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PLAN

REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
PLAN COMMISSION

COMMISSION

RE: CHAPTER 28 TEXT AMENDMENTS - PC#17-005

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village
Hall, 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights,
Illinois on the 22nd day of March, 2017 at the hour of 9:10 p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
LYNN JENSEN
TERRY ENNES
BRUCE GREEN
GEORGE DROST
SUSAN DAWSON
JAY CHERWIN

ALSO PRESENT:

SAM HUBBARD, Development Planner

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CHAIRMAN LORENZINI: Next item on the agenda is Chapter 28 Text Amendments, PC#17-005. Pleasure to see you, Mr. Enright.

COMMISSIONER DROST: Do you remember when the Village didn't want to annex Granhurst? Do you remember that, Bill?

MR. ENRIGHT: No.

COMMISSIONER ENNES: I heard about that.

COMMISSIONER DROST: You heard about it, yes.

MR. ENRIGHT: Chairman, this petition, 17-005, the Village of Arlington Heights is the Petitioner. We are seeking amendments to Chapter 28 related to various code sections. We're presenting these in two phases. Phase 1 which went to the Ordinance Review Committee on February 22nd and received a unanimous approval includes amendments to Planning & Development Section, Special Uses Section, Definitions Section, Permitted Use Table, and Miscellaneous Sections.

Regarding the Phase 2, we're looking at the Nonconforming Uses Section, cleaning that up a little bit; Hardship Criteria which is the three criteria we use to evaluate variations, trying to better articulate that and make it more clear for not only petitioners but the Board and Commission members; Use Districts, specifically heights, we're looking at certain heights and certain zoning districts that are 1959 heights and don't conform with contemporary construction; and some changes in the Parking Section.

With respect to the Planning & Development Section, right now PUDs go through a preliminary and final process, typically it's bifurcated in two processes. We're recommending facilitating a quicker development review process by combining that into one planned unit development process. It would still require all the same requirements that we have now for preliminary and final including engineering which is of course very important for any development in town. A couple of things would be deferred to building permit that we typically get now as part of final engineering and things like escrows for public improvements, for instance, that we require. So, that would be deferred to building permit. Final engineering would be deferred to building permit but we have preliminary engineering as part of the PUD.

So, those types of things could be deferred. We still get it but it just changes the timing. This will facilitate PUDs so that the developers don't have to come back twice to the Plan Commission and ultimately to Village Board which can take at least a couple of months extra.

So, we think this is a positive change to code. It doesn't change at all what the Village gets, it's just the timing. Keep in mind that if a project doesn't qualify as a PUD, it could be million square-foot center that's not a PUD, they could just come in for building permit but they have to conform with all the code requirements for engineering and such. So, the Subcommittee, the Ordinance Review Committee felt that this is definitely a positive change to facilitate the development process, or the review process.

Another thing we're looking at is the Special Use Section. Years ago, well, four years ago, the Village with the recommendation of the Planning Commission created a special use waiver for restaurants that allowed restaurants less than 1,500 square feet that did not serve alcohol, as long as they had enough parking and so forth, they could be administratively approved and not have to go through the process which takes about, administrative approval

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takes, you know, a week to two weeks at the most. We've had 16 restaurants in the last three, four years since this has been instituted. Four out of 16 qualified because they were less than 1,500 and didn't serve alcohol as well and have enough parking on site. So, that's only 25 percent.

We're recommending, it's worked very well but it's been pretty limited, and we're recommending increasing the threshold from 1,500 square feet of gross area to 4,000 square feet. It is my recollection that, my recollection is and I think Commissioner Drost even talked it back then maybe even going to a higher threshold or at least evaluate it in the future. We think it's a good idea. We think that we can cover all the issues. We have an administrative requirement and an application that has to be submitted to Staff that we review to make sure there is enough parking. If there isn't, then they'd have to get a special use from the Plan Commission and Village Board which is the main issue.

