



PUBLIC MEETING NOTICE AND AGENDA
COMMITTEE OF THE WHOLE MEETING

SEPTEMBER 24, 2024
7:30 P.M.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Audience Participation
The public is invited to make an issue-oriented comment on any matter of public concern. The public comment may be no longer than 3 minutes in duration.
4. Staff Presentations
 - A. Administration
 1. Informational Item concerning discussion Regarding Regular Meeting Schedule
 2. Video Gaming License Request for Eviva, Inc. d/b/a The Annex
 - B. Community Development
 1. Informational Item concerning Potential Self-Storage Facility Rental Tax
 2. Ordinance Granting Conditional Uses for Automotive Services and Outdoor Storage of Vehicles at 9100 Trinity Drive
 - C. Public Works
 1. Ordinance amending Chapter 25, Construction of Utility Facilities in the Rights of Way, Section 25.25 Small Wireless Facilities
5. Board of Trustees
6. Village President
7. Adjournment

MEETING LOCATION
Lake in the Hills Village Hall
600 Harvest Gate
Lake in the Hills, IL 60156

The Village of Lake in the Hills is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (847) 960-7400 [TDD (847) 658-4511] promptly to allow the Village to make reasonable accommodations for those persons.

Posted by: _____ Date: _____ Time: _____



INFORMATIONAL MEMORANDUM

MEETING DATE: September 24, 2024
DEPARTMENT: Administration
SUBJECT: Discussion regarding Regular Meeting schedule

EXECUTIVE SUMMARY

The Village of Lake in the Hills Municipal Code, Chapter 2.03 establishes that regular meetings of the Village President and Board of Trustees be held on the second and fourth Thursday of each and every month at 7:30 p.m. with the exception of November and December when only the first meeting of the month is held. The Village publishes a schedule of regular meetings prior to the beginning of each calendar year.

The Open Meetings Act requires that meeting agendas be made available to the public a minimum of 48 hours in advance of a public meeting. This requires that the agenda for the Village's Board of Trustees meeting be published prior to 7:30 p.m. on the Tuesday prior. This is significant because the Board agenda must be posted by staff before the start of the Committee of the Whole meeting where the Village Board reviews each item and determines whether they should or should not be moved forward to the Board agenda. Staff must prepare the anticipated motions on the agenda based on the staff recommendations instead of the discussion of the Board.

One hazard to this approach is that Board agendas have contained items the Board had not intended to include for consideration. There have also been a number of occasions where the scripted motion needed to be amended to align with the direction of the Board's discussions at the meeting.

The Committee of the Whole meetings are commonly substantive with most of the discussion about an agenda item occurring at that meeting. Items moved to the Board meeting are placed on a consent agenda and can be voted on in a single motion. Unless something is removed for further discussion, the Board of Trustees meetings are commonly rather short in length. In the last year, the Village Board has had 19 meetings with no executive session, of which 84% were 20 minutes or less. Eight meetings or 42% were completed within 10 minutes. A few meetings have even been combined on a single night, but were conducted as two separate meetings instead of having a single agenda.

The existing meeting structure also makes it difficult for petitioners or presenters, who rarely attend both meetings, and generally prefer to participate in the Committee of the Whole to make themselves available for questions and forego the Board of Trustees meeting where the actual vote takes place. Follow up is then required to inform them of the Board's vote at the following meeting.

Staff recommends the Board consider the consolidation of the Committee of the Whole with the Village Board meetings using the format provided in the attached sample agenda. Using this format, the minutes and financials can be voted on under the consent agenda. Items which would normally be discussed on the Committee of the Whole agenda would be listed under “Items for Discussion and Consideration”. The agenda items will be presented as subject matter instead of formal motions. This method complies with the Open Meetings Act, while allowing the Board the flexibility of determining whether an item will be tabled, dismissed, or voted on by generating the motion immediately after discussion has taken place.

Once discussion has ended, the agenda items listed will be written in such a way that a Board may simply insert “Motion to” or “Motion to Approve” before the text; or the Village Attorney can guide the Board in crafting an appropriate motion that better meets the outcome of the discussion. This method should reduce unanticipated errors that can occur when items in discussion are not captured in the pre-scripted motions.

This method of consolidating discussion and voting into a single Board of Trustees meeting is very common among our neighboring communities. Although each community’s agendas are structured somewhat differently, a majority limit their meetings of the Board to two per month in a format similar to what staff is proposing.

To make the transition as seamless as possible, staff would continue to publish the agenda and packet materials on the Friday before the Board meetings. This allows the Board nearly a week to review the contents and contact staff with any questions they might have before the meeting. On occasions that additional information is required before the Board can take a vote, the item can be tabled until the next meeting date.

Should the Board be interested in moving this forward, it would require careful amendments to the Municipal Code, Chapter 2, Board of Trustees, which would preserve the established rate of pay for the elected officials.

FINANCIAL IMPACT

None.

ATTACHMENTS

1. Sample Agenda

SUGGESTED DIRECTION

Staff is seeking direction from the Board as to whether to move forward by preparing the necessary Code changes to remove the Committee of the Whole meetings



PUBLIC MEETING NOTICE AND AGENDA

BOARD OF TRUSTEES MEETING

FEBRUARY 8, 2024

7:30 P.M.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment
The public is invited to make an issue-oriented comment on any matter of public concern. The public comment may be no longer than 3 minutes in duration.
5. Consent Agenda
This portion of the agenda contains several items which will be acted upon in one motion unless any Trustee wishes to remove an item. Any items removed from the Consent Agenda will be moved to Items for Discussion and Consideration.
 - A. Motion to accept and place on file the minutes of the January 23, 2024 Committee of the Whole meeting.
 - B. Motion to accept and place on file the minutes of the January 25, 2024 Village Board meeting.
 - C. Motion to Approve the February 9, 2024 Schedule of Bills for FY23, total of all funds in the amount of \$170,767.13.
 - D. Motion to Approve the February 9, 2024 Schedule of Bills for FY24, total of all funds in the amount of \$190,292.33.
6. Items for Discussion and Consideration
 - A. Resolution Regarding CMAP's Plan of Action for Regional Transit Report.
 - B. Waiver of Competitive Bidding and Approve the Contract to Supply Amusements with Windy City Amusements, Inc. for the 2024 Summer Sunset Festival.
 - C. Addendum to Terms of Construction Manager Agreement Between the Village of Lake in the Hills and Camosy Incorporated Regarding Self-Performed Work by Construction Manager.
 - D. Temporary Use Permit for a Carnival at 101 N. Randall Road from April 19 through April 21, 2024 and from April 26 through April 28, 2024.

- E. Discussion regarding Fence Variation at 2840 Briarcliff Lane.
 - F. Exercise the Second Option Year for Custodial Cleaning Services with Alpha Cleaning Company for Fiscal Year 2024, in an amount not to exceed \$79,087.00.
 - G. Contract with Mark 1 Landscape for Grounds Maintenance Services in 2024, for an amount not to exceed \$500,667.00.
 - H. Accept the Proposal and Award a one-year contract from April 12, 2024 through April 11, 2025 to Avalon Petroleum for no lead gasoline and diesel fuel.
 - I. Reject all Bids and Waive Competitive Bidding for the 2024 Bike Path Resurfacing project.
 - J. Ordinance Approving Budget Amendments to the Operating Budget for the Fiscal Year Ending December 31, 2024.
- 7. Village Administrator and Department Head Reports
 - 8. Board of Trustees Reports
 - 9. Village President's Report
 - 10. Unfinished Business
 - 11. New Business
 - 12. Adjournment

MEETING LOCATION
Village of Lake in the Hills
600 Harvest Gate
Lake in the Hills, IL 60156

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Posted by: _____ Date: _____ Time: _____



REQUEST FOR BOARD ACTION

MEETING DATE: September 24, 2024
DEPARTMENT: Administration
SUBJECT: Video Gaming License Request for Eviva, Inc.

EXECUTIVE SUMMARY

Eviva, Inc. presented their business plan to the Village Board on July 25, 2023 for a Class A liquor license and video gaming at 2102-2104 W. Algonquin Road, at which time the Village Board verbally provided its support. On September 20, 2023 Eviva, Inc. was issued a Class A liquor license and started the process with the Illinois Gaming Board to secure their Video Gaming License. With the submission of the attached application, they are now requesting approval from the Village for six Video Gaming Licenses, one for each machine.

Staff has reviewed the request and finds that all provisions of Chapter 33, Section 33.31 have been met. In addition to the license fees of \$500 per machine, a tax of 30% is imposed on the net terminal income and is collected by the Illinois Gaming Board. One-sixth of this tax is collected and deposited into the Local Government Video Gaming Distributive Fund. These monies are distributed on a monthly basis across those municipalities that have not prohibited video gaming. The amount will be in proportion to the tax revenue generated from video gaming within Lake in the Hills as compared to the total revenue generated statewide.

The owner, Peter Alevras, will be present at the Committee of the Whole meeting.

FINANCIAL IMPACT

None.

ATTACHMENTS

1. Video Gaming Application

RECOMMENDED MOTION

Motion to approve the Video Gaming License request from Eviva, Inc. and issue the six licenses.



VILLAGE OF LAKE IN THE HILLS
VIDEO GAMING APPLICATION

Applicant Information

Business Name: EVIVA, INC DBA THE ANNEX Date: 9/19/2024
Business Owner: PETER ALEXANDER
Business Address: 2104 W. ALGONQUIN, LAKE IN THE HILLS, IL, 60156
Business Phone Number: 224-333-0035
Business Square Footage (total interior space): 3,640

Terminal Operators Information

Business Name: GOLD RUSH GAMING
Business Owner: RICK HEIDNER
Business Address: 5277 TRILLIUM BLVD, HOFFMAN ESTATES, IL, 60192
Business Phone Number: 630 307 0500

Table with 2 columns: MACHINE SERIAL NUMBER and LICENSE NUMBER ISSUED (For Village Use Only). Rows contain handwritten serial numbers: VLT709469, 2503596, 5211744, 5222293, 5148569, 3190683288.

The annual fee, payable to the Village, shall be \$500 for each video gaming terminal/device and \$300 per terminal/device for establishments with a Class C liquor license. The annual fee shall be due and payable on March 1 of each year. All issued licenses shall expire on April 30 of the following year. This fee is not in lieu of any fee or payment payable to the State or the Illinois Gaming Board. The applicant must obtain proper federal and state licenses and exhibit proof of said licenses. This proof shall be submitted along with a copy of the signed agreement with the Terminal Operator to the Village prior to the issuance of a license.

I have read and will comply with Chapter 33, Section 33.31 of the Lake in the Hills Municipal Code.

Signature of Business Owner: [Handwritten Signature]
Business Owner Signature

For Village Use Only

Received copy of Businesses Federal/State License: Yes [X] No []
Received copy of Agreement with Terminal Operator: Yes [X] No []

Total Paid \$ 3000.00 Cash [X] Check# 373 Date: 9/20/24



INFORMATIONAL MEMORANDUM

MEETING DATE: September 24, 2024

DEPARTMENT: Community Development

SUBJECT: Request for Direction Regarding Potential Self-Storage Facility Rental Tax

EXECUTIVE SUMMARY

Self-storage facilities as a whole do not offer great benefit to the community. The facilities do not create or provide many jobs and do not generate sales tax revenue (minus trivial amounts for boxes/packing supplies if sold on site). Additionally, they do not generate consistent foot traffic for an area to result in increased spending to surrounding businesses. While the facilities do generate property tax revenue, they often do not generate the same EAV as retail or industrial uses. Therefore, staff seeks feedback from the Village President and Board of Trustees regarding a potential Self-Storage Facility Rental Tax that would generate revenue in lieu of sales tax.

Like sales tax, a Self-Storage Facility Rental Tax would be added to the gross price for the rental or leasing of storage accommodations. Staff is recommending a 5% fee, which matches the fee currently collected for this tax by the City of McHenry and the Village of Carpentersville. As an example, a 10'x10' storage unit rented for \$84.00 per month would generate \$4.20 in tax to be paid by the renter of the unit. The tax would be collected by the storage facilities and paid directly to the Village on a monthly basis. To offset the administrative costs associated with the collection of the tax, the storage facility operators would have the option to deduct 5% of the collected amount as an offset. In the previous example, of the \$4.20 collected the business could retain \$0.21 and remit the remaining \$3.99 to the Village.

Such a tax would be imposed upon the rental or leasing of all self-storage facility accommodations and all outdoor vehicle storage facility accommodations in the Village. Therefore, the tax would apply to traditional self-storage buildings containing separately divided storage rooms such as Extra Space Storage, Life Storage, U-Haul, etc., but would also apply to outdoor vehicle storage such as the truck storage lots recently approved along Route 31 for Plote and Bluff City Materials. It should be noted that the Police Department has documented a significant number of responses to existing outdoor vehicle storage businesses in the Village. For example, the Police responded to the outdoor truck storage yard at 8813 S. Route 31 a total of 12 times in the one year period from May 2023 through April 2024. The proposed tax would help to offset the increased costs to the Village for Police service at these businesses.

Staff estimates, based on the number of units and recent pricing in the several locations in Lake in the Hills, this tax would generate approximately \$120,000 annually. Just like with sales tax, not all

storage units or spaces are rented by Lake in the Hills residents or businesses, so some portion of the revenues would be money coming into the community from non-residents.

REQUESTED DIRECTION

Staff requests direction on whether to initiate the process to amend the Municipal Code to enact a Self-Storage Facility Rental Tax. If the Village Board should provide direction to move forward, following is a proposed anticipated schedule for the process:

- Village staff would mail notices to all self-storage facilities and outdoor vehicle storage facilities in the Village, to provide an approximately 30-day notice. Such notice is not required, but would be in keeping with the spirit of open and transparent government.
- A proposed ordinance would be scheduled for consideration at the Committee of the Whole meeting on October 22 and the Board of Trustees meeting on October 24.
- If an ordinance imposing the new tax is passed, staff would again mail notices to all self-storage facilities and outdoor vehicle storage facilities in the Village. Staff anticipates that the ordinance would not take effect until January 1, 2025, which would provide business owners with two months to plan for collection of the tax.



REQUEST FOR BOARD ACTION

MEETING DATE: September 24, 2024

DEPARTMENT: Community Development

SUBJECT: An Ordinance Granting Conditional Uses for Automotive Service and Outdoor Storage of Vehicles at 9100 Trinity Drive

EXECUTIVE SUMMARY

Oskar Ex Incorporated is a transportation company based and founded in Illinois in 2015. The business is owned by Mr. Andrii Verbych. The business owns a fleet of sprinter vans, small trucks and large trucks, and specializes in providing expedited overnight deliveries. In October 2023 the company purchased a property in Lake in the Hills at 9100 Trinity Drive and moved their headquarters to the existing building. On July 31, 2024, the Village received a building permit application from design firm Projekt Plus to allow the existing building to be remodeled and expanded to create an indoor garage area that is large enough for the maintenance and repair of the truck fleet.

