current standards or anything that had been approved in the past/our request will correct the past to move forward and fit within a zoning classification
 - 2: Members and Mr. Robinson discussed
 - Zoning for a PUD
 - Reviewed all the information from original meetings, minutes etc. from Mackey Construction-realized they were not compliant/not having a PUD must have been an oversight
 - 3: Mr. Gauger
 - No PUD in place now, just infrastructure
 - We are being asked is to allow something that was wrong 11 years ago to still be wrong now, regardless with what we have strengthened with our PUDs and other regulations?
 - 4: Mr. Robinson
 - Was not wrong, just going by what was recorded and approved on a final plat

B: Members and Mr. Robinson discussed:

- Meeting original Village standards/not zoned a PUD
- The petition request/prepared incorrectly/prepared legally

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- Variance to comply with original, recorded plat
- Definition of PUD; information needed to approve a PUD
- Intent of Cal-Atlantic Homes for this community; Infra-structure is in, ready to build and placing a home and making it legal conforming
- Total coverage of plot, below 50%, tables available showing coverage
- Need to see mix of buildings on plots and corresponding addresses submitted
- Need for additional land/ wetlands for current density
- Previous developments taken over with previous non-conforming conditions
- Problems that may develop if this petition is approved/reviewed Clark Dietz' information
- Punch list of things needed to be completed from original developer
- Current Building and Community Development Department requirements
- Petition not written in a way to be voted on

C: Hal Francke, attorney with Meltzer, Vertill and Stelle representing of CalAtlantic

- Our request is highly unusual
- Acting as builder and not developer/development previously approved
- Asking for approval after the fact for what is already out there/create documentation of what is there is conforming to zoning so they can move forward with proper zoning
- Asking for departures and exceptions not really variations
- Benefits of finishing development
- Definition of "lot" in this development

D: Members and Mr. Francke discussed

- Need for spelling out of departures in a PUD
- Compared petition departure request from Village Ordinance standards
- Placement of units on a lot
- Cal Atlantic's plan to work with Village and Village attorney to establish a PUD agreement
- Cal Atlantic wants benefits of PUD but is not willing to offset them with improvements to the Village/possibility of donating a parcel as a park
- Need to discuss this with Director Day and Village Attorney and come to an agreement
- Check with the SMC to be sure it is in compliance with WDO/need original storm management report/no new improvements, taking away an impervious area not accounted for

Conclusion: Table this petition until there is more of a consensus of what we have.

V. AUDIENCE PARTICIPATION

A: Achille J. Chiappetta, 7115 Mulligan Ct.

- Mistake in the address/shows 7115 Hidden Green Circle on information received in the mail

VI: David Gauger tabled this Public Hearing at 7:27pm, until the next meeting, Wednesday, December 2, 2015.

Respectfully submitted by,
Sue Langowski
Secretary