

AGENDA  
COMMITTEE OF THE WHOLE  
July 21, 2020  
2200 Harnish Drive  
Village Board Room  
- AGENDA -  
7:45 P.M.

In light of the current COVID-19 public health emergency, Governor J.B. Pritzker’s Gubernatorial Disaster Proclamation, and the Village’s Continuation of Proclamation of Local Disaster Emergency in response thereto, the Village President has determined that an entirely in-person meeting is not practical or prudent because of the disaster. This meeting will be held remotely and in-person, but there will be a limit of twelve (12) in-person seats available for the public in the Village Board Room at the Ganek Municipal Center (2200 Harnish Drive, Algonquin). Face coverings/masks will be required of all those entering the building. The following information is being made available to the public for the purpose of public participation in the spirit of transparency, and an open meeting process.

The complete Village Board meeting packet may be viewed online via the Village Board’s link on the Village’s website, [www.algonquin.org](http://www.algonquin.org). If you would like to listen and/or participate in the meeting remotely, please go to <https://algonquin.zoom.us/j/93560565579> or dial in (877)853-5257 or (888)475-4499 **webinar ID 935 6056 5579**. If you wish to submit any public comment, please contact the Deputy Village Clerk in advance of the meeting at 847-658-5609 or [meetingcomments@algonquin.org](mailto:meetingcomments@algonquin.org). You may also comment during the “**AUDIENCE PARTICIPATION**” portion of the meeting. After logging into the Zoom meeting, please raise your hand and you will be called on, if you are dialing in, dial \*9 to raise your hand. The Village will attempt to read public comments received prior to the meeting during the “**AUDIENCE PARTICIPATION**” portion of the meeting. Any comments received during the meeting, but after the “**AUDIENCE PARTICIPATION**” portion has ended, will be provided in writing to the Village Board members after the meeting.

Remote meetings will be recorded for the purpose of accurate meeting minutes

Trustee Sosine – Chairperson  
Trustee Steigert  
Trustee Jasper  
Trustee Brehmer  
Trustee Glogowski  
Trustee Spella  
President Schmitt

1. **Roll Call – Establish Quorum**
2. **Public Comment – Audience Participation**  
*(Persons wishing to address the Committee must register with the Chair prior to roll call.)*
3. **Community Development**
  - A. Consider a Petition to Amend Zoning Ordinance and Approve a Special Use Permit for addition of 2 dwelling units at 1226 S. Main Street
4. **General Administration**
5. **Public Works & Safety**
  - A. Consider an Agreement with Utility Dynamics for the Installation of Dry Utility Conduits Across Crystal Creek.
6. **Executive Session**
7. **Other Business**
8. **Adjournment**



**VILLAGE OF ALGONQUIN**  
*COMMUNITY DEVELOPMENT DEPARTMENT*

**– M E M O R A N D U M –**

DATE: July 17, 2020

TO: Committee of the Whole

FROM: Russell Farnum, AICP, Community Development Director

SUBJECT: *1226 S. Main Street: Zoning Amendment and Special Use Permit Request*

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**Introduction**

Blackstone Realty Corp. owns property located at 1226 S. Main Street. The owner, Kashan Ahmad, represented by his attorney, Bill Hellyer, is requesting to add two dwelling units to the currently-vacant second story of the existing building. In order to accomplish the request, he has petitioned for a text amendment to the Zoning Ordinance, that would allow such an addition by special use permit, and a subsequent special use permit request that would approve his request.

**Discussion**

Under the current Zoning Ordinance, dwelling units are allowed (by-right) above the main floor in multi-story buildings in the B-1 and B-2 zoning districts, but only in the Old Town District. There is no option for the conversion of upper-story space to dwelling units in the Business zoning districts elsewhere in the Village.

The requested zoning amendment would add the following language to the Special Uses section of the Zoning Ordinance:

“Residential dwellings, above the ground floor as secondary uses to primary commercial and office uses, anywhere other than the Old Town (Downtown).”

By considering this and similar requests through the special use permit, the Village can evaluate the request based upon the compatibility with surrounding land uses, and make a judgement based upon adequacy of parking, access, compliance with codes, and similar factors. In Staff’s opinion, this is a good approach, as opposed to allowing the “by-right” addition of upper story dwellings without additional review.

The Subject Property itself was formerly a real estate office, that had offices on both the first and second floor. After the real estate agency moved, the property was vacant for four years before

being purchased by the current owner. Since that time, the owner has a retail user on the main floor, but has been unable to find an office or other business user for the second story.

The property has sufficient parking for both the retail use and the proposed dwelling units. The neighborhood has a mix of residential, office, retail and other uses, and the proposed dwelling units would not be out of character with the area. The dwelling units would not create any detrimental impacts on nearby properties or their users.

A complete discussion of the property and the surrounding area is found in the attached Staff Report.

### **Public Hearing**

The Planning and Zoning Commission held a public hearing on this request at their regular meeting of July 13, 2020. Besides the petitioner and his attorney, no one appeared to speak to this request.

The Commission found that the proposed zoning amendment and subsequent special use permit request were in keeping with the character of the neighborhood and would not be detrimental to other property in the Village. The Commission recommended approval of the request(s), with the Finding of Fact and conditions recommended by Staff, by a vote of 6-0-1 (Commissioner Laipert was absent). The DRAFT minutes of the meeting are also attached.

### **Recommendation**

Approval of the proposed zoning amendment, and Special Use Permit for the addition of 2 Dwelling Units on the second floor of the property known as 1226 S. Main is recommended, subject to the following conditions:

1. The first floor of the subject property shall be occupied by a commercial use or uses, consistent with the parcel's B-2 zoning designation;
2. No remodeling work shall occur until the owner has filed plans compliant with the Village Building Codes, and obtained appropriate building permits, for the proposed alteration of the upper story into dwelling units;
3. Any satellite dishes or other appurtenances shall be restricted to the west wall or porch, and shall not be visible from Main Street;
4. The property shall, at all times, be maintained according to the village's Property Maintenance Code.

