

PLANNING AND ZONING COMMISSION

October 14, 2019 MEETING MINUTES

Village of Lake In the Hills



Chairman Joe DeMay called to order at 7:30 p.m. the meeting of the Lake in the Hills Planning and Zoning Commission.

ROLL CALL

Commissioners Joe DeMay, Anna Siakel, Greg Walker, and John Murphy were present. Absent were Michael Esposito, Suzanne Artinghelli, and Brent Borkgren. Also in attendance were Community Services Director Fred Mullard, Village President Russ Ruzanski, Village Administrator Jennifer Clough, Assistant Finance Director Matt Rossi, Deputy Chief of Support Services Mary Frake, Village Trustee Steven Harlfinger, Village Trustee Bill Dustin, Village Trustee Ray Bogdanowski, Village Attorney Brad Stewart, and Administrative Specialist Laura Pekovic.

APPROVAL OF MEETING MINUTES

Commissioner Siakel made a motion to approve the Commission meeting minutes of September 16, 2019, and Commissioner Walker seconded. Motion carried 4-0.

NEW BUSINESS

1. Variation to the Zoning Ordinance, Section 15.31-D the Zoning Ordinance, Front Yards at 25 Roosevelt Street.

Chairman DeMay convened the public hearing at 7:32 p.m. All commissioners that answered roll call were present. Staff confirmed that the petitioner correctly completed notices of public hearing.

Staff Report

Community Services Director Mullard reviewed the Request for Public Hearing and Commission Action dated October 14, 2019.

Presentation by Petitioner and Questions and Comments by Planning and Zoning Commission

The applicant, Patricia Perales, stated she would like this variation to maximize her yard space for her family. There were no questions or any discussion among the Commission.

Motion to grant a variation to Section 15.3-1-D of the Zoning Ordinance, Front Yards at 25 Roosevelt, was made by Commissioner Walker and seconded by Commissioner Siakel. On a roll call vote Commissioners Siakel, Walker, Murphy, and Chairman DeMay voted Aye. Motion carried 4-0.

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2. Conditional Use for an Automotive Service at 9256 Trinity Drive – Auto Focus

Chairman DeMay convened the public hearing at 7:37 p.m. All commissioners that answered roll call were present. Staff confirmed that the petitioner correctly completed notices of public hearing.

Staff Report

Community Services Director Mullard reviewed the Request for Public Hearing and Commission Action dated October 14, 2019.

Presentation by Petitioner and Questions and Comments by Planning and Zoning Commission

The applicant, Ernest Hardcastle, stated that the staff report completely summarized his request. There were no questions or any discussion among the Commission.

Motion to grant a Conditional Use for an Automotive Service at 9256 Trinity Drive, was made by Commissioner Walker and seconded by Commissioner Murphy. On a roll call vote Commissioners Siakel, Murphy, Walker, and Chairman DeMay voted Aye. Motion carried 4-0.

3. Conditional Use for a Drive-Through at 290 North Randall Road

Chairman DeMay convened the public hearing at 7:41 p.m. All commissioners that answered roll call were present. Staff confirmed that the petitioner correctly completed notices of public hearing.

Staff Report

Community Services Director Mullard reviewed the Request for Public Hearing and Commission Action dated October 14, 2019.

Presentation by Petitioner and Questions and Comments by Planning and Zoning Commission

The applicant, Thomas Apperson, stated that the staff report completely summarized his request. Director Mullard clarified that the Conditional Use will be good for one year. Therefore, if a tenant were not found within a year, then the Conditional Use would expire. Commissioner Siakel expressed concern that the proposed drive-through would add traffic and congestion to an already busy area.

Motion to grant a Conditional Use for a drive-through at 290 North Randall Road, was made by Commissioner Walker and seconded by Commissioner Murphy. On a roll call vote Commissioners, Murphy, Walker, and Chairman DeMay voted Aye. Commissioner Siakel voted Nay. Motion carried 3-1.

