

PUBLIC MEETING NOTICE AND AGENDA

PLANNING AND ZONING COMMISSION MEETING

February 17, 2020 *7:30 p.m.*

- 1. Call to order
- 2. Roll call
- 3. Approval of the December 16, 2019 Planning and Zoning Commission meeting minutes
- 4. New business
 - a. Variation to Section 16.4, Prohibited Signs, and 16.11, Sign Chart, of the Lake in the Hills Zoning Code for Pet Suites, at 309 North Randall Road
 - b. Sketch Plan Review for Parkside Apartments at 9340 Haligus Road
- 5. Old business--None
- 6. Items for discussion--None
- 7. Staff report
 - a. January 2020 Board of Trustees meeting
- 8. Audience participation
- 9. Trustee liaison report
- 10. Next meeting is scheduled for March 16, 2020
- 11. 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 847-960-7414 (TDD 847-658-4511) promptly to allow the Village to make reasonable accommodations for those persons.

Posted by: Laura Pekovic **Date:** February 14, 2020 **Time:** 5:00 p.m.

PLANNING AND ZONING COMMISSION

December 16, 2019 MEETING MINUTES

Village of Lake In the Hills



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

ROLL CALL

Chairman Joe DeMay and Commissioners Greg Walker, Suzanne Artinghelli, and Michael Esposito were present. Absent were Commissioners Anna Siakel, John Murphy, and Brent Borkgren. Also in attendance were Assistant Community Services Director Ann Marie Hess, Village Trustee Bill Dustin, and Administrative Specialist Laura Pekovic.

Chairman DeMay announced that this meeting's scheduled sign ordinance discussion will be postponded until the January 13, 2020 Planning & Zoning meeting due to Director Mullard's absence tonight.

APPROVAL OF MEETING MINUTES

Commissioner Artinghelli made a motion to approve the Commission meeting minutes of November 18, 2019, and Commissioner Walker seconded. Motion carried 4-0.

NEW BUSINESS

1. <u>Variations to the Zoning Ordinance, Sections 15.15-2, 15.15-3 & 15.15-5, Lakefront Fencing, of the Zoning Ordinance, at 355 Council Trail.</u>

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

Staff Report

Assistant Community Services Director Hess reviewed the Request for Public Hearing and Commission Action dated December 16, 2019.

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

The applicant, Katie Biesen, reiterated that the propsed fence is to protect her dogs and other dogs from entering her yard, and that they chose the fence style to complement the home. There were no questions or any discussion among the Commission.

Motion to grant a variation to Sections 15.15-2, 15.15-3 & 15.15-5, Lakefront Fencing, of the Zoning Ordinance, at 355 Council Trail was made by Commissioner Esposito and seconded by Commissioner Artinghelli. On a roll call vote Commissioners Walker, Esposito, Artinghelli, and Chairman DeMay voted Aye. Motion carried 4-0.

PLANNING AND ZONING COMMISSION

December 16, 2019 MEETING MINUTES

Village of Lake In the Hills

OLD BUSINESS – None

ITEM FOR DISCUSSION—Sign Ordinance Changes—Chairman DeMay reiterated that this item would be scheduled for the January 13, 2020 Planning & Zoning meeting.

STAFF REPORT – There were no Planning & Zoning items presented at the November 12, 2019 Committee of the Whole meeting.

AUDIENCE PARTICIPATION - None

TRUSTEE LIAISON REPORT - None

Commissioner Esposito made a motion to adjourn the meeting and was seconded by Commissioner Artinghelli. All in favor voted Aye. Chairman DeMay adjourned the meeting at 7:40 p.m.

The next Lake in the Hills Planning and Zoning Commission meeting is scheduled for Monday, January 13, 2020 at 7:30 p.m.

Laura Pekovíc Administrative Specialist

REQUEST FOR PUBLIC HEARING AND COMMISION ACTION



PLANNING AND ZONING COMMISION

MEETING DATE: February 17, 2020

DEPARTMENT: Community Services

SUBJECT: Variation to 16.11, Sign Chart, & Section 16.4, Prohibited Signs

EXECUTIVE SUMMARY

General Information

Requested Action: Three variations to Section 16 of the Zoning Ordinance

• Section 16.4 to allow a sign with lights between opaque letters and an opaque background. The Zoning Ordinance identifies this type of sign is a prohibited sign.

Soction 16.11 to exceed the

• Section 16.11 to exceed the maximum allowable wall sign size in a B-3 district. The combination of all wall signs on the 81 linear foot frontage of this building is proposed to be 260 square feet. The Zoning Ordinance allows up to 2 square feet per linear foot of building frontage with a maximum of 100 square feet.

• Section 16.11 to allow two signs on the front elevation of this building. The Zoning Ordinance only allows one per elevation.

Owner: TMC Lake in the Hills, LLC

Applicants: Rob Whitehead Sr. and Matt Pyter

Purpose: Allow two signs on the front elevation of the building, one internally

illuminated sign with the company name and logo and one "halo" sign in the

silhouette of a dog and ball.

Location and Size: 309 N. Randall Road / 1.8 acres

Zoning and Land Use: Site: B-3 General Business District

North: B-3 General Business District

East: B-3 General Business District

South: B-3 General Business District

West: B-3 General Business District

Background

The applicants request variations to the Zoning Ordinance to allow construction of two signs on the front elevation of the building. The first is an internally illuminated sign with the company name and logo of approximately 57 square feet. By itself, this sign does not require a variation.

The second is a "halo" sign in the silhouette of a dog and ball of approximately 203 square feet. This measurement uses a box on the perimeter of the sign and does not give any credit for the vacant space inside the silhouette. The three requested variations apply primarily to this sign. The silhouette is considered a sign by the definition found in Section 3 of the Zoning Ordinance:

Sign: Any object, device, surface, display, structure, fabric or painting used for identification, description, illustration, announcement, declaration or display either illuminated or non-illuminated located inside or outside an establishment used to advertise, identify, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by way means including words, letters, characters, colors, designs, illumination, images or symbols which are construction of permeant, temporary, solid, flexible or living materials.

