

**VILLAGE OF LAKE BARRINGTON  
MINUTES OF THE MEETING OF THE  
PLAN COMMISSION  
OCTOBER 28, 2010**

*Approved*

**1. CALL TO ORDER AND ROLL CALL**

A Meeting of the Plan Commission of the Village of Lake Barrington was held on Thursday, October 28, 2010, at the Village Municipal Center, 23860 Old Barrington Road, and was called to order by Village Administrator Martin at approximately 7:00 p.m. There was one person in the audience. On roll call, the following were:

<b>Present:</b>	Commissioners: Delisle, Puleo, Wood, and Chair Daulton Lange
<b>Absent:</b>	Commissioner: MacKenzie, Menconi, and Wrzeszcz
<b>Also Present:</b>	Village Administrator Chris Martin, Village and Attorney James Bateman

**2. APPROVAL OF THE MINUTES:**

A motion was made by Commissioner Delisle and seconded by Commissioner Puleo to approve the minutes of August 26, 2010. The voice vote was unanimous.

**3. CONSIDERATION OF LAKE BARRINGTON COUNTRYSIDE PARK DISTRICT SPLASH PARK CONCEPTUAL REVIEW**

Mr. Martin noted that the Park District was not able to proceed at this time, no action was taken.

**4. CONSIDERATION OF A PETITION FOR SPECIAL USE PERMIT TO OPERATE A VEHICLE REPAIR SERVICE AT 16 HILLVIEW DRIVE – TRUCKMASTERS, INC**

Mr. Martin noted that Mr. Daniel Bendix who was present, is requesting a special use permit to allow for the operation of Truckmasters, Inc. a medium scale truck repair business. The subject address is 16 Hillview a multi-tenant building. The proposed business would occupy unit 55. The petitioner repairs trucks and other vehicles servicing Comcast among others. The petitioner is requesting the following:

1. A vehicle repair service and garage requires a special use permit in the M zoning district pursuant to section 8-4-6(C).

The site is 40,300 square feet in lot area with a single multi-tenant building. The proposed use would occupy Unit D with a shop or storage area of approximately 1,794 square feet, along with a small office and washroom. There are occasional parking/vehicle storage difficulties in this area due to the location being a large paved area with minimal lane or space delineation. The building is equipped with a triple basin system.

Commissioner Questions and Public Comment

Chair Daulton Lange requested petitioner testimony and public comment which is provided within the attached transcripts. At the conclusion of Commission discussion Chair Daulton Lange requested a motion as follows:

A motion was made by Commissioner Delisle and seconded by Commissioner Wood to recommend to the President and Board of Trustees approval of the subject Application for Special Use Permit, subject to the following terms, conditions, and limitations:

- A. Building and fire code inspections and review of exterior lighting shall be conducted and complied with prior to the establishment of this use and occupancy of the premises.
- B. All vehicle servicing may be conducted on the premises, but only indoors.
- C. A triple-catch basin shall be installed and maintained within the building in proper operating condition, if not already present.
- D. Carbon monoxide (CO) detection devices that comply with the Village Code and a sprinkler system for fire suppression shall also be installed, if required by the Fire Code, within the building on the Subject Property.
- E. No outdoor public address or other outdoor audio system(s) shall be operated on the Subject Property.
- F. Signage may be provided on the Subject Property, which shall comply with the applicable provisions of the Village Code, and any such signage shall be approved in advance in writing by the Village and pursuant to a sign permit prior to installation thereof.
- G. The asphalt areas on the exterior of the Subject Property shall be re-stripped for parking and driveways by the property owner in a manner approved by the Village Administrator not later than July 1, 2011.
- H. Nothing contained in the proposed special use permit shall imply or be construed as approving or granting any variation or waiver from any of the provisions of the Village of Lake Barrington Zoning Ordinance, of the Village of Lake Barrington Village Code, or any other ordinance of this Village.

This recommendation is based upon the following findings of fact which are hereby adopted:

- A. The owner of record of the Subject Property is reported to be Branson Properties, LLC, 16 Hillview Drive, also known as 22293 Hillview Drive Barrington, IL 60010, and the Petitioner for the proposed special use permit, Truckmasters, Inc., is the lessee of Unit 55 of the multi-tenant building on the Subject Property to be occupied by the proposed special use.
- B. The proposed special use permit for the Petitioner pursuant to Section 8-4-6 of the Village of Lake Barrington Zoning Regulations, As Amended, to permit the establishment, operation and maintenance by said Petitioner of a vehicle repair service and garage in Unit 55 of the multi-tenant building now located on the property at 22293 Hillview Drive, is consistent with the Village of Lake Barrington Zoning Ordinance and the Official Comprehensive Plan, as amended.
- C. Any potentially negative impacts of the proposed special use would be adequately mitigated;
- D. The proposed special use, if granted, will not alter the essential nature of the Village.
- E. The proposed special use permit will conserve property values and will protect the character and stability of other properties in the vicinity and in the Village in general;
- F. The proposed special use, subject to the terms, conditions, and limitations recommended, is a reasonable and proper use of the Subject Property which would be in the best interest of the Village and its residents and in accordance with the intent and objectives of the Village of Lake Barrington Zoning Ordinance, as amended; and
- G. The proposed special use permit, subject to the terms, conditions, and limitations recommended, will promote the general health, safety and welfare of the Village.

On roll call vote, the vote on the matter was as follows:

YEAS: Commissioners Delisle, Puleo, Wood, and Chair Daulton Lange  
NAYS: None  
ABSENT: Commissioners MacKenzie, Menconi, and Wrzeszcz  
ABSTAIN: None

Chair Karen Daulton Lange declared that the motion carried.

**5. CONTINUATION OF CONSIDERATION OF AMENDMENTS TO THE LAKE BARRINGTON ZONING CODE RELATIVE TO TEMPORARY USES**

The Village Attorney prepared the provided ordinance regulating temporary storage units, dumpsters, and other similar structures and uses. The Commission considered these amendments at its meeting on August 26 and continued the discussion till this evening. The Commission made several changes which were noted.

Commissioner Questions and Public Comment

Chair Daulton Lange requested public comment, there was none. Commissioner comment and discussion is provided within the attached transcripts. The Commission made several changes and requested that staff return with a revised draft at the next meeting. At the conclusion of Commission discussion Chair Daulton Lange requested a motion as follows:

A motion was made by Commissioner Puleo and seconded by Commissioner Delisle to recommend that the Village Board amend the Lake Barrington Zoning Code relative to temporary uses.

On roll call vote, the vote on the matter was as follows:

YEAS: Commissioners Delisle, Puleo, Wood, and Chair Daulton Lange  
NAYS: None  
ABSENT: Commissioners MacKenzie, Menconi, and Wrzeszcz  
ABSTAIN: None

Chair Karen Daulton Lange declared that the motion carried.

**6. ADJOURNMENT**

A motion was made by Commissioner Wood and seconded by Commissioner Puleo to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 7:50 pm.

THE VILLAGE OF LAKE BARRINGTON'S PLAN COMMISSION MINUTES FOR THE MEETING OF OCTOBER 28, 2010 HAVE BEEN REVIEWED AND APPROVED

Village Administrator: \_\_\_\_\_

PLAN COMMISSION REGULAR MEETING  
VILLAGE OF LAKE BARRINGTON

PUBLIC HEARING:

Special Use for 16 Hillview Drive - Truckmasters

23860 Old Barrington Road  
Lake Barrington, Illinois

\* \* \* \* \*

Thursday, October 28, 2010

7:00 p.m.

PUBLIC HEARING  
Thursday, October 28, 2010  
7:00 p.m.

RE: Special Use Permit  
16 Hillview Drive - Truckmasters, Inc.

PLAN COMMISSION  
VILLAGE OF LAKE BARRINGTON

\* \* \* \* \*

Held on Thursday, October 28, 2010,  
commencing at the hour of approximately 7:00 p.m. at  
23860 North Old Barrington Road, Lake Barrington,  
Illinois.

PLAN COMMISSIONER PRESENT:

Honorable Karen Daulton Lange, Chair  
Richard Delisle, Commissioner  
Christina Puleo, Commissioner  
Jack Wood, Commissioner

ALSO PRESENT:

James Bateman, Village Attorney  
Christopher Martin, Administrator  
Daniel Bendix, Petitioner

1 strike my comment of Jim's daughter living in a Pod.  
2 CHAIR DAULTON LANGE: I did read that. He  
3 didn't deny it.  
4 I'm going to abstain from voting  
5 because I wasn't here. So do we have to wait until  
6 next meeting?  
7 MR. MARTIN: No, as long as there is three  
8 votes. The abstention counts as majority.  
9 CHAIR DAULTON LANGE: All right. Motion to  
10 approve?  
11 COMMISSIONER DELISLE: So moved.  
12 COMMISSIONER PULEO: I wasn't here either.  
13 CHAIR DAULTON LANGE: Okay.  
14 COMMISSIONER DELISLE: You know, I don't  
15 think you have to be at the meeting.  
16 MR. BATEMAN: You could vote if you're  
17 comfortable doing it. There is no rule that says you  
18 can't vote if you weren't present at the meeting.  
19 CHAIR DAULTON LANGE: Okay. Then do I have a  
20 motion?  
21 COMMISSIONER DELISLE: So moved.  
22 CHAIR DAULTON LANGE: Second?  
23 COMMISSIONER WOOD: Yes.