Over the past 10 years, for reference purposes, if we had a threshold of 4,000, 48 out of 61 restaurants could have qualified for a waiver, 79 percent. We think this is, you know, certainly a pro-business, a pro-development change which we feel does not have any adverse negative impacts on the community because we're still checking for things like enough parking and so forth. Usually restaurants go through, it's very rare, in my 27 years I can't think of very many restaurants that we've ever not approved. So, it's somewhat onerous to have to go through that process for any business. But restaurants with the amount of infrastructure that they have to build, it could be very costly to have delays.

So, again the Subcommittee was of the opinion this is a very positive change. We did talk a little bit about whether or not, you know, drive-through restaurants should qualify for the waiver. At this point, they do not, we're not proposing at this point that they would. However, we want to see how this goes over the next couple of years and maybe we can revisit having some standard setup for drive-throughs where you may have a waiver process. For instance, if it's an outlot of a large shopping center like Town & Country Mall, you know, you may be able to have a special use waiver for a drive-through like that, whereas if it's directly adjacent to residential or it doesn't have a deep lot like we have south in Arlington Heights Road, we have the Dunkin' Donuts where it often backs up onto Arlington Heights Road, a situation like that would always require a drive-through. But the committee felt that, you know, we should keep our eye on that and look at it at some point, but for now they're very much in favor of increasing the threshold to 4,000 square feet.

Regarding definitions, we have a lot of, our code was written largely in 1959. Obviously, there's been hundreds of amendments since then. But there's a lot of language in there, a lot of definitions and verbiage that's very antiquated. So, some definitions have just been deleted in their entirety. We have reorganized some things to be a little more logical and user friendly and updated some.

One of the definitions that we have deleted is the definition of family which we discussed a little bit at the Ordinance Review Committee. But our attorney is of the opinion that they're just not enforceable. In the last 27 years, at least in the time I've been here, there's only one or two occasions that I can recall that we even tried to use the definition of family, and that was for overcrowding. That was years ago.

It's just not something the Village relies on to enforce its codes. We rely on our building codes which do have some parameters for overcrowding. It doesn't limit the number of people like the definition of family does, but it certainly has levels of control that are

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related to, you know, the occupancy and the size of a particular unit.

So, these changes to the ordinance I think are going to make it a lot more contemporary with the definitions and a little more logical and limiting the number, too. We have probably far too many definitions. Again, the Subcommittee was in general support of although there were some, you know, questions about and deliberation about the usefulness of the definition of family.

The Permitted Use Table, we're recommending some changes that are pretty significant in terms of how it looks. Right now, you know, the Permitted Use Table is basically just listed alphabetically by use category, by uses, the types of businesses. What we're recommending here is having a more contemporary code. A lot of modern or updated zoning codes that I've researched throughout the country utilize categories. So, you classify, you know, permitted uses into different land use categories like commercial or industrial or institutional. That's what we're recommending here is to reorganize it by use section to make it a little more easier to get through so you don't have to go through 30 pages of, you know, of line items because they're done alphabetically know, you can go to the specific category which will make it a little easier to maneuver.

As with the Definitions Section, the Permitted Use Table Section, we've, you know, updated some of the terminology and uses to be a little more current. Gotten rid of or recommending deleting things that don't exist anymore. Change, there is one line item that referred to computing equipment and, you know, we just call it computers now. So, simple things like that.

We also went through the Permitted Use Table and found about 30 line items that are clearly just retail, anybody would know that they're retail. So, what we've done is gotten rid of all those and just come up, added a category called Retail, as they're very obvious retail uses like Department Store was a line item that we've gotten rid of.

COMMISSIONER DROST: What's that? What's a department store?

MR. ENRIGHT: Yes, exactly. Obsolete I guess. Maybe we should add Amazon into the table.

So, we think by limiting the number of line items, from 215 to 145 that we've condensed it, reorganized it, it will be a lot more user friendly. Certainly, one thing about all these code amendments is we believe it's certainly a lot more contemporary and up to date with today's standards and uses.

