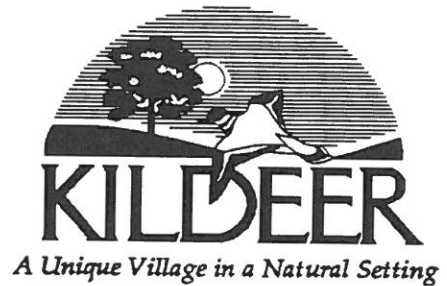


VILLAGE OF KILDEER

PLAN COMMISSION

May 12, 2015



MINUTES

1. The meeting of the Plan Commission for the Village of Kildeer was called to order on May 12, 2015 at the Village Hall, 21911 Quentin Rd., Kildeer, IL at 7:35 p.m. Upon roll call:
 - Present: Aretos, Flynn, Osburn, and Scott
 - Absent: Barbour, Bowman and Stavropoulos
 - Other officials: Village Planner Brian Nagorsky and Chief Village Officer Talbett
2. Commissioner Aretos welcomed new Commissioner Michael Flynn.
3. Commissioner Osburn moved to approve the minutes of the October 14, 2014 meeting, which was seconded by Commissioner Scott. The motion passed by unanimous voice vote.
4. At 7:37 p.m. Chairman Aretos opened the Public Hearing for a Special Use in the Shops at Kildeer for a restaurant business. Kildeer residents Jay Austin, Larry Coffey and Mary and Wayne Mackeben attended and commented about litter coming onto their property from the existing businesses on Rand Road. They also questioned the public notice procedure. No comments about the special use were raised during the public hearing which was closed at 7:45 p.m.
5. Commissioners next discussed a request for Special Use in the Shops at Kildeer for a restaurant business. A presentation in support of the Special Use application was made by Thomas Taylor of MOD Pizza. He mentioned that the restaurant will allow patrons to choose toppings from a buffet line and a custom pizza will be baked for dine-in eating or take out.

Next, Village Planner Brian Nagorsky provided a summary of his memorandum to the Plan Commission dated May 12, 2015 and the following proposed findings:

Shops at Kildeer, LLC (“Owner”) and MOD Pizza (the “Applicant”) are seeking a Special Use Permit within the “PD-1” District at the Shops at Kildeer, from the Village of Kildeer for a Limited Service Restaurant. This use is considered a Special Use under Section 5-10-3E of the Zoning Ordinance.

The following documents have been submitted in support of and detailing the specifics of the Special Use request:



1. Special Use Application
2. Letter from Jennifer Nelson, FRCH Design Worldwide
3. Equipment and Furniture Plan (A-113), Floor Plan (A-111), General Information (A-001), Exterior Elevations (A-201) all dated 3.16.15
4. OP Patio 02 Plan – dated 8.27.14 for Kimco Realty
5. Typical Railing Elevation undated

The Applicant has shown that a Public Hearing notice has been published in a newspaper with a general circulation within the Village of Kildeer, giving the time and place of the Hearing not more than thirty (30) nor less than fifteen (15) days before the hearing. In addition, the applicant has submitted proof that notice was given within the same time period as the newspaper notice to all record owners of property within 500' in each direction of the subject property.

Section 5-17-10.D. of the Zoning Ordinance requires that the applicant meet the following requirements in order to have the Special Use permit granted:

1. The proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community; and
2. Such use will not under the circumstances of the particular case be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvement in the vicinity; and
3. The proposed use will comply with the regulations and conditions specified in this title for such use, and with the stipulation and conditions made a part of the authorization granted by the village board of trustees. (Ord. 76-O-227, 12-2-1976)

The Plan Commission finds that the proposed special use meets the requirements above and the Plan Commission recommends approval for a Limited Service Restaurant special use permit for MOD Pizza on the property commonly known



as the Shops at Kildeer, LLC at 20505 N. Rand Rd., Kildeer, IL 60047, in the "Proposed Retail Building" retail space B subject to the following:

1. That the fence surrounding the outside dining area not have a gate so that any patrons consuming alcoholic beverages will have to enter or leave the restaurant through the interior doors.
2. That MOD Pizza monitor the volume of the speaker for the outside dining area to avoid any disturbance to neighboring residents.
3. All representations made by the applicant at the public hearing shall be adhered to in the operation of the proposed use.
4. The applicant is required to submit proposed signage to the Village Building Department for approval pursuant to the Sign Ordinance.

Commissioner Flynn moved to adopt the findings of fact and recommendations of the Village Planner dated May 12, 2015 and to recommend that the Village Board approve the special use request by MOD Pizza to operate a restaurant business in the Shops at Kildeer shopping center. Commissioner Scott seconded the motion and it passed 4-0 by a roll call vote as follows:

Yes: Aretos, Flynn, Osburn and Scott

No: 0

Absent: Barbour, Bowman and Stavropoulos

Abstain: 0

6. Chief Village Officer Talbett presented a report of the May 5, 2015 Plan Review Committee meeting regarding the proposed commercial development of property on Rand Road and the former Charles Quentin School site.
7. Other Matters – Chairman Aretos recommended that a commendation honoring former Plan Commissioner Jeffery Shrank be prepared and presented to him.
8. Commissioner Scott moved to adjourn the meeting, seconded by Commissioner Flynn. The motion passed by a unanimous voice vote and the meeting ended at 8:25 p.m.

Respectfully submitted by Michael Talbett

Approved:


Chairman Aretos