

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF ZONING, PLANNING AND APPEALS**

**CASE NUMBER:** 18-ZPA-11-001

**HEARING DATE:** December 13, 2018

**PROPERTY ADDRESS:** 45 Northwest Highway

**PETITIONER:** Nebojsa B. Dupor (Contract Purchaser)

**PROPERTY OWNER:** Home State Bank

**PIN NUMBER:** 20-18-177-026, 20-18-177-027 and 20-18-177-028

**REQUEST:**

1. Map Amendment (Rezone B-3 to B-2)
2. Conditional Use for a Car Wash Facility (Sec. 17.20.030)

**MEMBERS PRESENT:** O’Laughlin, Khoury, Jasper, Williams, Graziano, Kretschmer and Pippen

**MEMBERS ABSENT:** None

**STAFF MEMBERS PRESENT:** Brian Simmons  
Director of Community Development

Chairman Khoury called the meeting to order at 7:30 PM. After approval of previous meeting minutes Chairman Khoury called Village Case No. 18-ZPA-11-001.

Director Simmons stated the Petitioner, Nebojsa B. Dupor, is proposing to develop an Auto Kleen car wash facility on the vacant property located to the east of the intersection of Route 14 and Main Street adjacent to the existing CVS retail building. The Petitioner is seeking approval of a map amendment to rezone the subject property from B-3 Fringe Business District to B-2 Shopping Center Business District and a conditional use for the car wash. The ZPA hearing was properly noticed in the November 28, 2018 edition of the Northwest Herald. In addition, the Petitioner has completed the required notice to property owners within 250 feet and staff posted public hearing signs on the subject property. Director Simmons reviewed previous development on the property and presented details of the Petitioners proposed development.

Mr. Alan Jacob was present on behalf of the Petitioner to answer questions from the Board.

Member O’Laughlin asked if a light study had been done for the site. Director Simmons stated a formal study was not done, but there are plans to deflect light with landscaping and possibly a berm.

Mr. Jacob stated the products used in the car wash are eco-friendly. The design of the facility allows cars to be completely rinsed of any product before exiting the wash site. Mr. Jacob addressed lighting at the facility stating shrubs and trees will be planted along the property boundaries to reduce any chance of spillover light on neighboring properties.

Member Pippen asked Mr. Jacob about the infrastructure capability to support the facility. Mr. Nick of Pro Designers, Chicago stated a review had been completed and Village available capacity is able to support this business.

Member Phippen and the Petitioner's representative discussed expected noise levels of the facility.

Member O'Laughlin asked for information on wastewater discharge/stormwater containment. Mr. Jacob stated detention areas would be designated as the engineering plans are developed. Member O'Laughlin asked Director Simmons if the Village's Public Works department was confident the project could be reasonably accommodated. Director Simmons stated Public Works had no issues with the proposed project.

Member O'Laughlin asked if the Fire Protection District approved of the plans. Director Simmons stated the Fire Protection District had no issues with the proposed project.

Member O'Laughlin asked if there had been feedback from surrounding neighbors. Mr. Jacob stated the Trout Farm to the east had some questions with chemicals involved in the cleaning process. Mr. Jacob stated the used water would be held in a contained unit and slowly released into the Village's sewer systems. All wastewater will be disposed of through the Village's system.

Member Jasper asked for additional clarification on the type of standards used in case of a large water fall issue. Mr. Jacob stated the water line size and waste water container size would efficiently handle any flooding issues that might arise. He added their company complies with and even exceeds government requirements for stormwater flood protection and uses only biodegradable materials. Director Simmons stated the McHenry Stormwater Ordinance design element requirements for stormwater detention must be followed for any new development. Member Jasper stated the Petitioner should look at potential extreme weather issues to be aware of what could happen.

Member Williams asked about the vacuum station and noise created from that. Mr. Jacob stated the motor is closer to the CVS store and the noise is minimal at 0 from twenty feet.

Chairman Khoury opened the floor to Public Comment.

Mr. Dave Miller and Ms. Kristina Anderson of Lake Julian Trout Farm, Northwest Highway, Cary addressed the Board. Ms. Anderson stated she had concerns over the possibility of potential contamination to the Trout Farm since they are located downhill from the proposed project. Ms. Anderson is not in favor of the petition.

Mr. Miller asked if the lift station is in working order and is open. Mr. Simmons stated it is. Mr. Miller disagreed and is not in favor of the petition. Mr. Miller is disappointed there has not been a sound study completed with his property.

Mr. Jacob stated all cleaning materials used are biodegradable and plant-based. Mr. Jacob stated the lift station will be efficient for the car wash and reviewed details of the sound study as it applied to Mr. Miller's property. Director Simmons stated the existing lift station will be utilized for this project and capacity is sufficient. Director Simmons will ask Public Works to review the proposed project and issue a memo to the ZPA Board for review.

Mr. Phippen asked if the Petitioner would be able to meet with the Lake Julian neighbors. They agreed. Chairperson Khoury asked if the Petitioner would continue the hearing in order to allow for review with the neighboring property owners.

Mr. Allen Anderson, Lake Julian Trout Farm, does not support the petition.

#### Discussion:

Chairman Khoury asked if the proposed UDO were in effect would a map amendment be required for this proposed project. Director Simmons stated the proposed project would only require a conditional use at this location.

ZPA members discussed and agreed to continue the hearing to the January 10<sup>th</sup>, 2019 meeting

*Chairman Khoury entertained a motion.*

*Member O'Laughlin moved, seconded by Member Graziano, to table the motion and continue the hearing to the January 10, 2019 ZPA meeting to recommend to the Village Board of Trustees, approval of 1) a map amendment to rezone the vacant property located at 45 Northwest Highway from B-3 to B-2 and 2) a conditional use for a car wash facility subject to the conditions listed in the staff report.*

*Aye: Khoury, Jasper, Graziano, Pippen, Kretschmer, Williams and O'Laughlin*

*Nay: None*

*Abstain: None*

*Motion: 7-0*

Chairman Khoury entertained a motion to adjourn at 9:01 PM. Member Graziano moved, seconded by Member Pippen to adjourn at 9:01 PM.

*All Ayes by Voice Vote*

*Motion Passed*

Respectfully submitted,



Susan Greene, Deputy Village Clerk