4. Conditional Use for Outdoor Storage of Vehicles as a Principle Use at 1511 Imhoff Drive

Chairman DeMay convened the public hearing at 7:50 p.m. All commissioners that answered roll call were present. Staff confirmed that the petitioner correctly completed notices of public hearing.

Staff Report

Community Services Director Mullard reviewed the Request for Public Hearing and Commission Action dated October 14, 2019.

Presentation by Petitioner and Questions and Comments by Planning and Zoning Commission

Applicant, Kyle Lindley, stated that his company's plan is to construct an area to store large recreational vehicles. He further explained that a similar-type local business recently closed, and people were coming to his business, Big Stuff Storage, asking to store their recreational vehicles. However, his lot was full. Therefore, he knows there is a need for this type of storage in the Village. He answered questions from the Commission that the property would have overhead lights and be fully fenced with with an electronic gate that has 24-hour keypad access.

Motion to grant a Conditional Use Outdoor Storage of Vehicles as a principle use at 1511 Imhoff Drive was made by Commissioner Walker and seconded by Commissioner Murphy. On a roll call vote Commissioners Siakel, Murphy, Walker, and Chairman DeMay voted Aye. Motion carried 4-0.

5. Variation to the Zoning Ordinance, Section 9.4, Manufacturing Districts Bulk Chart, at 1511 Imhoff Drive

Chairman DeMay convened the public hearing at 7:55 p.m. All commissioners that answered roll call were present. Staff confirmed that the petitioner correctly completed notices of public hearing.

Staff Report

Community Services Director Mullard reviewed the Request for Public Hearing and Commission Action dated October 14, 2019.

Presentation by Petitioner and Questions and Comments by Planning and Zoning Commission

Emailed public comments from Marlene Taheny, President of Imhoff Industrial Park and Owner of Lots 8 & 3, were read aloud. She expressed concern about the fence location on the easements and hydrants in proximity to the fence line. Applicant Kyle Lindley clarified there are three fire hydrants in question. After discussion among the Commission, it was determined by them that there would be the following conditions in place.

1. Fire hydrants must be housed outside the fence line with a minimum of a three-foot clearance.
2. Access to all easements located within the fenced area shall be made reasonably available to all authorized easements users.
3. Property owner is responsible to perform restoration to fence and pavement disturbed to authorized easement users in performance of work within any approved easements.

Motion to grant a variation to the Zoning Ordinance, Section 9.4, Manufacturing Districts Bulk Chart, at 1511 Imhoff Drive with the noted conditions was made by Commissioner Walker and seconded by Commissioner Siakel. On a roll call vote Commissioners Siakel, Murphy, Walker and Chairman DeMay voted Aye. Motion carried 4-0.

6. **Zoning Text Amendments to Sections 3, 11, and 30 through 33 Related to Cannabis Business Establishments**

Chairman DeMay convened the public hearing at 8:08 p.m. All commissioners that answered roll call were present. Staff confirmed that the petitioner published the public hearing notice correctly.

Staff Report

Community Services Director Mullard reviewed the Request for Public Hearing and Commission Action dated October 14, 2019.

Presentation by Petitioner and Questions and Comments by Planning and Zoning Commission

Director Mullard reviewed the new State of Illinois definitions and types of different cannabis operational businesses. He also reviewed the proposed additions to the Permitted and Conditional Use chart, description of the zoning areas, and where that particular business could be located within the Village. He also clarified the types of allowed business and requirements pertaining to parking spaces, setbacks, and distances to parks and schools, which are aligned with the Village's existing zoning ordinances. He also reviewed the State-imposed regulations that will be adhered within Village. Director Mullard showed on a Village map the areas where certain cannabis establishments could possibly locate so those businesses would be able to adhere to the State restrictions on setbacks, proximity to schools, parks, and residential homes.

Public Comment

Village resident Tina Sanchez spoke. She said she was unhappy that the Village Board approved cannabis sales. She stated there were studies that medical cannabis makes pain actually last longer. She said that the Village Board is setting up the community to fail, and that the Board is looking to just make a buck. She also stated that the Board should have considered the people they represent and she will make it known.