The subject property is located within the B-4 Commercial Business zoning district. In accordance with the Permitted and Conditional Use Chart in Section 11 of the Zoning Code "automotive service" is allowed in the B-4 zoning district only with the approval of a conditional use. Therefore, Mr. Arek Jarog from Projekt Plus has requested approval of this conditional use on behalf of the owner.

As part of the business, the owner needs outdoor space to park trucks. In accordance with the Permitted and Conditional Use Chart in Section 11 of the Zoning Code, the "outdoor storage of vehicles accessory to principal use" is allowed in the B-4 zoning district only with the approval of a conditional use. Therefore, Mr. Jarog has also requested approval of this second conditional use.

Village staff reviewed the requested conditional uses according to the standards listed in the Zoning Code. In general, staff found that the request meets all seven standards for conditional uses, subject to compliance with the following conditions:

1. All vehicle repairs must take place inside the building on the subject property and no exterior vehicle repairs shall be allowed.
2. Vehicles in disrepair may not be stored outside the building for longer than 30 days.
3. Landscaped screening must be provided to meet the intent of the requirements in Section 26.10-2 of the Zoning Code, subject to review and approval by the Director of Community Development.
4. The applicant must obtain a Construction Impact Review (Health Review) from the McHenry County Health Department and provide a copy of the Health Department approval to the Village prior to the issuance of a building permit.

5. Civil engineering plans shall be submitted to the Village for review and shall be subject to final approval by the Village Engineer prior to the issuance of a building permit.
6. The newly constructed building areas shall include decorative exterior elevations consisting of a minimum of 33 percent brick, stone, or other masonry material, in compliance with Section 24.16(P) of the Municipal Code

The Planning & Zoning Commission conducted a public hearing on September 16, 2024 to consider the requested conditional uses. The Commission recommended approval of the requests by a vote of 5-0, subject to the conditions above.

FINANCIAL IMPACT

None.

ATTACHMENTS

1. Ordinance
2. PZC Staff Report
3. Zoning Map, Future Land Use Map, Aerial Photo and Site Photo
4. Applications
5. Site Plan
6. Building Plans

RECOMMENDED MOTION

Motion to approve an ordinance granting conditional uses for automotive service and outdoor storage of vehicles at 9100 Trinity Drive

VILLAGE OF LAKE IN THE HILLS

ORDINANCE NO. 2024 - ____

An Ordinance Granting Conditional Uses for Automotive Service and Outdoor Storage of Vehicles at 9100 Trinity Drive

WHEREAS, the Village of Lake in the Hills, McHenry County, Illinois (the "Village"), is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions to regulate for the protection of the public health, safety, morals, and welfare, as granted in the Constitution of the State of Illinois; and

WHEREAS, Oskar Ex Incorporated ("Owner") is the record title owner of that certain property located in the B-4 Commercial Business Zoning District ("B-4 District"), consisting of approximately 1.057 acres, commonly known as 9100 Trinity Drive in the Village, and legally described in Exhibit A attached to and, by this reference, made a part of this Ordinance (the "Property"); and

WHEREAS, the Property is currently improved with an approximately 2,048 square-foot brick building (the "Existing Building"), and areas of outdoor bituminous pavement (the "Outdoor Paved Areas"); and

WHEREAS, the Owner desires to remodel and expand the Existing Building for an automotive service use to allow the repairing of trucks, and desires to store trucks on the Outdoor Paved Areas (collectively, the "Proposed Uses") on the Property; and

WHEREAS, Section 11 of the Lake in the Hills Zoning Code, as amended (the "Zoning Code"), prohibits the use of property in the B-4 District for automotive service except upon the granting by the Board of Trustees of a conditional use therefor; and

WHEREAS, Section 11 of the Zoning Code prohibits the use of property in the B-4 District for the outdoor storage of vehicles accessory to a principal use except upon the granting by the Board of Trustees of a conditional use therefor; and

WHEREAS, in order to permit the Proposed Uses on the Property, Arkadiusz Jarog of Projekt Plus, Inc. (the "Applicant"), on behalf of the Owner, has filed applications for: (i) a conditional use for automotive service; and (ii) a conditional use for outdoor storage of vehicles accessory to a principal use (collectively, the "Requested Relief"); and

WHEREAS, pursuant to Section 21.6 of the Zoning Code, a public hearing of the Village of Lake in the Hills Planning and Zoning Commission ("PZC") to consider approval of the Requested Relief was duly advertised in the Northwest Herald on August 31, 2024, and was held on September 16, 2024; and

WHEREAS, on September 16, 2024, after deliberation the PZC voted (5 aye, 0 nay, 1 absent, 0 abstain) to approve findings of fact and make a report and a recommendation to the President and Board of Trustees in support of the Requested Relief, subject to specified conditions; and

WHEREAS, the President and Board of Trustees of the Village of Lake in the Hills have considered the findings of fact, the report, and the recommendation of the PZC, and have determined that the Requested Relief meets the standards for conditional uses as set forth in Section 24.6 of the Zoning Code; and

WHEREAS, the President and Board of Trustees have determined that it will serve and be in the best interests of the Village to grant the Requested Relief to the Owner, subject to the conditions, restrictions, and provisions of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees (together, the "Corporate Authorities") of the Village of Lake in the Hills, McHenry County, Illinois as follows:

SECTION 1: The Corporate Authorities find that the statements in the foregoing preambles are true, and the statements are incorporated into, and made a part of, this Ordinance as the findings of the Village President and Board of Trustees.

SECTION 2: The findings, report and recommendation of the PZC on the question of granting the Requested Relief is hereby accepted.

SECTION 3: APPROVAL OF CONDITIONAL USES. In accordance with and pursuant to Section 24.2 of the Zoning Code and the home rule powers of the Village, and subject to, and contingent upon, the conditions, restrictions, and provisions set forth in Section 4 of this Ordinance, the Village President and Board of Trustees hereby grant the approval of the conditional use to allow for the use of the Property for automotive service, and hereby grant the approval of the conditional use to allow the outdoor storage of vehicles accessory to the principal use on the Property, all on the terms and conditions set forth herein.

SECTION 4: CONDITIONS. Notwithstanding any use or development right that may be applicable or available pursuant to the provisions of the Zoning Code, the approvals granted pursuant to Section 3 of this Ordinance are hereby granted expressly and specifically subject to, and contingent upon, the development, use, and maintenance of the Property in compliance with each and all of the following conditions:

A. COMPLIANCE WITH REGULATIONS. Except to the extent specifically provided otherwise in this Ordinance, the development, use, operation, and maintenance of the Proposed Uses and the Property must comply at all times with all applicable Village codes and ordinances, as the same have been or may be amended from time to time.

B. CONDITIONS OF OPERATION. The use, operation, and maintenance of the Proposed Uses must comply with the following conditions:

1. All vehicle repairs must take place indoor on the Property and no exterior vehicle repairs shall be allowed.
2. Vehicles in disrepair may not be stored outdoor for longer than 30 days.
3. The Owner must obtain a construction impact review from the McHenry County Health Department and provide a copy of the Health Department approval to the Village prior to the issuance of a building permit.
4. All newly constructed building areas shall include decorative exterior elevations consisting of a minimum of 33 percent brick, stone, or other masonry material, in compliance with Section 24.16(P) of the Municipal Code.

C. LANDSCAPING.

1. Landscaped screening must be installed and maintained on the Property to meet the intent of the requirements in Section 26.10-2 of the Zoning Code, subject to review and approval by the Director of Community Development.
2. All landscaping on the Property must be installed and maintained pursuant to final landscape plans approved in advance by the Director of Community Development.

- D. ENGINEERING IMPROVEMENTS. All engineering improvements on the Property must be constructed pursuant to final engineering plans approved in advance by the Village Engineer.
- E. ESTABLISHMENT AND CONTINUATION OF USE. Pursuant to Section 24.9 of the Zoning Code, the approvals granted pursuant to this Ordinance will be automatically null and void if the Proposed Uses are not established within one year of approval of this Ordinance or if the Proposed Uses have been discontinued for a period of one year.
- F. REIMBURSEMENT OF VILLAGE COSTS. In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, the Owner and Applicant, jointly and severally, must pay to the Village, promptly upon presentation of a written demand or demands therefor, all legal fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Further, the Owner and Applicant are liable for, and must pay upon demand, all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.

SECTION 5: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the McHenry County Recorder of Deeds. This Ordinance and the privileges, obligations, and provisions contained herein inures solely to the benefit of, and is binding upon, the Owner and each of the Owner's respective heirs, representatives, successors, and assigns, except as provided in Section 4.E herein.

SECTION 6: FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Owner or the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the Village, the approvals granted in Section 3 of this Ordinance will, at the sole discretion of the President and Board of Trustees, by ordinance duly adopted, be revoked and become null and void; provided, however, that the President and Board of Trustees may not so revoke the approvals granted in Section 3 of this Ordinance unless it first provides the Owner with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Board of Trustees. In the event of revocation, the development and use of the Property will be governed solely by the regulations of the zoning district in which the Property is

located, and only the previous approvals granted specific to the Property by the Village, prior to the adoption of this Ordinance and the applicable provisions of the Zoning Code, as the same may, from time to time, be amended. Further, in the event of such revocation, the Village Administrator and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstance.

SECTION 7: AMENDMENTS. Any amendments to the approvals granted in Section 3 of this Ordinance that may be requested by the Owner after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Code.

SECTION 8: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 9: EFFECTIVE DATE.

A. This Ordinance will be effective only upon the occurrence of all of the following events, which are conditions precedent:

1. Passage by the President and Board of Trustees in the manner required by law;
2. Publication in pamphlet form (which publication is hereby authorized) in the manner required by law; and
3. The filing by the Owner with the Village Clerk of an Unconditional Agreement and Consent, in the form of Exhibit B attached to and, by this reference, made a part of this Ordinance, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to indemnify the Village for any claims that may arise in connection with the approval of this Ordinance.

B. In the event the Owner does not file a fully executed copy of the Unconditional Agreement and Consent, as required by Section 9.A.3 of this Ordinance, within 30 days after the date of final passage of this Ordinance, the President and Board of Trustees will have the right, in their sole discretion, to declare this Ordinance null and void and of no force or effect.

Passed this 26th day of September, 2024 by roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Stephen Harlfinger	_____	_____	_____	_____
Trustee Bob Huckins	_____	_____	_____	_____
Trustee Bill Dustin	_____	_____	_____	_____
Trustee Suzette Bojarski	_____	_____	_____	_____
Trustee Diane Murphy	_____	_____	_____	_____
Trustee Wendy Anderson	_____	_____	_____	_____
President Ray Bogdanowski	_____	_____	_____	_____

APPROVED THIS 26TH DAY OF SEPTEMBER, 2024

Village President, Ray Bogdanowski

(SEAL)

ATTEST: _____
Village Clerk, Shannon DuBeau

Published: _____

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

LOT 9 IN D & S COMMERCIAL PARK PHASE 2, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 6, 1994 AS DOCUMENT NO. 1994R0057985, AND AS AMENDED BY SURVEYOR'S LETTERS OF CORRECTION RECORDED NOVEMBER 7, 1994 AS DOCUMENT NO. 1994R0063394, RECORDED NOVEMBER 7, 1994 AS DOCUMENT NO. 1994R0063395, AND RECORDED NOVEMBER 15, 1994 AS DOCUMENT NO. 1994R0064617, AND AS AMENDED BY CERTIFICATES OF CORRECTION RECORDED MAY 3, 1996 AS DOCUMENT NO. 1996R0022775 AND RECORDED JULY 31, 1996 AS DOCUMENT NO. 1996R0039508, IN MCHENRY COUNTY, ILLINOIS, EXCEPTING THEREFROM THE LAND CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION ACCORDING TO THE DEED RECORDED APRIL 20, 2011 AS DOCUMENT NO. 2011R0017520, DESCRIBED AS FOLLOWS:

THAT PART OF LOT 9 IN D & S COMMERCIAL PARK PHASE 2, BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 50 MINUTES 38 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 27.00 FEET; THENCE NORTH 44 DEGREES 50 MINUTES 49 SECONDS EAST, A DISTANCE OF 38.19 FEET TO THE EAST LINE OF SAID LOT 9; THENCE SOUTH 00 DEGREES 08 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 9, A DISTANCE OF 27.00 FEET TO THE POINT OF BEGINNING. ALSO, BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9; THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 08 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 9, A DISTANCE OF 107.50 FEET; THENCE SOUTH 89 DEGREES 49 MINUTIES 10 SECONDS WEST, A DISTANCE OF 15.00 FEET TO A POINT 15.00 FEET NORMALLY DISTANT WEST OF THE EAST LINE OF SAID LOT 9; THENCE NORTH 00 DEGREES 08 MINUTES 47 SECONDS WEST ALONG A LINE 15.00 FEET NORMALLY DISTANT WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 9, A DISTANCE OF 107.50 FEET TO THE NORTH LINE OF LOT 9; THENCE NORTH 89 DEGREES 50 MINUTES 15 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 9; A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

Commonly known as 9100 Trinity Drive, Lake in the Hills, Illinois.

PIN: 19-22-126-005

EXHIBIT B

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Lake in the Hills, Illinois ("Village"):

WHEREAS, Oskar Ex Incorporated ("Owner") is the record title owner of that certain property in the Village commonly known as 9100 Trinity Drive ("Property"); and

WHEREAS, Ordinance No. _____, adopted by the Village President and Board of Trustees on September 26, 2024 ("Ordinance"), grants conditional use permits to the Owner for the use of the Property for an automotive service use to repair trucks, and to store trucks outdoors accessory to the principal use of the Property; and

WHEREAS, Section 9 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Owner shall have filed, within 30 days following the passage of the Ordinance, the Owner's unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance.

NOW, THEREFORE, the Owner does hereby agree and covenant as follows:

1. The Owner does hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.

2. The Owner acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

3. The Owner acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's granting of conditional use permit approvals for the Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Owner against damage or injury of any kind and at any time.

4. The Owner does hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents,

representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting conditional use permit approvals for the Property.

Dated: _____ 2024

ATTEST:

OSKAR EX INCORPORATED

By: _____

By: _____

Its: _____

Its: _____

REQUEST FOR PUBLIC HEARING AND COMMISSION ACTION



PLANNING AND ZONING COMMISSION

MEETING DATE: September 16, 2024

DEPARTMENT: Community Development

SUBJECT: Conditional Uses for Automotive Service and Accessory Outdoor Storage of Vehicles at 9100 Trinity Drive

EXECUTIVE SUMMARY

General Information

<i>Requested Action:</i>	<ul style="list-style-type: none">• Conditional Use Permit to allow an automotive service use.• Conditional Use Permit to allow the accessory outdoor storage of vehicles.
<i>Owner:</i>	Oskar Ex Incorporated / Andrii Verbych
<i>Applicant:</i>	Projekt Plus, Inc. / Arkadiusz Jarog
<i>Purpose:</i>	To allow a trucking business on the subject property to service trucks and store trucks outdoors
<i>Location and Size:</i>	9100 Trinity Drive. Approximately 1.102 acres in area.
<i>Zoning and Land Use:</i>	Site: B-4 Commercial Business – trucking company
	North: Village of Cary, PO Park and Open Space. Crystal Lake Park District Racket Club
	East: Village of Cary, B-2 Shopping Center. Farmland
	South: B-4 Commercial Business – Trinity Commons
	West: B-4 Commercial Business – Automotive service
	Future Land Use: Commercial

Background

Oskar Ex Incorporated is a transportation company based and founded in Illinois in 2015. The business is owned by Mr. Andrii Verbych. The business owns a fleet of sprinter vans, small trucks and large trucks, and specializes in providing expedited overnight deliveries. In October 2023 the company purchased a property in Lake in the Hills at 9100 Trinity Drive and moved their headquarters to the existing building. On July 31, 2024, the Village received a building permit

application from design firm Projekt Plus to allow the existing building to be remodeled and expanded to create an indoor garage area that is large enough for the maintenance and repair of the truck fleet.

