



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

PLANNING AND ZONING

FEBRUARY 17, 2026

## Call to Order

The meeting was called to order at 7:30 p.m. in the downstairs multipurpose room to accommodate the exceptionally large crowd that was estimated to be around 125 people.

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

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

## Approval of Meeting Minutes

Motion to accept the Planning and Zoning Commission meeting minutes from January 12, 2026 was made by Commissioner Siakel and seconded by Commissioner Walker. On a voice vote, everyone voted Aye, No Nays. The motion to accept passed 6-0.

Chairman Esposito announced to everyone in the room that for the public hearings, everyone will have a chance to speak for up to three minutes, and they will be called up to be sworn in and state their name for the record.

## New Business

### **A. Variation from Section 7.4 of the Zoning Code to reduce the minimum rear yard for a room addition at 631 Wedgewood Circle**

Chairman Esposito asked for a motion to open the public hearing. Commissioner Siakel made a motion to open the public hearing and Commissioner Walker seconded. On a voice vote, everyone voted Aye, no Nays. Motion to open passed 6-0. Chairman Esposito opened the public hearing at 7:33 p.m. and confirmed with staff that the public was given proper notice.

Director Svalenka reviewed the Request for Public Hearing and Commission Action dated February 17, 2026.

The existing single-family residence at 631 Wedgewood Circle is a typical attached duplex residence constructed in 2000. Cynthia Wirth has owned the home since September 22, 2021. Ms. Wirth would now like to have a new 12' by 16' room addition constructed along the rear wall of the house by Incredible Builders in order to provide ground-level living space for her elderly mother.

The subject property is within the R-2 One-Family Dwelling zoning district, and the residence was constructed in accordance with standards approved as part of a 1993 annexation agreement and Planned Development for the Spring Lake Farm South Unit 3 Resubdivision. Specifically, while Section 7.4 of the Zoning Code requires a minimum rear yard of 25 feet in the R-2 zoning district, the home was constructed in 2000 in accordance with the Planned Development that allowed construction anywhere within a "maximum building envelope" that measures 55.0 feet from front to back. The proposed 12' by 16' room addition would encroach about 2.35 feet past the rear line of the maximum building envelope and encroach about 11.5 feet into the 25-foot minimum rear yard. Therefore, Anthony



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Cutrona of Incredible Builders has submitted an application on behalf of the property owner to request approval of a variation from the more-restrictive standard. Specifically, the submitted application requests a variation from Section 7.4 of the Zoning Code to reduce the required rear yard by approximately 11.5 feet from 25 feet to 13.5 feet.

Director Svalenka provided his professional analysis, findings in detail, and his recommendation to approve the requested variation.

Petitioner and homeowner Cynthia Wirth and Incredible Builders representative Mike Gorney were sworn in. Ms. Wirth indicated that they have no additional comments except they do plan on adding a shower to the existing plans. Commissioner Bolton asked if the neighbors are okay with the room addition? Ms. Wirth replied that she had gotten positive feedback from a neighbor and no negative feedback.

There being no public comments or further discussion, Chairman Esposito asked for a motion to close the public hearing. Commissioner Walker made a motion to close the public hearing, and Commissioner Siakel seconded. On a voice vote, everyone voted Aye, No Nays. Motion to close passed 6-0. Chairman Esposito closed the public hearing at 7:40 p.m.

Commissioner Siakel made a motion to recommend approval of the requested variation from Section 7.4 of the Zoning Code to reduce the minimum rear yard from 25 feet to 13.5 feet to allow construction of a 12' by 16' room addition on the property at 631 Wedgewood Circle, per the findings noted in the staff report dated February 17, 2026. Commissioner Walker seconded the motion. On a roll call vote Commissioners Siakel, Walker, Murphy, Bolton, Goldenstein and Chairman Esposito voted Aye. No Nays. Motion to recommend approval passed 6-0.

## Old Business

### **A. Zoning Map Amendment, Conditional Use for a Gas Station, Conditional Use for a Planned Development and a Development Plan, and a Tentative Plat for Osho Business Group at 2100 North Lakewood Road.**

Chairman Esposito asked for a motion to open the public hearing. Commissioner Siakel made a motion to open the public hearing, and Commissioner Walker seconded. On a voice vote, everyone voted Aye, no Nays. Motion to open passed 6-0. Chairman Esposito opened the public hearing at 7:42 p.m. and confirmed with staff that the public was given proper notice.