1 CHAIR DAULTON LANGE: I'd like to call the  
2 meeting of the Lake Barrington Planning Commission to  
3 order.  
4 Roll call, please.  
5 MR. MARTIN: Commissioner Delisle?  
6 COMMISSIONER DELISLE: Here.  
7 MR. MARTIN: Commissioner MacKenzie is  
8 absent.  
9 Commissioner Menconi is absent.  
10 Commissioner Puleo?  
11 COMMISSIONER PULEO: Here.  
12 MR. MARTIN: Commissioner Wood?  
13 COMMISSIONER WOOD: Here.  
14 MR. MARTIN: Commissioner Wrzeszcz is absent.  
15 Chair Daulton Lange?  
16 CHAIR DAULTON LANGE: Present.  
17 MR. MARTIN: Thank you.  
18 We have a quorum.  
19 CHAIR DAULTON LANGE: Thank you.  
20 We have minutes in front of us from  
21 August 26th. Are there any changes, additions or  
22 deletions to the minutes?  
23 COMMISSIONER WOOD: I would just like to

1 CHAIR DAULTON LANGE: All those in favor?  
2 (Chorus of ayes.)  
3 CHAIR DAULTON LANGE: Motion carries.  
4 Okay. We have before us tonight a  
5 public hearing to consider a petition for special use  
6 permit to operate a vehicle repair service at  
7 16 Hillview Drive, Truckmasters, Inc.  
8 Administrator Martin, would you like  
9 to give a quick review?  
10 MR. MARTIN: Certainly. Dan Bendix is here  
11 requesting a special use permit to Section 8-4-6C  
12 which requires special use for vehicle repair and  
13 service garages within the business park.  
14 The site is 40,300 square feet and  
15 is a multi-tenant single story building. I believe  
16 the tenant is going to occupy approximately 1,794  
17 square feet of that building. I think that is  
18 correct.  
19 MR. BENDIX: Yes. It's approximately I think  
20 2500 square feet.  
21 MR. MARTIN: 2500, okay.  
22 Standard review of the petition  
23 there is no engineering pertinent to this. We have

1 an existing building. The space is going to be a  
2 rent out. It's very similar to the things the  
3 Commission reviewed before.

4 There is a large parking lot in  
5 front of the building which the Commission might want  
6 to discuss relative to perhaps getting some striping  
7 or something along those lines in terms of access in  
8 and around the property.

9 Petitioner will discuss issues  
10 relative to public safety. There is no landscaping  
11 design requirements relative to this. There is no  
12 addition planned. Again, it's a rent out from the  
13 building.

14 Staff has reviewed the Petitioner's  
15 response relative to special uses and provided some  
16 commentary in that regard. And that staff has  
17 provided recommendation in the report basically  
18 saying that staff agrees that perhaps special use  
19 permit shall be granted in this case.

20 The building is designed for  
21 automobile repair and maintenance and seems  
22 well-suited, and the location is appropriate for the  
23 use.

1 should be a picture in that packet.

2 The location that we would like to  
3 move into does have a triple basin. It does have a  
4 small exhaust system, and there is more than enough  
5 parking for us. If things do get towed in in the  
6 evening after hours, then they're generally looked at  
7 the next day.

8 CHAIR DAULTON LANGE: At any one time how  
9 many of these bucket trucks do you have?

10 MR. BENDIX: Usually at least two. The shop  
11 could hold at least four of them.

12 CHAIR DAULTON LANGE: Will these vehicles be  
13 stored indoors overnight or outside or some of each?

14 MR. BENDIX: If there is space inside they'll  
15 be stored every night inside because of the toolboxes  
16 and equipment that they carry.

17 There will be an occasional time  
18 where, you know, something will be -- will have to be  
19 pulled outside, but there is no length of time. It  
20 is not an extended length of time because it's a  
21 bucket truck, and to them, it is extremely important  
22 that we get it up as soon as possible.

23 CHAIR DAULTON LANGE: Okay. Do any of the

1 CHAIR DAULTON LANGE: Okay. Would you like  
2 to walk us through your petition and start by  
3 introducing yourself and give your name and address.

4 MR. BENDIX: My name is Daniel Bendix, and I  
5 live at 822 Woodbine Circle. I'm the owner of  
6 Truckmasters, Incorporated.

7 We opened in 2004, and we were in  
8 Lake Zurich for approximately five years. We were  
9 going to have a building built, but then once the  
10 economy came, the builder pulled out and sold the  
11 property. I was fortunate enough to not have any  
12 money tied up into this. Because of our rapport with  
13 Lake Zurich, it wasn't needed. It was basically a  
14 gentlemen's agreement that they were going to build a  
15 building, and we would move in and buy that. It was  
16 almost like going to be a condo, business condo.

17 While that was happening we moved  
18 out to Lakemoor, and that is where we're at  
19 currently. We operate about 2500 square feet. It's  
20 a very small business, but we have a very large  
21 following of good fleet accounts. One of our biggest  
22 accounts is Comcast Cable. We work on their -- we  
23 call them bucket trucks. They have toolboxes. There

1 Commissioners have any questions for Mr. Bendix?

2 COMMISSIONER WOOD: How often and how many  
3 vehicles will be stored outside for any given period  
4 of time?

5 MR. BENDIX: It could be one to two. Because  
6 we're so small, we can't -- you know we depict our  
7 schedule. So we try to as much as possible -- most  
8 times we get the vehicles when the driver goes on  
9 vacation so we have ample time to fix it. So it's up  
10 to us to schedule that in.

11 The only thing that's unknown like  
12 with the weather coming up with the wintertime is the  
13 ones they get towed in that break during the day.

14 CHAIR DAULTON LANGE: I have a question.  
15 That entire building at 16 Hillview Drive, you're not  
16 taking all of it just apart of it?

17 MR. BENDIX: No, just two of the bays. If  
18 you look in the picture you'll see the largest, the  
19 tallest bay door. Directly next to that.

20 CHAIR DAULTON LANGE: So the transmission  
21 shop will still be there?

22 MR. BENDIX: Yes.

23 CHAIR DAULTON LANGE: Is that site vacant now

1 or is there something in it?

2 MR. BENDIX: No, those two bays are vacant.  
3 The previous tenant was Guiney's Repair, and he was  
4 there for approximately 13 years.

5 CHAIR DAULTON LANGE: The reason I asked is  
6 when I drove by to look at the site there were a lot  
7 of vehicles out there, and at one end they were  
8 parked three deep which I figured is probably okay  
9 because they are working on them and whoever is on  
10 that far south end was moving in and out, and then  
11 there were vehicles in the middle and on the side.

12 My concern is how do all the owners  
13 know to leave a fire truck access to this? You know,  
14 there is no driveway delineation or if there is, it's  
15 very faint. My eyes couldn't see it.

16 MR. BENDIX: Right. I mean, I'm sure if we  
17 went by there like right now you would find that  
18 there would be nothing in front of the bay doors.

19 In that picture the only reason that  
20 those two vehicles are in there is because that  
21 gentleman got hurt and was not able to move them at  
22 the time I took the picture.

23 CHAIR DAULTON LANGE: But I'm talking more

1 about access, you know, to get --

2 MR. BENDIX: Like a truck through there?

3 CHAIR DAULTON LANGE: Yeah. Yeah.

4 MR. BENDIX: Can I approach and point out  
5 something on the picture?

6 CHAIR DAULTON LANGE: Sure.

7 MR. BENDIX: Because I went there twice and  
8 both times it was basically just like that way.

9 But if you look from this yellow  
10 pole to the white car is basically a lane, and then  
11 you have a cul-da-sac if you want to get the fire  
12 truck in. Now, that trailer is no longer there; but  
13 you could see you could probably fit at least 12  
14 vehicles right there. So that is basically during  
15 our operation is going to be available for parking.  
16 So it would basically be open just like it is now.  
17 The whole piece of property.

18 CHAIR DAULTON LANGE: I guess my major  
19 concern was how do they know what to leave open?

20 MR. BENDIX: Well, the tenants have been  
21 there for so -- The tenants have been there so long  
22 that I think it's a known, because there is only  
23 three tenants. It would be myself, the transmission

1 repair shop and there is a gentleman between myself  
2 and the trans, and it's a detail shop.