Consensus to move this forward for Board approval is recommended.



**VILLAGE OF ALGONQUIN**  
*COMMUNITY DEVELOPMENT DEPARTMENT*

**– M E M O R A N D U M –**

DATE: July 10, 2020

TO: Planning and Zoning Commission

FROM: Russell Farnum, AICP, Community Development Director

SUBJECT: *Petition to Amend Zoning Ordinance and Approve a Special Use Permit for addition of 2 dwelling units at 1226 S. Main Street (2020-03)*

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**Introduction**

Blackstone Realty Corporation, and Kashan Ahmad (property owner), represented by Attorney Bill Hellyer, have petitioned the Village of Algonquin for the following two requests:

1. To amend the Zoning Ordinance to provide for residential dwellings above the ground floor in B-1 and B-2 Business Districts, by Special Use Permit, and
2. Approval of a Special Use Permit for the addition of 2 dwelling units above the ground floor in the building located at 1226 S. Main Street.

**Discussion: Proposed Zoning Amendment**

Section 21.9 of the Zoning Ordinance, Paragraph F, B-1 Business District – Limited Retail, item 1, Permitted Uses, paragraph h, lists “Residential: Dwelling units above the ground floor as secondary uses to primary commercial and office uses, in Old Town (Downtown) only.” The B-2 zoning district has the same provision as the B-2 District allows all uses that are allowed in the B-1 zoning district.

Section 21.12 of the Zoning Ordinance regulates and provides the procedures and performance standards for Special Uses. This section currently does not list any permitted special uses for residential in the B-1 or B-2 zoning districts.

As a result, under the current code, upper floors can only be converted to apartments in the Old Town area, and not in other business districts elsewhere in the community. This amendment would allow the Village to consider other applications elsewhere in the Village, such as at the petitioner’s property on South Main Street.

The added language could be quite simple and could mirror the language that is in the B-1 Business zoning district:

“Residential dwellings, above the ground floor as secondary uses to primary commercial and office uses, anywhere other than the Old Town (Downtown).”

By considering requests through the special use permit, the Village can evaluate the request based upon the compatibility with surrounding land uses, and make a judgement based upon adequacy of parking, access, compliance with codes, and similar factors. In Staff’s opinion, this is a good approach, as opposed to allowing the “by-right” addition of upper story dwellings without the additional zoning review.

### **Discussion: Proposed Special Use for 1226 South Main Street**

This property is a 2-story building, with about 1500 square feet of area per floor, and is zoned B-2 Business. The main level currently occupied by “Uncle Stu’s Vape Shop”. The upper story is vacant.

The building is located on busy South Main Street, which is also State Route 31. This area, south of downtown, was originally platted for all single family homes, but as is characteristic of along State highways in many communities, contains a spotty mix of homes, businesses, and homes converted into businesses, as the area has slowly transitioned over the years. The Comprehensive Plan designates this area as “Retail”.



The property has 6 parking stalls in front, with access from Main Street, and 4 tandem-style stalls in the rear. There is a platted alley in the rear of the building but the actual alley does not exist, this building and the adjacent church to the south have taken over that area for access to their parking lots. The building was originally a real estate office with storage on the 2<sup>nd</sup> floor, which is now unused. This area is naturally suited for the addition of 2 small apartments, as there are

separate entrances on the building that can service the proposed uses, and the area is not necessary for any potential retail user on the main floor.

Property to the north includes an older home converted into an office, and another home north of that, with a small restaurant/smoothie shop on the corner. Property to the east is a strip shopping center and Dairy Queen, and to the south lies the Kingdom Hall of Jehovah's Witnesses. Property to the west consists of single family homes facing Merrill Drive.



The owner has provided a drawing of a proposed floor plan to convert the upper level into two dwelling units. One unit would be two bedrooms and one would be a one-bedroom unit. Per code, the two units would be required to have four parking stalls, and the business would need 6 parking stalls, which is exactly what is on the property today.

### Finding of Fact

Pursuant to Section 21.12, Special Uses, the request should be evaluated on the factors outlined below:

**a. That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;**

Additional residents in this area will enhance the viability of business success for nearby businesses. It will also enhance the safety of the neighborhood by having more eyes and ears watching over the neighborhood. Additional units will also enhance the market viability of the existing building, which will lead to more reinvestment and better upkeep over time.

The property is zoned B-1 Business, Limited Retail and a Special Use Permit for a residential dwelling unit on the second floor would be compatible with the Comprehensive Plan designation and surrounding uses. The first floor would continue to be occupied by a commercial tenant, consistent with the Retail comprehensive plan designation for the parcel and the commercial uses of a majority of the neighboring properties.

**b. That 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 improvements in the vicinity;**

This proposal would introduce two small apartments into an area that is already a mix of homes, businesses, offices and other uses. The impact of these units will not be detrimental to persons residing or working in the vicinity, because there is plenty of accessible parking for these units. Additionally, there are no new impacts to neighboring properties that would be created by this proposal, such as additional storm water runoff, looming building walls, or substantial traffic.

Two additional residential dwelling units on the second floor of the building at this site will not be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values.

**c. That the proposed use will comply with the regulations and conditions specified in this Chapter for such use and with the stipulations and conditions made a part of the authorization granted by the Village Board.**

A Special Use Permit for residential on the second floor will comply with all zoning requirements of the village and the conditions stipulated as part of the approval. As a condition of approval, Staff is recommending that all construction of the dwelling units meet current code requirements. No permits will be issued for any work until the owner can demonstrate that all code requirements are met or can be complied with.

