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.
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 postponed 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

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 proposed 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.
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 Pekovic
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.
  • 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

Property Information
Common street address: 309 N. Randall Rd.
PIN (Property Index Number): 19-29-151-027
Current Zoning: B-3 Proposed Zoning: B-3
Current Use: Vacant Proposed Use: Pet Care
Is the request consistent with the Comprehensive Plan? Yes.
Number of Acres: 1.80 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.
Legel description of the property (print or attach exhibit):
See Attached legal Description.

Property Owner Information
Name(s): TMC Lake in the Hills, LLC
Business/Firm Name (if applicable): 
Address: 501 Pennsylvania Parkway, Suite 160
City/State/Zip: Indianapolis, IN 46280
Phone Number: 859-576-4250
Email: 

Applicant Information
Name(s): Rob Whitehead Se & Matt Pyfer
Business/Firm Name (if applicable): Olympik Signs Inc.
Address: 1130 N. Garfield
City/State/Zip: Lombard, IL 60148
Phone Number: 630-576-1046
Email: mpyfer@olysigns.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 RECORDED DECEMBER 1, 2015 AS DOCUMENT 2015R0044740, IN THE VILLAGE OF LAKE IN THE HILLS, ALGONQUIN TOWNSHIP, MCHENRY COUNTY, ILLINOIS.

PARCEL 2:
## Application Request

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<th>4 For Requirements see Appendix</th>
<th>5 Public Hearing Required See Appendix A2</th>
<th>6 Total Fee (enter amount per column 3)</th>
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**Total Fees – add column 6 (Separate Check)** $250

### Additional Fees

Stormwater Permit Application Fee to be paid at time of permit issuance **(Separate Check)**

- Minor = $250
- Intermediate or Major = $1,000

Reimbursement of Fees Required **Appendix B** = $2,000 + $100/acre for every acre over 5 acres **(Separate Check)**

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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**

[Signature]

**Date** 1-8-2020

If Owner/Applicant is a School District please, fill out and submit

**Applicant Signature**

[Signature]

**Date** 1-8-2020

Appendix N

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

[Signature]
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]
Signature of Notary Public

PAMELA J WHITAKER
Notary Public - Seal
State of Indiana
My Commission Expires May 6, 2023
Appendix L – Variance Requirements

1. 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'-9 1/2" wide comprised of two (2) sections, dog as well as a ball. Per section 16, page 15 the proposed silhouette 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:

1. 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 a dog silhouette logo which is a standard part of our customers sign program at all locations.

3. 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 silhouette logo as proposed.

5. 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 silhouette 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 customer's name.

7. 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 allowable 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.

9. 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.

__________________________  __________________________
Property Owner Signature    Applicant Signature

__________________________  __________________________
An Agent 1/6/2020           Olympik Sign 1/6/2020
Petsuites

Lake in the Hills, IL
Sign Package

12-12-19
TOP OF ARCADE: 123'-0"
TOP OF PARAPET: 120'-0"
8/0 OF EAVE: 114'-0"
TOP OF SLAB: 100'-0"

14' Ft

15'-2"

4" DEEP FACE LIT CHANNEL LETTERS MOUNTED TO WALL WITH 1/2" STANDOFFS

WALL MOUNTED LOGO

Total Sign Weight = 98 lbs
NOTE: BLOCKING WILL BE REQUIRED BEHIND AREA THAT SILHOUETTE IS INSTALLED
REQUEST FOR COMMISION ACTION

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.
**FLOOD ZONE**

**HALIGUS ROAD**

**GRAFTON FARM DRIVE**

**CONCEPT SITE PLAN**

**APARTMENTS**

**HALIGUS ROAD PARCEL AT GRAFTON FARM DRIVE**

**SITE DATA**

**ZONING DISTRICT:** R-4 MULTI-FAMILY RESIDENTIAL

**SITE AREA:** 2.8 AC. ±121,968 SF

**DENSITY:** SITE AREA / D.U. 39 DWELLING UNITS

**OPEN SPACE (FLOOD ZONE):**

**SITE AREA / D.U.**

**OPEN SPACE (FLOOD ZONE):**

**0.80 AC. ±35,010 SF**

**BUILDING DENSITY:**

**TWO 3-STORY 12 D.U. BLDG.**

**ONE 3-STORY 15 D.U. BLDG.**

**TOTAL DWELLING UNITS**

**24 D.U.**

**15 D.U.**

**39 D.U.**

**PARKING REQUIRED:**

**39 D.U. x 2 SPACES**

**78 SPACES**

**ADD'L (2) FOR EA. (4) D.U.**

**20 SPACES**

**TOTAL PARKING REQUIRED**

**98 SPACES**

**PARKING PROVIDED:**

**93 SPACES**