There is a list of Miscellaneous Sections in the code that we're just flat out recommending deletion because Sections 15, 16, 17, 19, 20 and 21 are all very brief sections in the code. Some of them are one or two sentences, and they basically just refer to other sections in the Municipal Code where these things are covered. So, it's duplicative and it doesn't necessarily have to be in the zoning ordinance, probably shouldn't be because it's elsewhere in the Municipal Code. So, there's no need for the sections, so those will be simply deleted from the code.

So, as I said, the Ordinance Review Committee met and recommended approval of all these amendments seeing that it's, you know, we're trying to bring our code up to date and more contemporary, more user friendly, more current. One other thing we want to do is, although you don't see it now because this is more of the nuts and bolts of the changes, is we want to update the look of the code, just the pure visual aspect of it, the fonts that we use, how we organize the sections. I mean that's not going to change but we want to, if you

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go online, you want to be able to get to a section easier and quicker, and right now you have to thumb through and page, scroll down. It's not quite conducive and not quite user friendly. So, we want to make it look and appear better as well which I think will help with, you know, those who use it everyday like Staff and those who don't who maybe refer to them once in a while.

So, we think these are all positive changes and that would conclude Staff's presentation.

CHAIRMAN LORENZINI: Thank you, Bill. Were public notices needed for this meeting?

MR. ENRIGHT: Yes. There was a public notice posted in the Daily Herald.

CHAIRMAN LORENZINI: Okay, thank you. There's no public here so we don't have a public participation portion.

MR. ENRIGHT: This is a public hearing.

CHAIRMAN LORENZINI: Do we have a motion to include the Staff report in the public record?

COMMISSIONER JENSEN: So moved.

CHAIRMAN LORENZINI: Second?

COMMISSIONER DAWSON: Second.

CHAIRMAN LORENZINI: All in favor, aye?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: All right. Questions from the Commissioners? Commissioner Cherwin, would you like to start?

COMMISSIONER CHERWIN: I would just say, you know, first of all I commend Staff for taking the initiative to try to make these processes easier for our petitioners. So, thank you, and thank you to the Committee for putting in the time to do the same.

Mr. Enright, I guess two questions I would have would be, first, was there a driving, I guess you'd say what would you consider to be the main source of your updates when you referenced, you know, you probably took from different zonings, but was there a general uniform type of recommendation that you were looking at when you went ahead and updated these things? I guess what was the basis for all these definitions?

MR. ENRIGHT: I would say the basis is largely my experience with our code over the last 27 years and trying to make it better for all the users. I mean I looked at other codes and how they were organized, like the city of Chicago for instance which is a lot more voluminous but a lot easier to get around actually. So, and just, you know, I've been meeting with Robin Ward on this for a couple of months, so it's us sitting down and rolling up our sleeves and looking at our code and just our experience with it at Staff level.

COMMISSIONER CHERWIN: Then is there anything, of these changes, it sounds like as we're modernizing it, is there anything that you would deem to be more restrictive or perhaps less, that would create more vagueness by somebody who is looking at the code and leading more things to interpretation?

MR. ENRIGHT: Oh, no, just the opposite. Through our Definitions and Permitted Use Table, I think we're making things more clear, more contemporary, with the verbiage that's being used and, you know, the leading things that are just not used anymore, like we don't have canneries in the Village anymore, so things like that. But no, there is nothing that's

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being eliminated that will cause any additional confusion at all.

COMMISSIONER CHERWIN: Good. Thank you.

CHAIRMAN LORENZINI: Commission Dawson?

COMMISSIONER DAWSON: I don't really, I'm on ORC so I don't have questions with the language. I just have a question about the hearing tonight because we had the preliminary plat that would go to, but it was a plat of subdivision that would go to final plat. But in this change, we're no longer going to have the preliminary PUD, we're just going to do the final PUD. So, subdivisions would have the preliminary and final?

MR. ENRIGHT: Yes.

COMMISSIONER DAWSON: Okay, just why? Just I don't know it.