3 CHAIR DAULTON LANGE: So it's somewhat  
4 self-policing because you're all owners.

5 MR. BENDIX: Correct. That is considered an  
6 open lane right outside the bay doors. And if you  
7 saw any vehicles during the day, it would just be  
8 from a normal business use.

9 COMMISSIONER PULEO: So does this kind of  
10 answer the question or beg the question on the  
11 importance of striping out in front of the building?  
12 Let's just say if you have a couple of trucks whether  
13 it's winter or not that are outside and then a fire  
14 truck needs to come in or other people come in and  
15 park, is anyone going to know where to park,  
16 especially if they have to come to this facility,  
17 maybe one of your clients.

18 Does this beg the question where  
19 there needs to be striping out front? Because it  
20 kind of sounds like it.

21 CHAIR DAULTON LANGE: Yeah, I guess that's  
22 where I was going with it.

23 COMMISSIONER PULEO: That is what kind of

1 struck me when I looked at the photographs and I  
2 drove over there. I didn't know where I would park  
3 if I pulled up.

4 CHAIR DAULTON LANGE: It's not like the  
5 pavement is in the best condition to accept striping.  
6 So that's one of my concerns as well.

7 I have actually been over there to  
8 drop off my neighbor at the transmission shop before,  
9 and you kind of just meander around, whatever is out  
10 there. It wasn't a big deal. So I'm kind of between  
11 like striping that may not last, wouldn't be visible  
12 in the winter because of any ice or snow on the  
13 pavement, is sporadic at best. So I don't know if  
14 it's an unnecessary expenditure or if I'm just  
15 worrying about nothing if they are self-policing.

16 I appreciate anybody else's comments  
17 on it.

18 COMMISSIONER WOOD: Well, we need to have the  
19 striping there clearly, in my opinion.

20 But the other question I have with  
21 respect to parking and storage, I know this -- none  
22 of this is yours, but there is a truck and you know  
23 covered vehicle and something. Whose stuff is that?

1 MR. BENDIX: I believe that's the detailers  
2 which would be my direct neighbor.

3 CHAIR DAULTON LANGE: I understand that there  
4 needs to be, you know, outside storage of vehicles  
5 because that is what they do. That is what you do,  
6 but you know -- I don't want to hamper the business.  
7 I am more concerned about the safety. So I guess  
8 with the striping.

9 COMMISSIONER PULEO: When I went through  
10 there there is ample area. If you don't have a lot  
11 of cars parked in this area when I drove through it  
12 to have ingress and egress, but I'm just concerned if  
13 you get a couple of trucks out there then does that  
14 cause a problem.

15 COMMISSIONER WOOD: Start stacking up.

16 CHAIR DAULTON LANGE: Not so much parking  
17 spaces but more delineation of a lane maybe,  
18 crosshatches that has to be kept open. So when  
19 people drive in they know I'm not supposed to park in  
20 a crosshatch.

21 MR. BENDIX: Right. Right.

22 CHAIR DAULTON LANGE: Administrator Martin,  
23 do you have any --

1 MR. MARTIN: Well, I agree with all of what  
2 you're saying, and I think the Village has some  
3 culpability here too. This is a sea of asphalt out  
4 there with no delineation for the public  
5 right-of-way, private driveways, and it has been kind  
6 of left just to be self-policed, you know. One guy's  
7 got six cars in that week. He takes different  
8 spaces. The other guys moves them around or they  
9 park them on the parkway and they put them out on the  
10 right-of-way at times.

11 We certainly can explore I think two  
12 things: 1) some sort of striping plan for the whole  
13 property, not just this.

14 CHAIR DAULTON LANGE: Not just yours.

15 MR. MARTIN: And then on the municipal side,  
16 an engineering review of how to delineate the  
17 right-of-way out there whether it's curb and  
18 striping, parkway islands, you know.

19 COMMISSIONER DELISLE: Long-term plan.

20 MR. MARTIN: Yeah. Have a plan and then get  
21 it in the capital budget. An island right out there  
22 would be helpful.

23 COMMISSIONER DELISLE: Signage.

1 MR. MARTIN: You could do a little signage,  
2 street lighting, all sorts of things.

3 CHAIR DAULTON LANGE: But we're not asking  
4 that of you tonight. We're talking this out.

5 MR. MARTIN: A report from the Planning  
6 Commission it would be helpful to communicate that to  
7 the Board.

8 CHAIR DAULTON LANGE: I don't have a problem  
9 with that.

10 COMMISSIONER PULEO: I want to ask the other  
11 question. Having been a similar business in this  
12 area, have we had previous problems along that line?  
13 If we haven't, I don't really foresee that, but  
14 planning ahead.

15 MR. MARTIN: No, not so much. When you move  
16 in you might have issues with your neighbor, the  
17 detail guys when he brings in six cars and they pile  
18 up on weekends or the transmission guys got  
19 something. But I haven't heard a peep down there in  
20 terms of tenant versus tenant kind of stuff or  
21 ownership. It's newly purchased. I believe the  
22 owner had it for a couple years.

23 MR. BENDIX: Yeah, about two-and-a-half

1 years. And previous to them, Steve, the current  
2 owner, I think he was there for more than 10 years as  
3 an actual tenant, and he does recovery.

4 MR. MARTIN: So I don't know about the paving  
5 condition whether or not you could seal coat it or  
6 whether it's going to require --

7 COMMISSIONER PULEO: You would have to patch  
8 it. When I looked through it you definitely need  
9 some patching before you could seal coat that.

10 CHAIR DAULTON LANGE: Excuse me, just a point  
11 of order. We forgot to swear you in. So can you  
12 attest that everything that you said so far tonight,  
13 and you will say going forward, is the truth and  
14 nothing but the truth so help you God?

15 MR. BENDIX: Yes.

16 CHAIR DAULTON LANGE: So where were we?

17 MR. MARTIN: We were kind of at the point of  
18 requesting some sort of striping plan.

19 CHAIR DAULTON LANGE: So we would request  
20 that of the owner.

21 COMMISSIONER DELISLE: Right.

22 COMMISSIONER PULEO: For a long-term plan.

23 CHAIR DAULTON LANGE: And then we reiterate

1 to the Village Board our concern about --  
 2 MR. MARTIN: Right-of-way.  
 3 CHAIR DAULTON LANGE: Right, and in general  
 4 coming up with a plan for Hillview much like what we  
 5 did for not Kelsey --  
 6 COMMISSIONER WOOD: The business park.  
 7 CHAIR DAULTON LANGE: The business park.  
 8 Any other comments from our  
 9 Commissioners?  
 10 COMMISSIONER DELISLE: I just have a few  
 11 questions.  
 12 Could you walk me through what you  
 13 do with these trucks? Do you just work on a lift,  
 14 itself, or do you work on everything?  
 15 MR. BENDIX: Everything on the vehicle.  
 16 COMMISSIONER DELISLE: So if it needs an oil  
 17 change --  
 18 MR. BENDIX: We'll do the oil change.  
 19 COMMISSIONER DELISLE: And if it needs new  
 20 hydraulic cylinder, you replace that.  
 21 MR. BENDIX: Correct.  
 22 COMMISSIONER DELISLE: What do you do with  
 23 the waste oil when you do that?

1 MR. BENDIX: We store it in a 55 gallon drum,  
 2 and then I have a company come and pull it out of  
 3 that drum. Then they recycle it. It eventually gets  
 4 turn into jet fuel from my waste oil.  
 5 COMMISSIONER DELISLE: So the most oil you  
 6 store at any one time is 55 gallons.  
 7 MR. BENDIX: Approximately, 55 gallons. Yes.  
 8 COMMISSIONER DELISLE: And about new oil, how  
 9 do you store that?  
 10 MR. BENDIX: We purchase that as we need it.  
 11 COMMISSIONER DELISLE: Does that come by the  
 12 case?  
 13 MR. BENDIX: Gallons or five gallons.  
 14 COMMISSIONER DELISLE: What kind of --  
 15 MR. BENDIX: Because of space requirements I  
 16 stopped buying 55 gallon drums. Plus the price is so  
 17 expensive now.  
 18 COMMISSIONER DELISLE: How about tires?  
 19 MR. BENDIX: Tires, we do no tires.  
 20 COMMISSIONER DELISLE: You don't do tires.  
 21 MR. BENDIX: We'll take them off and put them  
 22 on, but we will have like Firestone do it. We don't  
 23 have a tire machine on the premises or a balancer.