The subject property is located within the B-4 Commercial Business zoning district. In accordance with the Permitted and Conditional Use Chart in Section 11 of the Zoning Code “automotive service” is allowed in the B-4 zoning district only with the approval of a conditional use. Therefore, Mr. Arek Jarog from Projekt Plus has requested approval of this conditional use on behalf of the owner.

As part of the business, the owner needs outdoor space to park trucks. In accordance with the Permitted and Conditional Use Chart in Section 11 of the Zoning Code, the “outdoor storage of vehicles accessory to principal use” is allowed in the B-4 zoning district only with the approval of a conditional use. Therefore, Mr. Jarog has also requested approval of this second conditional use.

Analysis - Conditional Uses

Per Section 24.6 of the Zoning Code, there are seven factors that shall be considered by the Planning and Zoning Commission regarding how they are relevant to the specific conditional uses being requested. The applicant has indicated on his submitted application form how he believes these factors are met. Staff has provided a detailed analysis below of all factors for the requests.

In the review of whether the proposed truck repair facility is necessary or desirable to provide a service or facility which is in the interest of public convenience and will contribute to the general welfare, staff notes that the truck repair is intended to service the needs of the business as opposed to providing truck repair to the general public. However, the repair facility is a necessary part of a business specializing in overnight deliveries, as in-house truck repair would allow the business to avoid the delay involved with using a third-party repair shop. Also, the on-site accessory outdoor truck storage is necessary so that trucks are available for deliveries as needed. Both of the requested conditional uses would allow the existing business to thrive, and as such the business would better be able to provide shipping services to local businesses. Therefore, staff finds that the approval of the conditional use permits would allow the applicant to continue to provide a desirable service to the public, which would contribute to the general welfare.

Next, staff has reviewed whether the proposed truck repair facility and accessory parking will be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity. The property directly to the west hosts an existing auto service business with outdoor parking. This adjacent business has not been detrimental to general welfare, and staff finds that the proposed truck repair facility would operate similarly. Therefore, staff finds that the proposed truck repair use generally will not be injurious to general welfare or property values in the vicinity. However, if vehicles were to be repaired outside the building or if vehicles in disrepair were to be stored outside the building for a long time, it would cause visual blight that might negatively affect properties values in the vicinity. Therefore, if the Planning and Zoning Commission recommends approval of the conditional uses, staff suggests that the recommendation include the conditions that all vehicle repairs must take place inside the building and no exterior vehicle repairs shall be allowed, and that vehicles in disrepair may not be stored outside the building for longer than 30 days.

Regarding the outdoor storage of trucks, staff notes that the trucks are proposed to be stored in the front yard on existing paved areas along Route 31 to the east and along Trinity Drive to the south. The previous business on the property, Hertz Car Sales, stored cars in these areas that were displayed for sale. While the storage locations are compliant, staff notes that trucks stored in these areas would be much more visible to passing motorists than the cars previously parked in this area. Per Section 26.10-2 of the Zoning Code, landscaped screening is required to be provided to the east and south of the truck storage area, to fill in the gaps between the existing landscaping. The landscaping should provide continuous screening not less than four feet tall (except within 20 feet of the intersection of Rt 31 and Trinity Drive, where the maximum height is 30 inches) with a combination of deciduous and evergreen shrubs. Staff finds that the un-screened view of trucks from the adjacent public roadways would tend to be injurious to property values in the surrounding area that is commercial in nature and not industrial. Therefore, if the Planning and Zoning Commission recommends approval of the conditional uses, staff suggests that the recommendation include the condition that landscaped screening must be provided to meet the intent of the requirements in Section 26.10-2 of the Zoning Code, subject to review and approval by the Director of Community Development.

Third, staff has reviewed whether the establishment of the truck repair business and outdoor vehicle storage will impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. The property directly to the north is already developed with the Crystal Lake Park District Racket Club. The Park District property includes a large area of green space along Route 31 directly north of the subject property that has the potential to be developed with additional buildings or parking in the future. However, staff notes that the green space is separated from the subject property by an existing row of landscaping, which will sufficiently screen the view of the subject property from the Park District Property. As such, staff finds that the proposed truck repair and storage will not affect the development potential on the green space to the north. As noted above, the property directly to the west is already developed with an auto repair business, which will not be affected by the proposed use. The property directly to the south across Trinity Drive is already developed with the multi-tenant Trinity Commons, which includes a mix of commercial businesses. Subject to compliance with the proposed condition noted above regarding the installation of additional landscaping along Trinity Drive, staff finds that the proposed uses will not affect the continued occupancy of the Trinity Commons building. The property directly to the east across Route 31 is undeveloped, within the B-2 business zoning district in the Village of Cary. Due to the fact that the property to the east is zoned for similar commercial uses as the subject property, and that the properties are separated by the wide right-of-way of Route 31, staff finds that the proposed truck repair and storage uses will have no effect on the development potential of the nearest property to the east. Therefore, staff finds that the establishment of the proposed uses will not impede the normal and orderly development and improvement of the surrounding property.

In the review of the extent to which the conditional use are harmonious and compatible with the goals and objectives of the Village's comprehensive planning documents, staff notes that the future land use map calls for commercial development on the subject property and the proposed automotive service and outdoor storage are commercial uses. As such, staff finds that the proposed uses will be compatible with the comprehensive plan.

Next, staff has considered the amount of traffic congestion or hazards, if any, that may occur as a result of the proposed conditional uses, as well as the extent and adequacy of pedestrian and vehicular access and circulation. All pedestrian pathways, vehicular drives, and parking lots are already in place on the subject property and function well without any congestion or hazards. The proposed business is not a trucking terminal or product distribution business, which would involve many trucks arriving to and leaving from the property on a daily basis. Instead, the proposed business just involves the repair of trucks for the business, and the storage of trucks used by the business. Staff expect that the amount of traffic will be similar to the traffic from the Hertz Car Sales business that previously occupied the property, and staff is not aware of any traffic congestion concerns from that previous business. Therefore, staff finds that the truck repair and outdoor truck parking will not result in additional traffic congestion or hazards.

Regarding pedestrian circulation, the site is located along Route 31 in an area surrounded by current and former quarry properties, and most customers arrive to the site by vehicle. The property includes a pedestrian walkway along the south side of the building that allows visitors to safely walk between the office and the truck maintenance areas on the property, and staff finds the existing pedestrian accommodations to be sufficient for the proposed uses.

In review of the extent that the conditional uses can be adequately served by essential public facilities and services and private utilities, staff notes that all necessary utilities are already in place. Public sewer and water service is not available at the subject property. Instead, the property is currently served by a private well and private septic system. The Village is not aware of any issues with these systems, and staff notes that the proposed uses will not require any unusual utility services. Other utilities such as gas and electrical are already in place, and other public services such as police and fire protection services are already in place. However, staff notes the proposed building addition will require work on some of the existing utilities. Specifically, the construction drawings show the installation of a number of new plumbing fixtures in the building, and it appears likely that the project will result in additional sewage flows to the septic system. Therefore, if the Planning and Zoning Commission recommends approval of the conditional uses, staff suggests that the recommendation include the condition that the applicant must obtain a Construction Impact Review (Health Review) from the McHenry County Health Department and provide a copy of the Health Department approval to the Village prior to the issuance of a building permit.

There is an existing stormwater sewer line just west of the existing building that runs diagonally from the existing stormwater management basin on the south side of the lot to a storm drain on the northwest corner of the lot. The building addition is proposed over and across the location of the existing storm sewer, and the plans include a simple note reading, "re-route existing 4" PVC storm line." The existing stormwater sewer line has a very shallow slope, and the re-routed line will be longer with a further reduced slope. As such, staff finds that the layout of this re-routed sewer line must be designed by a licensed design professional to ensure that stormwater will still flow properly and not stagnate or back up. Therefore, if the Planning and Zoning Commission recommends approval of the conditional uses, staff suggests that the recommendation include the condition that civil engineering plans shall be submitted to the Village for review and shall be subject to final approval by the Village Engineer prior to the issuance of a building permit.

Finally, staff has examined whether the proposed uses will comply with the regulations and conditions specified in the Village's codes for such uses. Staff does not have record of any code

violations on the subject property, and the applicant has submitted construction drawings for review by Village staff to confirm compliance with the building codes. No building permits will be issued unless the plans are code-compliant. Therefore, staff generally finds that the proposed uses will comply with the requirements of the code. However, as noted above, the submitted plans call for the existing building to be expanded to create an indoor garage area that is large enough for the maintenance and repair of the truck fleet. Specifically, the building is proposed to be expanded 25'8" to the west. The exterior of this building addition along with a raised section over the existing building are shown to be entirely clad with metal panels. Per Section 24.16(P) of the Municipal Code, the newly constructed building areas shall include decorative exterior elevations consisting of a minimum of 33 percent brick, stone, or other masonry material. Therefore, if the Planning and Zoning Commission recommends approval of the conditional uses, staff suggests that the recommendation include the condition that plans must be revised to provide additional brick, stone, or other masonry material to comply with Section 24.16(P) of the Municipal Code.

Findings - Summary, Conditional Uses

Based on the analysis noted above, staff offers draft findings that support the approval of the requested conditional uses, subject to compliance with a list of conditions. The Planning and Zoning Commission's decision must be consistent with the findings, otherwise the commissioners should deliberate new findings at the public hearing.

Findings - Detail, Conditional Uses

The commissioners shall arrive at findings relevant to the conditional use request. There are seven review factors listed in the Zoning Code that need to be addressed by the applicant. Below are the seven criteria and staff findings for each based on the application:

1. The Planning and Zoning Commission may recommend and the Board of Trustees shall find that the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community: *The requested conditional uses on the property at 9100 Trinity Drive are necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community, in that they will allow a Village business to easily provide overnight deliveries by repairing trucks themselves and storing the trucks outdoors onsite.*
2. The Planning and Zoning Commission may recommend and the Board of Trustees shall find that the proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity: *The requested conditional uses will not be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity, in that the proposed automotive service use with accessory outdoor storage is similar to existing adjacent uses that are not detrimental, subject to the conditions that all vehicle repairs must take place inside the building on the subject property and no exterior vehicle repairs shall be allowed, that vehicles in disrepair may not be stored outside the building for longer than 30 days, and that landscaped screening must be provided to meet the intent of the requirements in Section 26.10-2 of the Zoning Code.*

3. The Planning and Zoning Commission may recommend and the Board of Trustees shall find that the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district: *The requested conditional uses will not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the district in that the surrounding properties to the north, south and west have already been developed, and the undeveloped property to the east has a similar commercial zoning and is separated from the subject property by the Route 31 right-of-way.*
4. The Planning and Zoning Commission and the Board of Trustees shall consider the extent to which the conditional use is harmonious and compatible with the goals and objectives of the Village's comprehensive planning documents: *The requested conditional uses are harmonious and compatible with the goals and objectives of the Village's comprehensive planning documents in that the automotive service and outdoor storage uses are commercial uses and the Future Land Use Map calls for commercial development on the subject property.*
5. The Planning and Zoning Commission and the Board of Trustees shall consider the amount of traffic congestion or hazards, if any, that may occur as a result of the conditional use, as well as the extent and adequacy of pedestrian and vehicular access and circulation: *The requested conditional uses will not create traffic congestion or hazards in that the proposed truck repair and outdoor truck storage will generate a similar amount of traffic as the previous Hertz Car Sales business on the property and the previous business did not create any traffic congestion or traffic hazards, and adequate pedestrian access will be provided for the needs of the business.*
6. The Planning and Zoning Commission and the Board of Trustees shall consider the extent that the conditional use can be adequately served by essential public facilities and services, and by private utilities: *The requested conditional uses can be adequately served by the existing private well and septic systems, can be adequately served by public utilities that already serve the property, and can be adequately served by existing police and fire protection services, subject to the conditions that the applicant must obtain a Construction Impact Review (Health Review) from the McHenry County Health Department and provide a copy of the Health Department approval to the Village prior to the issuance of a building permit, and that civil engineering plans shall be submitted to the Village for review and shall be subject to final approval by the Village Engineer prior to the issuance of a building permit.*
7. The Planning and Zoning Commission may recommend and the Board of Trustees shall find that the proposed use will comply with the regulations and conditions specified in this Zoning Code for such use, and with the stipulations and conditions made a part of the authorization granted by the Board of Trustees: *The requested conditional uses are anticipated to comply with the applicable regulations of the Village's code, subject to the condition that the newly constructed building areas shall include decorative exterior elevations consisting of a minimum of 33 percent brick, stone, or other masonry material, in compliance with Section 24.16(P) of the Municipal Code.*

ATTACHMENTS

1. Exhibits
2. Application
3. Site Plan
4. Building Plans

RECOMMENDED ACTION

Staff recommends that the Planning and Zoning Commission (PZC) review, deliberate, and make the following motion:

A motion to recommend approval of the requested Conditional Use Permits to allow Oskar Ex Incorporated to operate an automotive service use with accessory outdoor vehicle storage on the property at 9100 Trinity Drive, per the findings and with the six conditions noted in the staff report dated September 16, 2024.

