



VILLAGE OF LAKE IN THE HILLS PLANNING AND ZONING COMMISSION MEETING MINUTES FOR MAY 12, 2008

Chairman Thomas Stock called the meeting of the Lake in the Hills Planning and Zoning Commission to order at 7:30 PM at the Village Hall.

ROLL CALL

Commissioners Brent Borkgren, Joe DeMay, Anna Siakel, Frank Covone, Chuck Rambo and Chairman Stock were present. Commissioner Ira Stroud was absent.

Also in attendance were Director of Community Development Dan Olson, Recording Secretary Joyce Griggel, Trustee Liaison Harlfinger, witnesses, objectors, and observers.

APPROVAL OF MEETING MINUTES

Motion to approve the April 14, 2008 Planning and Zoning Commission meeting minutes was made by Commissioner Borkgren and a second by Commissioner Covone. Motion unanimously approved by a sign of Aye.

NEW BUSINESS

CONTINUED PUBLIC HEARING

A. Conditional Use Permit for an amendment to Ordinance 2004-78 to permit exceptions to the B-3 zoning standards with regard to signage and landscape standards; a Conditional Use Permit for a "drive-through" for a pharmacy window & Development Plan – Lake Pointe Lot 1 (CVS)

Chairman Stock convened the public hearing at 7:32 PM. All Commissioners that answered the general roll call were present.

Chairman Stock noted that the petitioner was still under oath.

Andrew Kolb, Attorney, stated that they have been working and meeting with staff to address the building's architectural concerns. The revised site plan addresses the island and traffic flow issues brought up at last month's meeting. He remarked that they thought that they would have corporate CVS's approval by now. He added that he believed that they would get the approval. He asked that this public hearing be continued to the next meeting. He commented that the changes impact the budget and they need approval to spend that money.

Commissioner Borkgren noted the staff memo dated April 10, 2008 had a statement under the Recommendation for Development Plan that there must be compliance with Village-Wide Design Guidelines. He strongly objected to this and reiterated that the compliance with the Guidelines should not be made part of any recommendation. Mr. Olson pointed out that this was a previous memo and that there was a revised one dated May 8, 2008 with a new recommendation. Commissioner Borkgren wanted

to make sure that staff was not conveying to developers that they had to comply with the Village-Wide Guidelines because that was not what he wanted. Chairman Stock added that he has not seen a statement like this in the past. Commissioner DeMay had an issue with using such a strong language like must “comply”. Mr. Olson noted that the petitioner was given the Guidelines to review. He added it was still up to the Commission to decide if they were compliant and that the staff reports could perhaps describe differently how the standards are being addressed and not make it part of the recommendation. Mr. Kolb commented that they were not formally told that they must comply with them and that he felt that the Guidelines were negotiable. Commissioner Borkgren just wanted to make sure petitioners were not told that they must comply with the Village-Wide Design Guidelines, and wanted to have the Commission provide the discretion.

Audience Participation

None.

Motion to continue the public hearing for the Conditional Use Permit for an amendment to Ordinance 2004-78 to permit exceptions to the B-3 zoning standards with regard to signage and landscape standards; a Conditional Use Permit for a “drive-through” for a pharmacy window & Development Plan – Lake Pointe Lot 1 (CVS) to June 16, 2008 at 7:30 PM was made by Commissioner Borkgren and seconded by Commissioner Covone. On a roll call vote Commissioners Borkgren, DeMay, Siakel, Covone, Rambo and Chairman Stock voted Aye. There were no Nays. Commissioner Ira Stroud was absent. Motion approved 6-0.

Chairman Stock closed the public hearing at 7:40 PM.

PUBLIC HEARING

B. Text Amendment to the Zoning Ordinance for the following Sections of the Lake in the Hills Zoning Ordinance: Section 13 “Accessory Structures”, Section 18 “Off Street Parking and Loading” and Section 29 “Violations-Penalties”

Chairman Stock convened the public hearing at 7:41 PM. All Commissioners that answered the general roll call were present.

Chairman Stock swore in the petitioner, witnesses, objectors, and observers.

Mr. Olson indicated that the proof of notification in the newspaper was in the file.

Mr. Olson reviewed the proposed Text Amendments to the Zoning Ordinance. He noted that in Section 13.5 “Permitted Accessory Structures” that decks and terraces were currently permitted in all districts in the side and rear yards. Proposed is to permit them in the business, manufacturing, open space, institutional buildings, and airport 1 and 2 districts in the front, side and rear yards. He added that there was a business within the Village that wanted to expanded a deck in the front yard and this amendment would then allow for it. Then trash enclosures are being added in all zoning districts and allowed in the side and rear yards. Finally footnote #3 is proposed to state “Additional restrictions for residential zoned properties per Section 7.3.8 of this Zoning Code”.

Mr. Olson remarked that in Section 18.4-6 a Drive-Thru Bypass Aisle Design was being created to set a minimum standard width of 11 feet. Commission Borkgren was concerned that a 11-foot width would be

tight on a curve and suggested 12 or 13 feet. Mr. Olson added that the Fire and Engineering Department's would be reviewing this on any proposed plans and could recommend a greater width, if needed.

In Section 29 there would be an increase to the minimum fine charged for violations to the Zoning Ordinance. Mr. Olson stated that it was currently \$25 and it would be raised to \$50.

There was no audience participation.

A motion to approve the Text Amendments dated April 16, 2008 was made by Commissioner Rambo and seconded by Commissioner Borkgren. On a roll call vote Commissioners Borkgren, DeMay, Siakel, Covone, Rambo and Chairman Stock voted Aye. There were no Nays. Commissioner Ira Stroud was absent. Motion approved 6-0.

Chairman Stock closed the public hearing at 7:44 PM.

OLD BUSINESS

None.

ITEMS FOR DISCUSSION

Mr. Olson asked the Commission to forward any changes to their contact information and that a revised Commission list would be emailed.

AUDIENCE PARTICIPATION

None.

CALENDAR

Chairman Stock noted June's meeting calendar.

TRUSTEE LIAISON REPORT

Trustee Harlfinger had nothing to report.

Motion to adjourn the meeting was made by Commissioner Borkgren. It was seconded by Commissioner Rambo. Chairman Stock adjourned the meeting at 7:46 PM.

The next meeting of the Village of Lake in the Hills Planning and Zoning Commission will be Monday, June 16, 2008 at 7:30 PM.

Respectfully Submitted,

Joyce Griggel

Recording Secretary