## **Conclusions**

The proposed zoning amendment is reasonable, as it would allow the Village to consider cases such as this one on a case-by-case basis through the special use permit process.

The proposed special use permit for the addition of 2 dwellings above the main floor at 1226 S. Main Street, is also reasonable. The parking already exists to satisfy code, and the use is benign in terms of the surrounding mix of land uses. There are no anticipated negative impacts to the neighboring properties, and in fact, it is likely that this proposal will benefit the neighborhood by providing more revenue to nearby businesses and better revenue streams and upkeep for the existing building.

Approval of the proposed zoning amendment, and Special Use Permit for the addition of 2 Dwelling Units on the second floor of the property known as 1226 S. Main is recommended, subject to the following conditions:

1. The first floor of the subject property shall be occupied by a commercial use or uses, consistent with the parcel's B-2 zoning designation;
2. No remodeling work shall occur until the owner has filed plans compliant with the Village Building Codes, and obtained appropriate building permits, for the proposed alteration of the upper story into dwelling units;
3. Any satellite dishes or other appurtenances shall be restricted to the west wall or porch, and shall not be visible from Main Street;
4. The property shall, at all times, be maintained according to the village's Property Maintenance Code.

Attachments: Applicant's petition, floor plan, plat of survey





VILLAGE OF ALGONQUIN
DEVELOPMENT APPLICATION

OFFICE USE ONLY

Please type or print legibly

CASE # 2020-03
54106

COMPLETION OF THIS APPLICATION SATISFIES THE REQUIREMENT OF FILING A PETITION IN MATTERS BEFORE THE PLANNING AND ZONING COMMISSION

PROJECT TITLE: 1226 S. Main

RECEIVED

ACTION REQUESTED:

JUN 12 2020

Annexation (annexation petition required)

Variation

COMMUNITY DEVELOPMENT

Amendment to the Zoning Ordinance

Preliminary Plat of Subdivision

PAID

Appeal

Final Plat of Subdivision

JUN 17 2020

Re-Zoning

Preliminary Planned Unit Development

COMMUNITY DEVELOPMENT

Special Use Permit

Final Planned Unit Development

Other:

PETITIONER:

OWNER (IF DIFFERENT):

NAME: Kashan A. Ahmad

NAME: Blackstone Realty Corp

ADDRESS: 8610 Bard Rd.

ADDRESS: 8610 Bard Rd.

Crystal Lake, IL 60014

Crystal Lake, IL 60014

PHONE: 815-790-2678

PHONE: 815-790-2678

FAX:

FAX:

PROPERTY INFORMATION:

General Description of Project (attach all required plans and specifications): Amendment to the Zoning Code to allow residential above a commercial unit and a Special Use Permit to allow Commercial with residential outside of the downtown historical district

General Location (attach legal description): 1226 S Main St. Algonquin

Property ID Number (PIN): 19-33-482-017

Comprehensive Plan Designation: \_\_\_\_\_

Zoning: Current \_\_\_\_\_ Proposed: \_\_\_\_\_

Use: Current \_\_\_\_\_ Proposed: \_\_\_\_\_

Site Area: Gross \_\_\_\_\_ Net: \_\_\_\_\_

No. of Lots Proposed \_\_\_\_\_ No. Dwelling Units Proposed \_\_\_\_\_

**DEVELOPMENT TEAM:** (Include Company, Contact Person, Phone Number and Fax Number)

Developer: Blackstone Realty Corp. – Kashan Ahmad-815-790-2678

Architect: Sarillo Architecture – Anthony Sarillo-847-854-0800

Attorney: William A. Hellyer – 815-459-1700

Engineer: \_\_\_\_\_

Landscape Architect: \_\_\_\_\_

Planner: \_\_\_\_\_

Surveyor: Vanderstappen Surveying – 815-337-8310


Other: \_\_\_\_\_

**SIGNATURES:** As owner of the property, I hereby authorize the seeking of the above requested action. The Owner agrees to and does hereby grant to the Village permission to go upon or over any part of the Property for the purpose of taking video and pictures of the site and construction activities. This grant of permission includes authority for the Village to use a small unmanned aerial vehicle to capture images of the Property.

  
Signature of Owner

\_\_\_\_\_  
(Date)

