



## PLANNING AND ZONING COMMISSION

February 16, 2021 MEETING MINUTES

Village of Lake In the Hills

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

### **ROLL CALL**

Commissioners Craig Bolton, John Murphy, Michael Esposito, and Chairman DeMay were present. Commissioners Anna Siakle and Greg Walker were absent. Also in attendance were Community Development Director Josh Langen, Trustee Bill Dustin, and Administrative Specialist Laura Pekovic.

### **APPROVAL OF MEETING MINUTES**

Commissioner Esposito made a motion to approve the Commission meeting minutes of January 18, 2021, and Commissioner Murphy seconded. Motion carried 4-0.

### **NEW BUSINESS**

- a. **Request Approval of a Conditional Use for a Daycare Center in the B-3 General Business District at 40 West Acorn Lane**

Chairman DeMay confirmed with staff that the public was given proper regarding public hearing.

#### **Staff Report**

Director Langen reviewed the Request for Commission Action dated February 16, 2021.

#### **Discussion and Comments by Staff and the Planning and Zoning Commission**

There was no comments by the staff, Planning and Zoning Commission members, or the public.

Commissioner Bolton made a motion to recommend approval of a conditional use for a daycare center in the B-3 General Business District at 40 West Acorn Lane, Parcel 19-29-101-032. The motion was seconded by Commissioner Esposito. On a roll call vote Commissioners Murphy, Bolton, Esposito, and Chairman DeMay voted Aye. Motion carried 4-0.

- b. **Request Approval of a Conditional Use to Allow Outdoor Storage of Vehicles as a Principle Use in the M-1 Zoning District at 1511 Imhoff Drive.**

Chairman DeMay confirmed with staff that the public was given proper notice regarding the public hearing.

#### **Staff Report**

Director Langen reviewed the Request for Commission Action dated February 16, 2021. There was then discussion about three conditions recommended by the Village. They were as follows:

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- 1) A landscaping plan be submitted and approved in accordance with Section 26, Landscaping to the greatest extent possible, as determined by the Community Development Director. Optimal placement and tree and shrubs types shall be derived which minimizes the impact of plantings on the public utility easement, fencing, and snow removal.
- 2) An agreement signed between the property owner and the Village to hold the property owner responsible for any costs associated with removal of fencing, placement of temporary security fencing, and replacement of permanent fencing associated with any improvements, replacement, or repair the water main located within the easement.
- 3) An automatically-renewing bond or surety submitted to the Village by the property owner equal to the cost, in labor and materials, of the section of fence located within the public utility easement.

### **Discussion and Comments by Staff, Petitioner, and the Planning and Zoning Commission**

Petitioner Kyle Lindley of Big Stuff Storage spoke. He explained the reasons why during the parking lot construction that the fence location needed to be changed, and that he added landscaping that was above and beyond what is required by the Village ordinance. He also offered to add future buffer landscaping requested by the Village. It was suggested by staff, and Mr. Lindley agreed, that Mr. Lindley will submit a landscaping plan to be approved in accordance with Section 26, Landscaping, to the greatest extent possible, as determined by the Community Development Director. Optimal placement tree and shrubs types shall be derived, which minimizes the impact of plantings on the public utility easement, fencing, and snow removal. He also agreed to maintain the fence if there needs to be any watermain repair work in the future, and that includes a needed temporary fence during the repairs.

Mr. Lindley showed the Commission members pictures of the property and the fence location. He also said he could arrange for a landscaping company to provide a landscaping plan for the property. There were no public comments. Chairman DeMay asked Director Langen to present to the Commission the petitioner's second request.

### **c. Request Approval of Variations to Section 9.4, Manufacturing Districts Bulk Chart and Section 15.3, Permitted Fencing, at 1511 Imhoff Drive.**

Chairman DeMay confirmed with staff that the public was given proper notice regarding the public hearing.

### **Staff Report**

Director Langen reviewed the Request for Commission Action dated February 16, 2021. There was discussion about conditions recommended by the Village, which were the same as above.