Director Svalenka reviewed the Request for Public Hearing and Commission Action dated February 17, 2026.

In 1990 the Village entered into an Annexation Agreement to allow development of approximately 908 acres encompassing the Meadowbrook residential subdivisions and including the subject 6.8-acre property at the northeast corner of Lakewood Road and Miller Road. The entirety of the 908 acres were annexed to the Village and granted residential zoning, while the subject property was reserved for future neighborhood commercial development. Accordingly, the official land use plan from the 1995 Comprehensive Plan shows the subject property to be developed with "business, commercial, office" land uses. All future versions of the Comprehensive Plan have



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called for some type of commercial development on the property. Osho Business Group has a contract to purchase the property for a proposed commercial development. Specifically, the applicant plans to subdivide the property into two lots, to develop a gas station with a 7,200 square foot convenience store on the southernmost lot, and to develop a 10,000 square-foot multi-tenant retail building and stormwater management basin on the northernmost lot.

To allow the proposed commercial uses, the applicant has requested approval of a zoning map amendment per Section 22 of the Zoning Code to rezone the property from the R-2 One Family Dwelling zoning district to the B-2 Neighborhood Convenience Business zoning district. In accordance with the Permitted and Conditional Use Chart in Section 11 of the Zoning Code, a Planned Development may be approved in the B-2 zoning district with the approval of a conditional use, which will allow for the granting of several exceptions from the standards in the Village's codes. The applicant has also requested approval of this conditional use. In accordance with Section 25.5 of the Zoning Code, a Development Plan must be prepared and submitted for all new construction within a Planned Development. Therefore, the applicant has also requested approval of a development plan for the Planned Development. Additionally, in accordance with Section 11 of the Zoning Code, the applicant has requested approval of a conditional use for the gas station. Finally, to start the process to divide the property into two lots, the applicant has requested approval of a Tentative Plat in accordance with Section 1-3-3 of the Subdivision Control Ordinance.

The applicant's original full submittal was reviewed for code compliance by the Village Engineer, the Lake in the Hills Sanitary District, the Huntley Fire Protection District, the Lake in the Hills Water Superintendent, and the Community Development Department. The Village provided the applicant with a comprehensive review letter of necessary revisions just before the Christmas holiday. The applicant was not able to complete all of the necessary plan revisions in response to the Village's review comments prior to the scheduled date for the public hearing on January 12, 2026. Therefore, on January 12 the Planning and Zoning Commission (PZC) opened the public hearing and then immediately continued the public hearing to the next PZC meeting on Tuesday, February 17, 2026. It should also be noted that the original application included a third proposed lot for a future potential car wash, but the applicant has eliminated the car wash in response to public feedback.

Director Svalenka provided his professional analysis, findings in detail, and his recommendation to approve the requested zoning map amendment to rezone the property from the R-2 zoning district to the B-2 zoning district, approval of the requested Conditional Use Permit to allow a gas station, approval of the requested Conditional Use Permit to allow a Planned Development, approval of a Development Plan, and approval of a Tentative Plat, all to allow development of the 6.8-acre commercial property at 2100 N. Lakewood Road, per the findings and with the four conditions and one exception noted in the staff report dated February 17, 2026. Those are stated below:

1. The applicant must revise the plans to change the Miller Road south entrance from a full access to a right-in, right-out configuration prior to the consideration of the proposed development by the Village Board.
2. The applicant must obtain written approval of the vehicular access drives and pedestrian paths along Lakewood Road from the McHenry County Division of Transportation prior to starting any construction work.



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3. Final engineering details must be submitted to the Village and shall be subject to final approval by the Village Engineer.
4. Final landscape details must be submitted to the Village and shall be subject to final approval by the Village Community Development Department.

Staff recommended that the motion noted include the granting of the following exception from the code as part of the Development Plan:

1. An exception per Section 25.3.A of the Zoning Code to allow two drive-through lanes, as shown on the submitted drawings.

The applicant and his team were sworn in. They were Attorney John Argoudelis, attorney on behalf of the applicant, Architect Justin Rios, Civil Engineer Chris Slykas, Osho, Osho rep/owner Soni, and Traffic Consultant Dan Brinkman. Attorney Argoudelis acknowledged that there is a lot of this concern about this development. However, there has been a thorough analysis by the professionals/experts, and they have touched on every area of concern.