BLACKSTONE REALTY CORP.  
Print Name of Owner

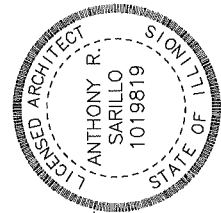
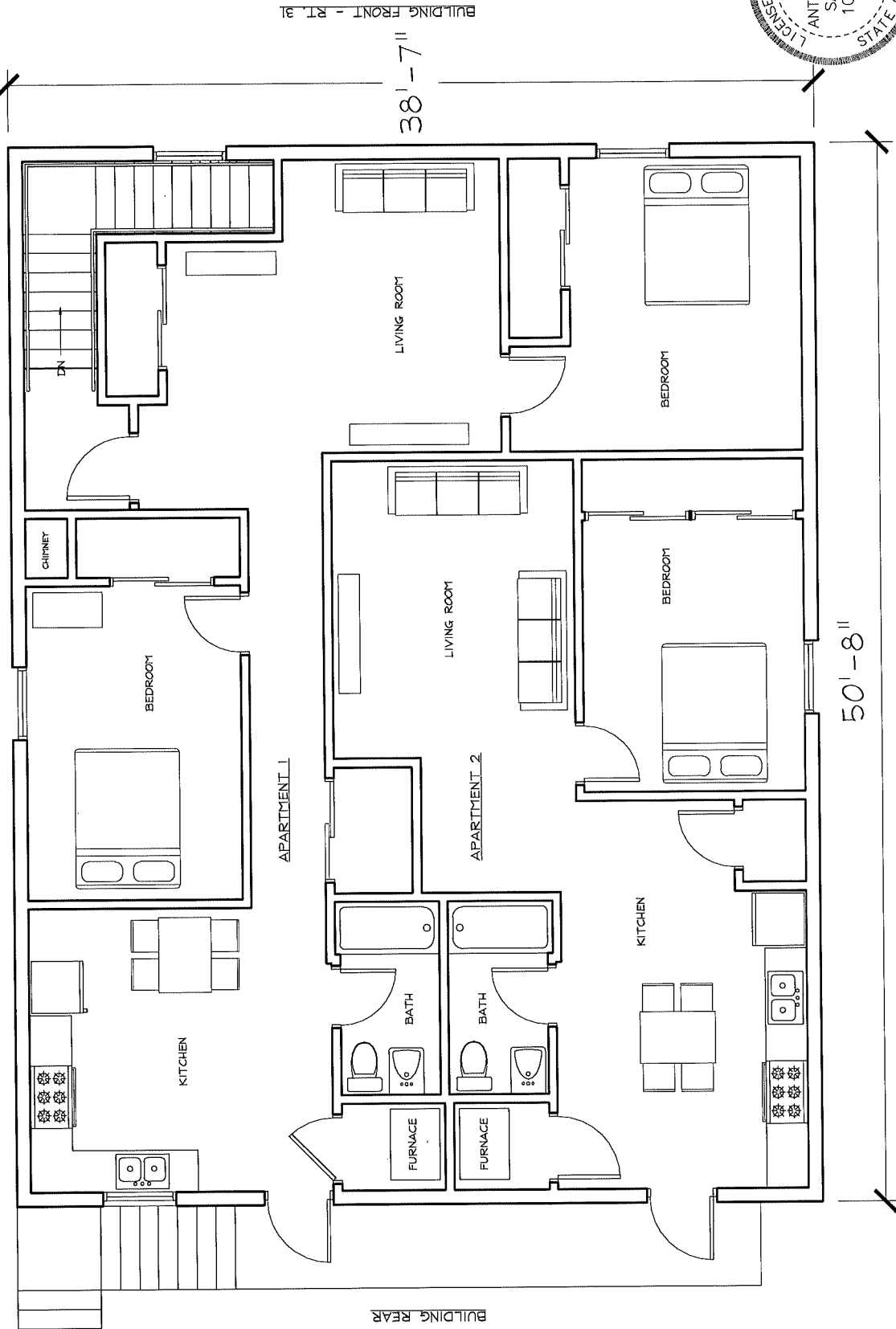
  
Signature of Petitioner (if different from owner)

\_\_\_\_\_  
(Date)

KASHAN A. AHMAD  
Print Name of Petitioner

**EXHIBIT A**

LOT 17 IN BLOCK 10 ARTHUR TROUBE AND COMPANY'S FOX RIVER VIEW  
SUBDIVISION, TRACT NO. 1, BEING PART OF THE EAST HALF OF THE SOUTHEAST  
QUARTER OF SECTION 33 AND PART OF THE WEST FRACTIONAL HALF OF THE  
SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 43 NORTH, RANGE 8 EAST OF  
THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF  
RECORDED MAY 28, 1927 AS DOCUMENT NO. 78339, IN BOOK 5 OF PLATS, PAGE 98,  
IN McHENRY COUNTY, ILLINOIS.



