

APPROVED  
**VILLAGE OF LAKE ZURICH  
PLAN COMMISSION MINUTES  
AUGUST 1, 2007**

The meeting was called to order by Chairman Cushman at 7:38 p.m.

**ROLL CALL:** *Present* - Chairman Cushman, Commissioners Bowling, Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

*Also present:* Building and Zoning Director Peterson and Village Attorney Browne.

**APPROVAL OF MINUTES:**

APPROVAL OF THE JUNE 6 & JUNE 27, 2007 MINUTES OF THE PLAN COMMISSION MEETING:

MOTION was made by Commissioner Crane, seconded by Commissioner Bowling, to approve the June 6, 2007 minutes of the Plan Commission as submitted.

Voice Vote, AYES have it. MOTION CARRIED.

Two typographical corrections were made to the minutes. The date of the Plan Commission meeting was changed to June 6, 2007 on page 1, and on page 5, third paragraph, a change to read \$7 million.

MOTION was made by Commissioner Kmiecik, seconded by Commissioner Jackson, to approve the June 27, 2007 minutes of the Special Plan Commission as submitted.

Voice Vote, AYES have it. MOTION CARRIED. Commissioners Minden and Tassi abstained.

AMENDMENT OF THE AGENDA

Chairman Cushman asked that the order of the agenda be amended so Item C, Lake Zurich Auto Care Group, and Item D, Lakeside Family Sports Complex, would be heard first.

**PUBLIC HEARINGS:**

LAKE ZURICH AUTO CARE GROUP, INC. – SPECIAL USE PERMIT FOR TRUCK RENTALS (SIC #7513) & UTILITY TRAILER RENTALS (SIC #7519) AT 225 OAKWOOD ROAD – PETITIONER KENNETH SIKORSKI

The public hearing was opened at 7:43 p.m. The court reporter swore in those testifying.

The new tenant at 225 Oakwood Road, Ken Sikorski, displayed and reviewed the site plan and provided an overview of his proposed auto service, towing, and U-Haul rental business. Auto repair, towing, and outdoor storage are non-conforming uses that may continue to operate on the property but not expand. A special use permit is required for the U-Haul use. The property owner, Gordon Grubert, intends to pave the lot. He will appear before the Zoning Board of Appeals in September to request a variation to permit the paving of the front yard from Telser Road. Issues noted in Building and Zoning Inspector Meyer's Zoning Review dated July 2, 2007, include existing storage, screening at the lot line towards the multi-user building on Rose Road, and parking restrictions on the driveways and on the lawn.

Mr. Grubert admitted he had difficulties getting the previous tenant to maintain the property and adhere to code requirements. He said he has already made improvement including paving and striping the storage lot, adding storm sewers, repairing the fence, and stated his strong commitment to properly maintain the property.

Mike Hilt, Echo, Inc., said he is not in favor of the special use to allow the U-Haul rental and outside storage and said he had hoped there would be a different use at that location. He did not feel that was an appropriate use at the “gateway” of the industrial park and its appearance would detract from the rest of the park.

The Plan Commission did not support Police Commander Finlon's recommendation for a video camera to monitor the key drop.

The public hearing was closed at 8:13 p.m.

The Plan Commission discussed the overall appearance of the lot and outdoor storage at length. The previous tenant and property owner had not maintained the property. There was agreement that codes must be enforced, the property maintained, and the terms governing outdoor storage be adhered to. Although there was some discomfort with the outdoor storage, it was a permitted non-conforming use at this location.

MOTION made by Commissioner Crane, seconded by Commissioner Jackson, to recommend the Board of Trustees approve a special use permit for truck rentals (SIC #7513) and utility truck rentals (SIC #7519) at 225 Oakwood Road with the following conditions: Approval is contingent upon final engineering including all required surveys, prohibition of parking at any entranceway to the property, parking shall only be permitted in the paved and striped areas of the property, the north portion of the property, which is presently gravel, will be landscaped if Zoning Board of Appeals approval is not received allowing the lot to be paved, and U-Haul storage will be inside the fence except for late-night drop offs of trucks and trailers, which trucks and trailers will be moved inside the fence at the open of business the next morning.

