



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

PLANNING AND ZONING

JULY 17, 2023

## Call to Order

The meeting was called to order at 7:30 p.m.

Roll call was answered by Commissioners Siakel, Walker, Murphy, Bolton, Dixon, Swanlund and Chairman Esposito.

Also present were Director of Community Development John Svalenka, Trustee Bill Dustin, and Recording Secretary Laura Carpenter.

## Approval of Meeting Minutes

Motion to accept the Planning and Zoning Commission meeting minutes from May 15, 2023 was made by Commissioner Siakel and seconded by Commissioner Walker. The motion was approved by a voice vote of 7-0.

## New Business

### **A variation from Sections 18.2-2.C and 18.9 of the Zoning Code regarding parking and a conditional use permit to allow the outdoor storage of a food truck accessory to a carry-out restaurant at 1201 Crystal Lake Road**

Chairman Esposito asked for a motion to open the public hearing. Commissioner Siakel made a motion to open the public hearing, and Commissioner Walker seconded. On a voice vote, the entire commission voted Aye, no Nays. Commissioner Esposito opened the public hearing at 7:31 p.m. and confirmed with staff that the public was given proper notice regarding it.

Director Svalenka reviewed the Request for Public Hearing and Commission Action dated July 17, 2023.

The subject property at 1201 Crystal Lake Road is within the B-2 Neighborhood Convenience Business zoning district. The west side of the property includes a 744-square-foot single-family detached residence. The east side of the property includes a 1,228-square-foot one-story commercial building. Available records from the Algonquin Township Assessors Office indicate that both buildings were constructed in 1953. The commercial building was most recently used for a repair shop named Guaranteed Appliance Parts and Service. Available records show that Guaranteed Appliance operated on the subject property from approximately 1991 until 2022. Michael Huppert purchased the property in 1995 and ran the business.

On February 1, 2022 Mr. Huppert signed an agreement to sell the subject property to Maria Calara. The agreement is essentially a rent-to-own agreement, where Ms. Calara has possession of the property and makes monthly payments to Mr. Huppert, but will not obtain the deed to the property until Mr. Huppert receives the full amount of the agreed upon purchase price. Ms. Calara now wishes to convert the commercial building to a carry-out restaurant named Stix & Noodles to sell homestyle Filipino food. Restaurants are a permitted use in the subject B-2 zoning district.

Per Section 18.2-2.C of the Zoning Code, when a building undergoes any increase in the unit of measure specified in Section 18 for the calculation of required parking, then the parking facilities shall be increased accordingly to at



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least equal the minimum parking required. Per Section 18.9 of the Zoning Code, the appliance service business would have been required to provide one parking spaces for every 200 square feet, but restaurants are required to provide one parking space for every 70 square feet of area used for service to customers and for food preparation. Based on calculations by Village staff, the current code would require six parking spaces for the appliance service business, but would require ten parking spaces for the proposed restaurant. The existing asphalt parking area is not currently striped for parking spaces, but it is wide enough to accommodate a maximum of seven parking spaces. Therefore, the applicant has requested a variation from Sections 18.2-2.C and 18.9 of the Zoning Code to reduce the required number of parking spaces from ten to seven.

In accordance with the Permitted and Conditional Use Chart in Section 11 of the Zoning Code, the outdoor storage of vehicles accessory to a principal use is allowed in the B-2 zoning district only with the approval of a conditional use. The applicant owns a food truck that is stored on the subject property when it is not in use and has, therefore, requested approval of this conditional use.

Director Svalenka continued with a detailed staff analysis of all of the petitioner's variation request and noted that staff found positively on all review criteria.

Petitioner, Sherwin Calaras, was sworn in and spoke. He stated that the food truck, which is an international van, is currently being stored on a lot near Pyott Road, and the lease ends at the end of July, 2023. There was clarification about when the truck would be parked at the building. In response to a question from Commissioner Dixon, Mr. Calaras stated that he intends to install standard signage on the building. Commissioner Bolton asked if the house on the property is involved with the business and whether the house would require additional parking, and Mr. Calaras confirmed that they own the house and it has its own separate parking.

There being no further public comments or discussion, Commissioner Esposito asked for a motion to close the public hearing. Commissioner Swanlund made a motion to close the public hearing, and Commissioner Siakel seconded. On a voice vote, the entire commission voted Aye, no Nays. Commissioner Esposito closed the public hearing at 7:40 p.m.

A motion to recommend approval of the requested variation from Sections 18.2-2.C and 18.9 of the Zoning Code to reduce the number of required parking spaces from ten to seven, and approval of the requested Conditional Use Permit to allow the outdoor storage of one food truck vehicle accessory to the principal use of a carry-out restaurant, all for the Stix & Noodles restaurant on the property at 1201 Crystal Lake Road, per the findings and with the three conditions noted in the staff report dated July 17, 2023 was made by Commissioner Dixon and seconded by Commissioner Bolton. On a roll call vote, Commissioners Siakel, Walker, Murphy, Bolton, Dixon, Swanlund, and Chairman Esposito voted Aye, No Nays. Motion passed 7-0.

## Old Business

None.



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## Item for Discussion

None.

## Staff Report

Next meeting is scheduled for August 14, 2023

## Audience Participation

None.

## Trustee Liaison

Trustee Dustin had nothing to report.

## Adjournment

A motion to adjourn the meeting was made by Commissioner Siakel and seconded by Commissioner Walker. The motion was approved on a voice vote of 7-0.

There being no further business to discuss, the meeting of the Lake in the Hills Planning & Zoning Commission was adjourned at 7:41 p.m. The next Planning and Zoning Commission meeting is scheduled for August 14, 2023.

Submitted by,

A handwritten signature in blue ink that reads "Laura Carpenter".

Laura Carpenter  
Recording Secretary