

**PLAN COMMISSION  
GENERAL MINUTES  
August 7, 2024**

**CALL TO ORDER**

The meeting was called to order by Chairperson David Utley at 7:00 p.m.

**ROLL CALL**

Members Present: Chairperson David Utley, Don Watson, Dale Litney, Jeff Mytych, Rich Gerber  
David Picuch, Dhitu Bhagwakar and Anil Barot

Members Absent: Steve Robles

A quorum was present.

Also Present: Parth Joshi, Community Planner, AICP  
Julie Fitzgerald, Community Development Director  
Bob Fozz (sic)  
Dan Otto  
Gloria Gillado (sic)  
Lori Hines, Superintendent Palatine District 15

**CONSIDERATION OF MINUTES**

A motion was made by Mr. Gerber, seconded by Mr. Mytych to approve the following minutes:

<b><u>Mtg Date</u></b>	<b><u>Case Number and Name</u></b>
7/17/24	General Minutes
7/17/24	P2406-01 / UNITY SENIOR RESIDENCE / 129 Millis Lane / Special Use for a Group Home minutes
7/17/24	P2309-02 / LOEBER FARM REDEVELOPMENT / 2014 North Meacham Road / Site Plan Approval, Special Use for a PUD, Special Use to Construct In the Wetlands, Streams and Aquatic Resources Protection Overlay District, Rezone from R4 to R6 PUD, Preliminary and Final Plat Approval, Plat of Vacation, Landscaping Variations, Building Setback Variations, Parking Variations and Building Height Credit minutes

**MOTION CARRIED: All ayes with 1 member absent**

**PUBLIC HEARINGS**

P2406-01 / UNITY SENIOR RESIDENCE / 129 Millis Lane / Special Use for a Group Home (Continued from 7/17/24)

P2309-02 / LOEBER FARM REDEVELOPMENT / 2014 N. Meacham Rd / Site Plan Approval, Special Use For A PUD, Special Use to Construct In The Wetlands, Streams and Aquatic Resources Protection Overlay District, Rezone from R4 to R6 PUD, Preliminary and Final Plat Approval, Plat of Vacation, Landscape Variations, Building Setback Variations, Parking Variations, Building Height Credit (Continued from 7/17/24)

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### **OTHER BUSINESS**

#### **PUBLIC COMMENTS**

An audience member (name inaudible) asked if registered letters would be sent again regarding Millis Lane. Chairperson Utley stated no, once they have been sent out it is sufficient. He also stated he would like the legal counsel to define the rule of the endless loop delay.

Attorney Arevalo stated that by statute as long as the notice to continue is continued to a date certain which is necessary and required, the petitioner has just as many rights so long as the people are notified of the date. If people were here today and were told the hearing would be on a specific date, September 18<sup>th</sup>, that is all that is necessary. If another continuance was requested, it will depend on the circumstances, depend on what the commission will decide, maybe or maybe not, is a matter of considering it when it is before the condition. They cannot make a call that this is the last time because they have discretion to give it another time if necessary.

An audience member (name inaudible) questioned if there was a way to avoid this kind of occurrence and if there are two strikes then what. Chairperson Utley stated it is then at the discretion of the commission in general where or not to continue it additionally.

Mr. Fozz (sic) questioned if no one will be notified of the new hearing date how they will be notified. Chairperson Utley stated it will be on the website.

Mr. Otto stated on their street there are many seniors who are not computer literate so asked them to require registered letters be sent out again. Chairperson Utley stated no.

Ms. Fitzgerald stated because it has been continued to a date certain and everyone here has been made aware of the date certain, the letters are not required. She stated the motion was specific to a date the hearing will be on September 18<sup>th</sup>. She stated another continuance can be requested, and that is an inconvenience, but it is her right to ask for that.

Mr. Otto stated no one was notified of the first hearing on July 17<sup>th</sup>. Ms. Fitzgerald stated the reason it was continued was because the notification was not properly sent for July 17<sup>th</sup>.

Ms. Fitzgerald stated that if there were any questions regarding the process they could reach out to staff during office hours.

Ms. Gillado (sic) 133 Millis Ln. stated she didn't want a business on her street.

Mr. Kingsley questioned when the findings of fact would be issued by the commission. Mr. Utley stated they were included within the Staff Report. Mr. Kingsley questioned if the findings of fact would remain the same with the denial. Ms. Fitzgerald stated that was correct and everything from the Staff Report, the minutes from this evening and a couple weeks ago will be forwarded to the Village Board.