PROJECT No: 1320  
 DATE: 5-19-2020  
 SCALE: NTS



1095 Pingree Rd. - Suite 201  
 Crystal Lake, IL 60014  
 Phone: (847) 854-0800

**PROPOSED SECOND FLOOR APARTMENTS**

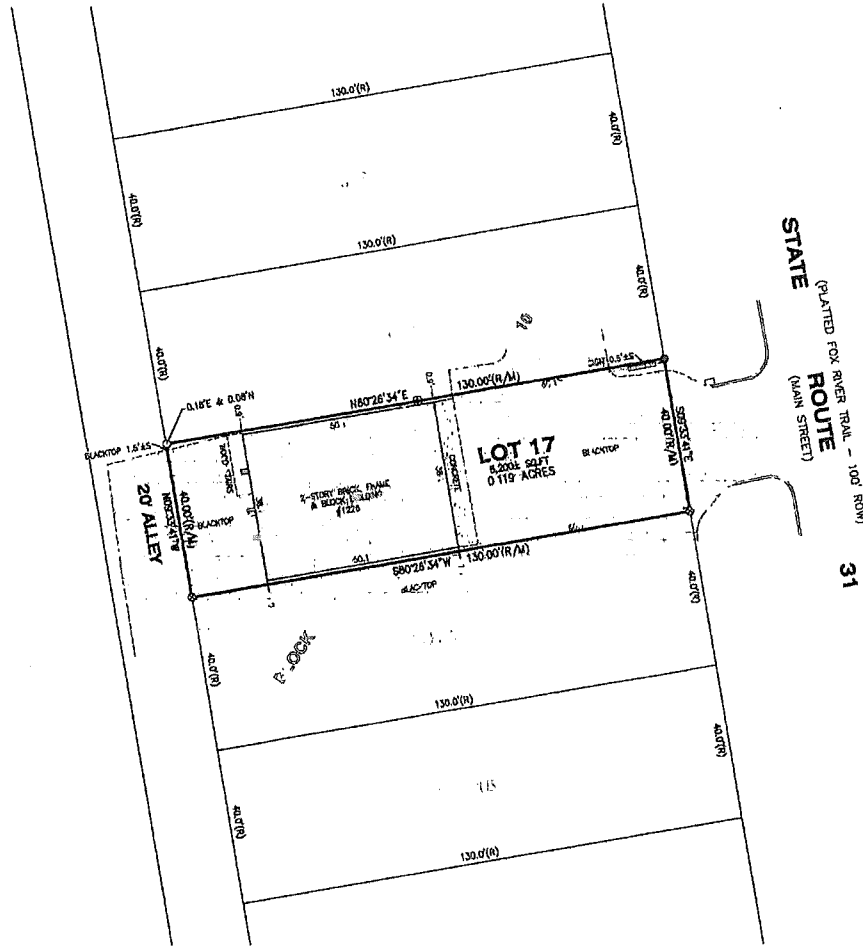
1,770 SF TOTAL

1226 S Main St.  
 Algonquin, IL



# ALTA/ACSM LAND TITLE SURVEY

Lot 17 in Block 10 Arthur Traube and Company's Fox River View Subdivision, Tract No. 1, being part of the East Half of the Southeast Quarter of Section 33 and part of the West Fractional Half of the Southwest Quarter of Section 34, Township 43 North, Range 8 East of the Third Principal Meridian, according to the Plat thereof recorded May 28, 1927 as Document No. 78339, in Book 5 of Plats, page 98, in McHenry County, Illinois.



LEGEND	
○	FOUND IRON PIPE
⊙	FOUND NAIL
●	FOUND IRON BAR
□	MANHOLE
⊞	GAS METER
⊞	AIR CONDITIONER
⊞	ELECTRIC METER



CLIENT: PREMIER COMMERCIAL REALTY  
 DRAWN BY: APG CHECKED BY: JMN  
 SCALE: 1"=20' SEC. 33 T. 43 N. R. 8 E.  
 BASIS OF BEARING: ASSUMED  
 P.L.N.: 18-33-482-017  
 JOB NO.: 110005-A I.D. ALT.  
 FIELDWORK COMP.: 1/10/11 BK. PG.  
 ALL DISTANCES SHOWN IN FEET AND DECIMAL FEET, EXCEPT PARTS THEREOF CORRECTED TO 68° F.

### SURVEYOR'S NOTES

- The legal description and utility easements shown hereon have been provided by \_\_\_\_\_ Commitment policy # \_\_\_\_\_ dated \_\_\_\_\_. The title information shown hereon is exclusively that provided to the Surveyor by the Title Insurer or the client. The Surveyor does not warrant the exact location of the Utility Easements shown hereon, but does state that they are located as accurately as possible from the information provided.
- The underground utilities shown have been located from visible field evidence and existing drawings, maps and records supplied to Surveyor. The Surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The Surveyor further does not warrant that the underground utilities shown are in the exact location indicated, although he does certify that they are located as accurately as possible from available information. The Surveyor has physically located visible structures, however, he has not physically located the underground lines.

STATE OF ILLINOIS )  
 COUNTY OF MCHENRY ) S.S.

Certified to:

In my professional opinion, and based on my observations, I certify that this plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2006, and includes Items 1, 3, 4, 7a, 8, 10, & 11e of Table A thereof. Pursuant to the accuracy standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Illinois, the Relative Positional Accuracy of the survey does not exceed that which is specified therein. I also certify that I have examined the Flood Insurance Rate Map, Panel No. 17111C0841, dated November 10, 2008, and have determined that the subject property lies within Zone "X", areas determined to be outside the 0.2% annual chance floodplain.

Dated this \_\_\_\_th day of \_\_\_\_\_, A.D., 2011.

VANDERSTAPPEN SURVEYING & ENGINEERING, INC.  
 Design Firm No. 184-002792

\_\_\_\_\_  
 WILLIAM J. VANDERSTAPPEN, 036-002709 (seal)  
 PROFESSIONAL LAND SURVEYOR

**VILLAGE OF ALGONQUIN  
PLANNING AND ZONING COMMISSION  
Meeting Minutes  
July 13, 2020**

**AGENDA ITEM 1:** Roll Call to Establish a Quorum  
Chair Patrician called the meeting to order at 7:30 pm.

Farnum called the roll, Commissioners present were: Hoferle, Patrician, Neuhalfen, Postelnick, Sturznickel, and Szpekowski. Commissioners absent were Laipert.

Staff Members present were: Russ Farnum, Community Development Director, and Brandy Quance, Village Attorney.

Before beginning regular business, Chair Patrician noted this was a virtual meeting and introduced Village Attorney Brandy Quance to provide an overview of the protocols for the meeting.

Quance noted the Village has determined in light of book open emergency and the Governor's gubernatorial order and the Village continuation of proclamation of local disaster, the Village President and the Chair of the Planning and Zoning Commission have determined that an in person meeting is not practical so we are holding this meeting remotely.

The Community Development Director is physically present at the regular meeting location. Quance asked that Commissioners confirm that they can hear all the other members as well as the petitioners so we'll just do that at the roll call notes for the public hearing.

**AGENDA ITEM 2:** Approval of Minutes from the January 13, 2020 Meeting.  
Chair Patrician asked for a motion to approve the minutes of the January 13, 2020 meeting. Patrician noted the minutes from the February meeting were not prepared yet and would be ready at the next meeting.

Commissioner Sturznickel made a motion, seconded by Hoferle, to approve the minutes. Motion passed by roll call vote, 6-0-1 (Laipert Absent).

**AGENDA ITEM 3:** Public Comment  
Chair Patrician called for any public comment, being none, Patrician closed public comment.

**AGENDA ITEM 4:** Request for a Text Amendment to the Zoning Ordinance and a Special Use Permit to add 2 Dwelling Units above the Main Floor on Property Located at 1226 S. Main Street.

**Case No. 2020-03      Blackstone Realty Corp.**  
Petitioner:            Bill Hellyer, Attorney and Kashan Ahmad for Blackstone Realty

**OPEN PUBLIC HEARING AND ESTABLISH QUORUM**

Chair Patrician announced the request and asked for a roll call vote to establish quorum to open the public hearing.

Farnum called the roll, Commissioners present were: Hoferle, Patrician , Neuhalfen, Postelnick, Sturznickel, and Szpekowski. Commissioners absent were Laipert.