1 COMMISSIONER DELISLE: So you don't store  
 2 tires.  
 3 MR. BENDIX: We do not store tires.  
 4 COMMISSIONER DELISLE: How about is the space  
 5 equipped with carbon monoxide detection now?  
 6 MR. BENDIX: No, I don't believe so. It  
 7 currently has an alarm which will be police and fire,  
 8 but it does not have carbon.  
 9 COMMISSIONER DELISLE: I believe -- It's not  
 10 a huge thing, but you're going to need to install a  
 11 carbon monoxide detection if you're going to be  
 12 working on vehicles inside. I believe that is code.  
 13 And you're also -- The exhauster, do you have make-up  
 14 air in there at all, make-up fresh air?  
 15 MR. BENDIX: No. You have to open the bay  
 16 door a few inches, and the fan is on the back wall.  
 17 COMMISSIONER DELISLE: Okay.  
 18 MR. BENDIX: It's approximately I would say a  
 19 24 inch fan that is a louver when you turn it on.  
 20 COMMISSIONER DELISLE: That is a power  
 21 exhauster.  
 22 MR. BENDIX: Yeah.  
 23 COMMISSIONER DELISLE: And this space has

1 just got like hanging gas fire unit heaters in it?  
 2 MR. BENDIX: Yes, two of them. They are  
 3 vented directly straight out.  
 4 COMMISSIONER DELISLE: So when you run the  
 5 exhaust fan, in order to get -- you create a vacuum  
 6 in there. In order to get fresh air you have to open  
 7 the door?  
 8 MR. BENDIX: Yeah.  
 9 COMMISSIONER DELISLE: Okay. Without  
 10 getting -- I'm not an engineer, but I think you're  
 11 going to have to just look at that a little bit. I  
 12 think you're going to have to install some barometric  
 13 relief dampers, just a little one. One that fits the  
 14 size of the exhauster and carbon monoxide detector is  
 15 going to have to be hooked up to the --  
 16 MR. BENDIX: So that it automatically opens.  
 17 COMMISSIONER DELISLE: Right. So that for  
 18 some reason if someone is working on a truck and they  
 19 let it run.  
 20 MR. BENDIX: Now, one thing that we don't --  
 21 we generally don't run them inside because of the  
 22 risk, but Comcast is generally gas and the other ones  
 23 are diesel. An average pickup nowadays for us is a

1 diesel. So it's a different type of animal as far as  
2 the emissions.

3 COMMISSIONER DELISLE: Will the carbon  
4 monoxide detector still pick that up?

5 MR. BENDIX: I do not know.

6 COMMISSIONER DELISLE: And I think if we have  
7 a general statement that, you know, I think we're  
8 just looking that it meets the Life Safety Code; and  
9 I don't -- you know, we don't want to make a huge  
10 production out of it, but it's got to be safe.

11 So that would be my stipulation is  
12 that somehow try to work with what's there already  
13 just adding maybe a sensor.

14 MR. BENDIX: A sensor and positive.

15 COMMISSIONER DELISLE: Right. That's it.  
16 And a small barometric relief damper that opens up  
17 when the fan turns on that could make up that fresh  
18 air.

19 MR. BENDIX: Okay.

20 COMMISSIONER DELISLE: And then I love the  
21 traffic plan idea, and I think if there is some  
22 public right-of-way, which you'd probably cooperate  
23 with that. Triple basin is there. And hydraulic

1 triple basin, are you able to wash in there at all?

2 MR. BENDIX: We don't really do that  
3 especially at this time of the year because of the  
4 freeze up. If I were to wash, it -- I would love to  
5 do it for the customers, but then if we pull it out  
6 before they pick it up then the door freeze. So we  
7 generally don't wash unless it's a small car or  
8 something that could be done inside and go through  
9 the triple basin.

10 MR. MARTIN: So you've got to get them in and  
11 get them out. Comcast is chomping at the bit.

12 MR. BENDIX: Yeah. And it's not just  
13 Comcast. We have a lot of other fleets also, a wide  
14 variety; but Comcast is the main one, so we cater to  
15 them. I have been doing work for Comcast before they  
16 were Comcast. They were -- It started out around  
17 this area as Jones, TCI, AT&T to Comcast. So I have  
18 long -- a very long relationship with them.

19 COMMISSIONER DELISLE: That's a nice list of  
20 clients right there.

21 CHAIR DAULTON LANGE: Mr. Bendix, because  
22 this is a special use when you filled out our form  
23 for the special use it goes through standards.

1 fluid you probably already said that. When you need  
2 it you just order by the gallon.

3 MR. BENDIX: Yes, by five gallons. Most of  
4 those vehicles hold about 13 gallons.

5 COMMISSIONER DELISLE: And I take it there is  
6 an office with a restroom in the unit.

7 MR. BENDIX: Yes.

8 COMMISSIONER DELISLE: Is there a laundry  
9 sink in there too?

10 MR. BENDIX: Yes, in the main bathroom.  
11 There is one bathroom with, you know, I don't know  
12 the terminology for the sink.

13 COMMISSIONER DELISLE: Okay.

14 MR. MARTIN: Slop sink.

15 MR. BENDIX: Yeah, like a slop sink.

16 COMMISSIONER DELISLE: But the bathroom is  
17 there now?

18 MR. BENDIX: Yeah.

19 COMMISSIONER DELISLE: It's great. I hope --  
20 We'll have to see how it goes, but it sounds like an  
21 exciting business to be bringing to our town.

22 MR. BENDIX: I'm very excited, very excited.

23 COMMISSIONER WOOD: With respect to the

1 Do you have a copy of that with you?

2 MR. BENDIX: Yes, I do.

3 CHAIR DAULTON LANGE: What I would like you  
4 to do for the record --

5 MR. BENDIX: Actually, I'm sorry, I do not.

6 COMMISSIONER PULEO: Would you like to take  
7 my copy here?

8 MR. BENDIX: Yes.

9 CHAIR DAULTON LANGE: What I would like you  
10 to do for the record, I will ask you about the  
11 standards, and you can respond. If you would like  
12 you can read what you've written or you can elaborate  
13 further.

14 First is the essential character  
15 that if the special use is granted it will not alter  
16 the essential character of the Village.

17 MR. BENDIX: No, it will not. The character  
18 of the Village will not be altered as the building is  
19 located in an industrial district. We will continue  
20 to operate a clean and organized business.

21 CHAIR DAULTON LANGE: Could you address the  
22 unique conditions, the conditions upon which the  
23 request for special use are based, are unique to the

1 property for which the special use is sought, and are  
2 not applicable generally to other property.

3 MR. BENDIX: No. The last tenant performed  
4 truck repair for 13 years at the subject property.

5 CHAIR DAULTON LANGE: The purpose of the  
6 special use is not based exclusively or primarily on  
7 a desire to make more money from the property.

8 MR. BENDIX: No. We would simply like to  
9 continue our business in a centrally located area for  
10 our clientele.

11 CHAIR DAULTON LANGE: And the special use, if  
12 granted, will not be a substantial detriment to  
13 adjacent property.

14 MR. BENDIX: No, because the adjacent  
15 properties are used for a similar purpose to ours.

16 CHAIR DAULTON LANGE: And the last standard  
17 is the public health and safety. The granting of the  
18 special use will not be detrimental to public health,  
19 safety, general welfare or injurious to other  
20 property or improvements in the neighborhood in which  
21 the property is located.

22 MR. BENDIX: No, as the building has a triple  
23 basin as well as an alarm for police and fire. Any

1 thoughts?

2 COMMISSIONER WOOD: Yes. I guess I think  
3 there was a question asked with respect to have we  
4 had any problems with any of the tenants in the area.  
5 The owner of this building has owned it for?

6 COMMISSIONER PULEO: Two-and-a-half years.

7 COMMISSIONER WOOD: And everything has been  
8 fine.

9 MR. MARTIN: Everything has been fine. We've  
10 had some vehicle break-ins, but I don't connect that  
11 really with this special use permit. And some of  
12 those were employee related and we've had some issues  
13 down there relative to that. Nothing out of the  
14 ordinary.

15 COMMISSIONER WOOD: Okay.

16 CHAIR DAULTON LANGE: Do you have a proposed  
17 motion, Mr. Bateman?

18 MR. BATEMAN: I do. Why don't I pass that  
19 out.

20 CHAIR DAULTON LANGE: Would you like to go  
21 over it?

22 MR. BATEMAN: I will.

23 I think part of it is really on the

1 vehicle outside will be secured.

2 CHAIR DAULTON LANGE: Does that mean locked  
3 up?

4 MR. BENDIX: Yes.

5 CHAIR DAULTON LANGE: Do any of the  
6 Commissioners have any questions on the standards  
7 dealing with the special use?

8 COMMISSIONER WOOD: No.

9 COMMISSIONER PULEO: No.

10 COMMISSIONER DELISLE: No.

11 CHAIR DAULTON LANGE: Thank you, Mr. Bendix.

12 MR. BENDIX: You're welcome.

13 CHAIR DAULTON LANGE: Does anybody else here  
14 wish to speak to this special use tonight?

15 (No response.)