AYES: 8 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

LAKESIDE FAMILY SPORTS COMPLEX – SPECIAL USE PERMIT FOR A SPORTS AND RECREATION CLUB (SIC #7997) AND SITE PLANS FOR 143 EAST MAIN STREET – PETITIONER MATTHEW MENGES

The public hearing was opened at 8:25 p.m. The court reporter swore in those testifying.

The agenda was corrected to reflect the property was in the Village's I-1 General Industrial District. Matthew Menges, property owner, presented their proposal to operate a membership sports and recreation club in the existing building at 143 East Main Street. The building is 52,000 s.f. and the portion covered in the special use is 35,000 s.f. Business partners William G. Murray and Gino Fontana have signed a seven-year lease for a portion of the building and if successful may utilize the full building. The site, engineering, and landscape plans were displayed and

reviewed. They are in the process of revising the landscape plan. There are 39 parking spaces required and 54 are provided.

Mr. Fontana provided an overview of the uses which include several areas for baseball training and practice, batting tunnels, mini-golf, and a café. There is a maximum occupancy of 117 persons for all uses. The tentative hours of operation will be 9 a.m. to 8 p.m. with shorter hours on Saturday and Sunday. They propose a right-turn in and right-turn out with an ample drive off of Main Street. There is no rear entrance for the public proposed but it could be considered if it was more convenient for the members. They will keep the members license numbers on file and will address any parking problems with the members. They have been meeting with the Casper's and will address any outstanding issues or future problems.

Mr. Menges distributed the landscape plan. He said he has met with Village Planner Gadde. As a result of the meeting, significant plantings were added. They will prohibit cut-through traffic from Casper's Hardware. Illinois Industrial Cable and Wire will uses 17,000 s.f. and has a one-year lease to store their equipment in the building. The owner, Mr. Calabrese, will not use his portion of the building unless it is after hours and has put in writing. The loading dock and uses will be maintained.

Mike Hilt, president of the Lake Zurich Industrial Council, said they would prefer B-2 or B-3 zoning rather than granting a special use permit for I-1 zoning. He was concerned the special use would set a precedent and stated concerns about too much activity, parking, and drawing families and traffic to the area.

Village Attorney Browne responded that the Village has no authority to rezone the property because the owner did not apply for rezoning.

John and Robert Casper said they have been having discussions with the petitioners and support their proposal. They do have concerns about parking and are not sure if 54 parking spaces will be adequate especially if there is an expansion. They are hoping the members do not use their lot to park in.

Discussion followed on Village requirements for parking and the various uses proposed.

John Iverson, part-owner, said they have been working to cultivate a good relationship with the Caspers and expect it to continue.

The public hearing was closed at 9:18 p.m.

Commissioner Crane asked the petitioner to pay special attention to landscaping and suggested they use perennial flowers.

MOTION made by Commissioner Crane, seconded by Commissioner Kmiecik, to recommend the Board of Trustees approve a special use permit for a sports and recreation club (SIC #7997) for Lakeside Family Sports Complex at 143 East Main Street.

AYES: 8 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

**MOTION CARRIED**

MOTION made by Commissioner Bowling, seconded by Commissioner Tassi, to recommend the Board of Trustees approve the site plans for Lakeside Family Sports Complex at 143 East Main Street.

AYES: 8 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

**MOTION CARRIED****CONTINUED PUBLIC HEARING:**

1221 FLEX COURT – MODIFICATION TO THE LAND DEVELOPMENT CODE – ZONING  
CODE TEXT AMENDMENT AND SPECIAL USE PERMIT FOR OUTDOOR STORAGE AT  
1221 FLEX COURT

The public hearing was reopened at 9:23 p.m. The court reporter swore in those testifying.

Jim Kasmarski reviewed their proposal to construct a 32,100-s.f. addition on their existing 20,200-s.f. building totaling 52,100-s.f. on a 3.13-acre site. They received site plan and exterior appearance plan approval at the June 6 Plan Commission meeting. The modification to the Land Development Code was tabled. The petitioner was able to eliminate the need for the modification for the retaining wall, but they still require a text amendment for outdoor storage. He displayed photographs of the natural resource area and displayed the colored rendering and site plan. They propose a six-foot chain link fence with landscaping because it has a longer life expectancy than board-on-board. They will comply with Fire and Rescue recommendations and add a fire hydrant and Knox box. “No Parking” signs will be posted in the fire lanes.