Staff recommends that the motion noted above be subject to compliance with the following conditions:

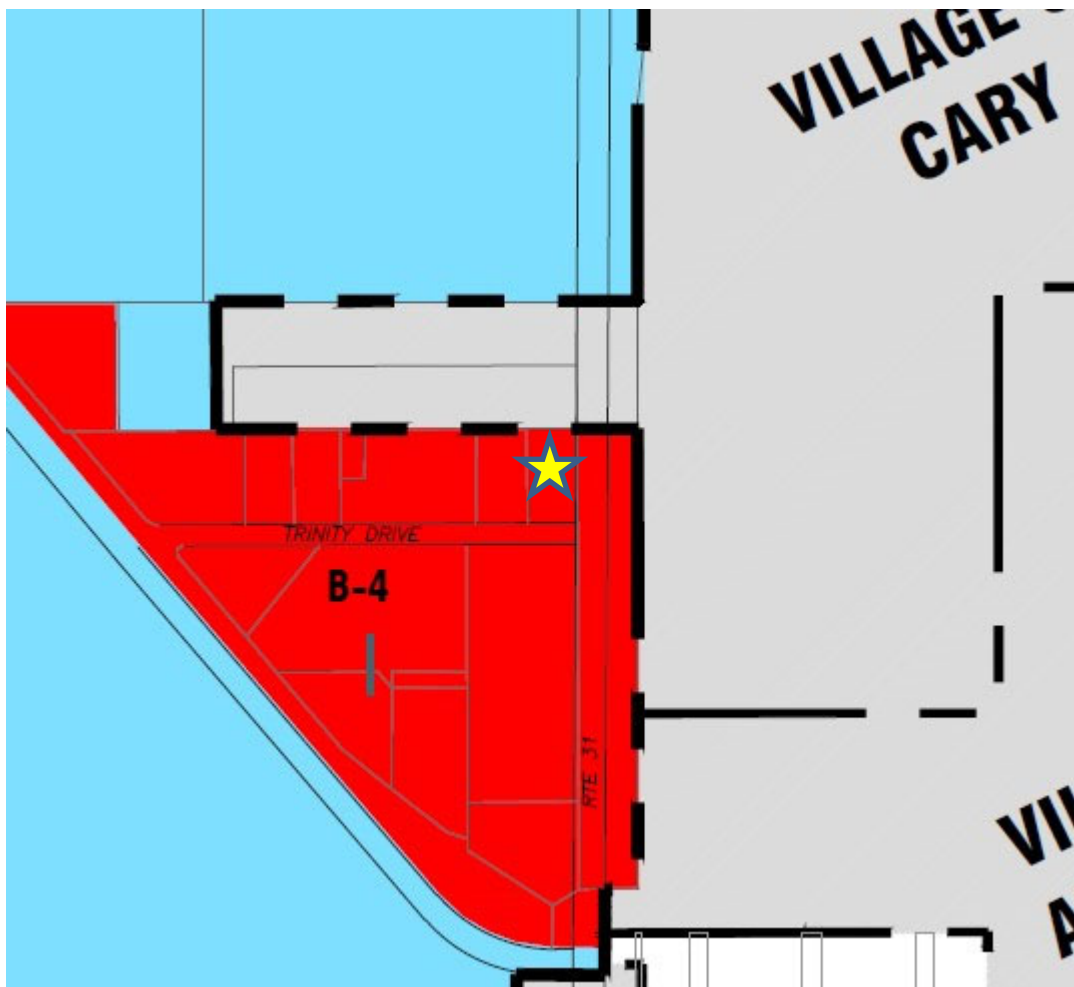
1. All vehicle repairs must take place inside the building on the subject property and no exterior vehicle repairs shall be allowed.
2. Vehicles in disrepair may not be stored outside the building for longer than 30 days.
3. Landscaped screening must be provided to meet the intent of the requirements in Section 26.10-2 of the Zoning Code, subject to review and approval by the Director of Community Development.
4. The applicant must obtain a Construction Impact Review (Health Review) from the McHenry County Health Department and provide a copy of the Health Department approval to the Village prior to the issuance of a building permit.
5. Civil engineering plans shall be submitted to the Village for review and shall be subject to final approval by the Village Engineer prior to the issuance of a building permit.
6. The newly constructed building areas shall include decorative exterior elevations consisting of a minimum of 33 percent brick, stone, or other masonry material, in compliance with Section 24.16(P) of the Municipal Code.

Conditional Uses for Automotive Service and Accessory Outdoor Storage of Vehicles at 9100 Trinity Drive

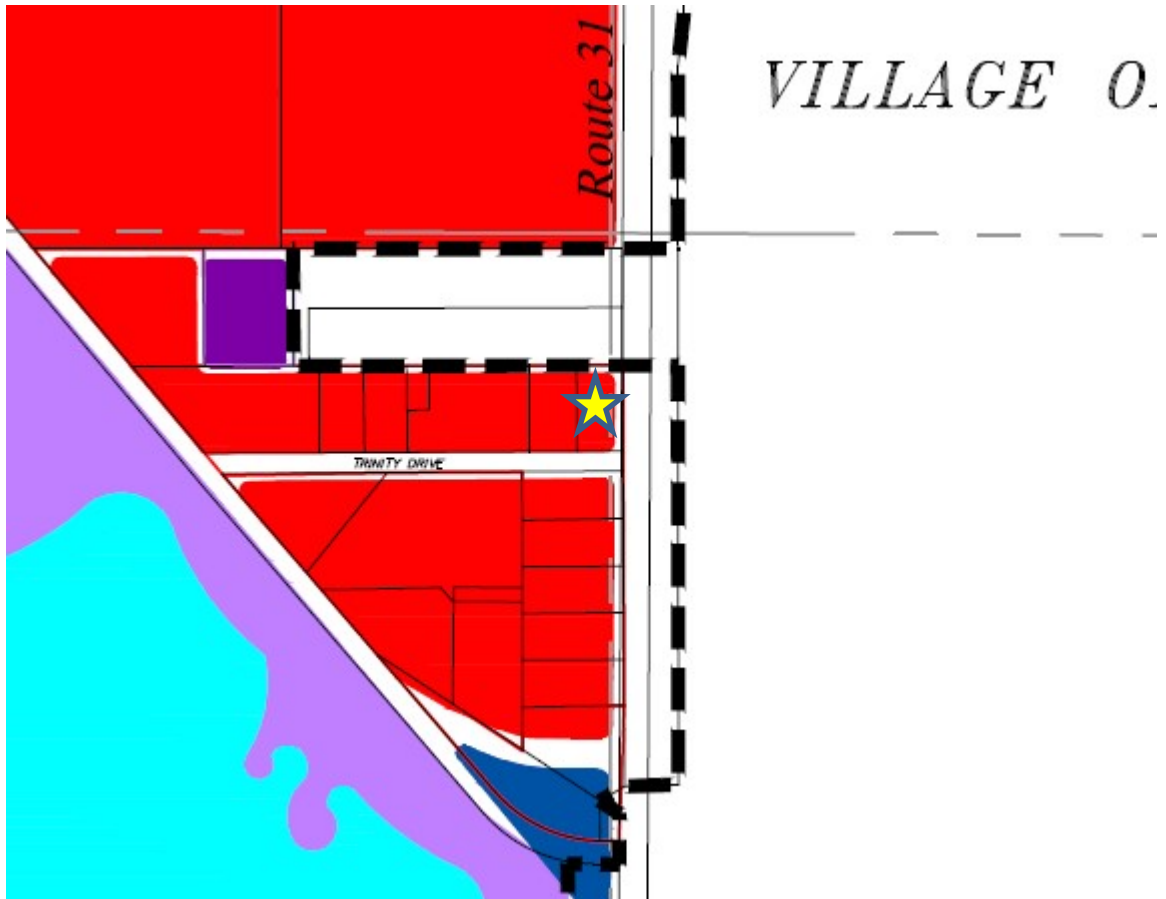


3. EXHIBITS

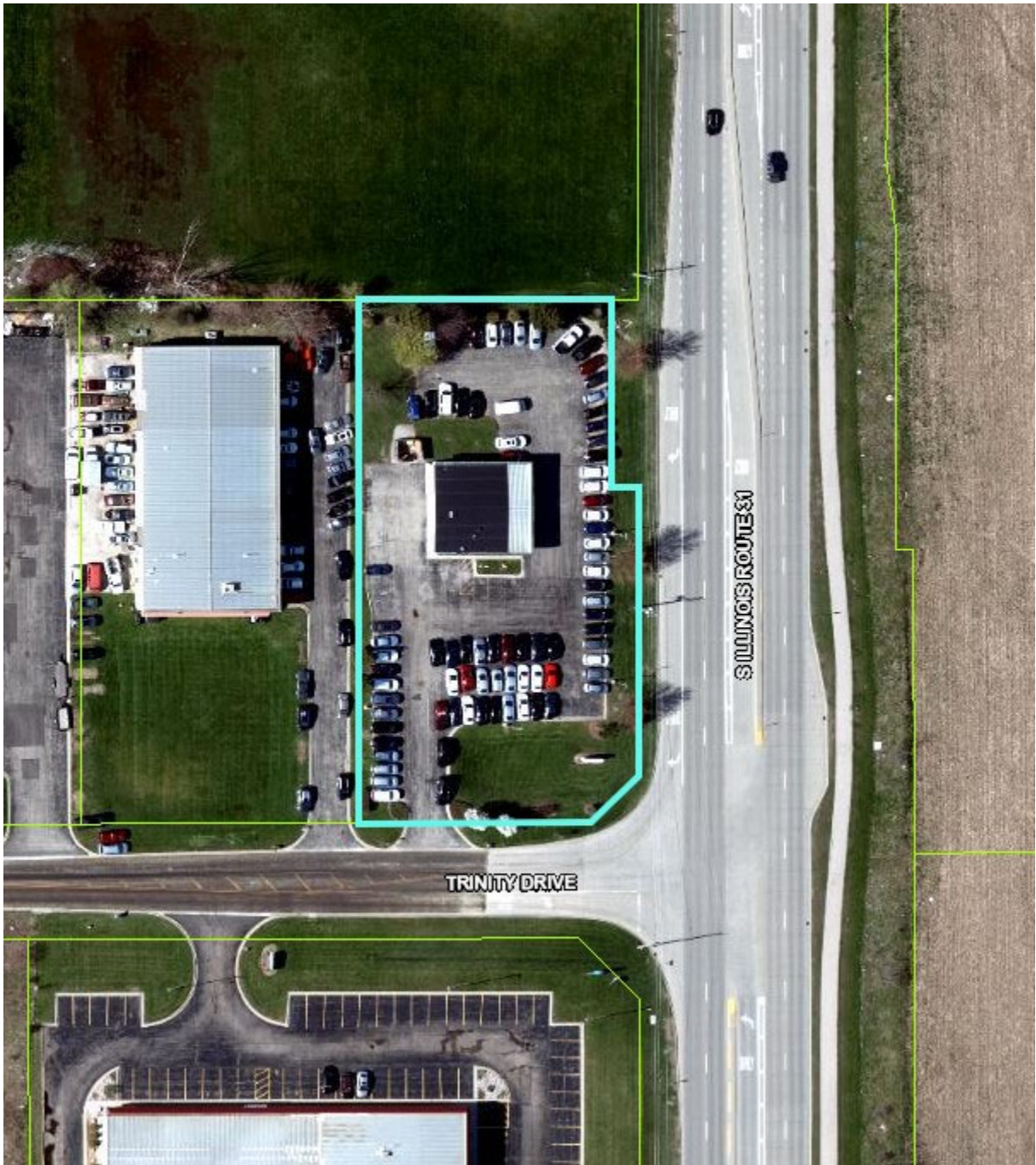
ZONING MAP



FUTURE LAND USE MAP



AERIAL PHOTO



SITE PHOTO

View of property
from the south,
looking north





2091778
RECEIVED

JUL 31 2024

Village of Lake in the Hills
Community Development

Village of Lake in the Hills Development and Zoning Application

Date: 7/15/24

Property Information

Common street address: 9100 TRINITY DR

PIN (Property Index Number): 19-22-126-004

Current Zoning: B-4

Proposed Zoning: B-4

Current Use: AUTOMOTIVE SERVICE

Proposed Use: AUTOMOTIVE SERVICE

Is the request consistent with the Comprehensive Plan? YES

Number of Acres: 1.02 If greater than 4 acres, 2 acres for government property or 5 acres for manufacturing zoned land, application shall be processed as a Planned Development as a Conditional Use. See definition of Planned Development and PD Section of Zoning Ordinance.

Legal description of the property (print or attach exhibit): ATTACHED

X Property Owner Information

Name(s): ANDRII OSKARUKA

Business/Firm Name (if applicable): OSKAR EX INC

Address: 9100 TRINITY DR

City/State/Zip: Lake in the Hills, IL 60156

Phone Number: 312-465-8687

Email: info.oskarex@gmail.com

Applicant Information

Name(s): AREK JAROG

Business/Firm Name (if applicable): PROJEKT PLUS INC

Address: 125 E LAKE ST STE 106


City/State/Zip: BEVERLY HILLS CA 90108

Phone Number: 773 505 9998

Email: PROJEKTPUSINC@GMAIL.COM

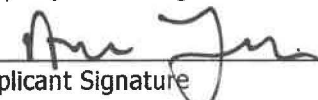
Lake in the Hills Development and Zoning Application
Page 2

1	2	3	4	5	6
Request	Select Request with X	Required Fee ac = Acre	For Requirements See Appendix	Public Hearing Required See Appendix A2	Total Fee (enter Amount per Column 3)
Annexation		\$1,000/ac payable upon annexation	D	Yes	
Sketch Plan		\$0	E	No	
Tentative Plan		\$500 + \$10/ac	F	No	
Final Plat		\$500 + \$10/ac	G	No	
Plat of Vacation and/or Resubdivision Plat		\$500 + \$10/ac	H	No	
Conditional Use	X	\$500 + \$10/ac over 2 ac	I	Yes	X 500
Rezoning		\$500 + \$10/ac over 2 ac	J	Yes	
Text Amendment		\$500	K	Yes	
Variance – Residential		\$100	L	Yes	
Variance – Non-Residential		0-2 ac = \$250 Over 2 ac = \$500	L	Yes	
Development Plan Review		\$500 + \$10/ac	M	No	
Total Fees					500.00
Additional Fees					
Stormwater Permit Application Fee to be paid at time of permit issuance Minor = \$250 Intermediate or Major = \$1,000					
Reimbursement of Fees Required (Attach Appendix B) = \$2,000 + \$100/acre for every acre over 5 acres					2000.00

X 
 Property Owner Signature

7/15/24
 Date

If Owner/Applicant is a School District please, complete and submit Appendix N


 Applicant Signature

7/15/24
 Date

All required appendices and documentation shall be submitted with this application. Incomplete applications will not be processed.

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JUL 31 2024

Appendix I
Conditional Use

Village of Lake in the Hills
Community Development

Conditional Use Applying For: AUTOMOTIVE SERVICE - STORAGE OF VEHICLES OUTDOOR

Standards and Findings of Facts
Per Section 24.6 of the Zoning Ordinance

Before recommending any Conditional Use, the Planning and Zoning Commission and the Board of Trustees shall consider the following factors and how they are relevant to the specific conditional use being requested.