16 CHAIR DAULTON LANGE: Hearing not, I would  
17 like to close the public hearing portion and  
18 deliberate.

19 COMMISSIONER DELISLE: Does anyone know if  
20 the owner of the property is here tonight?

21 MR. BENDIX: No, he is not.

22 COMMISSIONER DELISLE: Okay.

23 CHAIR DAULTON LANGE: Okay. Any other

1 second page where it says any potentially negative  
2 impacts would be adequately mitigated if the proposed  
3 special use, if granted, will not alter the essential  
4 nature of the Village.

5 The proposed special use will  
6 conserve property values and will protect the care  
7 and state and stability of other properties in the  
8 vicinity and the Village in general.

9 The proposed special use is subject  
10 to the conditions recommended and is a reasonable and  
11 proper use of the property would be in the best  
12 interest of the Village, et cetera.

13 Then the conditions, we have  
14 paragraph A, building and fire code inspection shall  
15 be conducted and complied with prior to the  
16 establishment of this use and the occupancy of the  
17 premises.

18 That would cover Rick's concern; but  
19 in addition, just jumping down under paragraph what's  
20 labeled as paragraph E, the carbon monoxide detection  
21 devices shall comply with the Village code and  
22 sprinkler system for fire suppression should also be  
23 installed if required by the Village -- by the fire

1 code within the Village on the subject property.

2 MR. MARTIN: I don't think the fire --  
3 They're not going to enforce sprinklers in here; are  
4 they?

5 MR. BATEMAN: That's really -- This kind of  
6 leaves it up to them.

7 COMMISSIONER DELISLE: I think part of it  
8 will be storage. Because if he's storing tires, it  
9 will be easier. If he's storing 55 gallon drums of  
10 waste oil, then they'll require it.

11 MR. BATEMAN: This is actually the same  
12 language that we used for that T.C. Global.

13 MR. MARTIN: Typically they go off of you  
14 have 50 percent of remodel or tear down or something  
15 like that, that's when they require the suppression.  
16 Because I know that is a big expense.

17 MR. BATEMAN: This says if required.

18 COMMISSIONER DELISLE: And it's been that  
19 use --

20 MR. BATEMAN: It's not a change of use  
21 category, so.

22 Paragraph B says vehicles servicing  
23 and I would suggest it say including but not limited

1 I guess I would say relative to the  
2 paragraph on the top of -- on the third page, that  
3 signage may be provided on the subject which shall  
4 comply with the applicable provisions of the Village  
5 code and be approved in advance by the Village  
6 pursuant to a sign permit.

7 The next paragraph is just a general  
8 provision that says no other variations are being  
9 granted.

10 CHAIR DAULTON LANGE: That's fine for this  
11 and then do we make a separate comment to the Village  
12 Board about our concerns, is that a separate issue?  
13 It's not for the special use permit.

14 MR. BATEMAN: I think that's your -- I mean,  
15 that is really kind of your call. I mean, my view is  
16 it's really beyond the scope of his ability as a  
17 tenant to do -- to accomplish that. So you either  
18 impose it on the property as a condition of this  
19 special use or not.

20 It does seem though if you look at  
21 the condition of the asphalt that the -- My  
22 suggestion would be that, you know, if nothing else,  
23 that the Village staff watch it when the asphalt gets

1 to the repairs, washing, detailing of vehicles. I  
2 don't know if it needs to say washing and detailing  
3 given his description, may be conducted on the  
4 premises but only indoors.

5 I took -- I had -- My draft I had a  
6 provision prohibiting outdoor parking. I think that  
7 won't work here. I think they're going to need  
8 outdoor parking of vehicles. So I would take my  
9 paragraph C out.

10 My paragraph D, a triple catch basin  
11 shall be installed. I would just add to that if  
12 already present and make sure that the -- so that way  
13 it can be confirmed by the inspection.

14 COMMISSIONER DELISLE: Okay.

15 MR. BATEMAN: If not already present is what  
16 I would add.

17 And then we typically add with these  
18 auto-related uses no outdoor public address or other  
19 outdoor audio systems shall be operated on the  
20 property. It might seem a little overkill for this  
21 size of business, but we've always used it for the  
22 larger car dealers to prohibit the speakers  
23 encroaching the adjacent residential neighborhoods.

1 to a point require replacement of the property  
2 maintenance code. You tell them to replace it, and  
3 you tell them to stripe and require him to stripe it.

4 CHAIR DAULTON LANGE: I certainly don't want  
5 to have our suggestion about the right-of-way issues  
6 be subject to this special use.

7 MR. BATEMAN: Yeah. I have some other  
8 thoughts on that that I'll share with Chris. There  
9 is some history there. There is a reason that there  
10 is no curb there.

11 MR. MARTIN: Okay.

12 MR. BATEMAN: Because to put in a curb you  
13 have to put in really a gutter and storm drain, and  
14 it's adjacent to property that makes it difficult to  
15 discharge in that direction.

16 MR. MARTIN: Bioswales.

17 MR. BATEMAN: Yeah. The difficulty, and I  
18 remember your predecessor as the Village  
19 administrator, had difficulty coming up with a  
20 solution that would have normally -- When the Village  
21 put the sewer water in there, and we paved it, they  
22 would have normally done curb and gutter too. But  
23 you had to put storm drains in there. And as I

1 remember, there was difficulty because it's an -- I  
2 think it's an outlet in Pheasant Ridge to the south.

3 MR. MARTIN: Oh.

4 COMMISSIONER DELISLE: Do you think, Jim,  
5 that it would be unfair to put in the special use  
6 that says the Petitioner will cause ownership of the  
7 building meet with Village staff to maybe conceive a  
8 long-term plan for our addressing parking lot.

9 Would it be unreasonable for us to  
10 put that in there?

11 MR. BATEMAN: I think the Village has to  
12 determine a way to delineate the right-of-way before  
13 you -- before you do that. That has been a  
14 historical problem. Before the sewer and water  
15 project was done, it was the same problem. And the  
16 only thing that would have frankly delineated the  
17 right-of-way were curbs. Maybe you can do it with  
18 a concrete apron. It would be -- it wouldn't disturb  
19 the general drainage, but it would still delineate  
20 the right-of-way. Just as a thought.

21 But that is the historical problem  
22 there is if you're going to put curbs in, you're  
23 going to have to put gutters in. If you're going to

1 put gutters in, you're going to have to have an  
2 outlet to someplace that is an outlet; and there  
3 really wasn't a good outlet there other than over  
4 land flow.

5 COMMISSIONER DELISLE: I'm wondering if any  
6 of the Commissioners would mind adding -- I know you  
7 took the parking out of there. I'm wondering if we  
8 could limit the outdoor truck parking to maybe three  
9 trucks.

10 CHAIR DAULTON LANGE: I don't like that  
11 because we're trying to stick our nose into his  
12 business then, and who is going to enforce it?

13 When you go through that whole area  
14 there are a lot more than three trucks out there  
15 right now. And it's too hard to figure out whose  
16 trucks belong to which building. I think it's more  
17 if we're going to patrol something, you already have  
18 to have access to the building, right --

19 COMMISSIONER DELISLE: But here we are, the  
20 Petitioner is asking for a special use; and we're  
21 granting it. And it very easy for us to say okay,  
22 you're going to occupy 2,000 square feet of building,  
23 you're allowed one truck per 800 square feet that you

1 occupy. So you drive by there and there is 30  
2 Comcast trucks in the parking lot. You know you're  
3 going to get calls from some of the tenants that this  
4 is crazy. But we've approved a special use with no  
5 restrictions. And you have the opportunity to say to  
6 Petitioner look, you can't have -- you can't have 30  
7 trucks in the parking lot.

8 CHAIR DAULTON LANGE: Wouldn't that be a  
9 landlord issue too?

10 COMMISSIONER DELISLE: It would be.

11 CHAIR DAULTON LANGE: And a safety issue if  
12 you can't get to the building. That could be any  
13 building --

14 COMMISSIONER WOOD: That's why we're  
15 striking -- that recommendation should take care of  
16 that. Because again, the onus shouldn't be placed on  
17 him with the other, with all due respect, junk that  
18 is parked out there, okay. We can't control that nor  
19 should that be his responsibility.

20 COMMISSIONER DELISLE: What I'm trying to say  
21 is the Petitioner is saying I want to repair trucks.  
22 It's not a permitted use. It's a special use. And  
23 we have the opportunity to say that's fine. You

1 can't have 30 trucks or you can't have 10.

2 CHAIR DAULTON LANGE: Are you pulling that  
3 number out of the air? How do you know what his  
4 business is today that you can only have three or  
5 four trucks?

6 COMMISSIONER DELISLE: Because that building  
7 was generally -- The standard for industrial building  
8 is one parking stall for thousand square feet.