Building and Zoning Director Peterson will check with the Fire Marshall regarding Item #4 in his memorandum dated June 24, 2007.

Discussion followed on outdoor storage with several Plan Commission strongly opposed to allowing more outdoor storage. The illegal outdoor storage was also a concern for some members.

Bob Wardanian, Flex Construction, provided additional information on the storage use, which will be a staging area for finished product. He said the addition was planned prior to the need for outdoor storage, which was why it was not taken into consideration in the planning of the addition. The building owner was out of the county but had been present at the July 11 Plan Commission meeting that was canceled due to lack of a quorum.

Mike Hilt, president Lake Zurich Industrial Council, said although they do not support outdoor storage in the yard, they view this request differently because it is finished product waiting to be shipped and is an industrial use.

The public hearing was closed at 9:54 p.m.

There was concurrence that a board-on-board fence would be preferable. Commissioner Tassi asked to see renderings showing line of sight in the future. Village Attorney Browne provided clarification on the text amendment and previous petitions before the Plan Commission.

MOTION made by Commissioner Kmiecik, seconded by Commissioner Tassi, to recommend the Board of Trustees approve a Zoning Code text amendment to allow outside storage of finished product in the Village's I-1 Limited Industrial District as a special use.

AYES: 4 Chairman Cushman, Commissioners Jackson, Minden, and Tassi.

NAYS: 4 Commissioners Bowling, Castillo, Crane, and Kmiecik

MOTION FAILED

MOTION made by Commissioner Kmiecik, seconded by Commissioner Bowling, to recommend the Board of Trustees approve a special use permit for outdoor storage for Flex Construction limited to six-feet in height at 1221 Flex Court.

AYES: 3 Chairman Cushman, Commissioners Jackson, and Tassi.

NAYS: 5 Commissioners Bowling, Castillo, Crane, Minden, and Kmiecik

MOTION FAILED

The meeting was recessed from 10:25 to 10:34 p.m. Commissioner Bowling left the meeting at that time.

#### **PUBLIC HEARINGS:**

ASTOR DEVELOPMENT – PRELIMINARY AND FINAL PLAT OF SUBDIVISION,  
REZONING FROM LAKE COUNTY R-1 TO LAKE ZURICH I-1 DISTRICT,  
MODIFICATION TO LAND DEVELOPMENT CODE FOR THE PROPOSED 776-FOOT CUL-  
DE-SAC, AND SITE PLANS FOR 24130 QUENTIN ROAD AND 24469 NORTH  
MIDLOTHIAN ROAD LOCATED IN UNINCORPORATED LAKE COUNTY – PETITIONER  
ASTOR DEVELOPMENT II

The public hearing was opened at 10:34 p.m. The court reporter swore in those testifying.

Kelly Sheehan, representing Astor Development and Flex Construction Corporation, introduced their proposal to develop eight lots and two detention parcels, labeled Outlot A and Outlot B, on 48.9 acres adjacent to the north of Lake Zurich Industrial Park. An annexation of 30.8-acres into Lake Zurich with I-1 zoning after annexation is requested. The remaining 18.1 acres has already been annexed to Hawthorn Woods. They will be serviced by a cul-de-sac of 776-feet extending Telser Road, which will require a modification to the Land Development Code. They are requesting a variation to allow individual lots to exceed maximum floor area ratio and reduction of minimum landscape surfaces. Ms. Sheehan distributed a site plan that was amended due to changes in detention. She said the intergovernmental agreement will be honored. They will appear before the Zoning Board of Appeals for a variation to disturb conservancy soils.

Bob Wardanian, Flex Construction, provided additional information.

Building and Zoning Director Peterson will check with the Engineering and Fire Departments on their issues.

The public hearing was closed at 10:52 p.m.

MOTION made by Commissioner Crane, seconded by Commissioner Kmiecik, to recommend the Board of Trustees approve the preliminary and final plat of subdivision for Astor II Development.

AYES: 7 Chairman Cushman, Commissioners Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Tassi, seconded by Commissioner Kmiecik, to recommend the Board of Trustees approve rezoning from Lake County R-1 to Lake Zurich I-1 for Astor II Development.