There started to be some outbursts from some audience members towards the petitioner. At that time, Director Svalenka reminded the audience that the petitioner gets their opportunity to present their case. Chairman Esposito spoke to the audience regarding the public hearing processes steps, and that everyone will have an opportunity to speak up to three minutes after the petitioner speaks.

Attorney Argoudelis further stated that the developer saw this property on the Village's Comprehensive Plan, which has been planned for commercial use for many years. The Comprehensive Plan is a statement to the world what the vision is for that piece of property. Due to the high price of the land, building single-family homes would not be as feasible. This type of development would produce tax revenue to fix roads, pay for police services, and provide the Village an opportunity for tax income. He furthermore stated that this development would create jobs within the Village, and the retail use would be a beneficial convenience to the residents. He reiterated that this use has been suggested on the Village's Comprehensive Plan. He concluded his presentation that he and his team would be happy to answer questions.

Chairman Esposito asked why a gas station was planned with the retail store? A representative from Osho Business Group LLC replied that a gas station brings in more customers, thus they can offer more products to the customers. Also, the gas station would bring in the revenue stream to justify the cost of the land and the Village's and EPA's requirements to develop the property. Attorney Argoudelis summarized that the gas station and the retail store would provide the revenue stream that is needed to support this development. Basically, the gas station would be the anchor business for this development.

Commissioner Walker spoke about his opposition to this development and that Planning and Zoning has never turned down a new business in Lake in the Hills until today. He elaborated on his concerns about the gas station going out of business due to market saturation, thus leaving underground fuel tanks and a vacant multi-million dollar building. Also, he is concerned about gas tankers on the road, the light and noise pollution, and questions if there is enough



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traffic to sustain the business. Attorney John Argoudelis added this is a proposed BP gas station, and they have done a thorough analysis regarding these issues before committing to move forward with this development.

Chairman Esposito asked if they had contacted The McHenry County Division of Transportation about the proposed roundabout? Attorney John Argoudelis answered they had, and the roundabout was determined by McHenry County DOT not to be a problem with the tanker trucks. Chairman Esposito expressed his concern about extra traffic interfering with the school busses in a non-commercial area.

There was a discussion about the average daily traffic on Lakewood Road, which according to a 2021 traffic study were 10,300 vehicles and 8,300 on Miller Road. Commissioner Goldenstein asked if there was an analysis on how this traffic affects the gas station down the street, and Attorney Argoudelis said there was not, as it was not required.

Commissioner Walker stated his concern about the viability of OSHO Business Group, LLC, as he read online that OSHO was dissolved in 2006. Attorney Argoudelis and Soni of OSHO responded that there multiple OSHO entities for the different businesses they own, and some are dissolved when they are not needed anymore.

Director Svalenka explained that everyone who wants to speak will have an opportunity to do so at this time. He asked that either before or after they speak to please fill out a comment card with their name for the record.

Jim Hoover was sworn and spoke on his opposition citing zoning ordinances, and that a gas station and other proposed business would be detrimental to property values.

Carlo Conduto was sworn in and spoke. He stated that he pro-business, but not this business at this location, especially because it is near the wetlands. He does not feel the business will survive because the Lake in the Hills Costco gas station is so popular, and there are other gas stations that are on the main roads.

Paul Rizzo was sworn and spoke regarding his concern on nighttime operating hours in a residential area, and he does not feel the gas station is a good use for this property.

James Brancato was sworn and spoke. He said the 250 feet notification should be expanded. Furthermore, he doesn't feel the gas station would improve the neighborhood, and there could be another business that would better serve the area. Generally, it is a residential area and it needs to stay residential.

Kellen Brancato was sworn and spoke. He stated that he grew up in Lake in the Hills, and feels there really needs to be a bike bath along Lakewood Road. Also, he said the proposed gas station lights could affect the wildlife's circadian rhythm, and he doesn't see how the roundabout could support the gas tankers. Generally, feels the proposed development would be an overzealous development for the neighborhood, and it should stay residential.

Deba Rose Klucez was sworn and spoke. She stated her belief that the commission works for the residents and the residents decide what works for Lake in the Hills. From working for developers in her career for ten years, she knows that gas stations and dry cleaning businesses can affect the soil.