The variation to Section 16.4 is required simply because the design is a "halo" sign where sign has lights between opaque facing and an opaque background. This may potentially change with the revisions to the sign portion of the ordinance.

The variations to Section 16.11 are required because the graphic silhouette of the dog and a ball are designed to draw attention to the business and therefore constitute a sign. It can be considered that since the silhouette contains no text or trademarks, it is appropriate to make an exception.

Standards and Findings of Fact for a Variation

The Planning and Zoning Commission may recommend and the Board of Trustees shall permit a variation of the provisions of this Zoning Code, as authorized in this Section, only if the evidence, in the judgement of the Village sustains each of the following three conditions:

A. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located;

The applicant indicates the silhouette more of an architectural element than a sign since it has not text.

B. The plight of the owner is due to unique circumstances; and

The applicant indicates that other municipalities would not consider the silhouette as a sign.

C. The variation, if granted, will not alter the essential character of the locality.

The applicant indicates this will not alter the essential character of the locality.

For the purpose of supplementing the above standards, the Village, in making this determination whenever there are practical difficulties or particular hardship, also shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

D. That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;

The applicant indicates the hardship created is the consideration of the silhouette as a sign.

E. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;

The applicant indicates the silhouette is particular to their specific business.

F. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;

The applicant indicates the silhouette helps people identify the service provided.

G. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;

The applicant indicates the hardship created is the consideration of the silhouette as a sign.

H. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or

The applicant indicates it will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

I. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The applicant indicates this condition will be met.

ATTACHMENTS

- 1. Application
- 2. Signage Plan

RECOMMENDED ACTION

Commission recommend approval to the Village Board for variations to Section 16.4 and 16.11 of the Zoning Ordinance at 309 North Randall Road on Parcel 19-29-151-027 allowing increase of the allowable sign space to 260 square feet for installation of a "halo" silhouette as a second permitted sign.

APPLICATION Date Filed (S Property Information	Staff Use Only): 20103(a)
Common street address: 309 N. Randall	RJ.
PIN (Property Index Number): 19 - 29 - 151 - 0	
Current Zoning: B-3	Proposed Zoning: <u>B-3</u>
Current Use: Vacant	Proposed Use: Pet Care
Is the request consistent with the Comprehensive Plan	? Yes.
Number of Acres: 1.80 If greater than manufacturing zoned land, application shall be Use. See definition of Planned Development and Legal description of the property (print or attach exhib	it):
Property Owner Information Name(s): TMC Lake in the Hills, LLC	
Business/Firm Name (if applicable):	
Address: 501 Pennsylvania Parkway, Su	rite 160
City/State/Zip: Indianapolis, IN 46280	
Phone Number: 859 - 576 - 4250	
Email:	
Applicant Information	
Name(s): Rob Whitehead Se & Matt R	iter
Business/Firm Name (if applicable): Olympik Si	gns Inc.
Address: 1130 N. Garfield	J .
City/State/Zip: Lombard, IL 60148	
Phone Number: 630 - 576 - 1046	
Email: Mouter @ olysians.com	

LEGAL DESCRIPTION

PARCEL 1:

LOT 1 IN FINAL PLAT OF LOT 1 RESTART IN LAKE IN THE HILLS RESUBDIVISION BEING A RESUBDIVISION OF LOT 1 RESTART LAKE IN THE HILLS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECRODED DECEMBER 1, 2015 AS DOCUMENT 2015R0044740, IN THE VILLAGE OF LAKE IN THE HILLS, ALGONQUIN TOWNSHIP, MCHENRY COUNTY, ILLINOIS.

PARCEL 2

EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS CREATED BY DRIVEWAY EASEMENT AGREEMENT RECORDED NOVEMBER 25, 1997 AS DOCUMENT 97R58445 OVER AND UPON ENTERTAINMENT PARK EASEMENT PARCEL AS DEPICTED ON THE PLAT OF THE SUBDIVISION OF LAKE IN THE HILLS ENTERTAINMENT PARK RECORDED JUNE 28, 1996 AS DOCUMENT 96R33436 AND OVER AND UPON THE CENTRE EASEMENT PARCELS AS DEPICTED ON THE PLAT OF THE SUBDIVISION OF THE CENTRE AT LAKE IN THE HILLS, RECORDED NOVEMBER 8, 1996 AS DOCUMENT 96R57546.

Application Request

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	Е	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	Н	No	
Conditional Use		\$500 + \$10/ac over 2 ac	I	Yes	
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	\$250
Development Plan Review		\$500 + \$10/ac	М	No	
		Total Fees –	add column 6 (Se	eparate Check)	\$ 250
		Addition	nal Fees		
Stormwater Peri	mit Application		time of permit issu	ance (Separate Check)	
			Intermediate or	Minor = \$250 Major = \$1,000	
Reimbursement				eparate Check)	

If the Village provides a sign to publicize a public hearing related to this application, the applicant accepts responsibility to ensure the sign is returned within one week after completion of the hearing. The applicant further agrees that if the sign is not returned, they will compensate the Village \$75.00 to allow for a replacement of the lost sign and agrees the Village may withhold approval of their application until payment is received.

Property Owner Signature

I-8-2020

Date

If Owner/Applicant is a School

District please, fill out and submit

Olympik Signs Inc.) 1-8-2020 Appendix N

Applicant Signature Date

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

Authorized Agent

January 6, 2020

To Whom It May Concern,

The STORE, TMC Lake in the Hills, LLC is the owner of the real property located at 309 N Randall Rd, Lake in the Hills, IL 60156 and leases said property to PetSuites of America. The STORE gives its permission to Olympik Signs to install signage on this property.