9 CHAIR DAULTON LANGE: Are you talking parking  
10 or maintenance or --

11 COMMISSIONER DELISLE: Parking stalls.

12 CHAIR DAULTON LANGE: For employees.

13 COMMISSIONER DELISLE: Outside parking.  
14 That's kind of the rule of thumb.

15 CHAIR DAULTON LANGE: We don't have that  
16 code.

17 COMMISSIONER DELISLE: I know that. I know  
18 that. But most industrial buildings meet that one  
19 parking stall per thousand square feet. He's going  
20 to occupy did you say 2,000, 2,500 square feet?

21 MR. BENDIX: I believe it's 50 by 50. So  
22 it's 2500 square feet.

23 COMMISSIONER DELISLE: So typically, that

1 would support about three trucks.  
 2 CHAIR DAULTON LANGE: Like I drove out there,  
 3 I've been out there a couple of times in the last  
 4 week. There is probably 20 cars out there at any one  
 5 time. So the parking lot area is huge, you've seen  
 6 it. So for us to say to this particular -- I could  
 7 see saying we need to have the driving aisles striped  
 8 so you can delineate the driving aisle and everything  
 9 else would be parking out there for their vehicles  
 10 because that's what it is now. But I can't see  
 11 saying to any of the businesses out there you can  
 12 only have X many cars parked out there because there  
 13 is only so much land out there they can park on. And  
 14 that's going to be self-policed by the tenants,  
 15 themselves, and the landlord.  
 16 COMMISSIONER DELISLE: Well, I don't think we  
 17 should holdup this Petitioner. I feel strongly about  
 18 it, but I don't want to ruin this Petitioner's chance  
 19 of moving in.  
 20 CHAIR DAULTON LANGE: I think your point is  
 21 well taken, and I think maybe you should prepare a  
 22 code and maybe suggest code revisions.  
 23 COMMISSIONER DELISLE: There probably is

1 very clear about it not being long-term storage. I  
 2 mean, I'm sensitive to what you're saying, and I  
 3 agree with you; but I think he is being very clear.  
 4 I appreciate that not being any type of storage.  
 5 COMMISSIONER DELISLE: I support the use.  
 6 I'd like to move on and drop it.  
 7 CHAIR DAULTON LANGE: I think we could  
 8 revisit it with our codes. I don't want this  
 9 business at a competitive disadvantage unless they're  
 10 all on equal playing field. So unless we pass some  
 11 kind of an ordinance about parking, in general, on  
 12 these kind of facilities and special uses.  
 13 COMMISSIONER DELISLE: I respect that, Madam  
 14 Chair.  
 15 COMMISSIONER WOOD: And I would just like to  
 16 reemphasize what Rick said. We have the ability to  
 17 look at upgrading what occurs here, okay, and we  
 18 should do that on a regular basis but not at the  
 19 detriment to the business at hand.  
 20 CHAIR DAULTON LANGE: Okay. With that, Jim,  
 21 do you want to go over the motion or anything else to  
 22 be added?  
 23 MR. BATEMAN: Let me just highlight the

1 already is code restrictions.  
 2 MR. MARTIN: The difficulty here you have  
 3 longstanding -- like Petitioner mentioned these uses  
 4 have been down there for decades, and it's  
 5 virtually -- You look at a picture, and it's  
 6 virtually just an asphalt field.  
 7 COMMISSIONER DELISLE: But you have an  
 8 opportunity now to just say look, generally, one  
 9 stall per thousand is about average for industrial.  
 10 If he has three trucks out there, two employees, he  
 11 is occupying five stalls.  
 12 COMMISSIONER PULEO: I would feel -- I'm  
 13 sensitive to your concerns, Commissioner Delisle; but  
 14 the other thing in listening to Mr. Bendix it's  
 15 imperative for him to get a vehicle in and out  
 16 quickly. So I don't see it being a stock pile of  
 17 vehicles because unless he is waiting for a part or  
 18 something, I can't see him stock piling because these  
 19 trucks are needed on the road constantly. So I see  
 20 him -- this turnaround being quite quick.  
 21 COMMISSIONER DELISLE: We were talking about  
 22 a stipulation about long-term storage, I mean.  
 23 COMMISSIONER PULEO: And I think he is being

1 conditions again. So we're not going to mention  
 2 striping is that the consensus or are we?  
 3 CHAIR DAULTON LANGE: I would like to mention  
 4 the striping of the -- Well, the striping of the --  
 5 COMMISSIONER DELISLE: I think we talked  
 6 about it. Is it fair to put that as a burden on the  
 7 Petitioner?  
 8 COMMISSIONER WOOD: No. No. No. Not on the  
 9 Petitioner.  
 10 MR. MARTIN: Just to be clear, just last  
 11 month when the karate folks were in here we did put  
 12 that burden on that property owner.  
 13 COMMISSIONER DELISLE: Right.  
 14 COMMISSIONER WOOD: On the property owner not  
 15 the --  
 16 MR. MARTIN: Not the tenant. And we've done  
 17 that, for example, when we had a cell tower. They  
 18 wanted to put a new guy on there. Well, the old guy  
 19 had to fix the landscaping.  
 20 So yeah, generally there is some  
 21 onus placed on the landlord to upgrade the property  
 22 in some respect with striping or a little  
 23 landscaping, here and there.

1 CHAIR DAULTON LANGE: And Jim, you had a  
2 comment about if we tried to stripe anything out  
3 there that was just with the right-of-way.

4 MR. BATEMAN: Right. I think they can still  
5 stripe without the right-of-way. I think there is  
6 always going to be a problem out there until there is  
7 a clear demarkation of the right-of-way, but that's  
8 just a historical issue out there.

9 Let me just highlight the conditions  
10 again of the recommendation. It would be building  
11 and fire code inspections would be conducted prior to  
12 the establishment of the use.

13 The vehicle servicing may be  
14 conducted on the premises but only indoors.

15 A triple catch basin shall be  
16 installed, if not already present; and install and  
17 maintain and operative condition if not already  
18 present.

19 Carbon monoxide detection system  
20 shall comply with the Village code and sprinkler  
21 system or fire suppression shall also be installed if  
22 required by the fire code within the building on the  
23 subject property.

1 COMMISSIONER WOOD: Can striping be looked at  
2 sooner than a year?

3 MR. BATEMAN: I don't know that --

4 CHAIR DAULTON LANGE: They can't stripe very  
5 much longer because of the cold. But I mean, I  
6 would -- We could say eight months or we could set a  
7 date. We could just say June or July of next year,  
8 July 1st.

9 COMMISSIONER DELISLE: July 1st works.

10 CHAIR DAULTON LANGE: That gives a striping  
11 plan and guys could get out there in the spring.

12 MR. BATEMAN: Not later than June 1, 2011.

13 CHAIR DAULTON LANGE: June 1st, all right.

14 MR. BATEMAN: July 1st.

15 So those would be the conditions.

16 COMMISSIONER DELISLE: I'd like to make a  
17 motion to approve what Attorney Bateman just drafted.

18 COMMISSIONER WOOD: Second.

19 CHAIR DAULTON LANGE: Roll call.

20 MR. MARTIN: Commissioner Delisle?

21 COMMISSIONER DELISLE: Aye.

22 MR. MARTIN: Commissioner Wood?

23 COMMISSIONER WOOD: Yes.

1 No outdoor public address or other  
2 outdoor lighting system shall be operated on the  
3 subject property.

4 Signage may be provided on the  
5 subject but shall comply with the applicable  
6 provisions of the Village code and shall be approved  
7 in advance by the Village pursuant to the sign permit  
8 prior to installation.

9 Nothing in this special use permit  
10 shall be considered and construed as grating a  
11 waiver.

12 The parking areas on the exterior of  
13 the subject property shall be restriped by the  
14 property owner in a matter approved by the Village  
15 Administrator. And then I think I need to put a time  
16 frame on that. I would suggest at this point end of  
17 season. You have to put it within a year or  
18 something like that is what I would do, within a  
19 year. Because the season is gone now.

20 COMMISSIONER WOOD: When do you plan on  
21 moving into the building?

22 MR. BENDIX: As soon as you give me the  
23 approval and of course the occupancy permit, process.

1 MR. MARTIN: Commissioner Puleo?

2 COMMISSIONER PULEO: Yes.

3 MR. MARTIN: Chair Daulton Lange?

4 CHAIR DAULTON LANGE: Yes.

5 This will be forwarded. We are a  
6 recommending body.

7 MR. BENDIX: Thank very much.

8 CHAIR DAULTON LANGE: This will be forward to  
9 the Village Board for their consideration on?

10 MR. MARTIN: Wednesday next week. Swing by  
11 Wednesday.

12 MR. BENDIX: The same time?

13 MR. MARTIN: Yeah. I'll get you the name of  
14 one of the fire inspectors so we can get them out  
15 there maybe Monday or Tuesday next week and get that  
16 looked at.