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Dorjgotov Altangerel was sworn in and spoke. He stated this proposed development would basically be in his backyard, and he spoke of his concern of having a gas station less than 50 feet from his home. He feels the benzene fumes emitted from the gas station can cause health problem, and the gas station would bring in more cars and gas tankers, which are not safe in a residential neighborhood. He suggests the land would be better utilized as a townhome community.

At this time, Chairman Esposito called for a 10 minute break. The meeting recessed at 9:00 p.m. and reconvened at 9:10 p.m.

Patrick Millard was sworn and spoke. He does not think this development would bring in new tax revenue that is already here. Also, he feels that the storm sewer system could possibly fail.

Gerald Grazeniga was sworn in and spoke. He emphasized the potential health risks of living within the vicinity of the gas station, such as the benzene and toxic fumes, of which can cause respiratory problems and cancer. Based upon the plans he saw from the developer, there is going to be runoff, sediment, and oil that is going into the wetlands. So based upon the health concerns he noted, he opposes this development.

Beth Kalamatas was sworn in and spoke. She suggested other options for the property such as 55 and older community, aquatic center, or pickleball courts. She feels this property is better used for the residents, not a gas station.

Carrie and Matt Schirmacher were sworn in together and spoke. Matt Schirmacher concurred about a lot of all the comments that have already been brought up by other concerned residents. Furthermore, he feels this business is not going to bring a benefit to the community, and the right-in and right-out will not work. Carrie Schirmacher said the traffic is already very heavy on these roads in the summer due to festivals and sporting events. She expressed concern about the increased traffic from this proposed business, the future roundabout, and pedestrians crossing at Lakewood and Miller Roads.

Laura Bice was sworn in and spoke about her reasons for her opposition to this development. She stated that the gas station would not benefit the community, and it would actually be a burden on the neighborhood, as the placement of this development is incompatible with residential living. She furthermore stated that she recently spoke to a realtor who told her the home values could drop 5 to 10 percent if the gas station was built there. She asks that the Planning and Zoning Commission reject this proposed development.

Chris Alwicker was sworn in and spoke about her opposition for the development. One of the reasons is because of the light pollution in the residential neighborhood. She reiterated that this development is not wanted.

David McMorris was sworn in and spoke about his reasons for opposing the development. He feels this development will adversely affect the community because of light, loud music, air conditioner compressors, toxins, emissions, increased traffic and more, and is not compatible to the goals of the Village. Furthermore, he stated he learned sales data shows that similar homes near gas stations are valued less and need to be included in appraisals. He also expressed concern about redeveloping a gas station if this business fails.



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Richard T. Rudecki was sworn in and spoke. He said he thought the property was supposed to be a park, and the sidewalk was supposed to be installed by the developer, which never happened. He reported that underground work has already been started at the property. Director Svalenka said the work is being done under permits with McHenry County DOT and Lake in the Hills Public Works for surveying and searching for underground utilities.

John Wingertzahn was sworn in and spoke about his opposition to the development. He said he lives near The Grove Mart, and he gets light in his backyard from the gas station. To his knowledge, this gas station would be the only one surrounded in on all four sides by homes. He feels the smell of gas will permeate the air. He questioned if the Planning and Zoning Commission members are Lake in the Hills residents. Commissioner Siakel spoke up and briefly explained to him that all commissioners are Lake in the Hills residents and briefly explained their role in the zoning approval process.

Bruce Augustine was sworn in and spoke. He pointed out the traffic study was done five years ago. He expressed concern about the traffic if this business and a roundabout are built. He also noted that tonight's comments from other residents opposing the development are based upon facts, not just emotion.

Philip Teeter was sworn in and spoke. He pointed out that there isn't expected to be a big increase in the Lake in the Hills population; therefore, the sales tax revenue is not needed as much as stated by the petitioner. He further stated he would rather pay the taxes directly to the Village instead of having a gas station at that location.

John LaPlant was sworn in and spoke. He feels the snow from the gas station with all its contaminants will be plowed over the berm and into the wetlands. He suggests the residents boycott the business if it ever does get built.

Tina Debartalo was sworn in and spoke about her opposition to the development. It is her opinion that Lake in the Hills is a town that you drive through to get to another town, and that a gas station is not needed at the property. The area would be better served by building a place where residents can gather.