Village Attorney Brad Stewart spoke. He explained that the reality is that cannabis use and possession will be allowed in Illinois within defined parameters. He also stated that this was the third time this topic was discussed at a Village meeting.

Village resident Daniel Wyatt spoke. He said he applauds the Village Board's progressive decision. He stated that before the legalization of medicinal cannabis, was on 23 different medications for his medical conditions, and he does not need to take those medicines now. He wants to spend his money in Lake in the Hills instead of driving hours to another dispensary, and it is about time for things to move forward.

Comments from the Village's online platform, Speak Out, were read outloud.

Motion to grant zoning text amendments to Sections 3, 11, and 30 through 33 related to the cannabis business establishments was made by Commissioner Walker and seconded by Commissioner Siakel.

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On a roll, call vote Commissioners Siakel, Murphy, Walker, and Chairman DeMay voted Aye. Motion carried 4-0.

OLD BUSINESS – None

ITEM FOR DISCUSSION – Sign Ordinance Changes – Chairman DeMay requested this be tabled until the November 18, 2019 Planning & Zoning meeting.

Commissioner Siakel made a motion to table the sign discussion to November 18, 2019 and was seconded by Commissioner Walker. On a roll call vote Commissioners Siakel, Murphy, Walker and Chairman DeMay voted Aye. Motion carried 4-0 .

STAFF REPORT – PetSuites of America was approved by the Village Board of Trustees as it was presented to them. PetSuites of America’s intention is to break ground in 2019.

AUDIENCE PARTICIPATION – None

TRUSTEE LIAISON REPORT – None

Commissioner Siakle made a motion to adjourn the meeting and was seconded by Commissioner Walker. All in favor voted Aye. Chairman DeMay adjourned the meeting at 8:40 p.m.

The next Lake in the Hills Planning and Zoning Commission meeting is scheduled for Monday, November 18, 2019 at 7:30 p.m.

Laura Pekovic
Administrative Specialist

Attachments

Public Comment Pertaining to Variations to the Zoning Ordinance, Section 9.4, Manufacturing Districts Bulk Chart, at 1511 Imhoff Drive

Am wearing two Hats one as president of Imhoff industrial Park and one as owner of adjacent property—Lot 8 and 3.

We welcome Prairie Enterprises!!!

There are concerns arising from fence location on easements???

Fire Hydrants must be outside the fence

The fence along two lots (8/3) is a permanent structure on an easement therefore; would request building a fence on the LOT LINES

Between lot 7 and lot 8

Between lot 7 and lot 3 The fence between lot 7 and retention pond there is no objection

Analysis of their request is to have more parking spaces; therefore need usage of easements to make Lot 7 for viable for their business plan

The decision of the building commissioned will be honored

Once again prairie enterprises is very welcomed

Marlene Taheny

dgt1945@hotmail.com

President of Imhoff Industrial Park

Owner of Lot 8 and 3

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Public Comment Pertaining to Zoning Text Amendments to Sections 3, 11, and 30 through 33 Related to Cannabis Business Establishments

In the press release and in social media posts, the website was identified as an option for residents to submit commentary regarding tonight's cannabis businesses public hearing. We have received the following through Speak Out. Two in favor, one opposed:

+/-	Name	Address	Phone	Email	Message
-	Dawn Drifke	[REDACTED]			I do NOT support legal marijuana or cannabis stores in Lake in the Hills. I cannot attend the meeting but my family is strongly opposed to having stores located around here. Legal or not it's a drug.
+	Sean Broomans				I am in favor of having a dispensary in LITH. Other wise out tax dollars will go to other towns. Does it really matter if it's within 300' of a school?... probably not but if that makes us feel better then go for it. May as well be on top of the change instead of being behind the 8 ball and losing out on business. This is America right? Don't we support capatlisim?
+	Meagan Begley				I do not have an issue letting Cannabis locations anywhere in the town.
