



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, JULY 1, 2015
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chairman Hayden at 7:30 p.m. On roll call, members Batastini, Esposito, Goss, Greenman, Jouron, Skluzacek, and Hayden were present.

James Richter II, Planning and Economic Development Manager, Kathryn Cowlin and Elizabeth Maxwell, both Planners, were present from Staff.

Mr. Hayden asked those in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Mr. Hayden stated that this meeting was being televised now as well as recorded for future playback on the City's cable station.

REAPPROVE MINUTES OF THE APRIL 15, 2015 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the April 15, 2015 Planning and Zoning Commission as amended. Mr. Goss seconded the motion. On roll call, members Batastini, Esposito, Goss, Jouron, Skluzacek, and Hayden voted aye. Mr. Greenman abstained. Motion passed.

APPROVE MINUTES OF THE JUNE 17, 2015 PLANNING AND ZONING COMMISSION MEETING

Mr. Goss moved to approve the minutes from the June 17, 2015 Planning and Zoning Commission as presented. Mr. Skluzacek seconded the motion. On roll call, members Batastini, Esposito, Goss, Jouron, Skluzacek, and Hayden voted aye. Mr. Greenman abstained. Motion passed.

2015-14 Gentile-Zeitler - 237 Ash Street – PUBLIC HEARING

This petition was continued from the June 17, 2015 PZC meeting.

Variation from: A. Article 3-200 4 impervious surface coverage to allow approximately 5,143 square feet or 53% of impervious surface, which is 3% more than the 50% permitted; and B. Article 3-300 3 front yard setback and Article 7 non conforming structures, to allow the expansion of the non-conforming front porch to be as close as 14 feet 6 ½ inches from the front lot line, a variation of 14 feet 2 inches from the required 28-foot 8-inch averaged front yard setback.

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

Mark Zeitler was present to represent his petition. Mr. Zeitler said he is requesting variations to allow a full renovation of the property. The renovation will increase the impervious surface and they will comply with

Engineering's requirements to cover the increase in the impervious surface. He said the front porch will extend the width of the house and will not encroach any further into setback. Mr. Zeitler conducted his own study of the surrounding homes, which was given to Commission. He reviewed 86 homes and 45 of them have front porches. Having a front porch is more consistent with the character of the neighborhood.

Mr. Hayden said they had received a letter from a resident. Ms. Maxwell gave a copy to Mr. Zeitler.

There was no one in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Batastini asked if there were more photos of the homes in the area. Mr. Zeitler said yes and the photos also show a diversity of designs. He added that the expansion is consistent with these homes.

Mr. Zeitler asked to comment on the letter from the neighbor. He said the neighbor is concerned with the Watershed. He has spoken with staff and will comply with the Engineering requirements. Mr. Zeitler added that he will also be putting in additional storage for rainwater to be used for an irrigation system on his property. The garage is connected to the house by a breezeway which makes the garage part of the primary structure. Also, they will not be moving the house forward at all and the porch won't encroach further into the setback. It will be extended along the house. Mr. Zeitler said he has concerns with the statements that were made in the letter.

Mr. Goss said he is happy that the front of the house won't encroach more into the setback. He said the wording of the variation is necessary because the area of the porch is increasing lengthwise not widthwise. Mr. Goss appreciates the petitioner reworking the plan. He believes this request meets the Findings of Fact listed in the staff report and he supports this petition.

Mr. Skluzacek said he likes the new plan with the garage being moved. He also appreciates the petitioner agreeing with the engineering requirements.

Mr. Greenman said he was not at the previous meeting, but did read the minutes. He thanked the petitioner for taking their comments to heart and modifying the plan. The impervious surface for this plan is 53%. Mr. Zeitler said it did increase slightly although he made the garage smaller and the driveway slightly wider. After moving things around the impervious surface went 3% over the allowable coverage. Ms. Maxwell said the petitioner will be complying with the engineering requirements and there will be grassy areas. Mr. Zeitler said he would need to take out a significant portion of the patio to meet the impervious surface requirements. Mr. Goss said the petitioner did eliminate the side yard variation so there is space between his property and the neighbors.

Mr. Greenman asked if the petitioner would support an additional condition making the additional underground storm water storage a requirement. Mr. Zeitler didn't have a problem with that.