Chair Patrician asked all Commissioners if they could hear the petitioner, Staff, and other Commissioners. All Commissioners indicated yes.

Chair Patrician asked Quance to swear in the petitioners and confirm public notice was proper. Quance did so.

### **PETITIONER COMMENTS**

Attorney Bill Hellyer introduced himself and Kashan Ahmad as the owner of the property, and his corporation is Blackstone Realty Corp. The petition is two-fold, for consideration of an amendment to the Zoning Ordinance to allow dwelling units above the main floor, by special use permit, in the B-1 and B-2 zoning districts, outside of the Old Town District. The second part of the request is for a special use permit for two dwelling units above the main floor at the subject property.

Hellyer pointed out the building was formerly a real estate office that had offices on the main floor and upstairs. After his client purchased the property, he found a retail user for the main floor but cannot find an office tenant for upstairs, which remains vacant and unused.

Hellyer noted they were looking at the highest best use of this property as demographics have changed such that there is no longer a need for as much office space and it worsens with remote work and virtual meetings. But there is an increasing need for rental properties. And there won't be any negative impacts the village or surrounding properties. In fact, it will probably increase the value of the property which subsequently would increase real estate taxes and benefits.

Mr. Ahmad added that when he purchased the building it was vacant and had been for about four and a half years. He completely renovated it and has tried to be successful at renting out second story office spaces, but it has been very difficult and it's just been dead space up until now.

Chair Patrician noted the Commission may have some additional questions, and asked Russ Farnum for the Staff Report.

### **STAFF COMMENTS**

Farnum highlighted the Staff Report and noted that the Zoning Ordinance had no provision for dwelling units above the main floor outside of the Old Town District. Staff supported the proposed zoning ordinance amendment, which allowed consideration of a special use permit for cases such as this.

Farnum also noted Staff was supportive of the special use permit for the subject property, as it was already a two-story building with plenty of parking on the site. There was good egress for the building, and each unit would have its own entrance. Also, it fit the character of the area as this neighborhood was originally homes and transitioned into a mix of residential and commercial uses over time.

Farnum noted that creating more reinvestment in that building generally leads to better upkeep over time with better cash flow, and there were findings in the staff report that were supportive of the request, and Staff recommended approval subject to the conditions outlined in the Staff Report.

## **COMMISSION QUESTIONS/COMMENTS**

Chair Patrician asked for Commission comments or questions. Commissioner Szpekowski asked if there would be adequate insulation in the apartments for soundproofing and with the smoke shop downstairs. Ahmad noted they would be using spray foam, which was higher quality. Ahmad also noted the building would be monitored 24 hours with the fire alarm system. Szpekowski noted she was happy with that.

Commissioner Neuhalfen asked if there would be any signs indicating the apartments on the property. Ahmad noted the existing ground sign would stay for the business, but no additional signs for the apartments.

Neuhalfen asked for clarification on the amendment. Farnum noted that currently apartments are allowed above the ground floor in the Old Town District, but there were no provisions elsewhere in the community. Farnum noted that through a special use, the Commission and Village Board would have an opportunity to review each case, as it came forward.

Commissioner Sturznickel asked if the parking would be more defined. Ahmad noted that the neighboring church put up barricades to keep their members from using Ahmad's property for access. Sturznickel asked about the alley, Farnum noted it is used for access to both the Church parking lot and to access the rear parking on the subject property, but while platted up to Beach Drive, was not improved any further north that the subject property. Farnum noted it was brought up in the Staff Report because there was no need to formalize cross-access through the Church property, as the alley served as public access to the rear parking for the subject property.

Commissioner Hoferle noted he grew up living in an apartment above his family's hardware store. Commissioner Neuhalfen noted he spent many years living in an apartment above the family business, and in fact his offices were currently in that location. Neuhalfen noted he was supportive of the request and his concerns had been addressed.

Chair Patrician asked if approving one special use petition for this use set any sort of precedent to approve other requests. Farnum noted each request is reviewed on its own merits, and one decision does not set precedent for future decisions. The Village is not obligated to make that same decision time and time and time again. So you have a completely different situation in the Commons than you do on South Main Street, whether it's the parking, the design of the building, the layout of the surrounding land uses, all of those things that you weigh to make land use decisions all factor into whether or not you're being consistent.

Village Attorney Quance confirmed that the Plan Commission uses the eight decision factors in the LaSalle case.

Chair Patrician asked Mr. Ahmed if there were any plans to change the exterior of the building. Ahmed explained that if the apartments were approved, he was going to put in new windows and



replace the roof. Ahmad noted the parking took up most of the rest of the property, so adding any green space was not feasible. Patrician noted he recognized the building was vacant for some time and appreciated Ahmad's investment in the property.

## **PUBLIC COMMENT**

Patrician called for any public input on the case. Farnum noted he was at Village Hall and there were no members of the public present, and anyone participating in the meeting online could either raise their hand with the button on the control panel, or dial \*9 on the phone to indicate you'd like to speak.

Farnum noted that there were 12 participants present at the hearing and no one was indicating that they wanted to speak.

Chair Patrician closed the public comment. Patrician asked if any Commissioners had any more comments, questions or concerns.

Neuhalfen noted he raised two girls in the apartment and from his experience, apartment dwellers took very good care of the property and provided maintenance, and he was very much in favor of this ordinance and the request.

## **COMMISSION MOTION ON PETITION**

There being no more discussion, Chair Patrician called for a motion on the request.

Commissioner Neuhalfen made a motion to approve the request for a Zoning Ordinance Amendment, and a Special Use Permit to add 2 dwelling units at 1226 S. Main Street, consistent with the plans presented by the petitioner, Blackstone Realty Corp., the conditions recommended by Staff, and the findings of fact. Second by Sturznickel.