1. That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will it contribute to the general welfare of the neighborhood or community? **Explain how this standard is met.**

THE PROPOSED VEHICLE SERVICE & SALES MEETS THE
EXISTING USE OF NEIGHBORHOOD, TYPE OF BUSINESS AND WE
PROVIDE THE NEEDED SERVICE TO THE PUBLIC. ~~IS~~

2. That the proposed use, under the circumstances of the particular case, will not be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity. **Explain how this standard is met.**

THE PROPOSED USE IS VERY SIMILAR TO THE PREVIOUS
BUSINESS TYPE IN THE SAME LOCATION. THE BUILDING
WILL BE ENLARGED AND RENOVATED TO GAIN IN VALUE.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. **Explain how this standard is met.**

THE PROPOSED WILL NOT ONLY IMPEDE BUT ATTRACT
OTHER BUSINESS TO THE AREA

Appendix I
Conditional Use

4. The extent to which the conditional use is harmonious and compatible with the goals and objectives of the Village's comprehensive planning documents. **Explain how this standard is met.**

THE USE FOLLOWS ALL ZONING REQUIREMENTS

5. The amount of traffic congestion or hazards, if any, that may occur as a result of the conditional use, as well as the extent and adequacy of pedestrian and vehicular access and circulation. **Explain how this standard is met.**

THERE WILL BE NO CHANGE TO TRAFFIC AS
THE USE IS SAME AS PREVIOUS BUSINESS

6. The extent that the conditional use can be adequately served by essential public facilities and services, and by private utilities. **Explain how this standard is met.**

THE PARKING & OTHER REQ. ARE MET PER ZONE

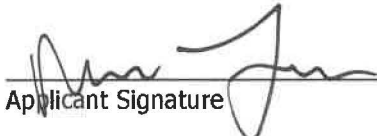
7. That the proposed use will comply with the regulations and conditions specified in this Zoning Code for such use, and with the stipulations and conditions made a part of the authorization granted by the Board of Trustees. **Explain how this standard is met.**

SITE & BUILDING FULLY COMPLIES WITH ZONING,
NO OTHER CONDITIONAL USES OR VARIANCES ARE
NEEDED.

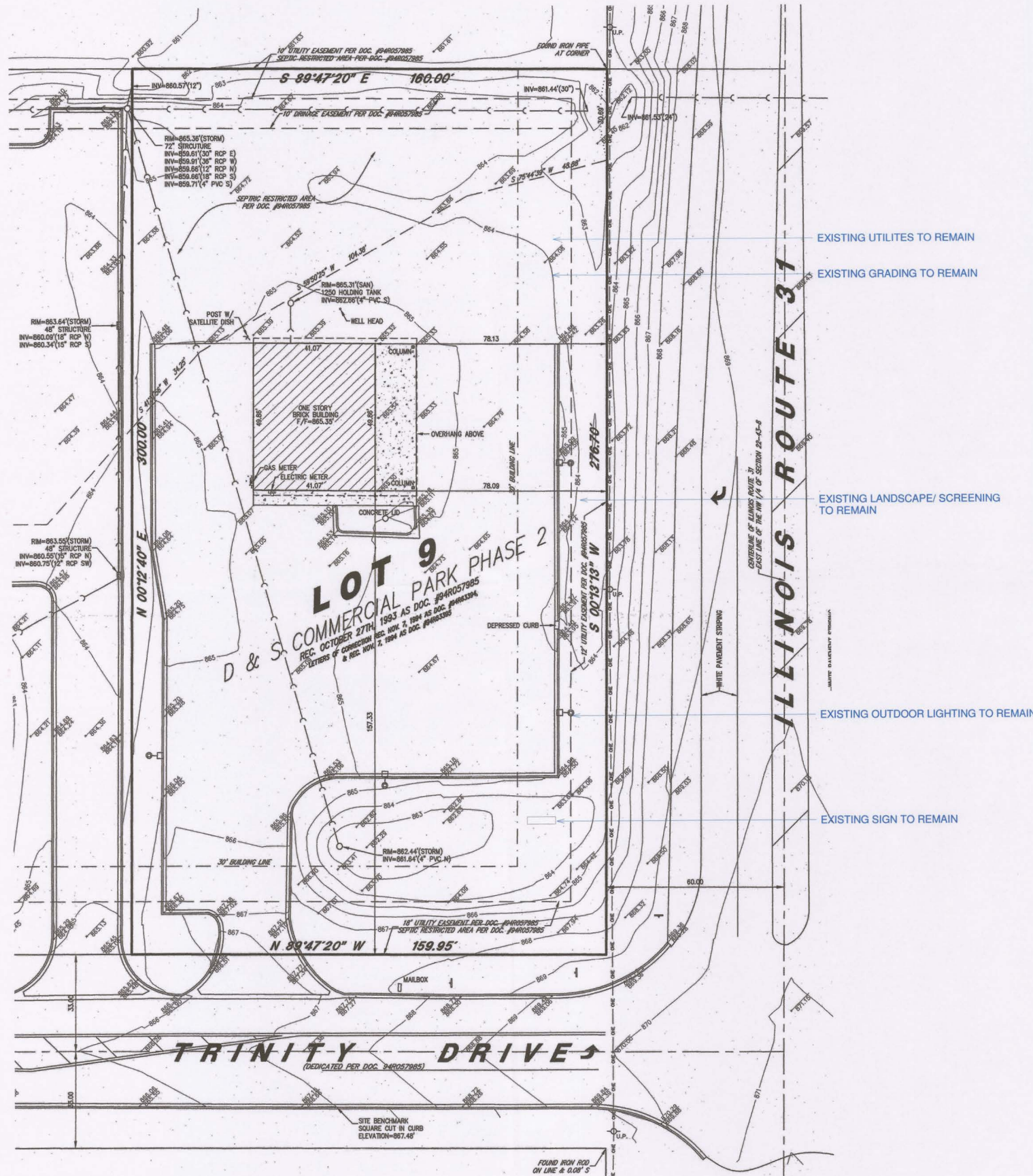
8. The Village may impose any other criteria as identified in the Zoning Code.


Property Owner Signature

7/15/24
Date


Applicant Signature

7/15/24
Date



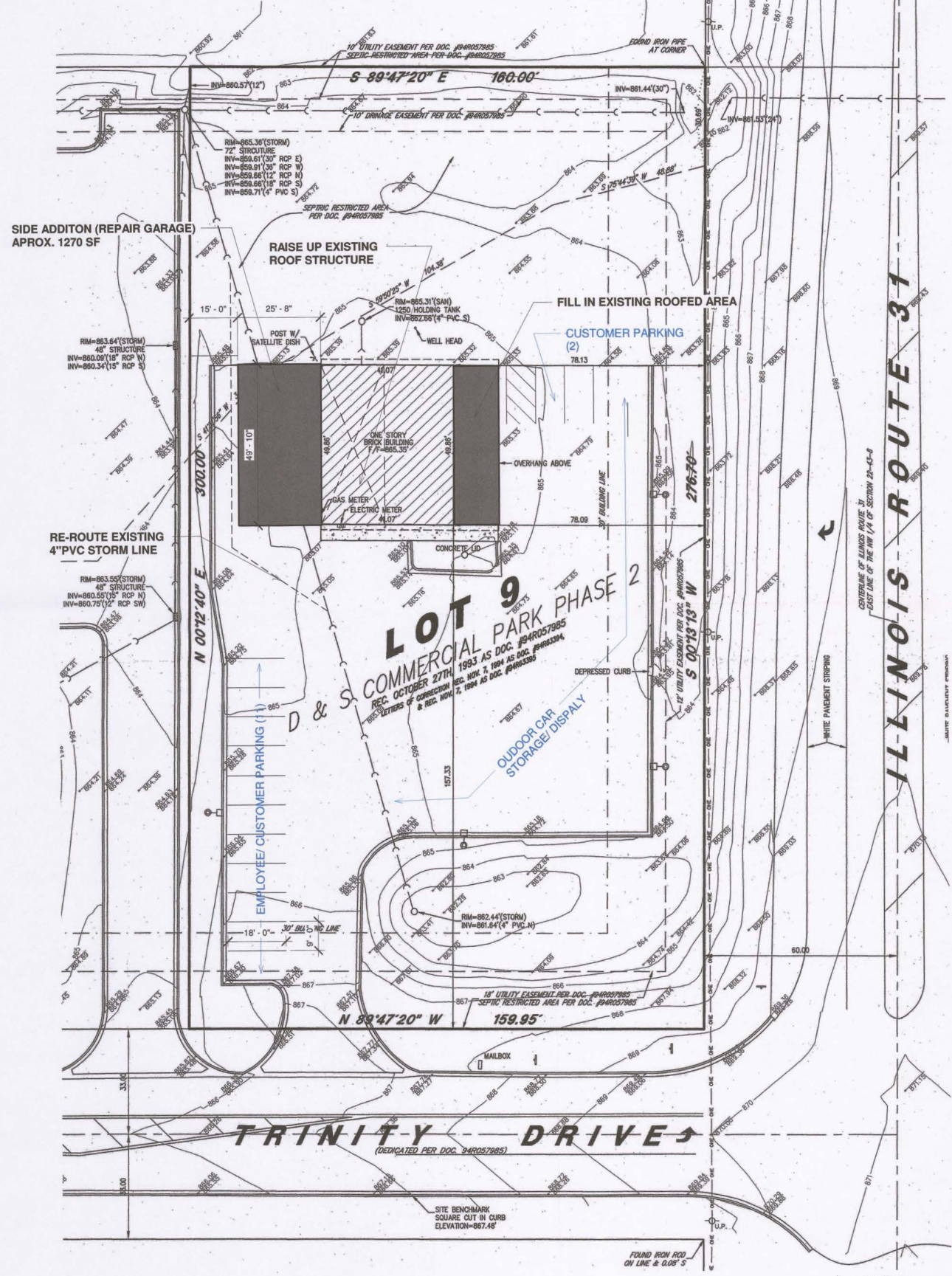
EXISTING UTILITES TO REMAIN
 EXISTING GRADING TO REMAIN

EXISTING LANDSCAPE/ SCREENING TO REMAIN

EXISTING OUTDOOR LIGHTING TO REMAIN

EXISTING SIGN TO REMAIN

2 EXISTING SITE PLAN.
 1" = 20'-0"



SIDE ADDITION (REPAIR GARAGE)
 APPROX. 1270 SF

RAISE UP EXISTING
 ROOF STRUCTURE

FILL IN EXISTING ROOFED AREA

CUSTOMER PARKING
 (2)

RE-ROUTE EXISTING
 4" PVC STORM LINE

EMPLOYEE/CUSTOMER PARKING (1)

OUTDOOR CAR
 STORAGE DISPLAY

1 PROPOSED SITE PLAN.
 1" = 20'-0"

ISSUE DATES	
DATE	DESCRIPTION



ADDITION & RENOVATION TO EXISTING
 SINGLE STORY BLDG
 9100 Trinity Dr Lake in the Hills, IL 60156

JOB NO.	SPECIAL USE	A.C.

DRAWING
 SITE PLANS
 SHEET
A4.1

RECEIVED
 JUL 31 2024
 Village of Lake in the Hills
 Community Development



ADDITION & RENOVATION TO EXITING SINGLE STORY BLDG

9100 TRINITY DR LAKE IN THE HILLS, IL 60156

GENERAL NOTES:

- ALL WORK SHALL CONFORM TO THE APPLICABLE CODES OF THE LOCAL JURISDICTION, CITY OF SAINT CHARLES AND THE STATE OF ILLINOIS AT THE TIME OF PERMIT AND CONSTRUCTION.
- ALL INTERIOR DIMENSIONS ARE TO THE ROUGH FACE OF THE WALL, UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL VERIFY IN FIELD ALL DIMENSIONS, ANGLES AND EXISTING CONDITIONS BEFORE PROCEEDING WITH ANY WORK.
- VARIATIONS IN THE FIELD CONDITIONS RELATIVE TO THE CONTRACT DOCUMENTS SHALL BE REPORTED TO THE ARCHITECT IN WRITTEN FORM. WORK SHALL NOT PROGRESS UNTIL CLARIFICATION FROM THE ARCHITECT IS OBTAINED.
- ALL DEBRIS RESULTING FROM CONSTRUCTION OPERATIONS BY INDIVIDUAL SUB-CONTRACTORS SHALL BE REMOVED FROM THE BUILDING AND ADJOINING PROPERTY ON A DAILY BASIS.
- ALL WORK SHALL BE ERECTED PLUMB, LEVEL AND TRUE AND IN ACCORDANCE WITH DETAILS. EXCESSIVELY SCUFFED, SCRATCHED, DENTED OR OTHERWISE DAMAGED FINISHED SURFACES MUST BE REPAIRED OR REPLACED AS DIRECTED BY OWNER.
- GENERAL CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UNDERGROUND CONSTRUCTION PRIOR TO EXCAVATION AND NOTIFY ARCHITECT UPON FINDING ANY SUCH ADVERSE CONDITIONS/ CONSTRUCTION (CALL J.U.L.I.E.).
- EXCAVATOR, CONCRETE CONTRACTOR AND G.C. TO NOTIFY UTILITY COMPANIES PRIOR TO EXCAVATING FOR GAS, WATER, ELECTRIC, SEWER, CABLE AND TELEPHONE LINES (CALL J.U.L.I.E.).
- EXCAVATING CONTRACTOR RESPONSIBLE FOR ROUGH GRADING. LANDSCAPE CONTRACTOR RESPONSIBLE FOR FINISH GRADING.
- DO NOT SCALE DRAWINGS. LARGE SCALE DRAWINGS AND DETAILS GOVERN OVER SMALLER SCALE DRAWINGS.
- FLASHING TO BE PROVIDED AT ALL EXTERIOR OPENINGS, INCLUDING WINDOW HEADS, HORIZONTAL WOOD TRIM, STOPS, WINDOW AND DOOR SILLS, AT BOTTOM OF ALL CAVITY WALLS, AT ALL ROOF VALLEYS AND AT CHIMNEY INTERSECTIONS AND SHALL BE INSTALLED IN SUCH A MANNER TO BE LEAK PROOF.
- EXCAVATE LOOSE FILL AND PROVIDE COMPACTED FILL TO LEVEL OF CRUSHED GRAVEL.
- SMOKING IS PROHIBITED IN BUILDING OR ON SITE EXCEPT FOR DESIGNATED SMOKING AREAS.
- ALL NAILS, SCREWS, ETC. SHOULD BE SECURED DAILY.
- ALL PERMIT FEES OR BUSINESS LICENSES TO BE PAID BY RESPECTIVE SUB-CONTRACTORS.
- OWNER SHALL PAY THE GENERAL BUILDING PERMIT FEE.
- THE GENERAL CONTRACTOR SHALL PROVIDE A "PORT-A-JOHN" FOR USE DURING THE DURATION OF CONSTRUCTION. THE LOCATION SHALL BE APPROVED BY THE OWNER.
- "ABC" FIRE EXTINGUISHERS TO BE VISIBLE & ACCESSIBLE WHERE REQUIRED.
- THE SUB-CONTRACTORS SHALL NOTIFY THE OWNER IF DRIVEWAY, ELECTRICAL POWER OR PLUMBING SUPPLIES WILL BE OUT OF SERVICE FOR A PERIOD GREATER THAN SIX HOURS. THIS NOTICE SHOULD BE GIVEN 24 HOURS IN ADVANCE.
- ALL INTERIOR FINISHES TO MEET CLASS 1 FLAME SPREAD (0-25 F.S.R.).
- ALL EXIT DOORS TO BE KEYLESS IN THE DIRECTION OF EXIT.
- ALL CONTRACTORS, SUB-CONTRACTORS, AND SUPPLIERS MUST Haul AWAY A GARBAGE, DEBRIS, AND SCRAPS RESULTING FROM THEIR WORK AT THE SITE. THE ABOVE MUST BE SWEEPED UP AT THE END OF EACH DAY AND HAULED AWAY. NO DEBRIS SHALL BE PLACED FOR REMOVAL BY THE OWNERS SITE GARBAGE COLLECTION SERVICE. ANY DEBRIS LEFT BY CONTRACTORS, SUB-CONTRACTORS, OR SUPPLIERS SHALL HAULED AWAY AT THEIR EXPENSE.
- ROUGH CARPENTER TO PROVIDE 2X12 BLOCKING AT ALL BATH ACCESSORY LOCATIONS, ACCESSIBILITY HANDRAIL LOCATIONS, AND ALL CLST. SHELF LOCATIONS.
- ALL FINISH WOOD FLOOR AND WOOD TRIM MATERIAL TO BE ON SITE TO ACCLIMATE MIN. 7 DAYS PRIOR TO INSTALLATION.
- FOR ALL OWNER SUPPLIED ITEMS TO BE DELIVERED F.O.B. TAILGATE, CONTRACTOR IS RESPONSIBLE FOR LOADING AND STORAGE OF MATERIALS.
- COORDINATE DOOR HARDWARE TYPE WITH OWNER/ARCHITECT PRIOR TO BORING DOORS.
- "JOB COPY" ORIGINAL PERMIT DRAWINGS AND THE ORIGINAL PERMIT CARD TO BE KEPT AT THE JOB SITE AND ACCESSIBLE TO INSPECTORS AT ALL TIMES.
- ALL CONTRACTORS AND SUB-CONTRACTORS RESPONSIBLE FOR ALL APPLICABLE PERMITS, BONDS, AND INSURANCE. CONTRACTOR TO SAVE AND PROVIDE TO OWNER ALL PAPERWORK AND LITERATURE PROVIDED WITH ANY OWNER AND/OR CONTRACTOR SUPPLIED ITEM.
- THE G.C. SHALL NOT PROCEED WITH ANY ADDITIONAL WORK OR CHANGES FOR WHICH HE EXPECTS ADDITIONAL COMPENSATION BEYOND THE ORIGINAL CONTRACT AMOUNT, WITHOUT WRITTEN AUTHORIZATION FROM OWNER. FAILURE TO OBTAIN SUCH AUTHORIZATION SHALL INVALIDATE ANY CLAIM FOR EXTRA COMPENSATION.
- NO SUBSTITUTION WILL BE ALLOWED WITHOUT PRIOR WRITTEN APPROVAL BY THE ARCHITECT/OWNER.
- PROVIDE EXPANSIVE "FIRE-STOP" PUTTY AT ALL THROUGH-PLATE PENETRATIONS AND 2X4 BLOCKING AT ALL SOFFITS. FIRESTOPPING SHALL BE PROVIDED AT ALL JUNCTIONS OF VERTICAL AND HORIZONTAL ENCLOSED SPACES, SUCH AS TOPS OF STAIRS, BOT. OR BACK SIDES OF SOPHIST, TOPS OF PLUMBING WALLS, ETC.
- ALL FLOOR FINISHES SHALL HAVE F.S.R. NOT GREATER THAN 75.
- THESE DRAWINGS INDICATE THE INTENT, GENERAL CHARACTER, REQUIREMENTS AND APPROXIMATE LOCATION OF THE WORK SHOWN. THE CONTRACTOR SHALL BE EXPECTED TO WORK WITH UNFORESEEN FIELD CONDITIONS, REQUIRING MINOR DESIGN ADJUSTMENTS AND SHALL BE EXPECTED TO PROVIDE A FULLY COMPLETE AND OPERATIONAL BUILDING AND ALL BUILDING SYSTEMS.
- ALL CONTRACTORS SHALL INDEMNIFY AND HOLD HARMLESS THE OWNER, THE ARCHITECT AND THEIR AGENTS FROM AND AGAINST CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING ATTORNEY FEES ARISING OUT OF PERFORMANCE OF THE WORK WHEN ANY SUCH CLAIMS ARE ATTRIBUTABLE TO BODILY INJURY, SICKNESS, DEATH, INJURY OR DESTRUCTION TO PROPERTY OR WHEN SUCH CLAIMS ARE CAUSED IN PART OR IN FULL BY ANY NEGLIGENCE OR OMISSION BY THE CONTRACTOR OR HIS AGENTS. THIS NEGLIGENCE INCLUDES FAILURE TO OBSERVE CONTRACT DOCUMENTS PROVIDED BY ARCHITECT.
- ALL CONTRACTORS TO VISIT PREMISE, NOTE CONDITIONS PERTAINING TO WORK TO BE DONE, CHECK AND VERIFY ALL NOTES, FIGURES AND DIMENSIONS AT THE SITE BEFORE FABRICATING ANY NEW CONSTRUCTION. VARIATION IN FIELD CONDITIONS RELATIVE TO CONTRACT DOCUMENTS SHALL BE REPORTED TO ARCHITECT IN WRITING, AND WORK SHALL NOT PROGRESS UNTIL PERMISSION FROM ARCHITECT OR HIS AGENT IS OBTAINED.
- ALL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS & ELEVATIONS AT THE SITE AND MUST ADOPT HIS WORK TO ACTUAL CONDITIONS IN MANNER APPROVED BY ARCHITECT AT NO ADDITIONAL COST TO OWNER.
- CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR COMPLIANCE WITH CONTRACT DOCUMENTS, UNRELIEVED BY REVIEW BY SHOP DRAWINGS; FOR DIMENSIONS TO BE CONFIRMED AND CORRELATED ON THE JOB SITE AND BETWEEN INDIVIDUAL DRAWINGS OR SETS OF DRAWINGS; FOR FABRICATION PROCESSES AND CONSTRUCTION TECHNIQUES INCLUDING SCAFFOLDING, BRACING, ERECTION, ETC.; FOR COORDINATION OF THE VARIOUS TRADES; FOR SAFE CONDITIONS ON JOB SITE; AND FOR THE PEOPLE AND PROPERTY AT THE SITE
- INFORMATION CONTAINING ON THE DRAWING IS IN ITSELF INCOMPLETE, AND VOID UNLESS USED IN CONJUNCTION WITH ALL SPECIFICATIONS, TRADE PRACTICES, AND APPLICABLE STANDARDS, CODES, ETC. INCORPORATED THEREIN BY REFERENCE OF WHICH THE CONTRACTOR CERTIFIES KNOWLEDGE BY SIGNING THE CONTRACT

SITE NOTES:

- CALL "HOTLINE" TO HAVE EXISTING UNDERGROUND UTILITIES LOCATED.
 - VERIFY UTILITY CONNECTIONS WITH UTILITY'S CO.
 - GENERAL CONTRACTOR TO PATCH AND MATCH ALL EXISTING SIDEWALKS, CURBS, AND PAVING DEMOLISHED FOR UTILITY WORK. ALL WORK TO MEET EXISTING PROFILES AND ALL ILLINOIS STANDARDS FOR PAVING WORK.
 - SLOPE GRADE MINIMUM 6" IN FIRST 10 FEET AWAY FROM BUILDING.
 - GRADE TO BE 6" BELOW FLOOR LINE, EXCEPT AT ENTRY.
 - ALL CONCRETE WORK SHALL COMPLY WITH CURRENT A.C.I. STANDARDS.
 - ALL EXIT DOORS, THE FLOOR OR LANDING SHALL NOT BE MORE THAN 1/2" LOWER THAN THRESHOLD (MAX. 1/2" HIGH).
 - SLOPE ALL CONCRETE STOPS AND WALKS AWAY FROM BUILDING - MIN. 1/4" PER FOOT - BROOM FINISH.
 - VERIFY AND PROTECT ALL EXISTING UTILITIES.
 - PAINT ALL EXPOSED METAL NOT PRE-FINISHED.
 - PAINT 4" WIDE PARKING STALL STRIPES.
 - CONTRACTOR SHALL RESTORE EXISTING LAWN AREAS, CONCRETE SLABS, CURBS, PAVEMENT, ETC. DAMAGED BY OR DURING CONSTRUCTION.
- CARPENTRY NOTES:**
- INSTALL DOUBLE FRAMING AROUND ALL FLOOR OR ROOF OPENING OR AS INDICATED, INCLUDING STAIRS OPENINGS AND ACCESS PANELS.
 - DO NOT CUT OR DRILL THROUGH THE BOTTOM THIRD OF ANY BEAM OR JOIST.
 - AN INSPECTION OF FLOOR JOISTS MUST BE CONDUCTED BEFORE COVERING WITH SHEATHING
 - DRYWALL NOTE: USE 5/8" GYPSUM BOARD THROUGHOUT, USE FIRE CODE TYPE 'C' AT STAIRS, CEILINGS AND BEARING WALLS

LUMBER NOTES:

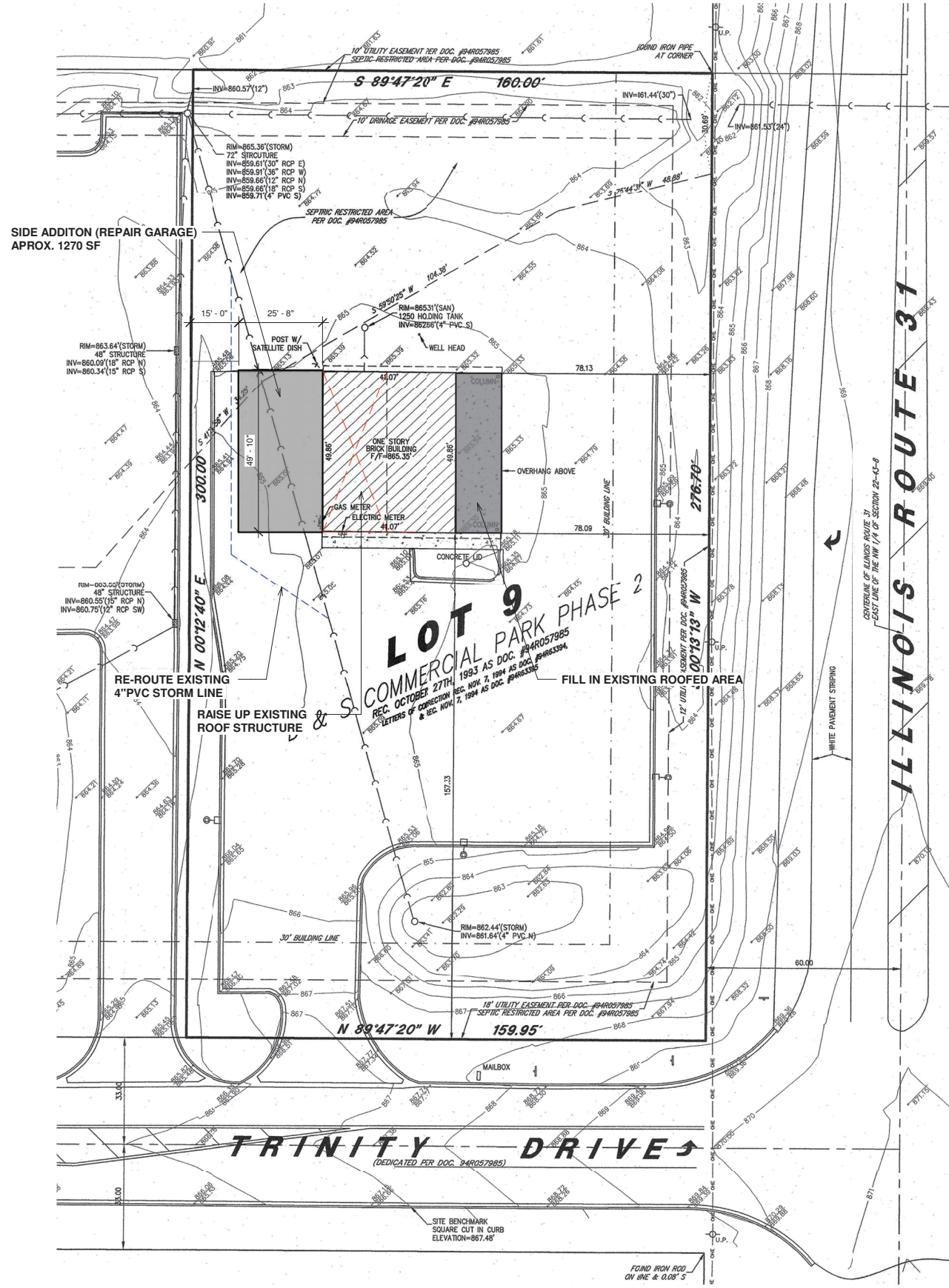
- ALL LUMBER IN CONTACT WITH CONCRETE OR MASONRY TO BE WOLMANIZED LUMBER
- PIPE SHAFTS AND DUCTS PASSING FROM ONE FLOOR TO ANOTHER SHALL BE ENCLOSED WITH CONSTRUCTION PROVIDING FIRE RESISTANCE OF NOT LESS THAN ONE HOUR EXCEPT THAT PIPES AND DUCTS REQUIRING OPENINGS THROUGH FLOORS NOT EXCEEDING 90 FT. IN AREA SHALL NOT REQUIRE ENCLOSURE PROVIDED THAT OPENINGS BETWEEN SUCH PIPES OR DUCTS AND THE FLOOR CONSTRUCTION SHALL BE FILLED WITH NONCOMBUSTIBLE MATERIALS SECURELY HELD IN PLACE TO PREVENT THE PASSAGE OF FIRE

SUPERVISION NOTES:

THESE PLANS WHERE PREPARED BY THE ARCHITECT FOR DESIGN ONLY. NO SUPERVISION BY THE ARCHITECT SHALL BE PROVIDED AT THE JOB SITE. THE WORK IN PROGRESS OR SCHEDULING ANY WORK RESPECTIVE TO THE JOB SHALL NOT BE GOVERNED BY ARCHITECT.

STRUCTURAL GENERAL NOTES:

- CONTRACTOR SHALL MAINTAIN ADEQUATE PROTECTION OF ALL WORK FROM DAMAGE AND PROTECT OWNERS PROPERTY FROM INJURY OR LOSS ARISING IN CONNECTION WITH THIS WORK
- CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS FOR THE SAFETY OF EMPLOYEES AND COMPLY WITH ALL APPLICABLE PROVISIONS OF FEDERAL, STATE, AND MUNICIPAL LAWS TO PREVENT ACCIDENT OR INJURY TO PERSONS OR ADJACENT TO THE AREA WHERE THIS WORK BEING PERFORMED.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD. NOTIFY ARCHITECT OF DISCREPANCIES BEFORE DOING ANY WORK.
- ALL CONCRETE REINFORCING SHALL BE DETAILED IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE OF THE AMERICAN CONCRETE INSTITUTE ACI-315 AND THE BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE ACI-318-88.
- ALL CONCRETE SHALL BE REGULAR WEIGHT (144 PSF) CONCRETE AND HAVE A MINIMUM ULTIMATE COMPRESSIVE STRENGTH OF 3000 LBS. PER SQ. INCH AT 28 DAYS. MINIMUM CEMENT CONTENT 5 BAGS PER CU. YD.
- ALL CONCRETE REINFORCING SHALL BE DEFORMED BARS - A.S.T.M. A615 GRADE 60. ALL WELDED WIRE FABRIC SHALL CONFORM TO A.S.T.M. A185.
- ALL STRUCTURAL STEEL BEAMS AND LINTELS SHALL BE A36 STEEL.
- ALL STRUCTURAL STEEL SHALL CONFORM TO THE LATEST EDITION OF THE STEEL CONSTRUCTION MANUAL OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION.
- ALL BOLTS SHALL BE A.S.T.M. A307.
- ALL WELDS SHALL BE MADE BY CERTIFIED WELDERS USING COATED ELECTRODES OF E60XX.
- ALL WELDS SHALL CONFORM WITH THE AMERICAN WELDING SOCIETY SPECS.
- ALL DRILLED-IN CONCRETE ANCHORS SHALL BE WEDGE-TYPE AS MANUFACTURED BY "RED-HEAD" ITT PHILIPS DRILL CO., MICHIGAN CITY, IND. OR EQUAL.
- ALL STEEL SHALL HAVE ONE SHOP COAT OF A RUST-INHIBITING PAINT.
- ALL MORTAR FOR MASONRY WALL CONSTRUCTION SHALL BE TYPE "M" AND CONFORM TO A.S.T.M. C270 SPECIFICATION.
- ALL PORTLAND CEMENT GROUT SHALL CONFORM TO A.S.T.M. C476 SPECIFICATIONS.



