

City of Zion

Planning and Zoning Commission

Meeting Minutes

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

Thursday, February 1 2024 7:00pm

ZION CITY HALL COUNCIL CHAMBERS

I. Opening Protocol

- **Call to Order**

Chairman Riley called the meeting to order at 7:00pm.

- **Attendance**

Present: Commissioners Champine, Heffelman, Johnson, Massey, Quinn and Chairman Riley. A quorum was present.

Also present: Building & Zoning Director Richard Ianson, City Attorney Erin Kiernat

- **Approval of meeting minutes from January 4, 2024**

It was motioned by Commissioner Champine and seconded by Commissioner Quin to approve the minutes as presented.

Vote: Commissioners Champine, aye; Heffelman, aye; Johnson, aye; Massey, aye; Quinn, aye; Chairman Riley, aye. Motion passes.

II. Public Hearings

1. **Docket 24-Z-4**

Petitioner: D.R. Horton, Inc - Midwest

Request: Seeking Variances to the following sections of the Zion Municipal Code for properties located at Shepherd's Crossing Subdivision:

1. Section 10-49(1)(b) to reduce the minimum livable sq. footage from 2000 sq. ft. to not less than 1600 sq. ft. for a two-story single family.
2. Section 10-49(2) to reduce the minimum foundation requirement from 1000 sq. ft. to no less than 570 sq. ft.
3. Section 10-49(7) to reduce the minimum garage size of 500 sq. ft. to not less than 425 sq. ft. with no measurements less than 18'-6".
4. Section 82-156 to keep the impact fees the same as in the subdivision PUD.

Steve Bauer, Petitioner, D.R. Horton Inc., Midwest is proposing to build 35 single family homes ranging from 1613 sq. ft. up to 2,051 sq. ft. He said the variance request to reduce the minimum livable square footage, foundation, and garage size requirements necessary to enable additional home construction in the same manner as originally contemplated over 20 years ago, while maintaining consistency with existing homes in the area.

In reference to the variance to keep the impact fees the same as in the subdivision PUD, he said that the agreement expired in fall of 2023 and the fees are now substantially greater than what they were a few months ago.

Commissioner Champine asked what the selling price of the homes would be. Mr. Bauer said low to mid \$300,000. Commissioner Champine expressed concerns about the size of the proposed homes being significantly smaller than the existing homes in the subdivisions selling for low to mid \$300,000.

Commissioner Quinn asked by how much the new impact fees would affect the home price. Mr. Bauer said about \$8300 per home.

Commissioner Heffelman asked who would have to bear the additional cost of the impact fee if the impact fees variance is not approved. Mr. Bauer said the cost would be borne by the homeowner. Commissioner Champine disagreed and added that the cost would be borne by the taxing bodies. She also added that the homes in the subdivision are estimated to be around \$200K and this feels like consumer downsizing; paying more for less. Mr. Bauer stated that the homes in the sales brochure from Deerpoint Homes, builder of Shepherd's Crossing, range in size from 1600 sq. ft. to 2467 sq. ft. Jeff Smeland, 2700 Sarah Drive, said that the home Commissioner Champine is referencing is a one off. It's the model home that finished the garage after the builder moved. So that's the one house in the neighborhood that is 3,000 sq. ft. Most of the other homes are in the 2500 range.

Rich Pietranek, 24092 W. Old Oak Drive, Mundelein said that he is the builder of Shepherds Crossing. He said there were no homes built that were close to 3,000 sq. ft. He also said that he doesn't believe it does any taxing bodies any good to vacant lots and that what D.R. Horton is presenting to pay in impact fees is fair.

Commissioner Heffelman asked if the variances would affect the current homeowner's home values. Director Ianson said he doesn't think it would since the proposed floor plans are similar to what is there now. Mr. Bauer added that while he is not an appraiser, he would have a hard time imagining that new home construction, unless it's out of character with the established home construction or steps homes, would result in a detrimental impact on home owners.

Willie Simpson, 2523 N. Jackson Street said that there is still a demand for homes and a need for new construction. The inventory is relatively low, as far as being in a normal market. Most houses now if priced accordingly, are selling in 30 days or less and some still are receiving multiple offers.

Fred & Cathy Miller, 3601 Sarah Drive, said that the lots next to them seem pretty small and expressed concerns that the homes will be pretty substantial for the lot size. Mr. Miller asked if there restrictions of how close homes can be to each other. Director Ianson said that the minimum front yard setback is 30 feet and the side yard setback is 10 feet from structure to property line. Mrs. Miller asked when construction would start. Mr. Bauer said this spring.