Ms. Hines, Superintendent Palatine District 15 stated Loeber Farms is fully within District 15's boundaries and not District 54's boundaries. They are a district of 12,000 students. They stated the

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Village's student impact fees are quite out of market at \$250 per student at the elementary level. She is here to ask the commission to consider recommending to the Village Board that they not phase in the increase in student fees over a five-year period as outlined within the student impact study; but to do so immediately for this up coming school year. They have been good partners to the Village of Schaumburg and have delt with the way out of market fees and recommend the fees are brought up to par with local municipalities now instead of over a five-year period.

Diana McCluskey, Chief School Business Official of District 15 stated along Algonquin Road is District 15 and they don't have the benefit of the commercial benefit along Algonquin Road. They get most of the apartment complexes. They have Element, Veridian, The Quin, North 680, The Lofts and the new development the land has been cleared for on Meacham and Algonquin Road. They love their students and welcome students. The impact fee makes a difference for them. She knows the Village is talking about paying with a new formula and talking about 50% phasing in where the fee is comparable to all the other areas in the community at the 100%. She stated they need the 100% and they have waited a long time. She read a letter at the October Village Board meeting and rewards them for taking it seriously. But they need it 100%.

**ADJOURNMENT**

A motion was made by Mr. Gerber seconded by Mr. Watson, to close the meeting.

**MOTION CARRIED: All ayes with 1 member absent**

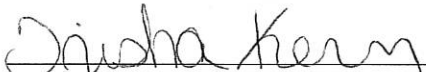
There being no further business, the meeting was adjourned at 7:30 pm.

*Parth Joshi*

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Parth Joshi, Community Planner AICP

I have reviewed the minutes, and they accurately represent the actions taken by the Plan Commission

  
Trisha Kern, Recording Secretary  
Plan Commission

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The hearing was called to order at 7:03 p.m. by Chairperson David Utley.

**ROLL CALL**

Members Present: Chairperson David Utley, Don Watson, Dale Litney, Jeff Mytych, Richard Gerber, Dhitu Bhagwakar, David Piecuch and Anil Barot

Members Absent: Steve Robles

A quorum was present.

Sworn in for testimony: Parth Joshi-Community Planner, AICP  
Marina Kodryan

Chairperson Utley introduced the case being presented; P2406-01 / UNITY SENIOR RESIDENCE / 129 Millis Lane / Special Use for a Group Home continued from July 17, 2024.

Ms. Kodryan stated she would like to continue the hearing until September 18<sup>th</sup> to retain legal counsel.

Hearing no questions from the Commission Chairperson Utley stated as a matter of course the Petitioner will get two continuances and then it is the discretion of the commission whether it should be continued beyond that.

A motion was made by Mr. Gerber to recommend continuation of case number P2406-01 / UNITY SENIOR RESIDENCE / 129 Millis Lane / Special Use for a Group Home to September 18, 2024, seconded by Mr. Watson.

**MOTION CARRIED: Vote 8-0 with one member absent.**

A poll was taken:

Mr. Don Watson	– Yes
Mr. Dale Litney	– Yes
Mr. Jeff Mytych	– Yes
Mr. Rich Gerber	– Yes
Mr. Dhitu Bhagwakar	– Yes
Mr. David Piecuch	– Yes
Mr. Anil Barot	– Yes
Mr. David Utley	– Yes

P2406-01 / UNITY SENIOR RESIDENCE / 129 Millis Lane / Special Use for a Group Home

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The hearing was adjourned at 7:05 p.m.

*Parth Joshi*

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Parth Joshi, Community Planner, AICP

I have reviewed the minutes, and they accurately represent the actions taken by the Plan Commission

*Trisha Kern*

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Trisha Kern, Secretary  
Plan Commission

P2309-02 / LOEBER FARM REDEVELOPMENT / 2014 North Meacham Road / Site Plan Approval, Special Use for a PUD, Special Use to Construct In the Wetlands, Streams and Aquatic Resources Protection Overlay District, Rezone from R4 to R6 PUD, Preliminary and Final Plat Approval, Plat of Vacation, Landscaping Variations, Building Setback Variations, Parking Variations and Building Height Credit

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The hearing was called to order at 7:05 p.m. by Chairperson David Utley.

**ROLL CALL**

Members Present: Chairperson David Utley, Don Watson, Dale Litney, Jeff Mytych, Richard Gerber, Dhitu Bhagwakar, David Picuch and Anil Barot

Members Absent: Steve Robles

A quorum was present.