1 PROPOSED SITE PLAN
1" = 20'-0"

SHEET INDEX	
SHEET #	SHEET NAME
A2.2	CLG PLAN
A1.0	COVER SHEET
A1.1	ACCESSIBILITY NOTES
A2.0	FOUNDATION/FRAMING PLAN
A2.1	PLANS
A3.1	ELEVATIONS
M1.0	MECHANICAL PLAN
E1.0	ELECTRICAL PLANS
P1.0	PLUMBING DIAGRAMS SCHEDULES AND NOTES

ADOPTED CODES:

- 2021 INTERNATIONAL BUILDING CODE
- 2021 INTERNATIONAL FIRE CODE
- 2021 INTERNATIONAL MECHANICAL CODE
- 2021 INTERNATIONAL FUEL GAS CODE
- 2020 NATIONAL ELECTRIC CODE
- 2018 STATE OF ILLINOIS ACCESSIBILITY CODE
- 2021 INTERNATIONAL ENERGY CONSERVATION CODE
- 2014 STATE OF ILLINOIS PLUMBING CODE

CERTIFICATION STATEMENT

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE, THEY COMPLY WITH THE ZONING ORDINANCES AND BUILDING CODES OF VILLAGE OF LAKE IN THE HILLS AND THE STATE OF ILLINOIS.

Andrzej Kacprzynski
6/7/2024

ANDRZEJ KACPRZYNSKI
ILLINOIS LICENSE # 001.021686, EXPIRES: 11-30-24



ISSUE DATES	
DATE	DESCRIPTION



ADDITION & RENOVATION TO EXITING
SINGLE STORY BLDG

9100 Trinity Dr Lake in the Hills, IL 60156

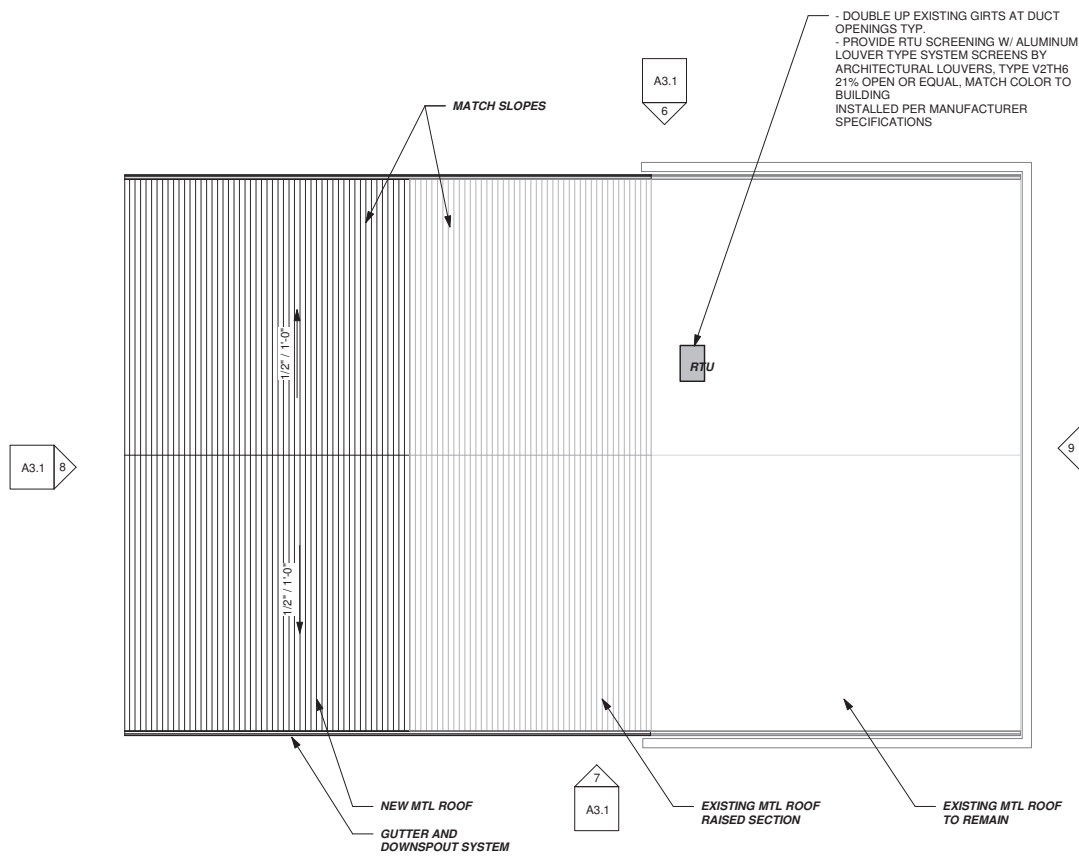
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USE

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DRAWN BY:
A.L.

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A.K.

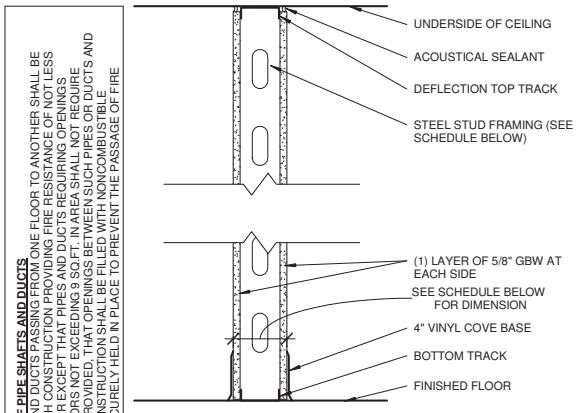
DRAWING
COVER SHEET

SHEET
A1.0



PLAN NOTES:

- ALL BOLTED AND WELDED CONNECTIONS MUST BE APPROVED BY A THIRD-PARTY INSPECTOR AND THE PASSING REPORT SHALL BE FORWARDED TO THE BUILDING DEPARTMENT FOR ANY/ ALL STRUCTURAL WELDING AND BOLTING NEEDED FOR WORK TO BE COMPLETED PER THE DRAWINGS.
- ALL WALL-MOUNTED FIRE EXTINGUISHERS WITH THEIR LEADING EDGES BETWEEN TWENTY-SEVEN INCHES (27") AND EIGHTY INCHES (80") ABOVE THE FINISHED FLOOR SHALL NOT PROTRUDE MORE THAN FOUR INCHES (4") INTO WALKS, HALLS, CORRIDORS, PASSAGEWAYS, OR AISLES.



ENCLOSURE OF PIPE SHEETS AND DUCTS
 PIPE SHEETS AND DUCTS PASSING FROM ONE FLOOR TO ANOTHER SHALL BE ENCLOSED IN A MANNER THAT PREVENTS THE PASSAGE OF FIRE THROUGH FLOORS NOT EXCEEDING 9 SQ. FT. IN AREA SHALL NOT REQUIRE ENCLOSURE. PROVIDED, THAT OPENINGS BETWEEN SUCH PIPES OR DUCTS AND THE FLOOR CONSTRUCTION SHALL BE FILLED WITH NONCOMBUSTIBLE MATERIALS SECURELY HELD IN PLACE TO PREVENT THE PASSAGE OF FIRE

TYPE	STUD SIZE	PART. THICK	KEYED NOTES
<A1>	3 5/8"	4 7/8"	18 GA STUDS / 9'-0" HIGH PARTITION
<A2>	5 1/2"	6 3/4"	18 GA STUDS / 9'-0" HIGH PARTITION/ PLUMBING WALL

TYP. INTERIOR PARTITION
 1 1/2" = 1'-0"

WALL AND CEILING FINISHES
 FLAME SPREAD CLASS TO BE MIN. TYPE "A"

DOOR SCHEDULE

DOOR TYPE	WIDTH	HEIGHT	THK.	DESCRIPTION
1	3'-0"	7'-0"	1 3/4"	METAL INSULATED DOOR IN METAL FRAME-INTERIOR
2	3'-0"	7'-0"	1 3/4"	METAL INSULATED DOOR IN METAL FRAME-EXTER.
3	20'-0"	14'-0"	1 3/4"	METAL INSULATED O.H. DOOR
4	12'-0"	14'-0"	1 3/4"	METAL INSULATED O.H. DOOR
5	3'-0"	7'-0"	1 3/4"	SOLID WOOD DOOR IN METAL FRAME-INTERIOR
6	3'-0"	7'-0"	1 3/4"	WD BI-FOLD

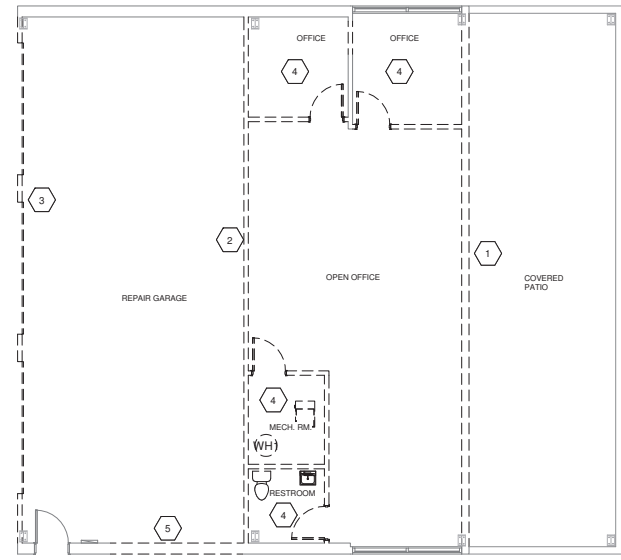
- PROVIDE SELF CLOSERS AT RESTROOMS & EXTERIOR DOORS.
 - DOOR LEVER HANDLES AT ALL PUBLIC DOORS

2 PROPOSED ROOF PLAN
 1/8" = 1'-0"

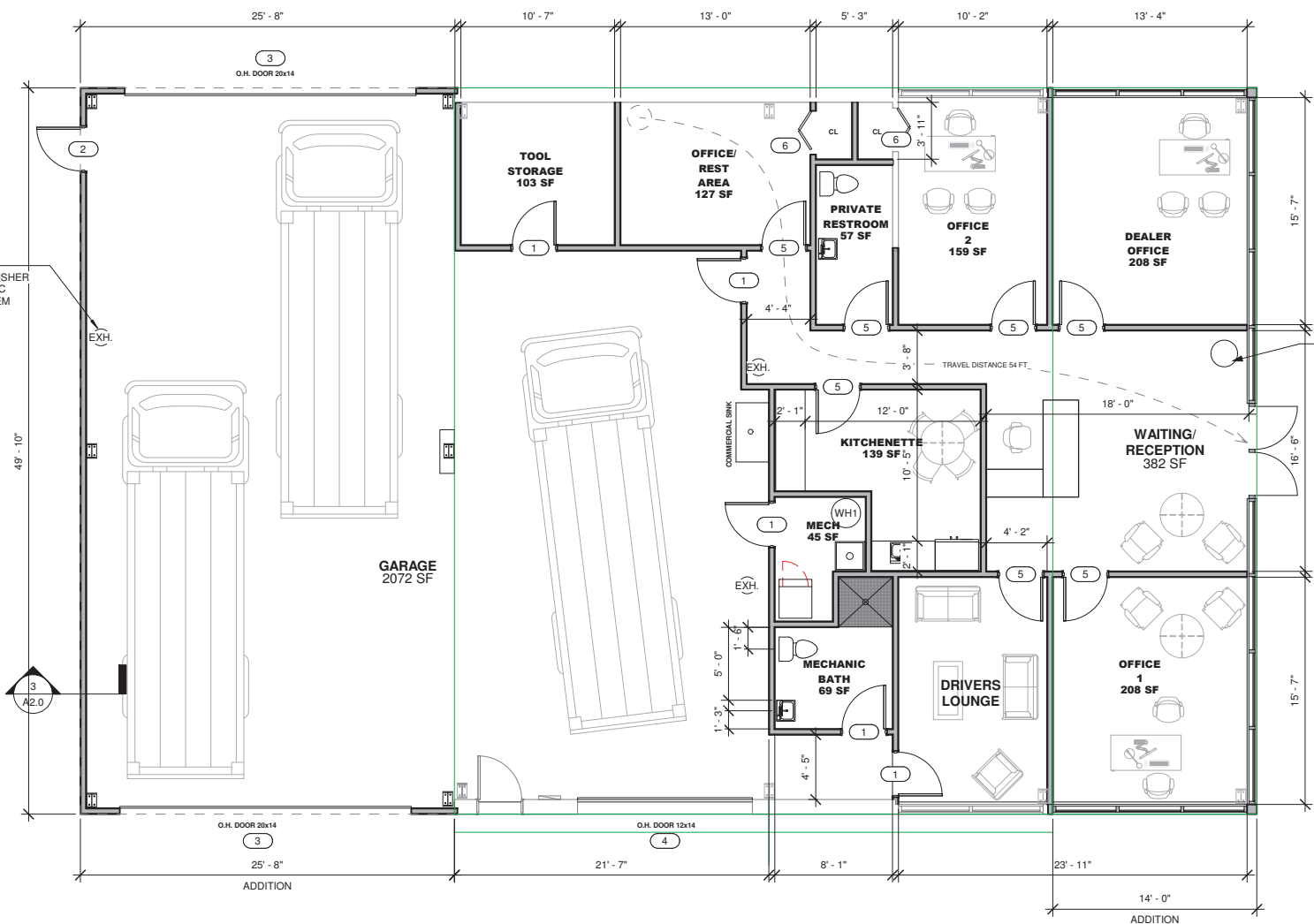
DEMO KEYNOTE LEGEND

KEY	DESCRIPTION
1	REMOVE AND RELOCATE EXISTING SOREFRONT, SEE PROPOSED PLANS.
2	REMOVE EXISTING NON BEARING PARTITIONS
3	REMOVE EXISTING NON BEARING EXTERIOR WALL, STRUCTURE TO REMAIN
4	DEMOLISH EXISTING ROOM
5	DEMOLISH PARTIAL WALL FOR NEW DOOR OPENING

SHORE EXISTING STRUCTURE AT THE TIME OF CONSTRUCTION. CONDUCT DEMOLITION IN PHASES AS TO NOT COMPROMISE STRUCTURAL STABILITY OF EXISTING WALLS. BRACE EXISTING STRUCTURE DURING CONSTRUCTION. IF NEEDED, CONTRACTOR TO HIRE AN INDEPENDENT STRUCTURAL ENGINEER FOR BRACING DESIGN AND DETAILS.