MR. ENRIGHT: Well, subdivisions are completely different because you have to have, you know, once a subdivision is approved, then they have the right to build on the property. So, you need, as we've heard tonight hopefully, and Staff is going to insist upon this with any development is that you have to design engineering with subdivisions prior to getting that subdivision approved. You have to do a cost estimate of public improvements because you have to post surety bonds to make sure those public improvements are installed, because if they aren't the Village has to do it.

I just had a case three years where the Village had a subdivision and never did require the public improvement for a storm sewer, we had a surety bond. We used that bond, we put it in. That was from a subdivision probably 15 years ago. So, it happens where things don't get put in, so we have to rely on those bonds.

So, you know, typically the preliminary plat, now you can combine the preliminary and final plat into one process and sometimes the developers do. But typically they want to find out, before they get into the final stages and get the Mylar done, because that's pretty consuming on time and going around and getting signatures, you don't want to do all that because there's outside agencies involved, and then have the project altered in some manner. So, that's imperative to have preliminary and final separate for plats primarily because of that reason.

COMMISSIONER DAWSON: Okay. I think some of my confusion during this hearing was after being on Ordinance Review Committee and hearing how we're going suddenly to final PUD. I was starting to wonder why we needed to go through the preliminary in that situation. But I understand exactly what you're saying. That's it.

CHAIRMAN LORENZINI: Commissioner Drost?

COMMISSIONER DROST: Yes. The arrow is pointing in the right direction. I think simplicity, trying to create more of an administrative role for our talented Staff is always better, and that will attract the plans and businesses that we want to attract in our community. Certainly on the restaurant issue, that's a big one and we've gotten so many complaints just hanging around those restaurants or those bars. Hopefully it will take some of the sting out of the process.

CHAIRMAN LORENZINI: Commissioner Jensen?

COMMISSIONER JENSEN: You know, I also want to commend Staff. I think they did a wonderful job. The document we're working from really needed some modifications and I think they've done that. What I saw, they made it very eye-appealing. So, I commend them.

It was Commissioner Drost who suggested that we do the pilot of about 1,500 square feet for those restaurants-special use to be delegated to the Staff. At that

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time, I think you were asking for a larger amount.

COMMISSIONER DROST: Yes.

COMMISSIONER JENSEN: I felt comfortable doing that because at that time we used to get a spreadsheet that showed us the things that came before the Commission and the things that Staff had done in the form of a tracker. We've stopped getting those, and perhaps Mr. Enright can let us know if we raise this limit to 4,000 square feet, the threshold, would we be able to get that spreadsheet again?

MR. ENRIGHT: Sure, once the director approves it. So, he has to approve it first.

COMMISSIONER JENSEN: I mean we were getting it all along, and then all of a sudden we stopped getting it. We used to get another monthly report which also helped put these things into perspective. So, I don't know what there is to approve in this sense.

MR. ENRIGHT: I'll ask the director tomorrow if he has made a decision on that and we'll let the whole Commission know.

COMMISSIONER JENSEN: That would be great. I would truly appreciate it, I would feel a lot better about raising that limit to 4,000, the threshold of 4,000 if we're able to do a high level tracking of things so that we can see patterns and so forth of what comes before us and what comes before Staff. So, to me that's an important thing and I think, I can't see why, I don't understand why it stopped, I'd like to see it started again.

CHAIRMAN LORENZINI: Commissioner Ennes?

COMMISSIONER ENNES: I can appreciate the comments on the changes. I think it's well deserved. Other than that, I have no other questions.

CHAIRMAN LORENZINI: Commissioner Green?

COMMISSIONER GREEN: I think that we had discussion at the Ordinance Review, and I think that you've done a great job here. I just have a question for you, Bill. This would be amendment or Ordinance 15.6, Protest Against Amendment, I don't understand the wording of it. I have the old one here.

MR. ENRIGHT: Right.

COMMISSIONER GREEN: And the new wording, and I need you to tell me exactly what that means, the new wording on 15.6.

MR. ENRIGHT: Basically, residents in proximity to a zoning change can petition the Village.

COMMISSIONER GREEN: Correct.

MR. ENRIGHT: In opposition usually to a zoning change. If a certain percentage of people within the range of the petition in a zoning case sign a petition, then it takes a super majority of the Board to approve it versus a simple majority.

