

APPROVED  
**VILLAGE OF LAKE ZURICH**  
**PLAN COMMISSION MINUTES**  
**APRIL 4, 2007**

The meeting was called to order by Chairman Cushman at 7:36 p.m.

**ROLL CALL:** *Present* - Chairman Cushman, Commissioners Bowling, Crane, Jackson, Minden, Peterson, and Tassi. *Excused* – Commissioner Kmiecik. *Absent* – Commissioner Castillo.  
*Also present:* Village Planner Gadde, Assistant Village Engineer Lebbos, and Village Attorney Browne.

**APPROVAL OF MINUTES:**

APPROVAL OF THE MARCH 7, 2007 MINUTES OF THE PLAN COMMISSION MEETING:  
MOTION was made by Commissioner Crane, seconded by Commissioner Tassi, to approve the March 7, 2007 minutes of the Plan Commission as submitted.

Voice Vote, AYES have it. MOTION CARRIED.

**PUBLIC MEETING:**

LOT 4 – LAKE ZURICH CORPORATE PARK, UNIT #2 – TO CONSIDER SITE PLAN AND EXTERIOR APPEARANCE APPROVAL FOR THE PROPOSED 30,502-SQ. FT. MULTI-TENANT INDUSTRIAL BUILDING – ZONED IN THE VILLAGE’S I-1 LIMITED INDUSTRIAL DISTRICT – PETITIONER JEFF DUBLO, TRIUMPH DEVELOPMENT CORP.  
This item had been before the Plan Commission on March 7, 2007, but had been continued due to an incomplete submittal by the applicant.

Project manager Russ Scurto displayed the site plan and exterior appearance plan for a proposed 30,502-sq. ft. industrial building and asked if the Plan Commission had any further questions on the project.

Assistant Village Engineer Lebbos was asked if the engineering issues had been addressed satisfactorily. He responded that the proposal now complies with engineering requirements and only minor modifications are needed.

Mr. Scurto said they intend to comply with Village requirements for site lighting but had concerns about the entranceway and parking being too dark due to the canopy, recessed wall, and trees. He asked if they have canned light fixtures shining straight down that would exceed the limits but improve the lighting in that area.

Village Planner Gadde said there is no provision in the Village Code to exceed lighting in excess of 10 candle-feet, and a text amendment would be necessary to allow it. He said the petitioner has agreed to comply with the photometric requirements, will not have an exterior dumpster, and will not provide rooftop screening at this time but will add it if necessary in the future.

Chairman Cushman suggested Mr. Scurto work with staff to explore other lighting alternatives that would be within Village requirements.

MOTION made by Commissioner Tassi, seconded by Commissioner Peterson, to recommend the Board of Trustees approve the site plan for Lot 4, Lake Zurich Corporate Park, Unit #2 including language that affirms that there will be no exterior dumpsters, the photometric plan that will be brought into compliance with Lake Zurich lighting standards including lighting along the Ensell Road side of the building.

AYES: 7 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Crane, seconded by Commissioner Bowling, to recommend the Board of Trustees approve the exterior appearance plan for Lot 4, Lake Zurich Corporate Park, Unit #2 as presented.

AYES: 7 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

#### **PUBLIC HEARINGS:**

##### **RELAXING THE SOUL-3, LLC –ZONING CODE TEXT AMENDMENT AND A SPECIAL USE PERMIT FOR THE PROPOSED MASSAGE THERAPY SERVICE AT 299 SOUTH RAND ROAD – PETITIONER MITCHELL BERMAN**

The public hearing was opened at 7:50 p.m. The court reporter swore in those testifying.

Mitchell Berman presented his proposal to operate a therapeutic massage clinic at 299 S. Rand Road in the North Lake Commons Shopping Center. The proposed clinic will have 15 to 25 state licensed massage therapists and twelve individual therapy rooms. The clinic area will be 3,000 s.f. plus two offices. Retail sales will be a minor use and limited to items such as T-shirts and lotion. The hours of operation will be 8 a.m. to 10 p.m. Monday through Friday, 8 a.m. to 6 p.m. on Saturday, and 10 a.m. to 6 p.m. on Sunday. Fitness 19, which is located next to the proposed Massage Envy, is open until 11 p.m. Monday through Thursday, 8 a.m. to 8 p.m. on Saturday, and 8 a.m. to 6 p.m. on Sunday.