4 GRADE - DEMOLITION FLOOR PLAN
 1/8" = 1'-0"



1 GRADE - PROPOSED FLOOR PLAN
 3/16" = 1'-0"

ISSUE DATES

DATE	DESCRIPTION



ADDITION & RENOVATION TO EXISTING SINGLE STORY BLDG
 9100 Trinity Dr Lake in the Hills, IL 60156

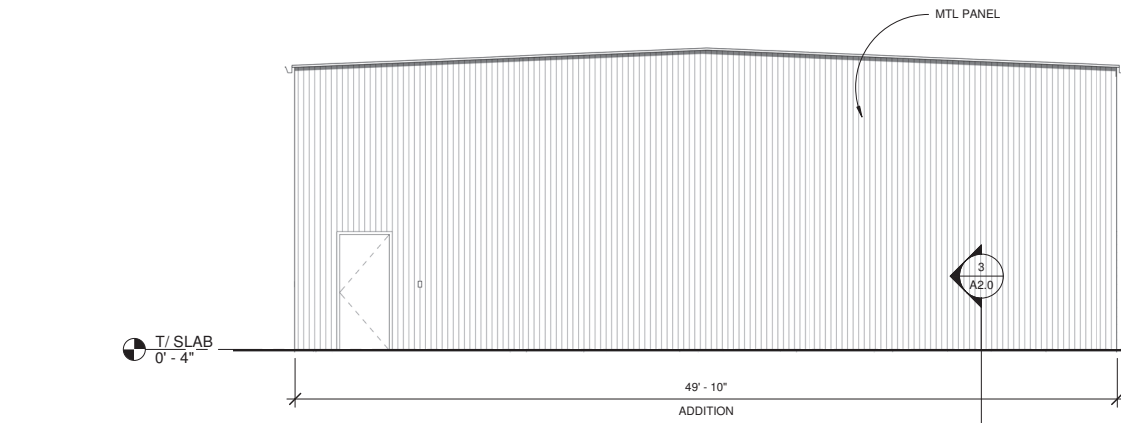
SPECIAL USE

ISSUED	DRAWN BY	CHECKED BY
	A.L.	

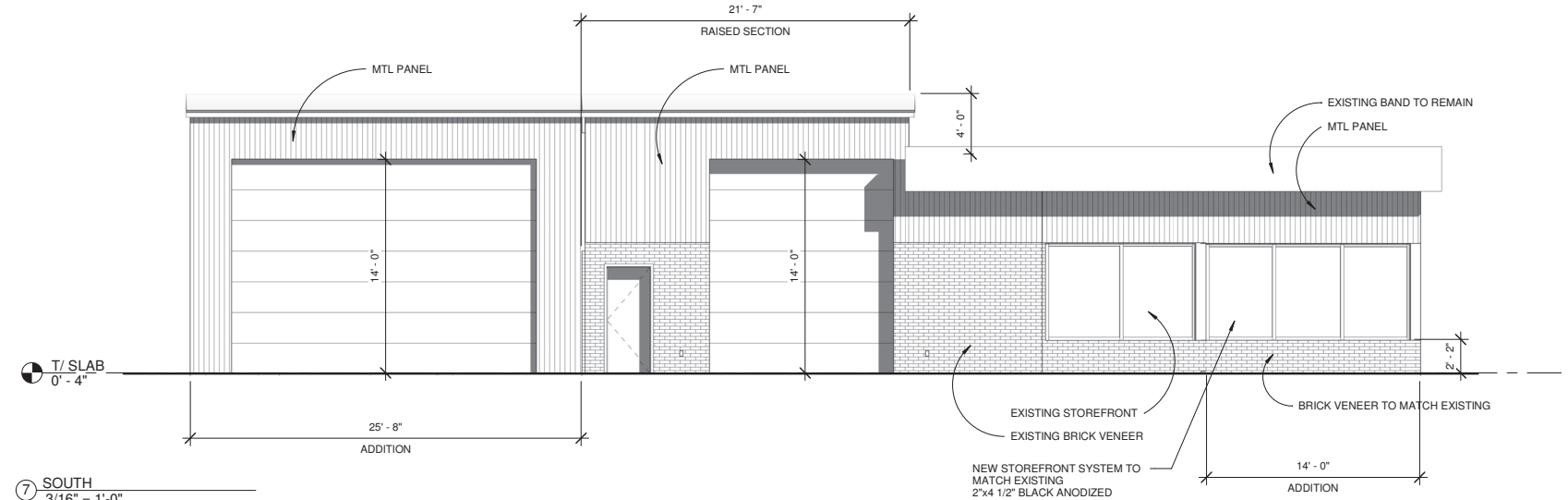
DRAWING PLANS

SHEET
A2.1



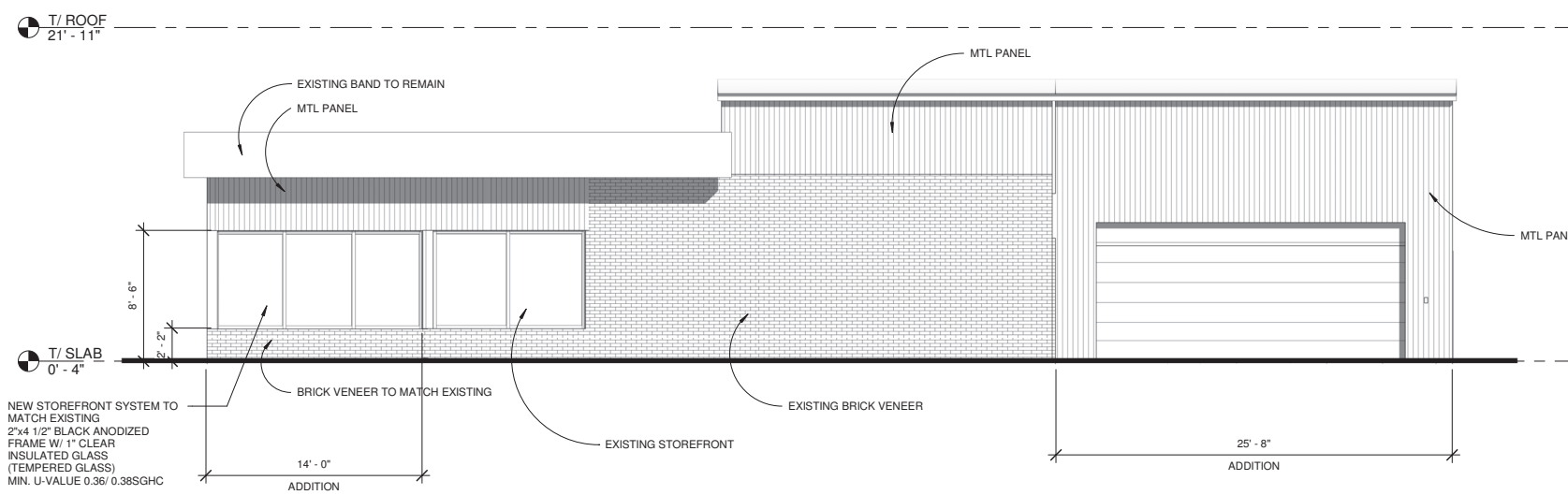


8 WEST
3/16" = 1'-0"

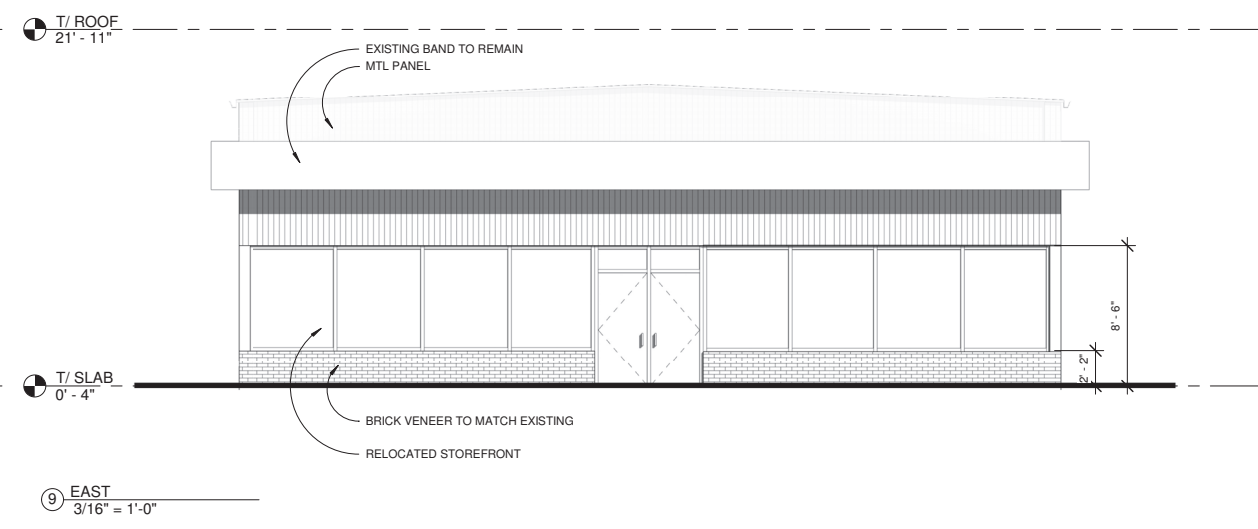


7 SOUTH
3/16" = 1'-0"

NEW STOREFRONT SYSTEM TO MATCH EXISTING
2"x4 1/2" BLACK ANODIZED FRAME W/ 1" CLEAR INSULATED GLASS (TEMPERED GLASS)
MIN. U-VALUE 0.36/ 0.38SGHC



6 NORTH
3/16" = 1'-0"



9 EAST
3/16" = 1'-0"

ISSUE DATES	
DATE	DESCRIPTION



ADDITION & RENOVATION TO EXISTING SINGLE STORY BLDG
 9100 Trinity Dr Lake in the Hills, IL 60156

SPECIAL USE	
JOINS	A.K.
DRAWN BY: A.L.	CHECKED BY:

DRAWING ELEVATIONS

SHEET
A3.1





REQUEST FOR BOARD ACTION

MEETING DATE: September 24, 2024

DEPARTMENT: Public Works

SUBJECT: Ordinance Amending Chapter 25, Section 25.25 Regarding Rates for Small Wireless Facilities

EXECUTIVE SUMMARY

The Illinois Small Wireless Facilities Deployment Act (50 ILCS 840/1 et. seq.) was passed in 2018 and subsequently updated to regulate the installation of 5G “small cell” technology at the local level. The Act pre-empted much local authority over the small cell devices and made them a permitted use both in municipal rights-of-way and in exclusively commercial and industrial districts. The Act also set time limits, procedures and fees that municipalities had to follow when applications for small cell placements in these districts are received, and it required municipalities to accept small cell devices on their municipally-owned poles in the right of way as well as on privately held poles in these districts. The IML adopted and later updated a model “Small Cell Ordinance”, which the Village adopted to include the fees that had been set by state law.

This summer, the Governor signed Illinois Public Act 103-0601 which now authorizes municipalities to increase the annual small wireless facility poll attachment fees from \$200 per year to \$270 per year or more if properly authorized by the Federal Communications Commission (“FCC”). The attached ordinance has been prepared to update Chapter 25, Section 25.25 to include this increased amount. It also authorizes further increases if authorized by the FCC.

FINANCIAL IMPACT

The amendment to the Code will change annual payments for small wireless facilities in the rights of way from \$200/year to \$270/year.

ATTACHMENTS

1. Ordinance

RECOMMENDED MOTION

Motion to Approve an Ordinance Amending Chapter 25, Section 25.25, Small Wireless Facilities, Regarding Annual Recurring Rates.

VILLAGE OF LAKE IN THE HILLS

ORDINANCE NO. 2024 - _____

**An Ordinance amending Municipal Code Chapter 25,
Construction of Utility Facilities in the Rights of Way,
Section 25.25, Small Wireless Facilities,
regarding Annual Recurring Rates**

WHEREAS, the Village of Lake in the Hills, McHenry County, Illinois (the "Village"), is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions to regulate for the protection of the public health, safety, morals, and welfare, as granted in the Constitution of the State of Illinois; and

WHEREAS, the Village has previously adopted ordinances codified in Section 25.25, Small Wireless Facilities, of the Village's Code providing for the regulation of and application for small wireless facilities in the Village's rights-of-way and on property zoned by the Village exclusively for commercial or industrial use, all in a manner that is consistent with the Illinois Small Wireless Facilities Deployment Act (the "Act"), 50 ILCS 840/1 et seq., as amended; and

WHEREAS, effective July 1, 2024, Illinois Public Act 103-0601 authorized municipalities to increase the annual small wireless facility pole attachment fees to \$270 per year or more if such amount were to be properly authorized by the Federal Communications Commission; and

WHEREAS, the Village Board finds it is appropriate and in the best interest of the Village and its residents to increase the applicable pole attachment fee in a manner consistent with state law.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Lake in the Hills, McHenry County, Illinois as follows:

SECTION 1: The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION 2: Paragraph C.7 of Section 25.25, Small Wireless Facilities, of the Lake in the Hills Village Code is hereby amended to read as follows:

7. Annual Recurring Rate. A wireless provider shall pay to the Village an annual recurring rate to collocate a small wireless facility on a Village utility pole located in a right-of-way that equals (i) ~~\$200~~270 per year (which amount may be increased by the Village

Administrator in the future to the maximum amount authorized by the Federal Communications Commission in any future ruling, order or guidance authorizing such fee and recurring rates) or (ii) the actual, direct and reasonable costs related to the wireless provider's use of space on the Village utility pole.

If the Village has not billed the wireless provider actual and direct costs, the fee shall be \$200—270 (or any amount appropriately increased by the Village Administrator pursuant to this Section) payable on the first day after the first annual anniversary of the issuance of the permit or notice of intent to collocate, and on each annual anniversary date thereafter.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Passed this 26th day of September, 2024 by roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Stephen Harlfinger	_____	_____	_____	_____
Trustee Bob Huckins	_____	_____	_____	_____
Trustee Bill Dustin	_____	_____	_____	_____
Trustee Suzette Bojarski	_____	_____	_____	_____
Trustee Diane Murphy	_____	_____	_____	_____
Trustee Wendy Anderson	_____	_____	_____	_____
President Ray Bogdanowski	_____	_____	_____	_____

APPROVED THIS 26TH DAY OF SEPTEMBER, 2024

Village President, Ray Bogdanowski

(SEAL)

ATTEST: _____
Village Clerk, Shannon DuBeau

Published: _____