Regards,

Shannon Netherton

Deal Management Director

Acknowledgement

STATE of INDIANA
COUNTY of HAMILTON

On this 6th day of January, 2020, before me, the undersigned notary public appeared Shannon Netherton, proved to me through satisfactory evidence of identification to be the person whose name is signed on the preceding or attached document, and acknowledge to me that the [she] signed it voluntarily for its stated purpose.

Signature of Notary Public

PAMELA J WHITAKER Notary Public - Seai

State of Indiana

Commission Explication Replace of Notary Public
My Commission Expires May 6, 2023

JAN 16 2019 2 2070361

Appendix L - Variance Requirements

 Please indicate the variation that is being sought, include section(s) and paragraph(s) of the Zoning Ordinance and any dimension(s) and a brief description of the proposed use, construction or development that prompted the request:

Installation of one (1) halo illuminated aluminum channel dog silhouette
logo which is 17'-1" tall and 14'-91/2" wide comprised of two (2) sections,
dog as well as a ball. Per section 16, page 15 the proposed silhovette logo
exceeds the maximum wall sign size limit in B-3 of 100 SF with proposed size
of 252 SF and is also the 2nd wall sign on proposed elevation for which
Zoning code permits only one (1) wall sign per building elevation.

Standards and Findings of Facts for a Variance per Section 23.7 of the Zoning Ordinance.

The Planning and Zoning Commission may recommend and the Board of Trustees shall permit a variation of the provisions of this Zoning Code, as authorized in this Section, only if the evidence, in the judgement of the Village sustains each of the following three conditions:

 The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located. Explain how this standard is met.

The dog silhouette logo is a standard part of our customers site imaging used for branding among all locations. By design, being a reverse halo illuminated silhouette and not stating the actual business name is typically considered to be more of an Architectural Element than a regular standard sign clearly stating the business name.

Appendix L – Variance Requirements

2. The plight of the owner is due to unique circumstances. Explain how this standard is met.
Due to the zoning ordinance which otherwise prohibits the dog silhovette
logo which is a standard part of our customers sign program at all
locations.
 The variation, if granted, will not alter the essential character of the locality. Explain how this standard is met.
The dog silhouette logo would not alter the essential character of the
area but instead will be in harmony with other signage on surrounding
businesses in the B-3 zoning district.
For the purpose of supplementing the above standards, the Village, in making this determination whenever there are practical difficulties or particular hardship, also shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:
4. That the particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out. Explain how this standard is met.
The problem is not with the physical topography of the area itself
but is solely with the zoning ordinance sign code which does not allow
for the silhovette logo as proposed.
 That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification. Explain how this standard is met.
Would not be applicable due to the fact that the item proposed
is merely a dog silhoutte and part of Pet Suites natural/Standard image.

Appendix L – Variance Requirements

6. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property. Explain how this standard is met.
The dog silhouette logo is merely part of the customer's corporate
branding and identity. The proposed sign also is not stating the customers
name.
 That the alleged difficulty or hardship has not been created by any person presently having interest in the property. Explain how this standard is met.
By standard definition as to calculate the total square footage of the
proposed sign, it exceeds the otherwise allouable size and is also the
second sign on this building elevation.
8. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located. Explain how this standard is met.
The proposed reverse halo illuminated signage faces inwards towards
the commercial park and not towards a major roadway or any residential
areas, presenting any public welfare detriment or injurious to the neighborhood.
 That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood. Explain how this standard is met.
The proposed sign will not pose any negative impact on any of the
above.
A. Agent 1/8/2020 Olympik Signs 1/8/2020
Property Owner Signature Date Applicant Signature Date