COMMISSIONER GREEN: Right. So, my question specifically is the protest must be signed by at least 20 percent of the owners as described above and each signature must be notarized. Explain 20 percent of the owners as described above.

MR. ENRIGHT: Well, it's 20 percent of the property owners that are within proximity of the petition, the property.

COMMISSIONER GREEN: Twenty percent of the owners. So, if you have a four-sided lot, let's just say there's four owners, four other pieces, I don't understand the 20 percent of the owners. It used to be 20 percent of the frontage, and now you have 20 percent of the owners.

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MR. ENRIGHT: Well, it still says that, it refers to owners of the frontage of property immediately adjoining or across an alley from or directly opposite frontage which is, so it still relates to the frontage. I mean it's still --

COMMISSIONER GREEN: Well, what's the 20 percent of the owners? I guess I don't get it. We have some great legal minds here, maybe somebody could explain it.

MR. ENRIGHT: Well, if you have 10 people, 10 owners of property adjacent to a subject property, if 20 percent or two of those 10 owners sign a petition, that kicks in this requirement. A pretty low threshold but that's --

COMMISSIONER GREEN: Well, if you have --

COMMISSIONER DROST: What Bruce is asking from the standpoint of, like let's look at a condominium association. When you look at an owner, it's based on the percentage of ownership as opposed to --

COMMISSIONER GREEN: I understand. If across the street we have --

COMMISSIONER DROST: As opposed to a numerical percentage.

COMMISSIONER GREEN: Okay, but if you have a lot next to a lot and there is one owner, okay, you have a lot specifically next to the lot in question, would that be 20 percent of the owners?

MR. ENRIGHT: No. If that was the only one to qualify, that would be 100 percent.

COMMISSIONER GREEN: Okay, that's what I'm, 20 percent of the owners to me is 20 percent of the frontage is simpler to understand than 20 percent of the owners. Do you see what I mean? You're making these easier to understand, the old ordinance to me was cut and dried. The new one is a little bit confusing.

MR. ENRIGHT: Well, it says 20 percent of the owners as described above, so you have to go the first couple of sentences for the frontage part of it.

COMMISSIONER GREEN: Okay, so 20 percent of the frontage that are owned by the owners? Is that what I'm looking at? I'm just trying to understand the way it's worded, 20 percent of the owners. I understand if you have at least 20 percent of the frontage you qualify, that's the old ordinance. That one I can understand.

MR. ENRIGHT: You just look at the frontages and let's say there's again 10 property owners that fit within this definition, if two out of those 10 minimum signed a petition, that meets the 20 percent. You could have two, you could have three, you could have all 10.

COMMISSIONER GREEN: Okay, so I think it's harder then.

MR. ENRIGHT: You do? Do you want, are you recommending we do it without the change? Because this is, you know, any changes --

COMMISSIONER GREEN: I just want to understand it. I have a very simple mind here, Bill, and I'm just trying to understand.

MR. ENRIGHT: I don't know how else to explain it, I'm sorry.

COMMISSIONER CHERWIN: Can I, real quick? Bruce, is your concern that there's a distinction between 20 percent of the frontage versus 20 percent of the number of owners?

COMMISSIONER GREEN: Yes.

COMMISSIONER CHERWIN: So, you're saying that maybe one owner has 60 percent of the frontage and as long as he, he would automatically have the 20 percent based on his ownership?

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COMMISSIONER GREEN: Or he's got 25 percent of the frontage.

COMMISSIONER CHERWIN: Yes. So, you're saying that the language is unclear, whether it's referencing frontage or owners.

COMMISSIONER GREEN: To me you're describing a number of people instead of maybe one person who has a certain amount of frontage would qualify.

COMMISSIONER DAWSON: I don't think it's unclear, I think it's a change in the code and you are questioning which one?

COMMISSIONER GREEN: Why are we changing it then? If it is a change, then I'm wondering why are we changing it?