17 MR. BENDIX: Excellent.

18 MR. MARTIN: And get you on your way to go.

19 MR. BENDIX: Thank you very much.


20 (Which were all the  
21 proceedings had.)

22

23 \* \* \* \* \*

1 STATE OF ILLINOIS)  
2 ) SS.  
3 COUNTY OF COOK )

4 I, DEBORAH R. SANTI, Certified  
5 Shorthand Reporter, of the State of Illinois, do  
6 hereby certify that I reported in shorthand the  
7 proceedings had in the aforesaid matter, and that the  
8 foregoing is a true, complete and correct transcript  
9 of the proceedings had as appears from the  
10 stenographic notes so taken to the best of my  
11 ability.  
12

13   
14 DEBORAH R. SANTI, CSR  
15 CSR # 084-004107

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VILLAGE OF LAKE BARRINGTON PLAN COMMISSION  
MEETING OF OCTOBER 28, 2010  
(RE: PETITION OF TRUCKMASTERS, INC. AND  
BRANSON PROPERTIES, LLC)

MOTION TO RECOMMEND APPROVAL,  
FINDINGS OF FACT, AND CONDITIONS OF APPROVAL

- I. MOTION WAS MADE BY COMMISSIONER DeLISLE, AND SECONDED BY COMMISSIONER WOOD, THAT THE PLAN COMMISSION RECOMMEND TO THE BOARD OF TRUSTEES the approval of the request of the Petitioners, Branson Properties, LLC, as the owner of record of the property at 16 Hillview Drive, also known as 22293 Hillview Drive, Unit 55 (“the Subject Property”), and Truckmasters, Inc. as the proposed tenant and the operator of a proposed vehicle repair service and garage, for a special use to permit the establishment and operation of a vehicle repair service and garage on the Subject Property, pursuant to Section 8-4-6(C) of the Village of Lake Barrington Village Code and the Village of Lake Barrington Zoning Regulations, which are part thereof (the “proposed special use permit”), in substantial compliance with the plans submitted to the Plan Commission.
  
- II. THIS MOTION IS BASED UPON THE FOLLOWING FINDINGS OF FACT WHICH ARE HEREBY ADOPTED:
  - A. The owner of record of the Subject Property is reported to be Branson Properties, LLC, 16 Hillview Drive, also known as 22293 Hillview Drive Barrington, IL 60010, and the Petitioner for the proposed special use permit, Truckmasters, Inc., is the lessee of Unit 55 of the multi-tenant building on the Subject Property to be occupied by the proposed special use.
  
  - B. The proposed special use permit for the Petitioner pursuant to Section 8-4-6 of the Village of Lake Barrington Zoning Regulations, As Amended, to permit the establishment, operation and maintenance by said Petitioner of a vehicle repair service and garage in Unit 55 of the multi-tenant building now located on the property at 22293 Hillview Drive, is consistent with the Village of Lake Barrington Zoning Ordinance and the Official Comprehensive Plan, as amended.

- C. Any potentially negative impacts of the proposed special use would be adequately mitigated;
- D. The proposed special use, if granted, will not alter the essential nature of the Village.
- E. The proposed special use permit will conserve property values and will protect the character and stability of other properties in the vicinity and in the Village in general;
- F. The proposed special use, subject to the conditions recommended, is a reasonable and proper use of the Subject Property which would be in the best interest of the Village and its residents and in accordance with the intent and objectives of the Village of Lake Barrington Zoning Ordinance, as amended; and
- G. The proposed special use permit will promote the general health, safety and welfare of the Village.

III. THIS RECOMMENDATION OF APPROVAL IS SUBJECT TO THE FOLLOWING TERMS, CONDITIONS, AND LIMITATIONS:

- A. Building and fire code inspections and review of exterior lighting shall be conducted and complied with prior to the establishment of this use and occupancy of the premises.
- B. All vehicle servicing may be conducted on the premises, but only indoors.
- C. A triple-catch basin shall be installed and maintained within the building in proper operating condition, if not already present.
- D. Carbon monoxide (CO) detection devices that comply with the Village Code and a sprinkler system for fire suppression shall also be installed, if required by the Fire Code, within the building on the Subject Property.
- E. No outdoor public address or other outdoor audio system(s) shall be operated on the Subject Property.
- F. Signage may be provided on the Subject Property, which shall comply with the applicable provisions of the Village Code, and any such signage

shall be approved in advance in writing by the Village and pursuant to a sign permit prior to installation thereof.

- G. The asphalt areas on the exterior of the Subject Property shall be re-stripped for parking and driveways by the property owner in a manner approved by the Village Administrator not later than July 1, 2011.
- H. Nothing contained in the proposed special use permit shall imply or be construed as approving or granting any variation or waiver from any of the provisions of the Village of Lake Barrington Zoning Ordinance, of the Village of Lake Barrington Village Code, or any other ordinance of this Village.

PLAN COMMISSION REGULAR MEETING  
VILLAGE OF LAKE BARRINGTON

PUBLIC HEARING:

Continuation of August 26, 2010 Public Hearing to  
Consider Zoning Text Amendments of Temporary Uses

23860 Old Barrington Road  
Lake Barrington, Illinois

\* \* \* \* \*

Thursday, October 28, 2010

7:00 p.m.

PUBLIC HEARING  
Thursday, October 28, 2010  
7:00 p.m.

RE: Continuation of August 26, 2010 Public Hearing  
to Consider Zoning Text Amendments for Temporary Uses

PLAN COMMISSION  
VILLAGE OF LAKE BARRINGTON

\* \* \* \* \*

Held on Thursday, October 28, 2010,  
commencing at the hour of approximately 7:00 p.m. at  
23860 North Old Barrington Road, Lake Barrington,  
Illinois.

PLAN COMMISSIONER PRESENT:

Honorable Karen Daulton Lange, Chair  
Richard Delisle, Commissioner  
Christina Puleo, Commissioner  
Jack Wood, Commissioner

ALSO PRESENT:

James Bateman, Village Attorney  
Christopher Martin, Administrator

1 that I want to point out is that each one of the  
2 sections relative to whether it be a tent or a moving  
3 device has a section that allows the grace period  
4 where no permit is required, no piece of paper from  
5 the Village that you can do your wedding, you could  
6 do -- you can move without having to come here.  
7 CHAIR DAULTON LANGE: And that's 15 days.  
8 MR. MARTIN: So that's nice because we didn't  
9 want to get into that position to do that.  
10 CHAIR DAULTON LANGE: In reality, is this  
11 pretty much going to be when somebody calls and  
12 complains?  
13 MR. MARTIN: Correct. This is a squeaky  
14 wheel ordinance, we like to refer to them. So when  
15 we get one of these, that's when we go out, and the  
16 clock starts running at that point.  
17 To be perfectly frank, we really  
18 have not had any issues to date relative to these  
19 types of things.  
20 COMMISSIONER DELISLE: Being proactive.  
21 MR. MARTIN: Being a little proactive.  
22 Assuming with the foreclosures, et cetera, we might  
23 start to see something particularly with the moving

1 CHAIR DAULTON LANGE: Okay. You'll notice I  
2 skipped over item 4A of our agenda, Concept Reviews  
3 of the Continuation of the Park District because they  
4 were not ready with their plans.  
5 So the last item on our agenda  
6 tonight is continuation of our August 26th public  
7 hearing to consider zoning text amendments for  
8 temporary uses.  
9 MR. MARTIN: Taking you back to August, the  
10 Commission reviewed a draft ordinance relative to  
11 temporary uses and storage devices, mainly dumpsters;  
12 tents; construction trailers; and similar things  
13 which grew out of a request by the Village Board to  
14 take a look at these mainly relative to Pod-type  
15 storage units.  
16 The Commission went through the  
17 ordinance in detail, and I apologize it took so long  
18 to come back. We were waiting for Petitioner,  
19 waiting for Park District, et cetera.  
20 What you have before you is a draft  
21 drafted by Mr. Bateman that reflects the  
22 Commissioners' adjustments and amendments.  
23 One really off the top of the bat

1 and storage units and things like that. But so far  
2 so good.  
3 Jim, if you have any other comments.  
4 MR. BATEMAN: Not really. You know, to me I  
5 think this is -- This is -- It fills a nice hole. I  
6 think it nicely fills the hole in the ordinance.  
7 This is stuff that we always struggle with and really  
8 don't have regulations to deal with, and it just  
9 captures a lot of those at the same time: Pods and  
10 tents, none of which is going to never deal -- really  
11 be a burden on either the Village staff or on  
12 residents to deal with the ordinary uses of those  
13 things. Like the Pod that my daughter had, you know,  
14 it wouldn't have stayed for longer than a week. If  
15 we paid to have it delivered to the house, it  
16 wouldn't have stayed for longer than a week. And if  
17 somebody is using it to pack, it wouldn't stay much  
18 longer than that. If it's going to stay longer than  
19 that, that's where it's going to become an eyesore to  
20 neighbors, and that is where we should get a permit  
21 to monitor that it's not going to stay an  
22 extraordinary length of time.  
23 CHAIR DAULTON LANGE: So this is really for