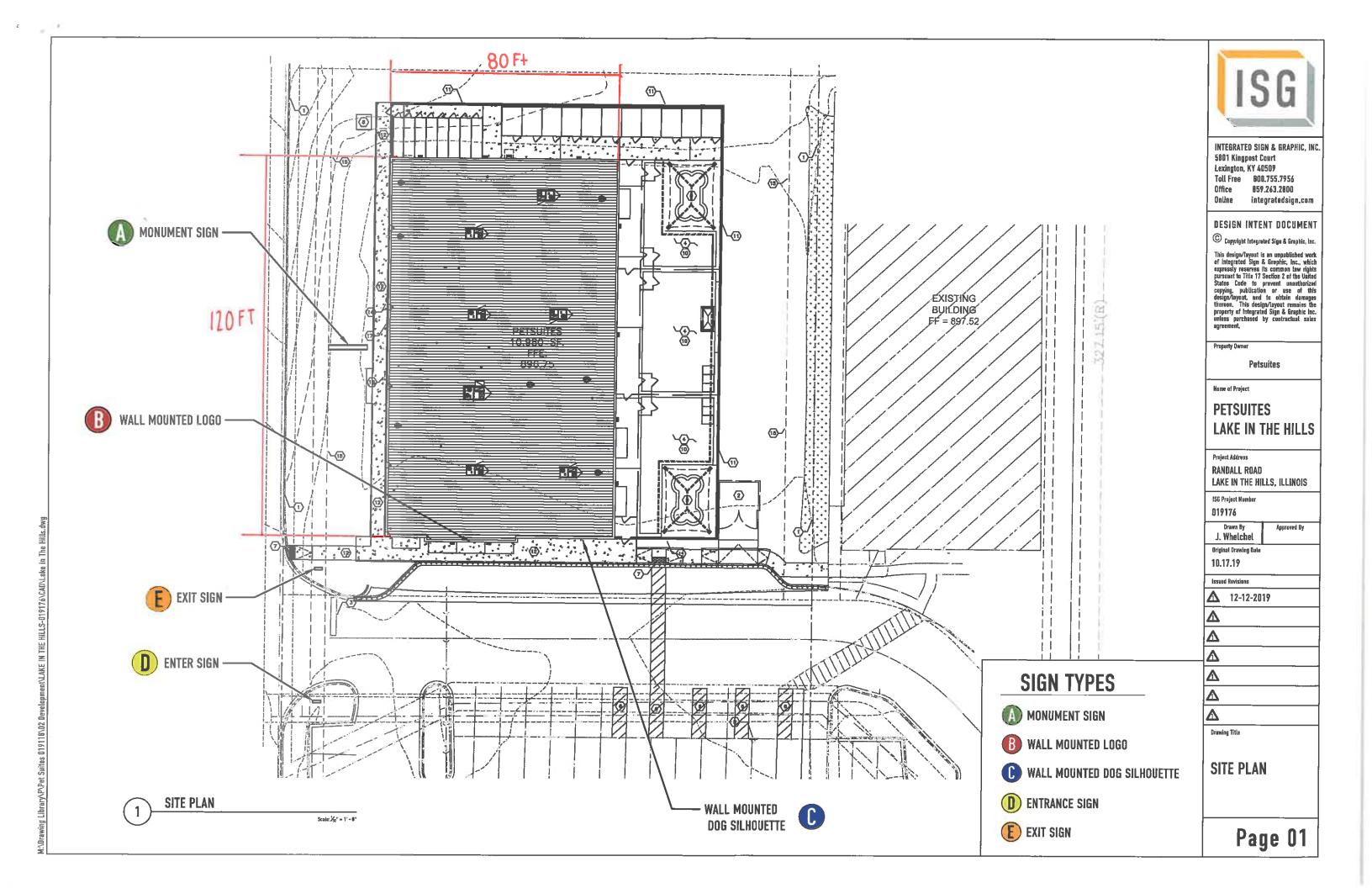
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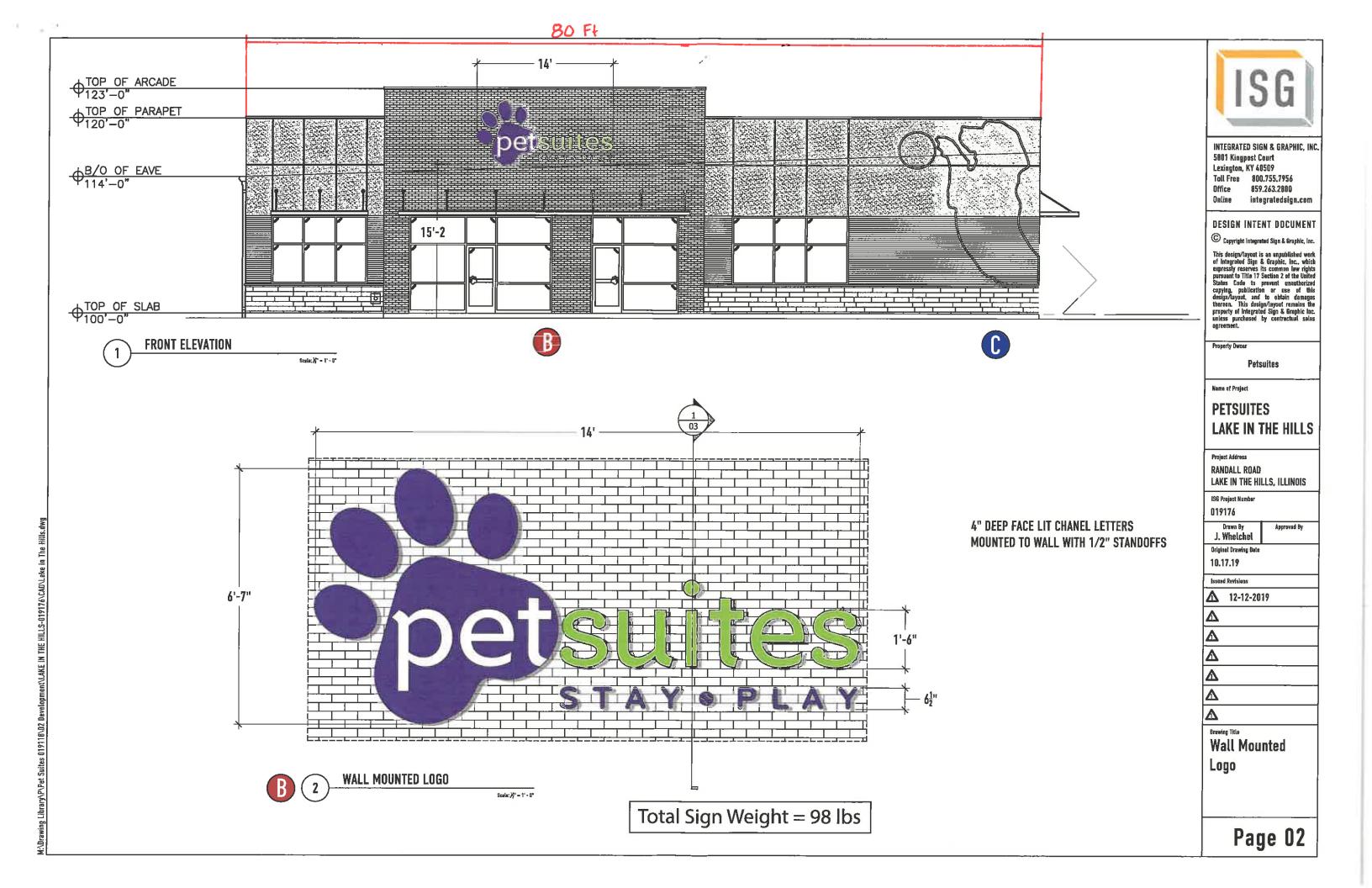