MR. ENRIGHT: It's not changing the code. In our legal, it's not changing the requirement at all, it's just changing how it's worded which you are saying you don't think is more clear. You're saying it's less clear.

COMMISSIONER GREEN: No, I just wanted, so you're telling me that it really is the old ordinance and the wording that is there is just in a new form?

MR. ENRIGHT: Right.

COMMISSIONER GREEN: So, if the old ordinance works, the new one will work.

MR. ENRIGHT: We would hope.

COMMISSIONER DAWSON: So, it was always to owners, not just frontage?

MR. ENRIGHT: Twenty percent.

COMMISSIONER GREEN: Twenty percent of the frontage.

COMMISSIONER DAWSON: But now it's 20 percent of the owners.

COMMISSIONER GREEN: Yes, and to me that's a difference. It's implying that you need more than possibly one guy to sign the petition. If you're one owner that owns 200 feet that is directly next to a 200-foot lot, if you're to the west of the lot on the east and you own that whole next lot, it's identical to the lot in question, does that represent 20 percent of the owners who are described in the footage?

MR. ENRIGHT: It's simply whoever owns the property consistent with the first part of the definition.

COMMISSIONER GREEN: Okay.

MR. ENRIGHT: We could have one owner owning all of these properties, right? But it's treated individually.

COMMISSIONER GREEN: So, if they own at least, if they're just 20 percent of all the property that surrounds the property in question, if they're -- I don't get it. It used to be on frontage, now it's on the number of owners.

MR. ENRIGHT: No, it's still on frontage. It's 20 percent of the owners who own frontage adjacent or near the petition.

COMMISSIONER JENSEN: This discussion suggests to me it probably needs someone to take a look at it and see if it could be written a little more clearly.

MR. ENRIGHT: Our attorney wrote it, so I'll have her look at it.

COMMISSIONER JENSEN: Yes, you're not going to change the code is what I hear you say.

MR. ENRIGHT: Right, right.

COMMISSIONER DAWSON: Looks like in the old one it was either or.

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COMMISSIONER GREEN: Here. I've got the old one here.

COMMISSIONER DAWSON: I know, I'm just looking at the screen, I don't know what that is, but it says in the case -- wait, which number are we looking at? It is 18.3, I want to make sure I'm looking at the right one.

COMMISSIONER GREEN: It's 18.3.

COMMISSIONER DAWSON: In case a written protest against any proposed amendment, signed and acknowledged by the owners of 20 percent of the frontage immediately adjoining or across an alley or by the owners of 20 percent of the frontage, so it's all --

COMMISSIONER GREEN: It has to do with the --

COMMISSIONER DAWSON: 20 percent of the owners.

COMMISSIONER JENSEN: 20 percent of the owners, 20 percent of the frontage, I think really --

COMMISSIONER DAWSON: Now it's reversing it.

COMMISSIONER JENSEN: -- wordsmith a bit, that's what you're hearing, because we can discuss this all night.

COMMISSIONER GREEN: If you can reword it to make it a little bit simpler for the simpleminded architect to understand, I would appreciate it.

MR. ENRIGHT: Okay.

COMMISSIONER GREEN: But what is in the record is that it hasn't changed the meaning from the old one.

MR. ENRIGHT: Right.

COMMISSIONER GREEN: And that's in the record here and that's all I'm concerned about.

MR. ENRIGHT: We'll take another look at it.

COMMISSIONER GREEN: Please do. Thank you, Bill.

COMMISSIONER DAWSON: Can I just point out how happy I am that I'm not the only one confused tonight?

COMMISSIONER GREEN: Yes.

CHAIRMAN LORENZINI: All right, Bill, I do have a quick question. Phase 1, the following summarizes the proposed amendments. The primary recommendation is to streamline the development review process, combining the preliminary PUD and final PUD into one step. The difference between preliminary PUD and final PUD is final engineering. So, then it goes on to say final engineering would now be deferred to the building permit as outlined in Section 9.13.

So, what is it that we're not going to be seeing as far as plans go that we see now?