AYES: 7 Chairman Cushman, Commissioners Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Crane, seconded by Commissioner Kmiecik, to recommend the Board of Trustees approve a special use permit for Astor II Development.

AYES: 7 Chairman Cushman, Commissioners Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Tassi, seconded by Commissioner Crane, to recommend the Board of Trustees approve a modification to the Land Development Code to allow a 776-foot cul-de-sac for Astor II Development contingent upon all parts of the cul-de-sac provide sufficient turning radius for the largest fire department equipment.

AYES: 7 Chairman Cushman, Commissioners Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

COMCAST COMMUNICATIONS – SPECIAL USE PERMIT FOR ADDITIONAL PARKING, SITE PLANS, AND EXTERIOR APPEARANCE PLANS FOR THE PROPOSED 43,812-SF FT. COMCAST FACILITY ON LOT 3, DONAA COURT – PETITIONER FLEX CONSTRUCTION

The public hearing was opened at 10:56 p.m. The court reporter swore in those testifying.

Olso Development LP, owner of Lot 3, Donata Court, proposed construction of a 43,812 s.f. office/warehouse referred to as a Tech Operations facility. Their location is Lot 3 with a portion of Lot 4. Kelly Sheehan, Flex Construction, summarized the proposal and provided additional information about the lots and the subdivision.

Bob Wardanian said they have prepared a flexible design in case they change tenants.

Village Attorney Browne said the staff will work on the wording and clarify any confusion about the lots.

The public hearing was closed at 11:11 p.m.

MOTION made by Commissioner Crane, seconded by Commissioner Jackson, to recommend the Board of Trustees approve the subdivision of Lot 4 at 880 Donata Court to create two new lots including one-half of Lot 4 and all of Lot 3 into a single new lot and the other one-half of Lot 4 and all of Lot 5 into a second new lot.

AYES: 7 Chairman Cushman, Commissioners Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Kmiecik, seconded by Commissioner Crane, to recommend the Board of Trustees approve a special use permit for the additional parking for Comcast Communications.

AYES: 7 Chairman Cushman, Commissioners Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Tassi, seconded by Commissioner Kmiecik, to recommend the Board of Trustees approve the site plan for Comcast Communications.

AYES: 7 Chairman Cushman, Commissioners Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Crane, seconded by Commissioner Tassi, to recommend the Board of Trustees approve the exterior appearance plan for a 43,812 s.f. facility.

AYES: 7 Chairman Cushman, Commissioners Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

#### **PUBLIC MEETING:**

#### **APEX DENTAL PROPERTIES – SITE PLANS AND EXTERIOR APPEARANCE PLANS FOR PROPOSED 10,410-SQ. FT. APEX DENTAL FACILITY ON LOT 7, TELSER COURT – PETITIONER FLEX CONSTRUCTION**

Kelly Sheehan, Flex Construction, introduced their proposal to construct a 10,410 s.f. building for the manufacture of non-toxic dental material.

In the Zoning Review dated July 20, 2007, Building and Zoning Inspector Meyer notes that approvals are subject to Board of Trustees approvals including annexation, map amendment, and subdivision approvals for Astor Subdivision. Building and Zoning Director Peterson said approval must also be conditioned upon landscape review.

MOTION made by Commissioner Crane, seconded by Commissioner Tassi, to recommend the Board of Trustees approve the site plan for Apex Dental Properties conditioned upon approval of the final landscape plan.

AYES: 7 Chairman Cushman, Commissioners Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

MOTION made by Commissioner Crane, seconded by Commissioner Tassi, to recommend the Board of Trustees approve the exterior appearance plan for Apex Dental Properties.

AYES: 7 Chairman Cushman, Commissioners Castillo, Crane, Jackson, Kmiecik, Minden, and Tassi.

NAYS: 0

MOTION CARRIED

**ADJOURNMENT:**

MOTION was made by Commissioner Kmiecik, seconded by Commissioner Castillo, to adjourn the meeting.

Voice Vote, AYES have it. MOTION CARRIED.

The meeting was adjourned at 11:21 p.m.

*Submitted by: Janet McKay, Recording Secretary*

Approved by: 9/5/07