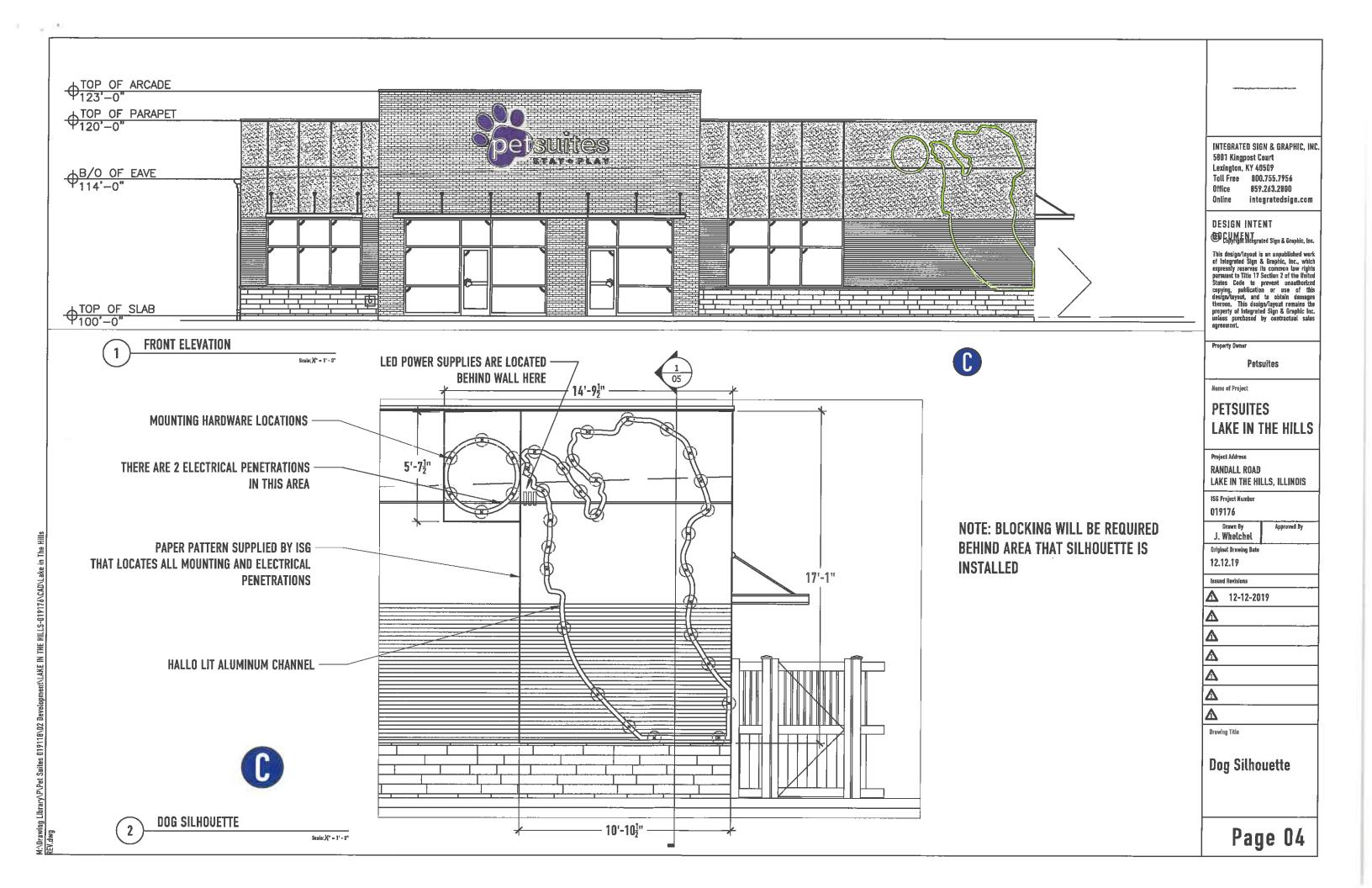
Petsuites

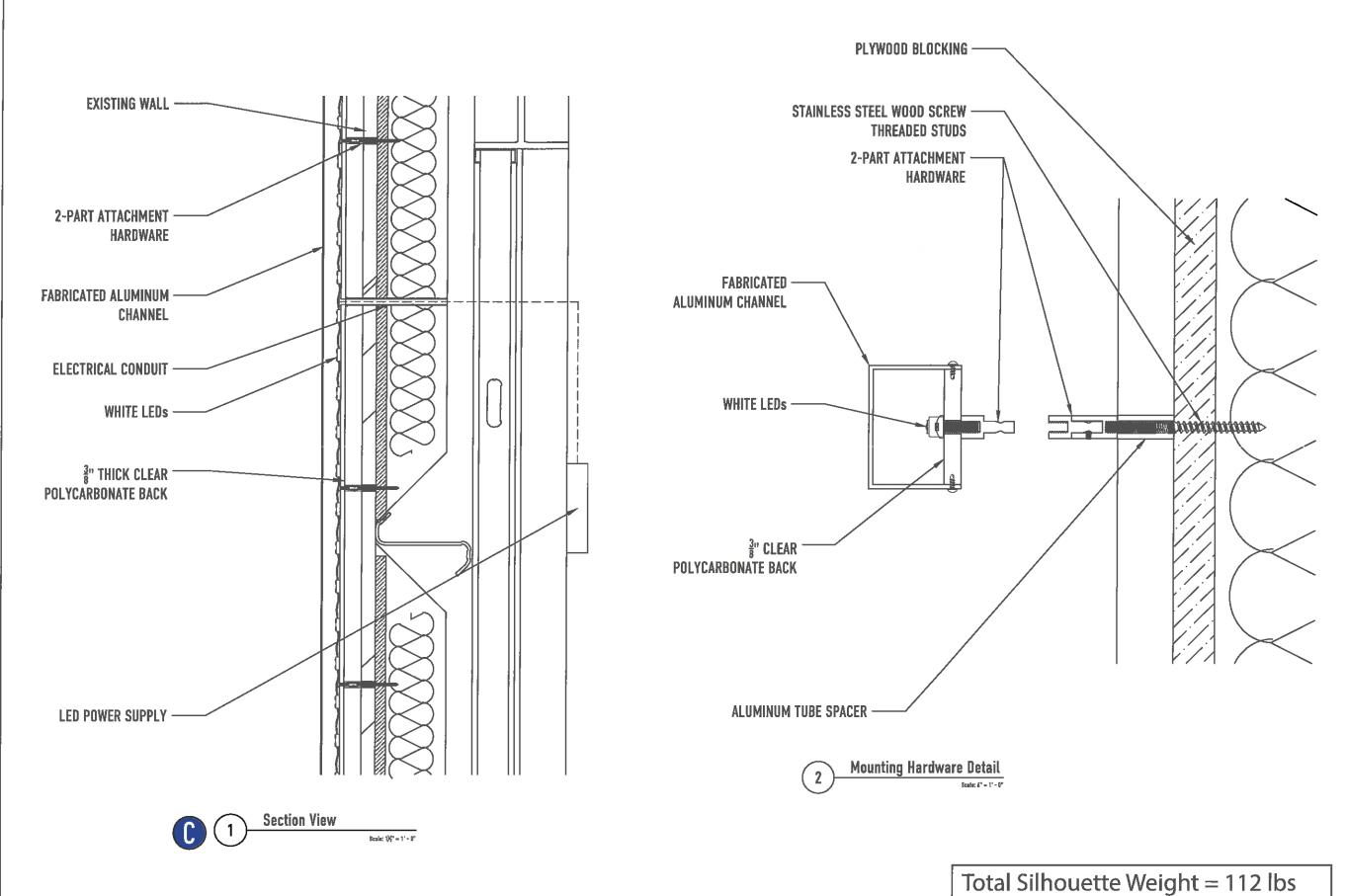
Lake in the Hills , IL Sign Package

12-12-19











INTEGRATED SIGN & GRAPHIC, INC. 5801 Kingpost Court Lexington, KY 40509 Toll Free 800.755.7956 Office 859.263.2800 Online integratedsign.com

DESIGN INTENT DOCUMENT

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Property Ow

Petsuites

Name of Project

PETSUITES LAKE IN THE HILLS

Project Address

RANDALL ROAD Lake in the Hills, Illinois

ISG Project Number

019176

Drawn By
J. Whelchel

Original Drawing Date

Approved By

Issued Revisions