MR. ENRIGHT: You'll see preliminary engineering, you'll see final engineering. Any bonds or escrows would just be deferred, they wouldn't have to make those calculations or come up with those numbers as part of the Plan Commission process --

CHAIRMAN LORENZINI: But the project we had just before this --

MR. ENRIGHT: That's a plat of subdivision.

CHAIRMAN LORENZINI: I know it's a subdivision, but I mean it's kind of a good example. You know, they had preliminary plans which wasn't --

MR. ENRIGHT: They did not, that's the problem. They didn't have the

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preliminary plans.

CHAIRMAN LORENZINI: Okay. I'm just worried we won't be seeing enough.

MR. ENRIGHT: Well, you're right. On certain cases with subdivisions, if you don't submit engineering plans, that's probably an issue. But with the PUD, they still have to do preliminary engineering. Preliminary engineering is by and large 95 percent of the ball game, so you're getting the engineering. It's not like it's just written on a napkin. It's detailed.

CHAIRMAN LORENZINI: If you're telling me preliminary is 95 percent, that's fine.

MR. ENRIGHT: Yes, it's very detailed.

CHAIRMAN LORENZINI: All right. As long as you brought up the subject of bonds, it's really not related to this but, so you mentioned we had a bond on a project that was 15 years old and we finally used it. Normally when we get a bond, how does that work? How long are they good for? Don't they have to pay every year for their bond?

MR. ENRIGHT: Yes, it depends how it's written. I mean I didn't actually look at that bond, I just asked, Engineering did that whole project. So, I don't know specifically but usually in one or two years but whatever. There's a time frame for it.

COMMISSIONER DROST: Yes, and those bonds sometimes come with surety, so it would be the underlying surety that will make the inquiry, well, do they continue to pay the premium and blah-blah-blah.

MR. ENRIGHT: It's a cost to the developer.

COMMISSIONER DROST: There is a sort of a --

CHAIRMAN LORENZINI: It's not unheard of for a surety to go out of business, is it?

COMMISSIONER DROST: No. But usually there is a substitution and we have a very good chance of --

CHAIRMAN LORENZINI: All right, that's all I had. So, do we have any more questions or a motion or recommendation?

COMMISSIONER DAWSON: Can we? Given Bruce's comments, can we --

COMMISSIONER GREEN: No, the ordinance hasn't changed. I would just like to see it reworded a little bit. I think I'm getting it, I think.

COMMISSIONER DAWSON: So, we would be making a motion to approve, a motion to recommend to the Village Board of Trustees with that revision?

MR. ENRIGHT: Well, there is no revision because you haven't specifically said a revision. What I'd suggest --

COMMISSIONER DROST: It's not a revision.

MR. ENRIGHT: I would suggest following the motion and adding to the motion that Staff look at that particular section --

COMMISSIONER DROST: For clarification.

MR. ENRIGHT: For clarification.

COMMISSIONER DROST: I'll make that motion.

COMMISSIONER DAWSON: I second it.

COMMISSIONER DROST: Well, let me recommend.

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A motion to recommend to the Village Board of Trustees approval of PC#17-005, Chapter 28 Text Amendments, with the added recommendation that Staff look at Section 18.3 and make sure that the new verbiage is consistent with the existing ordinance.

COMMISSIONER DAWSON: Can I say it now?

COMMISSIONER DROST: Sure.

COMMISSIONER DAWSON: Second.

CHAIRMAN LORENZINI: Roll call vote.

MR. ENRIGHT: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. ENRIGHT: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. ENRIGHT: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. ENRIGHT: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. ENRIGHT: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes.

MR. ENRIGHT: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MR. ENRIGHT: And Commissioner Drost.

COMMISSIONER DROST: Aye, yes.

CHAIRMAN LORENZINI: Do you have enough information? All right, any other issues, discussions?

COMMISSIONER DROST: Motion to adjourn.

CHAIRMAN LORENZINI: Second?

COMMISSIONER GREEN: Aye.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Thank you, we're adjourned.

(Whereupon, the public meeting on the above-mentioned petition was adjourned at 9:43 p.m.)

APPROVED

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