

VILLAGE OF FOX CROSSING
PLANNING COMMISSION MEETING
Municipal Complex – Arden Tews Assembly Room
Wednesday, April 19, 2023 5:15 PM
Minutes

CALL TO ORDER

The Planning Commission meeting was called to order by Chairman Jochman at 5:20 p.m.

PRESENT: Chairperson: Chair Dennis Jochman
Commissioners: Mr. Tom Young
Mr. Morris Cox
Mr. Michael Scheibe,
Ms. Tracy Romzek,
Mr. Thomas Willecke

EXCUSED: Vice Chair Aaron Sabel

Staff: Community Development Director George Dearborn
Associate Planner Daniel Dieck
Village Manager Jeffery Sturgell
Village Board President Dale Youngquist

Other: There were 21 others present

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – March 15, 2022

MOTION: Mr. Cox, seconded by Mr. Willecke, to approve the meeting minutes of Wednesday, March 15, 2023 as presented.

Motion carried 6-0-1-0.

PUBLIC HEARING

1. Preliminary Plat – East Shady Lane

MOTION: Mr. Willecke, seconded by Mr. Cox to open the public hearing.

Motion carried 6-0-1-0.

Director Dearborn gave an overview of the plat explaining it is proposed for 69 single-family lots on 23.5 acres. The average proposed lot is around 10,000 square feet, the proposed zoning is R-2 and this zoning conforms to the to the adopted Village Future Land Use map. The road width for the two proposed through roads is 60 feet and Sand Point Road continues its 66 foot right of way. Stormwater for this project will be provided through a buy in to the East Shady Lane Pond to be constructed later this year. Staff recommended approval with 13 conditions.

Sean Vindhurst of 1231 Allison Drive

Mr. Vindhurst stated he was fine with the single-family subdivision but was concerned about the amount of bedrock on the parcel. He questioned if the developer knew how much rock was under the ground and very worried that this development will begin but then would fail due to increased costs if the developer had to blast. He asked if the developer was present so he could ask questions.

Director Dearborn stated the developer was not present and was not required to be present, however there were representatives from McMahan present that are working with the developer.

Jane Van Dinter of 1171 Sandpoint Ridge

Ms. Van Dinter was concerned about blasting for basements and that it could potentially cause damage to her foundations walls. She also questioned whether new homes could be used as rental properties, the timeline for the project, whether homes would be built on spec and if construction vehicles would be coming through her neighborhood.

Director Dearborn explained that the Village did not control whether homes could be rented and was not sure of the exact timeframe. The types of homes to be built was the developer's decision but they had to meet the Village minimum requirements. He said the construction traffic would primarily come off of Shady Lane, however some could also come through the neighborhood depending on where the construction was occurring.

Virginia Peters of 2100 Deer Prairie Drive

Ms. Peters stated she was concerned that digging would be occurring in her yard and was also concerned about blasting.

Director Dearborn said that digging would only be occurring on the construction property or in the road right of ways.

Nick Kiley of 1274 East Shady Lane

Mr. Kiley stated he lives in the home adjacent to the future road that would be coming off of East Shady Lane and he is concerned about his privacy and when he purchased the home he didn't realize that it would be a corner lot in the future.

Mr. Shawn Jandrey and Mr. Doug Woelz with McMahan & Associates

Mr. Jandrey attempted to answer the residents' questions, stating the developer had conducted six (6) soil borings to determine the level of rock. It is the developer's hope to keep blasting to a minimum by filling and raising the ground level where bedrock is high. He said that where areas that had two (2) to three (3) feet of bedrock had to be removed, they hoped to it could possibly be ripped out and not blasted.

Mr. Brad Weber of 2078 High Meadows Lane

Mr. Weber stated that he lives in the neighborhood and people are just used to having a vacant field and are disappointed that it will go away.

MOTION: Mr. Scheibe, seconded by Ms. Romzek to close the public hearing.

Motion carried 6-0-1-0

2. Rezoning A-2 to R-2 East Shady Lane

MOTION: Mr. Cox, seconded by Mr. Scheibe to open the public hearing.