12-12-2019

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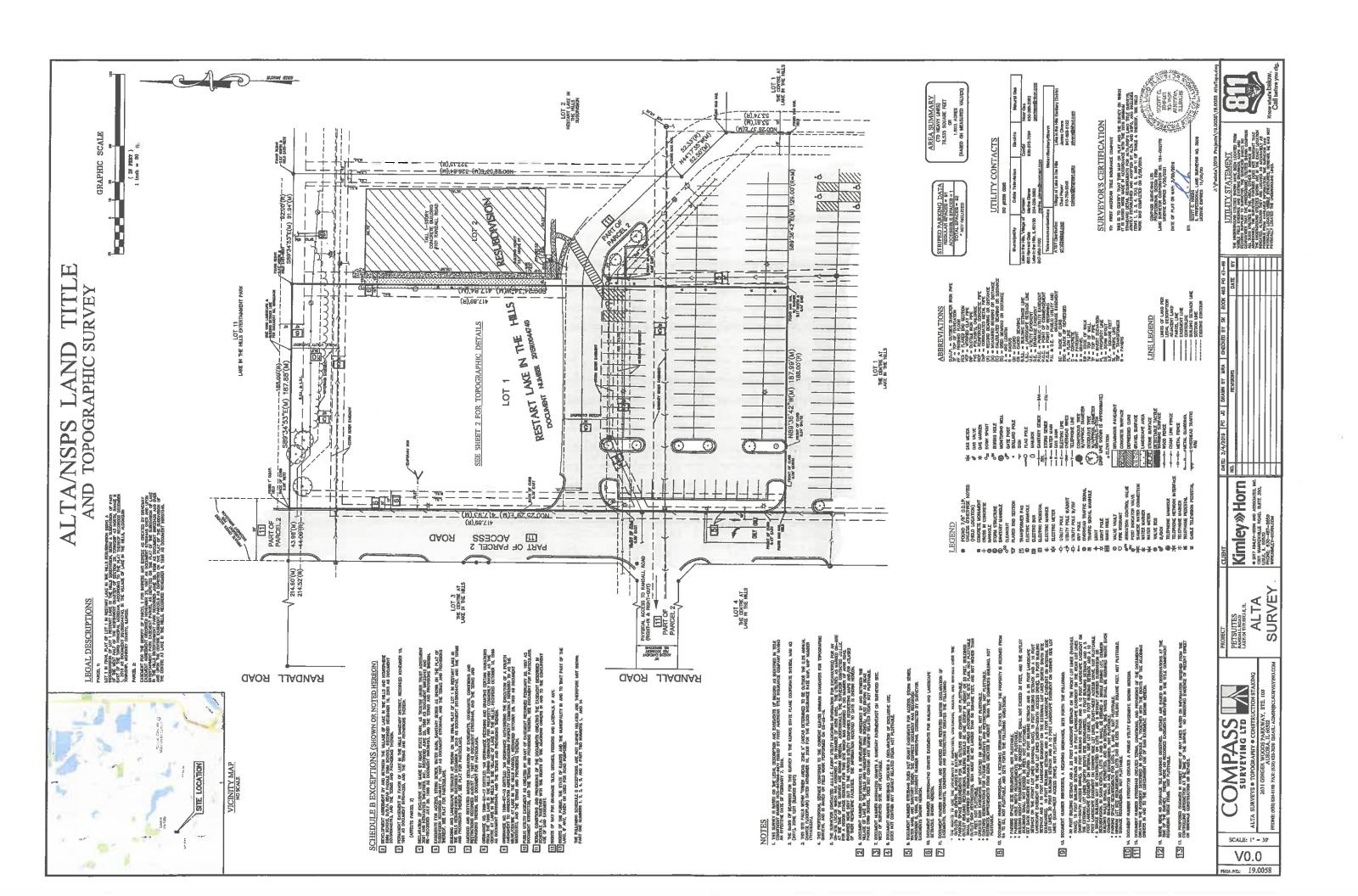
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Dog Silhouette

Page 05





PLANNING AND ZONING COMMISION

MEETING DATE: February 17, 2020

DEPARTMENT: Community Services

SUBJECT: Consideration of a Sketch Plan for Parkside Apartments at 9340 Haligus Road

EXECUTIVE SUMMARY

General Information

Requested Action: Parkside Apartments LITH, LLC requests comments on a sketch plan to

construct a five-story apartment building in lieu of three stories, as previously

proposed.