Farnum called the roll, and motion passed 6-0-1 (Laipert Absent). Attorney Hellyer and Mr. Ahmad thanked the Commissioners. Chair Patrician closed the public hearing on Case No. 2020-03.

## **NEW/OLD BUSINESS**

Chair Patrician asked if there were any New/Old Business items. Sturznickel asked if there would be an August meeting, Farnum confirmed there was one item on the agenda.

## **ADJOURNMENT**

Chair Patrician entertained a motion to adjourn the meeting. Szpekowski made a motion to adjourn the meeting, second by Postelnick. Motion passed 6-0-1 (Laipert absent). Meeting adjourned at 8:10 pm.



**VILLAGE OF ALGONQUIN**  
*PUBLIC WORKS DEPARTMENT*

**– M E M O R A N D U M –**

DATE: July 15, 2020

TO: Committee of the Whole  
Tim Schloneger, Village Administrator

FROM: Robert Mitchard, Public Works Director

SUBJECT: Dry Utility Installation

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The Stage 3 Wet Utility Project is progressing very well so far and the contractor (Trine) is planning to cross Crystal Creek on the west side of the Harrison Street bridge by open cutting across the creek in early to mid-August.

Their plan is to install a cofferdam across the creek (see attached sketch) and by-pass pump the creek water to the east side of Harrison St. This is planned with the expectation that the creek will be in a low flow condition and Trine will work to install the sanitary sewer and water main in casing pipes on a continual day and night basis until they complete the installation. They expect this work to take 2.5 days.

Public Works staff and CBBEL Engineers have been working with Utility Dynamics to explore the possible installation of the Dry Utility conduits (for AT&T, ComEd and Comcast) on the east side of Harrison St. by open cutting across the creek, while the cofferdam is in place. This conduit installation would be in advance of the Dry (overhead) Utility Replacement Project on South Harrison that is part of the overall Master Plan.

Attached is a price comparison from Utility Dynamics to open cut the creek crossing instead of Directionally Drilling as was planned. They propose to install the necessary conduits under the creek for the various utilities and install the necessary concrete pads as well.

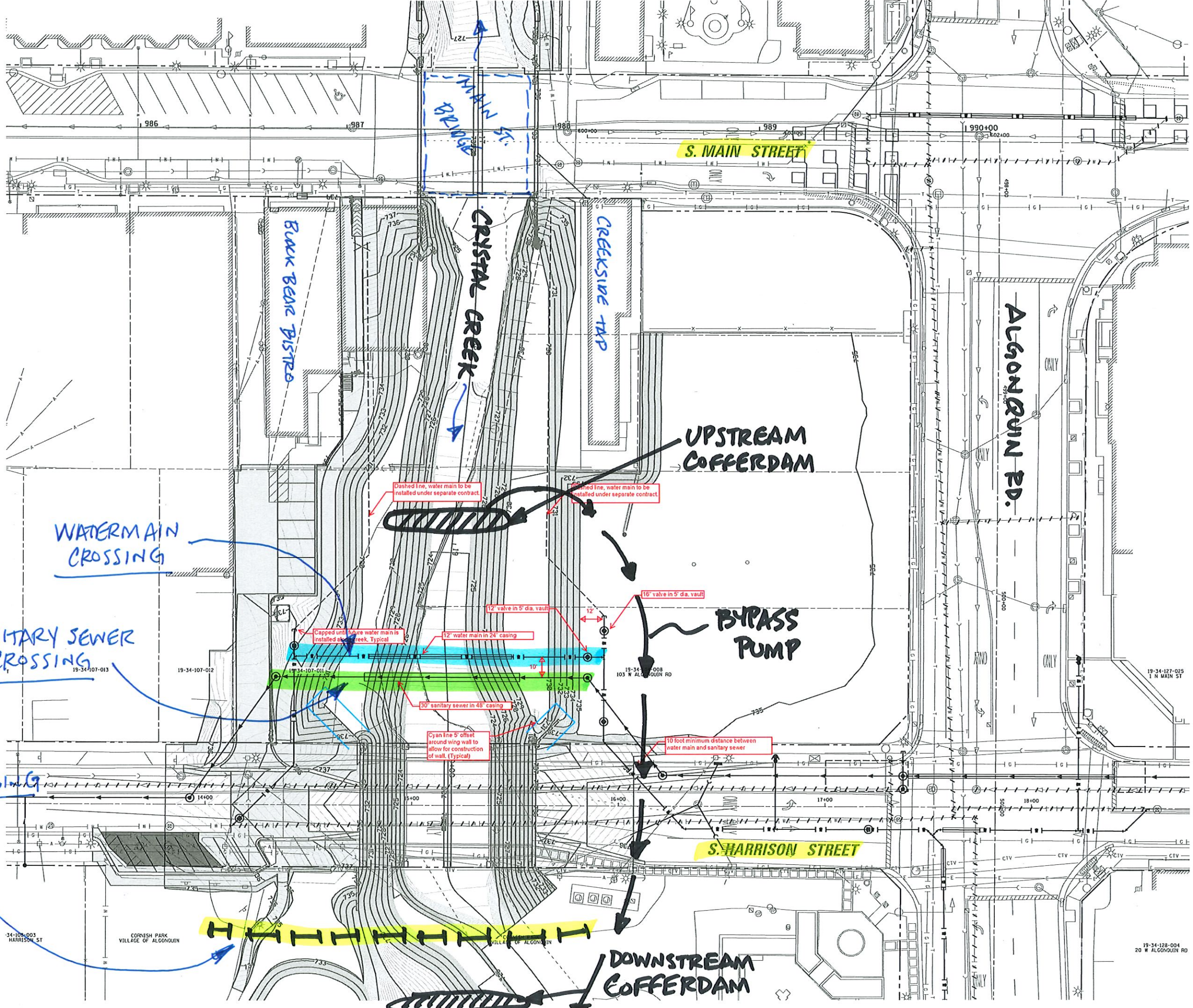
The price comparison is between the cost to Directionally Drill compared to the Open Cut methods. The Open Cut method produces a savings of \$14,400. Staff believes this savings and the installation at this time is a prudent consideration.