Ron O'Neal was sworn in and spoke. He questioned if approving this development will affect the roundabout. If there is a roundabout, he thinks there will be no pedestrian traffic at that intersection. Chairman Esposito noted that the roundabout is a McHenry County DOT project. Director Svalenka said that the McHenry County DOT was sent these plans for the development, and there is communication between the Village of Lake in the Hills and McHenry County DOT about the roundabout.

Richard Kelley was sworn in and spoke. He asked the applicant if there was a study done to know if there is a gas station in a residential neighborhoods in other surrounding towns? The attorney for the applicant answered that it was not done, as it was not required.

Stephanie Musgrave Schoor was sworn in and spoke. She stated that she lives within 250 feet of this property. She feels the light and loud noise pollution from the gas station music would infiltrate her backyard and negatively affect her family. She is also concerned about any crime the gas station may bring and increased traffic accidents at the roundabout.



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Lisa Passananti was sworn in and spoke about her opposition to the development. She recalled that in the past she requested that the Village install street lights along Miller Road. That request was denied citing light pollution. However, she is unhappy that this development with all the lights would be okay. She feels there is no need for this development for the many reasons stated tonight.

Director Svalenka made an announcement to the audience that the public hearing is still open. If anyone still wants to speak and had not yet, to please come to the front of the room to do so.

John Spankroy was sworn in and spoke. He asked for a show of hands of who did not want this gas station to raise their hand. A lot of hands went up.

Attorney for the petitioner, John Argoudelis, spoke and responded to some of the comments made from the audience. Attorney Argoudelis said that according to his client, there would be two to three refueling tanks a week at the gas station. In regard to the traffic study, which was professional and certified and required by the Village, and the professionals took into a lot of considerations. Hours of operation would be 5 a.m. to 11 p.m., as they do not want it to be 24/7. The applicant answered the question from Commissioner Murphy if they plan on applying for a liquor license and video gaming license, and the answer was yes. He noted that the carwash had been removed from the plan and that the petitioners accepted all of the Village staff recommendations. A member of the audience asked the petitioner for a percentage of gas station developments they have in the Chicagoland area where there were single-family homes surrounded on all four side. The petitioner replied that they have a gas station development at 170 Lake Marian Road that is surrounded by homes on three sides.

A member of the audience asked the petitioner if the car wash was included in this proposal. The petitioner answered that it is not and that they won't build one. Director Svalenka noted procedurally speaking, if a car wash was to be added later on, then a planning and zoning application would need to be made and a public hearing held.

A resident asked the petitioner to address the issue of chemicals. The attorney responded that the gas station would comply with all EPA rules.

There being no further public comments or further discussion, Chairman Esposito asked for a motion to close the public hearing. Commissioner Siakel made a motion to close the public hearing, and Commissioner Walker seconded. On a voice vote, everyone voted Aye, No Nays. Motion to close passed 6-0. Chairman Esposito closed the public hearing at 10:11 p.m.

Commissioner Bolton made a motion to recommend approval of the requested zoning map amendment to rezone the property from the R-2 zoning district to the B-2 zoning district, approval of the requested Conditional Use Permit to allow a gas station, approval of the requested Conditional Use Permit to allow a Planned Development, approval of a Development Plan, and approval of a Tentative Plat, all to allow development of the 6.8-acre commercial property at 2100 N. Lakewood Road, per the findings and with the four conditions and one exception noted in the staff report dated February 17, 2026. Commissioner Walker seconded the motion. On a roll call vote Commissioners



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Siakel, Walker, Murphy, Bolton, Goldenstein and Chairman Esposito voted Nay, No Ayes. Motion to recommend approval failed 6-0.

## Item for Discussion

None

## Staff Report

None

## Audience Participation

None

## Trustee Liaison Report

None

## Adjournment

A motion to adjourn the meeting was made by Commissioner Siakel and seconded by Commissioner Walker. On a voice vote, everyone voted Aye, no Nays. Motion to adjourn passed 6-0.

There being no further business to discuss, the meeting of the Lake in the Hills Planning & Zoning Commission was adjourned at 10:14 p.m. The next Planning and Zoning Commission meeting is scheduled for March 16, 2026.

Submitted by,

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

Laura Carpenter

Recording Secretary