Sworn in for testimony: Parth Joshi, Community Planner, AICP

Chairperson Utley introduced the case being presented, P2309-02 / LOEBER FARM REDEVELOPMENT / 2014 North Meacham Road / Site Plan Approval, Special Use for a PUD, Special Use to Construct In the Wetlands, Streams and Aquatic Resources Protection Overlay District, Rezone from R4 to R6 PUD, Preliminary and Final Plat Approval, Plat of Vacation, Landscaping Variations, Building Setback Variations, Parking Variations and Building Height Credit.

Chairperson Utley stated the only matters considered are the response to the inquiry made by Commissioner Litney and a vote will be taken. Public comment was closed at the previous hearing on July 17, 2024 and was closed.

Chairperson Utley questioned if they had an answer for Commissioner Litney.

Mr. Joshi stated Mr. Litney had requested staff investigate the number of police record calls around the adjacent multi-family zoned property. Staff worked with the police department and a memo has been prepared. There are approximately seven properties around the Loeber Farm development that are zoned for mutli-family. The attached memo lists the total number of units per development, the total number of police calls, the calls for unit and the top five categories of the calls made in the last year. He also stated he has a correction to one of the conditions regarding impact fees. On page 28 of the staff report the cultural center fund amount has been changed from \$70,400 to \$71,400; the school district fund has been increased to \$216,777.00 to \$217,864.50; and the park district fund has been increased from \$696,220.53 to \$707,573.21. It was due to the discrepancy of the number of units at the last meeting.

P2309-02 / LOEBER FARM REDEVELOPMENT / 2014 North Meacham Road / Site Plan Approval, Special Use for a PUD, Special Use to Construct In the Wetlands, Streams and Aquatic Resources Protection Overlay District, Rezone from R4 to R6 PUD, Preliminary and Final Plat Approval, Plat of Vacation, Landscaping Variations, Building Setback Variations, Parking Variations and Building Height Credit

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Chairperson Utley asked if Mr. Litney had any questions.  
Mr. Litney stated no.

A motion was made by Mr. Gerber to recommend approval of Site Plan Approval, Special Use for a PUD, Special Use to Construct In the Wetlands, Streams and Aquatic Resources Protection Overlay District, Rezone from R4 to R6 PUD, Preliminary and Final Plat Approval, Plat of Vacation, Landscaping Variations, Building Setback Variations, Parking Variations and Building Height Credit for Loeber Farms property located at 2014 North Meacham Road, case number P2309-02 subject to staff conditions, seconded by Mr. Watson.

Chairperson Utley stated Commissioner Piecuch was not at the last meeting and questioned if he had the opportunity to read all the materials and feel comfortable voting on this.

Mr. Piecuch stated he had read all the materials and the minutes from the last meeting.

**MOTION FAILED: Vote 2-6 with one member absent.**

A poll was taken:

Mr. Don Watson	- No
Mr. Dale Litney	- No
Mr. Jeff Mytych	- Yes
Mr. Richard Gerber	- No
Mr. Dhitu Bhagwakar	- No
Mr. David Piecuch	- No
Mr. Anil Barot	- No
Mr. David Utley	- Yes

A motion was made by Mr. Gerber to recommend denial of Site Plan Approval, Special Use for a PUD, Special Use to Construct In the Wetlands, Streams and Aquatic Resources Protection Overlay District, Rezone from R4 to R6 PUD, Preliminary and Final Plat Approval, Plat of Vacation, Landscaping Variations, Building Setback Variations, Parking Variations and Building Height Credit for Loeber Farms

P2309-02 / LOEBER FARM REDEVELOPMENT / 2014 North Meacham Road / Site Plan Approval, Special Use for a PUD, Special Use to Construct In the Wetlands, Streams and Aquatic Resources Protection Overlay District, Rezone from R4 to R6 PUD, Preliminary and Final Plat Approval, Plat of Vacation, Landscaping Variations, Building Setback Variations, Parking Variations and Building Height Credit

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property located at 2014 North Meacham Road, case number P2309-02 subject to staff conditions, seconded by Mr. Mytych.

**MOTION CARRIED: Vote 6-2 with 1 member absent.**

A poll was taken:

Mr. Don Watson	- Yes
Mr. Dale Litney	- Yes
Mr. Jeff Mytych	- No
Mr. Richard Gerber	- Yes
Mr. Dhitu Bhagwakar	- Yes
Mr. Steve Robles	- Yes
Mr. Anil Barot	- Yes
Mr. David Utley	- No

The hearing was adjourned at 7:25 p.m.

*Parth Joshi*

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Parth Joshi, Community Planner AICP

I have reviewed the minutes, and they accurately represent the actions taken by the Plan Commission

*Trisha Kern*

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Trisha Kern, Secretary  
Plan Commission