Mr. Berman and his partner Michael Weiss provided further information about the franchise with 200 clinics and their other location in Wheeling. They explained the certification and licensing procedures for massage therapists within the State of Illinois.

In her Zoning Review dated March 23, 2007, Building and Zoning Inspector Meyer states that massage therapy is currently only allowed in the Village as an accessory use to primary uses such as a doctor's office, hair salon, and nail salon, and other restrictions apply. The four restrictions were discussed at length. A text amendment based on the standards outlined in the Zoning Code 18-103 would allow massage therapy in the B-3 Business District with a special use permit but

remove the stipulation that it be an accessory use and consideration for a special use permit to allow massage at this location based on standards outlined in Zoning Code 19-103.

The public hearing was closed at 8:07 p.m.

The language in Building and Zoning Inspector Meyer's Zoning Review was further reviewed and modified.

MOTION made by Commissioner Bowling, seconded by Commissioner Peterson, to recommend the Board of Trustees approve the modification of text of Section 4-102-E-23 of the Lake Zurich Zoning Code to strike any reference to massage therapy shall be ancillary to any other business, to modify the hours of operation permitted to 8:00 a.m. to 10:00 p.m. on any day, to eliminate any language referring to restrictions related to the number of rooms or square footage, and to modify the requirement related to training and professionally certified to add the words by the IDF&PR (Illinois Department of Financial and Professional Regulation).

AYES: 7 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Minden, seconded by Commissioner Tassi, to recommend the Board of Trustees approve a special use permit for massage therapy at 299 S. Rand Road.

AYES: 7 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

MIDWEST MUSCLE CARS, INC. – SPECIAL USE PERMIT FOR AUTOMOTIVE REPAIR, SERVICES, AND PARKING AT 330 E. ROUTE 22 – PETITIONER MATTHEW RENZ

The public hearing was opened at 8:35 p.m. The court reporter swore in those testifying.

Matt Renz, Midwest Muscle Cars, presented his request for a special use permit for 330 E. Route 22 to store, repair, and restore classic cars and muscle cars. He may provide body and paint services in the future. He shared his concept plan, which includes storage, repair or restoration, part sales, and consignment sales of this type of vehicles. Mr. Renz expects to use 25-30,000 s.f. for storage of vehicles and 1,000 s.f for repairs. He stressed that he is interested in working with antique and classic cars only and does not intend to repair ordinary cars. There will be no outside storage.

Loretta Peterson, 95 S. Burr Oak Drive, said she is representing in the Old Mill Grove Subdivision homeowners and raising questions for a neighbor that lives across the street. She expressed their concerns about problems related to auto body work and paint odors. She asked if there would be a car dealership or anything that would bring increased traffic.

Mr. Renz responded that he might have a muscle car dealership or classic car museum in the future but would need to appear before the Plan Commission to request approval for these uses.

He stressed that all cars would be stored inside. Mr. Renz said he could consider adding a carbon monoxide switch or other safety features. He agreed to clean up his property and will remove the inoperable boat on the property and is willing to plant shrubbery to block the view of the two trailers currently stored on the property.

Chairman Cushman pointed out there will not be any problems with paint fumes since federal regulations are so onerous.

Jean Brefeld, 660 Burr Oaks Drive, said there would not be sufficient parking if he opened an auto museum.

Mr. Renz again reviewed his concept for an auto body/repair shop and consignment sales on a small scale with all cars stored indoors. The auto museum is a consideration for the future.

The public hearing was closed at 9:08 p.m.

MOTION made by Commissioner Jackson, seconded by Commissioner Minden, to recommend the Board of Trustees approve a special use permit for automotive repair services and parking at 330 E. Route 22 for Midwest Muscle Cars, Inc.

AYES: 7 Chairman Cushman, Commissioners Bowling, Crane, Jackson, Minden, Peterson, and Tassi.

NAYS: 0

MOTION CARRIED

**OTHER BUSINESS/ANNOUNCEMENTS:**

Village Planner Gadde said an Affordable Housing Survey had been included in the packet. The Knights of Columbus office building and banquet facility will be on the May agenda.

**ADJOURNMENT:**

MOTION was made by Commissioner Crane, seconded by Commissioner Peterson, to adjourn the meeting.

Voice Vote, AYES have it. MOTION CARRIED.

The meeting was adjourned at 9:16 p.m.

*Submitted by: Janet McKay, Recording Secretary*

Approved by: \_\_\_\_\_ 5/2/07