Commissioner Champine asked Mr. Bauer who his target market is. Mr. Bauer said first time home buyers, young families, buyers in their mid-twenties to early thirties.

Commissioner Quinn wondered if there were any calculations done between the prior cost per square foot for the existing homes and the current cost per square foot on the homes. He also expressed his concerns regarding the impact fee issue.

Mike McCauley, 4103 Phillip Drive, a Board member of the Shepherd's Crossing HOA said he is in support of the construction of the new homes in the subdivision. Commissioner Champine asked how the other home owners feel about the development. He said they are in support of the new homes but not the increase in taxes.

Jeff Smeling, 2700 Sarah Drive, said that he was against the variance being granted. He said that he is trying to sell his home and adding new homes that are nicer at the same house will hurt his ability to leave. He also inquired about whether or not the home will have to conform to HOA standards. Mr. McCauley said that the new homes would have to conform to HOA standards.

Commissioner Heffelman asked how long it will take to build 35 homes. Mr. Bauer said the average time it takes to build a home is about 90 – 150 days. He added that the plan is to initially build 6 to 8 homes. Once they sell the next round of construction will start. If three homes are sold per month, it would take about a year, minimum.

Chairman Riley asked Director Ianson if there has been any other interest in these lots from other developers. Director Ianson said there has been some individual interest but nothing to this extent.

In response to Commissioner Quinn's question about the construction cost comparison, Mr. Pietranek stated that in 2004 it cost \$60 - \$70 a square foot to build a home in Shepherds Crossing. Today, that cost is \$120 - \$180 per square foot. Chairman Riley asked why he didn't finish building the lots. Mr. Pietranek said the banks foreclosed on all major builders except public traded companies like D.R. Horton.

Commissioner Champine restated her concerns about the size of the proposed homes being significantly smaller and priced \$20,000 more than the existing homes in the subdivisions.

After reviewing the Findings of Facts for a Variance from Section 10-49(1)(b) to reduce the minimum livable sq. footage from 2000 sq. ft. to not less than 1600 sq. ft. for a two-story single family, it was motioned by Commissioner Heffelman and seconded by Commissioner Johnson to recommend approval of the Petitioner's request. **Vote: Commissioners Champine, nay; Heffelman, aye; Johnson, aye; Massey, aye; Quinn, aye; Chairman Riley, aye. Motion passes.**

After reviewing the Findings of Facts for a Variance from Section 10-49(2) to reduce the minimum foundation requirement from 1000 sq. ft. to no less than 570 sq. ft., it was motioned by Commissioner Heffelman and seconded by Commissioner Johnson to recommend approval of the Petitioner's request. **Vote: Commissioners Champine, nay; Heffelman, aye; Johnson, aye; Massey, aye; Quinn, aye; Chairman Riley, aye. Motion passes.**

After reviewing the Findings of Facts for a Variance from Section 10-49(7) to reduce the minimum garage size of 500 sq. ft. no not less than 425 sq. ft. with no measurements less than 18'-6"., it was motioned by Commissioner Heffelman and seconded by Commissioner Johnson to recommend approval of the Petitioner's request. **Vote: Commissioners Champine, nay; Heffelman, aye; Johnson, aye; Massey, aye; Quinn, aye; Chairman Riley, aye. Motion passes.**

After reviewing the Findings of Facts for a Variance from Section 82-156 to keep the impact fees the same as in the subdivision PUD.it was motioned by Commissioner Heffelman and seconded by Commissioner Johnson to recommend approval of the Petitioner's request with the condition that staff and the developer can come to an agreement on impact fees. **Vote: Commissioners Champine, aye; Heffelman, aye; Johnson, aye; Massey, aye; Quinn, pass; Chairman Riley, aye. Motion passes.**

III. Old Business

There was none.

IV. Docket Updates

Director Ianson said the Docket 24-Z-1, 24-Z-2 & v24-Z-3 were approved by Council.

V. New Business

Due to early voting, the P & Z meeting scheduled for March 7th will be held on March 21st.

VI. Public Participation

There was none.

VII. Adjourn

It was motioned by Commissioner Heffelman and seconded by Commissioner Champine to adjourn the meeting at 8:45pm. All in favor. Meeting adjourned.

Minutes taken by Sonolito Bronson