Owner: Joseph Billitteri, Parkside Apartments LITH, LLC

Applicant: Joseph Billitteri, Parkside Apartments LITH, LLC

Purpose: Develop the lot to include a single five story building housing 39 units.

Location and Size: 9340 Haligus Road / 2.5 acres

Zoning and Land Use: Site: R-4 Multiple Family Dwelling District

North: O-S Open Space District

East: O-S Open Space District

South: O-S Open Space District

A-1 Agriculture / McHenry County

West: R-2 One Family Dwelling District and

R-4 Multiple Family Dwelling District

Future Land Use: Parks / Recreation

Background

The applicant proposes changing the site layout from three, three-story buildings of 39 total units to one, five-story building of 39 total units. The applicant believes this will produce a more marketable product and create a more effective layout with increased open space. The Zoning Ordinance limits the height of the principal structure in an R-4 District to 40 feet or three stories. The applicant would have to apply for a variation to the Zoning ordinance to allow construction on this site of the five-story building site.

The applicant is looking for comments from the Commission about the proposed change, but will have to apply for a variation in the future to allow for the change.

The site is adjacent to Sunset Park, Water Treatment Plant 16, and unincorporated properties. It is across the street from two-story townhomes. The Huntley Fire Protection District looked at the concept and would find it acceptable, as long as all building and fire code requirements are met. The applicant would be responsible for ensuring construction plans comply with building and fire code requirements for the increased height.

A development plan for this property was approved by the Village Board on August 25, 2015. Additionally, a variation to reduce the minimum size of each apartment was approved by the Village Board on May 23, 2019.

The purpose of this submission is to allow the municipality and applicant opportunity to discuss layout, location of buildings, arrangement and location of open space, etc., before detailed engineering is done. It is not intended in any way to replace the preliminary plan, but rather to give the applicant guidance in preparing the much more detailed preliminary plan. Recommendations and comments made in response to Sketch Plan submission shall in no way be regarded as an official approval, nor shall such action grant any legal rights to the applicant or immunity from full compliance with requirements and procedures set forth for preliminary and final plans.

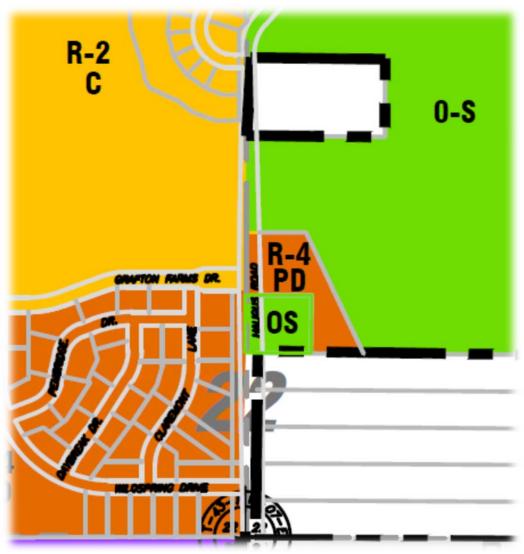
ATTACHMENTS

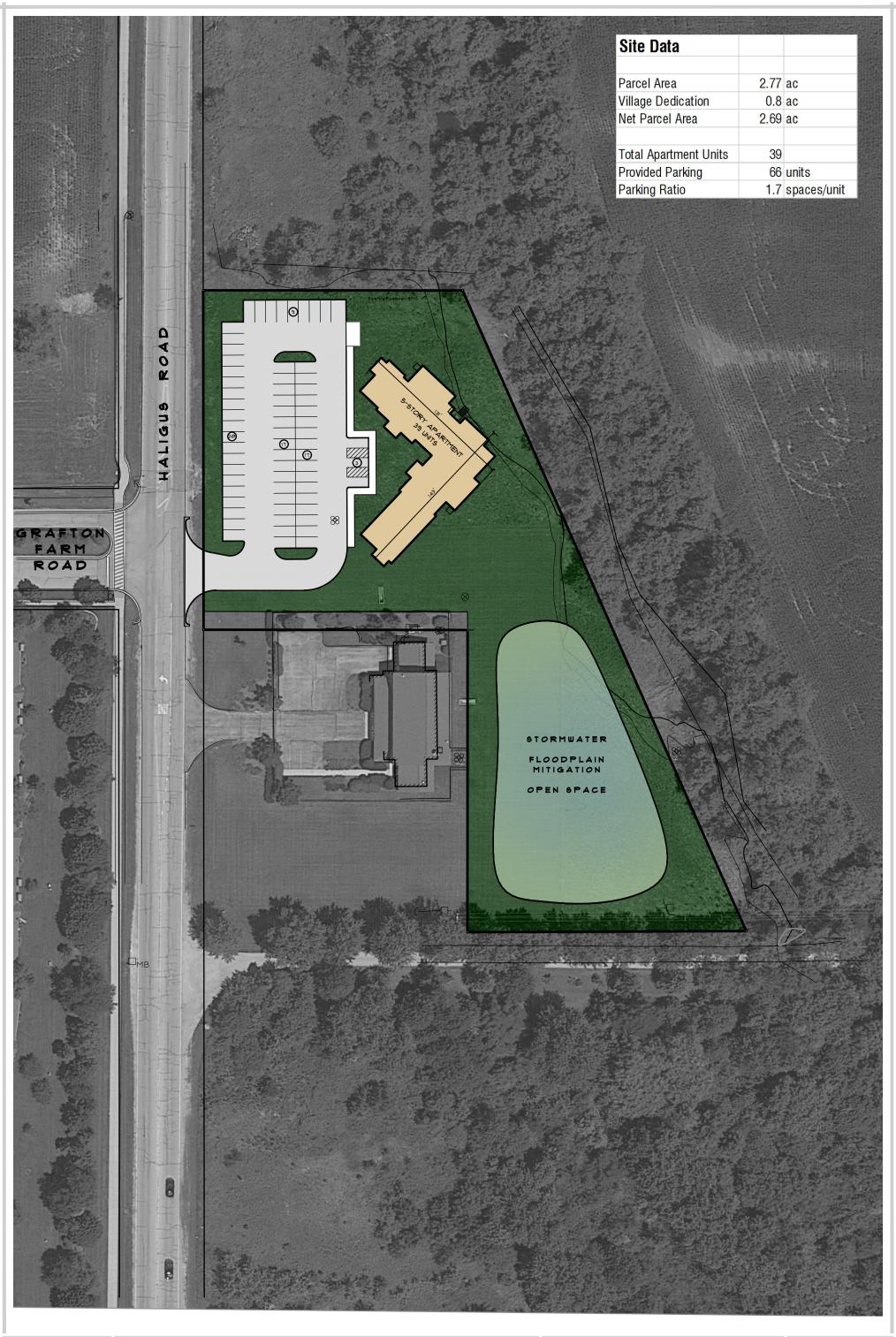
- 1. Site Plan
- 2. Proposed Site Layout
- 3. Previous Site Layout
- 4. Concept Sketch of similar development
- 5. Photo of townhomes across Haligus Road