The Village has worked very well with Utility Dynamics on all of the Utility work on Main St. and have confidence in their ability to complete the job in the timeframe needed and at a fair cost.

Therefore, Village staff requests consideration to waive the bidding process for this work and award the project to Utility Dynamics Corporation in the amount of \$58,856.00 for the installation of the Dry Utility conduits across Crystal Creek.

While this project was not specifically budgeted in the FYE 2021 budget, staff believes that savings in other Capital Projects will cover this cost.

Please advise if you have any questions.



BRIDGE  
MAIN ST.

S. MAIN STREET

BUCK BEAR BISTRO

CRYSTAL CREEK

CREEKSIDE TAP

UPSTREAM COFFERDAM

ALGONQUIN PD.

WATERMAIN CROSSING

SANITARY SEWER CROSSING

DRY UTILITY CONDUIT CROSSING

BYPASS PUMP

S. HARRISON STREET

DOWNSTREAM COFFERDAM

Dashed line, water main to be installed under separate contract.

Dashed line, water main to be installed under separate contract.

Capped unit where water main is installed at creek. Typical.

12" water main in 24" casing

30" sanitary sewer in 48" casing

Cyan line 5' offset around wing wall to allow for construction of wall. (Typical)

16" valve in 5' dia. vault

12" valve in 5' dia. vault

10 foot minimum distance between water main and sanitary sewer

34-108-003 HARRISON ST

CORNISH PARK VILLAGE OF ALGONQUIN

VILLAGE OF ALGONQUIN

19-34-127-025 20 W ALGONQUIN RD

UTILITY DYNAMICS CORP.  
 CRYSTAL CREEK CONDUIT CROSSING  
 ALGONQUIN, IL  
 COMPARISON - DIRECTIONAL BORE VS. OPEN EXCAVATION

7/7/2020

**DIRECTIONAL BORE METHOD:**

PAY ITEM	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	TOTAL
*	SWITCH GEAR PAD, C5302	2	EA	\$ 4,400.00	\$ 8,800.00
*	TRANSFORMER PAD, C5293A	1	EA	\$ 2,275.00	\$ 2,275.00
*	CRYSTAL CREEK BORE AT HARRISON ST.	1	L SUM	\$ 61,631.00	\$ 61,631.00
*	SILT FENCE, INSTALL AND REMOVE	100	FT	\$ 5.50	\$ 550.00
<b>APPX. COST OF CONSTRUCTION</b>					<b>\$ 73,256.00</b>

NOTES:

1. INSTALLATION OF (2) 6" HDPE, 13.5 AND (5) 4" HDPE, 13.5
2. ROUGH GRADE AREAS DISTURBED BY OUR CONSTRUCTION ACTIVITIES.
3. WATER SUPPLIED BY THE VILLAGE AT NO COST.
4. REFER TO ADDITIONAL NOTES/CLARIFICATIONS FROM OUR 2/7/20 PROPOSAL.
5. PRICING IS BASED UPON PERFORMING ALL WORK DURING OUR NORMAL STRAIGHT TIME HOURS. 7A-330P, M-F.

**OPEN EXCAVATION METHOD:**

PAY ITEM	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	TOTAL
*	SWITCH GEAR PAD, C5302	2	EA	\$ 4,400.00	\$ 8,800.00
*	TRANSFORMER PAD, C5293A	1	EA	\$ 2,275.00	\$ 2,275.00
*	OPEN EXCAVATION, CONDUIT PLACEMENT AND BACKFILL	1	L SUM	\$ 47,231.00	\$ 47,231.00
*	SILT FENCE, INSTALL AND REMOVE	100	FT	\$ 5.50	\$ 550.00
<b>APPX. COST OF CONSTRUCTION</b>					<b>\$ 58,856.00</b>

NOTES:

1. INSTALLATION OF (2) 6" HDPE, 13.5 AND (5) 4" HDPE, 13.5 ACROSS THE CREEK.
2. INSTALLATION OF (2) 6" PVC SCH. 40 AND (5) 4" PVC SCH. 40 OUTSIDE OF THE CREEK.
3. ROUGH GRADE AREAS DISTURBED BY OUR CONSTRUCTION ACTIVITIES.
4. PRICING IS BASED UPON THE CREEK BED BEING DRY.
5. ALL WORK ASSOCIATED WITH THE INSTALLATION OF THE BLADDERS AND ASSOCIATED WATER PUMPING IS TO BE PROVIDED BY OTHERS; AT NO COST TO UDC.
6. BACKFILL TO CONSIST OF THE EXCAVATED MATERIALS.
7. RESTORATION OF THE CREEK BED AND BANKS IS TO BE PERFORMED BY OTHERS.
8. REFER TO ADDITIONAL NOTES/CLARIFICATIONS FROM OUR 2/7/20 PROPOSAL. (Encl)
9. PRICING IS BASED UPON PERFORMING ALL WORK DURING OUR NORMAL STRAIGHT TIME HOURS. 7A-330P, M-F.
10. REFER TO THE ATTACHED MARKED UP DRAWINGS FOR ADDITIONAL INFORMATION.
11. ANY REQUIRED TREE REMOVAL SHALL BE PERFORMED BY OTHERS, PRIOR TO SCHEDULING UDC TO THE SITE.
12. EXCAVATION, BREAKING, ETC. OF SOLID ROCK IS NOT INCLUDED IN OUR PROPOSAL.

UTILITY DYNAMICS CORP.  
 23 COMMERCE DRIVE  
 OSWEGO, IL 60543

7/7/20