Motion carried 6-0-1-0

Director Dearborn stated the applicant seeks to rezone the parcel from A-2 General Agriculture to R-2 Suburban Low Density District to develop a sixty nine (69) parcel subdivision known as Shady Lane Estates. He said you may recall that a developer recently attempted to amend the Future Land Use Map to allow Medium Density Residential for a townhome development on the parcel, but the Planning Commission denied the amendment. With this application, the development stays in compliance with the Future Land Use Map.

There were no public comments.

MOTION: Mr. Scheibe, seconded by Mr. Cox to close the public hearing.

Motion carried 6-0-1-0

3. Rezoning I-2 and R-3 to M-1

MOTION: Ms. Romzek, seconded by Mr. Willecke to open the public hearing.

Motion carried 6-0-1-0

Director Dearborn presented an overview stating that this rezoning complies with the Future Land Use Map and recommends approval.

There were no public comments.

MOTION: Mr. Cox, seconded by Mr. Scheibe to close the public hearing.

Motion carried 6-0-1-0

OLD BUSINESS

None

NEW BUSINESS**1. East Shady Lane Preliminary Plat**

Director Dearborn went through the steps of approving a preliminary plat and went through the 13 conditions of approval.

Commissioner Tom Young stated that he remembered that a year or so ago there was another development for multi-family or townhomes proposed for this property and that many of the same residents were in attendance in opposition to the development. At that time the residents stated this property should be developed as single-family residential and they would have no problem with single-family residential. At that time the Planning Commission voted against the higher density development. He said this development is single-family and shares the same zoning and housing characteristics as the surrounding neighborhood.

MOTION: Mr. Young, seconded by Ms. Romzek to approve the 69 Lot Preliminary Plat on the 23.5 acres with the 13 conditions as recommended by staff.

Motion carried 5-1-1-0

2. **East Shady Lane, Rezoning A-2 to R-2 Suburban Low Density District**

Director Dearborn explained the applicant is proposing a single-family subdivision and the R-2 zoning is the appropriate zone for this development.

There was some discussion among the commissioners regarding the zoning and the general consensus was that R-2 was the appropriate zoning for this subdivision.

MOTION: Mr. Scheibe, seconded by Mr. Cox to approve the rezoning from A-2 to R-2 as presented

Motion carried 6-0-1-0

3. **CSM – 1021 Cold Spring Road**

Director Dearborn stated this is the CSM that corresponds with the rezoning from I-2 and R-3 to M-1 Mixed Use District. This is simply creating a two lot CSM.

MOTION: Mr. Willecke, seconded by Ms. Romzak to approve the two lot CSM as recommended by staff.

Motion carried 6-0-1-0

4. **1021 Cold Spring Road Rezoning M-1 Mixed Use District**

Director Dearborn gave a brief overview stating this was brought forth from the public hearing and will rezone the newly created lot to M-1 Mixed Use District, matching the property to the south.

MOTION: Mr. Cox, seconded by Mr. Willecke to rezone the property as recommended by staff.

Motion carried 6-0-1-0

OTHER BUSINESS

1. Development Activity Report

Director Dearborn reviewed the Development Activity Report for the month of March as compared to last year.

COMMUNICATIONS

1. Sustainability Committee Report

Director Dearborn shared that an Electronics Recycling event is scheduled for April 29th to be held at the municipal complex from 8 am – 12 pm. The Village will also be participating in support of No-Mow May through Resolution allowing residents to forego mowing their lawn through the month of May to protect pollinators.

PUBLIC FORUM

There was some discussion regarding the preliminary plat, the gas pipeline easement and the burning of vegetation around the regional ponds in the spring.

ADJOURN

At 6:45 p.m., **MOTION:** Mr. Cox, seconded by Mr. Scheibe to adjourn.

Motion carried 6-0-1-0

Planning Commission **April 19, 2023** Minutes

Respectfully submitted,

Daniel Dieck, Associate Planner

Note: These minutes are not considered official until acted upon at an upcoming meeting; therefore, are subject to revision.