RECOMMENDED ACTION

Commission provide comments on proposed changes to Parkside Apartment development and authorize the proposal to move forward to the Village Board for review of their sketch plan.







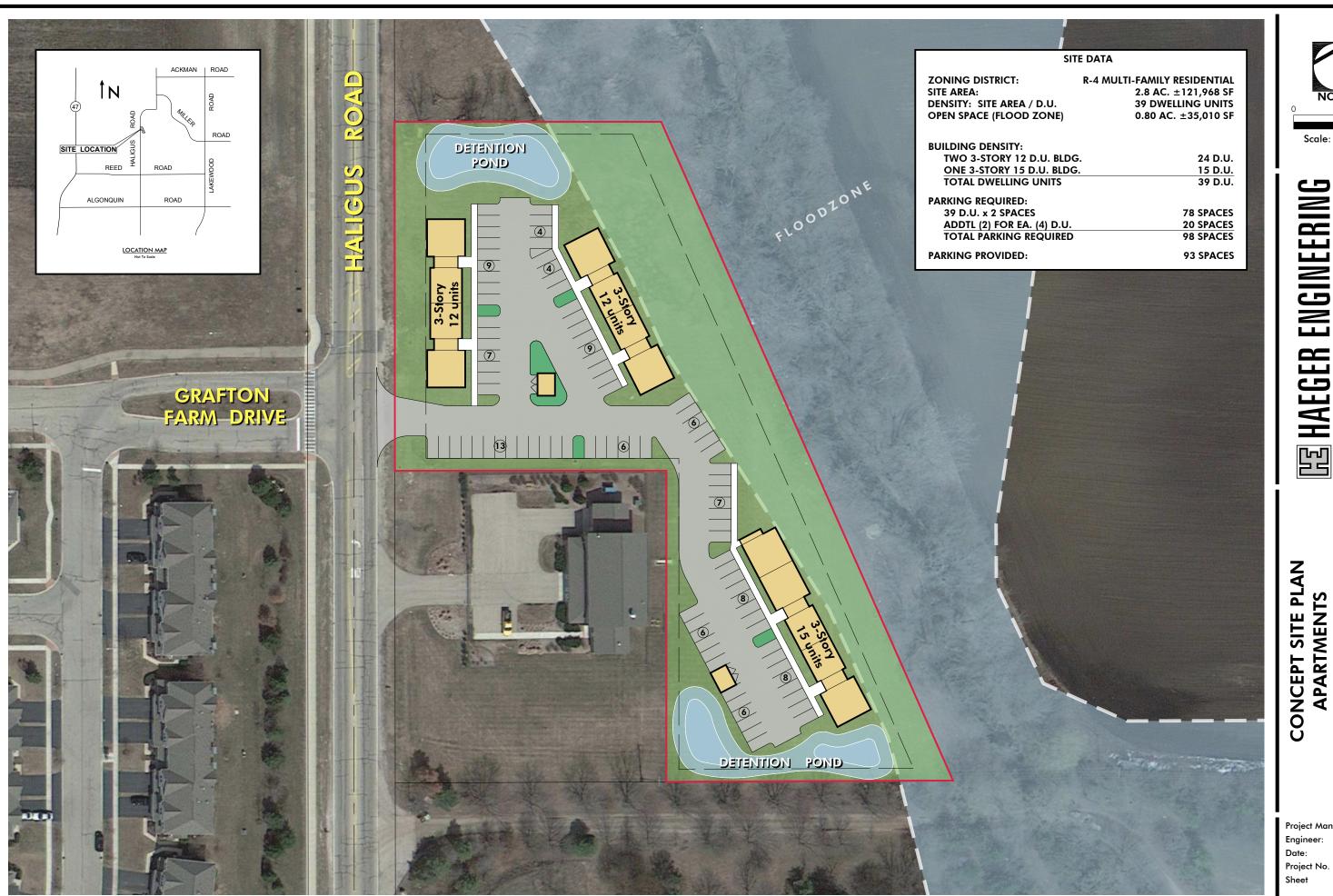


CONCEPT SITE PLAN

PARKSIDE APARTMENTS LAKE IN THE HILLS, IL



Project Manager: MLA Engineer: Date: 01.30.2020 Project No. 14-204





Scale: 1" = 70'

HAEGER ENGINEERING

HALIGUS ROAD PARCEL
AT GRAFTON FARM DRIVE
LAKE IN THE HILLS, IL

Project Manager: Engineer

Project No.

03-31-2015 14-204