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### Discussion and Comments by Staff, Petitioner, and the Planning and Zoning Commission

Mr. Lindley said he will agree to the conditions set for by the Village. However, he would like to amend the third condition. Instead of an automatically renewing bond, he proposed to amend the existing deed. Therefore, if he decided to sell the property in the future (which is unlikely), that a surety bond would transfer on to the next owner. Therefore, it would not be automatically renewed and would be tied to the property. Chairman DeMay questioned the bond amount. Director Langen stated that it had not been determined yet. Mr. Lindley stated that he spoke with his bank's representative, and they said it would be between two to three percent of the property enhancement. Chairman DeMay recommended approval of that, as Mr. Lindley has been solid business owner in Lake in the Hills for a long time. At Commissioner Bolton's request, Mr. Lindley clarified on the map the new fence location that was in question. Mr. Lindley spoke briefly about his renter's insurance requirements to store vehicles on his property, as well as the use of security cameras and onsite personnel, which is at Big Stuff's other Lake in the Hills location. Director Langen summarized a letter to the Village from the President of the Imhoff Park Association, Marlene Taheny, that the association has no objections to the petitioner's request. Commissioner Esposito clarified that the motion would include Prairie Enterprises amending the deed on the condition that if anyone else purchased the property, that they would be responsible for the fence. The deed restriction, in place of bond to the Village, would be for the cost of the fence labor and materials. There were no public comments.

Commission Esposito made a motion to recommend approval to the Village Board a conditional use for outdoor storage of vehicles as a principle use at 1511 Imhoff Drive on Parcel 19-21-127-005 with the three staff-recommended conditions. Condition 3 would be amended that a deed restriction replaces an automatically renewing bond. The motion was seconded by Commissioner Murphy. On a roll call vote Commissioner Murphy, Esposito, Bolton, and Chairman DeMay voted Aye. Motion carried 4-0

Commissioner Esposito made a motion to recommend approval to the Village Board a variation to Zoning Ordinance Section 9.4, Manufacturing Districts Bulk Chart, and a Variation to Zoning Ordinance Section 15.3, Permitted Fencing at 1511 Imhoff Drive on Parcel 19-21-127-005 with the three staff-recommended conditions. Condition 3 would be amended that a deed restriction replaces an automatically renewing bond. The motion was seconded by Commissioner Murphy. On a roll call vote Commissioner Murphy, Esposito, Bolton, and Chairman DeMay voted Aye. Motion carried 4-0.

#### **d. Request Approval to Rezone 1203 Crystal Lake Road from B-2 to B-1.**

Chairman DeMay confirmed with staff that the public was given proper notice regarding the public hearing.

### **Staff Report**

Director Langen reviewed the Request for Commission Action dated February 16, 2021.

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### **Discussion and Comments by Staff, Petitioner, and the Planning and Zoning Commission**

Tatyana Grand, on behalf of petitioner Kris Grand, spoke to the Commission about the plans for the home and property, and showed pictures of the vision to improve and update it. She clarified that the property was already purchased and closed. Chairman DeMay confirmed with Director Langen that the petitioner's request is in line with the requested zoning. There were no public comments.

Commissioner Bolton made a motion to recommend approval to the Village Board the rezoning of 1203 Crystal Lake Road, Parcel 19-20-308-006 from B-2 to B-1. The motion was seconded by Commissioner Murphy. On a roll call vote Commissioner Murphy, Esposito, Bolton, and Chairman DeMay voted Aye. Motion carried 4-0.

**OLD BUSINESS** – None

**ITEMS FOR DISCUSSION** – None

### **STAFF REPORT**

- a. Director Langen reported that at the January 2021 Board of Trustees meeting, the Village Board of Trustees approved the revised fence zoning ordinance, Section 15. They also voted to approve the text amendment to Section 11, Bulk Use & Permitted Use Chart, as a conditional use for outdoor storage of materials, vehicles, and equipment accessory to a principle use in the B-2, Neighborhood Convenience Zoning District.
- b. Capstone Project - University students are doing planning project for Lake in the Hills, and the Planning & Zoning Commission needs to fill out the survey was sent to their email to help guide the students.

**AUDIENCE PARTICIPATION** – None

**TRUSTEE LIAISON REPORT** – Nothing to report from Trustee Dustin.

Commissioner Bolton made a motion to adjourn the meeting and was seconded by Commissioner Murphy. All in favor voted Aye. Chairman DeMay adjourned the meeting at 8:35 p.m.

The next Lake in the Hills Planning and Zoning Commission meeting is scheduled for Monday, March 15, 2021 at 7:30 p.m.

Submitted by,

*Laura Pekovic*  
Administrative Specialist I