1 people who abuse.  
 2 MR. BATEMAN: Correct.  
 3 CHAIR DAULTON LANGE: What was the fine?  
 4 MR. BATEMAN: It doesn't have a specific  
 5 fine. The fines in the zoning ordinance or in the  
 6 Village code are -- I believe we have a minimum, I  
 7 believe of 100 dollars -- actually, I think it's \$200  
 8 per day on most -- General fine provisions are \$200  
 9 per day up to \$5,000.  
 10 CHAIR DAULTON LANGE: Winfield just went up  
 11 to seven fifty a day.  
 12 MR. BATEMAN: We could go up to \$5,000 just  
 13 because we can.  
 14 CHAIR DAULTON LANGE: The judge always kicks  
 15 them out anyway.  
 16 MR. BATEMAN: Well, the judge can't kick out  
 17 if it's the minimum fine. You know, that is what is  
 18 important in terms of the judges have to impose the  
 19 minimum fine.  
 20 MR. MARTIN: Commissioner Delisle just  
 21 brought up an interesting point relative to this.  
 22 This is all zoning issues, correct?  
 23 MR. BATEMAN: Yes.

1 against that property owner too because it was a  
 2 tent. But this will more specifically cover that,  
 3 so.  
 4 I don't think there is any downside.  
 5 This applies to all of the zoning districts, so.  
 6 CHAIR DAULTON LANGE: We had a couple  
 7 instances in the municipality that I work for where a  
 8 person will put up a little tent next to their garage  
 9 to park another vehicle or a boat.  
 10 COMMISSIONER DELISLE: I've seen that.  
 11 MR. MARTIN: That is a good one.  
 12 CHAIR DAULTON LANGE: It helps with that too.  
 13 MR. BATEMAN: It does. And I had those in  
 14 municipalities that I represented; and you know, it  
 15 seems like a great idea for the guy who has it, but  
 16 it's like all of a sudden the neighbor is looking at  
 17 something in the setback, permanently looking at a  
 18 boat or a tent-like structure. This is -- This will  
 19 help us --  
 20 COMMISSIONER DELISLE: Commissioner Puleo has  
 21 one of those tents; don't you, Commissioner?  
 22 COMMISSIONER PULEO: Are we off the record?  
 23 COMMISSIONER DELISLE: No, we're not.

1 COMMISSIONER PULEO: It's all what?  
 2 MR. MARTIN: We were just chatting about the  
 3 industrial park and whether or not I'm trying to  
 4 think if there's any known violations as I sit here.  
 5 COMMISSIONER DELISLE: Oh, yeah.  
 6 MR. MARTIN: Sheds.  
 7 COMMISSIONER DELISLE: Old concrete trucks  
 8 that don't run anymore. Stock piles.  
 9 MR. MARTIN: You're talking about different  
 10 stuff. Actually, you know, this did come up. DS  
 11 Arms put up a mobile home like over a weekend behind  
 12 their building.  
 13 COMMISSIONER PULEO: I remember hearing that,  
 14 yes.  
 15 MR. MARTIN: And we struggled a little bit  
 16 with the code. We were like all right, what is that.  
 17 So we ended up calling it a residential use, and it  
 18 was --  
 19 MR. BATEMAN: This deals with that. And you  
 20 know, before that historically probably a decade ago,  
 21 the old Mac's Snowplowing operation, not owned by the  
 22 present owner but by Mac, had a huge tent that they  
 23 used to cover their salt. And we brought an action

1 CHAIR DAULTON LANGE: Okay. Please reflect  
 2 that there is nobody in the audience to speak to this  
 3 for any comments or any questions other than our  
 4 Commissioners.  
 5 With that, I ask for a motion to  
 6 recommend approval of the code amendments.  
 7 COMMISSIONER PULEO: I make that motion.  
 8 COMMISSIONER DELISLE: I'll second that  
 9 motion.  
 10 CHAIR DAULTON LANGE: Roll call?  
 11 MR. MARTIN: Commissioner Puleo?  
 12 COMMISSIONER PULEO: Yes.  
 13 MR. MARTIN: Commissioner Delisle?  
 14 COMMISSIONER DELISLE: Yes.  
 15 MR. MARTIN: Commissioner Wood?  
 16 COMMISSIONER WOOD: Yes.  
 17 MR. MARTIN: Chair Daulton Lange?  
 18 CHAIR DAULTON LANGE: Yes.  
 19 COMMISSIONER DELISLE: For the record, I  
 20 would like to state that that is not really true that  
 21 Commissioner Puleo does not have a tent next to her  
 22 house.  
 23 MR. BATEMAN: But she'd like to have.

1 COMMISSIONER PULEO: Thank you, Commissioner  
2 Wood, for recommending that verification from  
3 Mr. Delisle.

4 CHAIR DAULTON LANGE: Moving on.

5 MR. MARTIN: Just a couple of notes. We're  
6 probably going to have to look at wind turbines,  
7 solar power and other uses.

8 CHAIR DAULTON LANGE: Oh, great.

9 MR. MARTIN: Our code has been quiet on those  
10 types of things. We'll have to bring that before the  
11 Commission at some point.

12 The Village Board has appointed us  
13 to hear a pre-application -- Actually it's not -- We  
14 call it a pre-application for the Saturn property on  
15 November 3rd.

16 A gentleman name Mr. Sapphire (ph)  
17 has requested a pre-application for automotive use at  
18 the corner of Route 14 and Pepper Road.

19 Pursuant to the original special  
20 use, there is no hearings required for the Plan  
21 Commission to transfer -- it would be a transfer.  
22 It's simply in name. His intentions are to at least  
23 in the letter that was provided to the Village, to

1 on the property where he has.

2 He informed staff that he has hired  
3 Manpower Consulting Engineers to start working on  
4 whatever has to be done. We are attempting to pursue  
5 a connection between Promed and that property. We  
6 will see how that goes.

7 Hopefully, we can get that done.

8 Yeah, so exciting stuff.

9 COMMISSIONER PULEO: That's great news.

10 CHAIR DAULTON LANGE: Anything coming up for  
11 our next meeting?

12 MR. MARTIN: Nothing coming up.

13 CHAIR DAULTON LANGE: So right now nothing on  
14 the --

15 COMMISSIONER DELISLE: What about the Splash  
16 Park?

17 MR. MARTIN: You know, I -- I'm kind of done.  
18 You know, I made a few phone calls pressing them on.  
19 If they come in, I'll reschedule it as needed.

20 CHAIR DAULTON LANGE: Okay. Motion to  
21 adjourn?

22 COMMISSIONER DELISLE: So moved.

23 COMMISSIONER PULEO: Second.

1 put in two to four million dollars in the building,  
2 itself, and landscaping, signage and bring in what  
3 he's characterizing at this point is a high-end  
4 preowned vehicle dealership.

5 He has one on Rand Road in Palatine  
6 at the moment, and he is in contact with other  
7 dealerships.

8 COMMISSIONER WOOD: What is it, is it exotic?

9 MR. MARTIN: It's called Fidelity.

10 MR. BATEMAN: Fidelity Motor Group. He has a  
11 very small location right now in Palatine next to  
12 the -- just to the southeast of the Toyota  
13 dealership.

14 MR. MARTIN: I went out there and checked it  
15 out. Very nice cars. The building and grounds are a  
16 little, you know, need work; but he does have the  
17 inventory: Rolls Royce, Maserati, Bentley.

18 So we're very excited about it. You  
19 know we hope to have retail use there. Feel free to  
20 come to the board meeting.

21 CHAIR DAULTON LANGE: Did he give any  
22 indication as to when he would like to open?

23 MR. MARTIN: He did not. He has a contract

1 CHAIR DAULTON LANGE: All those in favor?  
2 (Chorus of ayes.)

3 CHAIR DAULTON LANGE: Meeting over.  
4 (Which were all the  
5 proceedings had.)

6 \* \* \* \* \*

1 STATE OF ILLINOIS)  
2 ) SS.  
3 COUNTY OF COOK )

4 I, DEBORAH R. SANTI, Certified  
5 Shorthand Reporter, of the State of Illinois, do  
6 hereby certify that I reported in shorthand the  
7 proceedings had in the aforesaid matter, and that the  
8 foregoing is a true, complete and correct transcript  
9 of the proceedings had as appears from the  
10 stenographic notes so taken to the best of my  
11 ability.  
12  
13  
14

15 DEBORAH R. SANTI, CSR  
16 CSR # 084-004107  
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