Mr. Esposito is concerned with storing stuff behind the garage. He asked what type of fence will be

installed. Mr. Zeitler said he currently has a chain link fence that needs repair, but he is not sure he wants a privacy fence since he is good friends with his neighbors. He added that directly behind the garage there will be the underground storage for storm water runoff. Future owners will need to be aware of it and the amount of weight on top of the tank will be restricted. Mr. Esposito said he is ok with the plan.

Mr. Jouron said he doesn't have a problem with the project. Mr. Batastini agreed.

Mr. Hayden said previously there were concerns and he appreciates the petitioner redesigning the project.

Mr. Hayden asked about the recommended conditions listed in the staff report. Mr. Zeitler said he has no problem with them but would prefer not to put in a curb. That would narrow the driveway and he would prefer to have the widest driveway he can. Also, he doesn't want his mailman to trip over the curb since he uses that as a cut-through. Ms. Maxwell said they are concerned with the water flow towards neighbor's home. It is required to stay 18 inches off the property line. Mr. Hayden said the Engineering Department needs to agree that the water won't go into the neighbor's property. They need to be comfortable with the design and suggested the petitioner work with Staff.

Mr. Goss moved to approve the Variations from: A. Article 3-200 4 impervious surface coverage to allow approximately 5,143 square feet or 53% of impervious surface, which is 3% more than the 50% permitted; and B. Article 3-300 3 front yard setback and Article 7 non conforming structures, to allow the expansion of the non-conforming front porch to be as close as 14 feet 6 ½ inches from the front lot line, a variation of 14 feet 2 inches from the required 28-foot 8-inch averaged front yard setback for 237 Ash Street with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Gentile/Zeitler, received 02/20/15)
 - B. Architectural Plans (ZYT Enterprises, dated 06/08/15 and 05/25/15, received 06/16/15)
2. **The petitioner will work with Staff to determine a stormwater solution either** extending the curbing alongside the entire length of the driveway without the break to ensure water goes to the storm sewer system and not towards the neighbor's house **or pitching the driveway away from the neighbor's property without a curb.**
3. The petitioner shall address all of the review comments and requirements of the Community Development Department.
4. **The petitioner has stated that he will follow the requirements of the Engineering Department and will go beyond the requirements with more water detention.**

Mr. Skluzacek seconded the motion. On roll call, all members voted aye. Motion passed.

Final PUD Amendment to allow changes to the freestanding signage; and Variation from Article 4-1000 sign height and area to allow an 11.25-foot tall freestanding sign with an area of 60.90 square feet.

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

Doug Merritt with Professional Permits and Jamie Maravich, with BMO Harris Bank were present to represent the petition. Mr. Merritt said the height of the characters on the sign is four inches tall. When traveling on Northwest Highway, with the sign setback 50 feet and landscaping, the sign can't be seen. The requested increase in the sign height will not have a major impact on traffic. With the increase in both the height of the sign and characters, the sign will be easier to see. Mr. Merritt said there are other banking facilities in Crystal Lake that are easier to see and they want to be seen by customers.

Ms. Maravich said she has received comments from customers that they have driven right past the building because they didn't see the sign. They did keep the brick base. She added that other banks in the immediate area have larger signs so people can find them more easily. Mr. Merritt said some of them are significantly larger signs. This sign is more for navigation and for the sign to be more visible and easier to read. Mr. Merritt said this site is part of the shopping center which has significant vacancies. This sign is not tall in comparison to the other signs, such as the center's sign. Mr. Merritt feels that this is a minor request and they agree with the conditions in the report.

There was no one in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Goss said one of the conditions is to comply with the UDO. Mr. Merritt said that would be for future signage and not this request. Ms. Cowlin said that is correct that condition #2 would be for future sign requests or to go through a sign variation which would go directly to City Council. Mr. Goss said if they deny the PUD Amendment that would mean the petitioner could change the sign up to the limits of the current ordinance. Mr. Richter said the original PUD approval was very restrictive so staff is suggesting in the future that any changes to the signs will need to meet the UDO or go through the sign variation process.

Mr. Goss said if you travel east-bound on Route 14 and can't see the sign now, then you won't be able to see the new sign either. Also, now there is a sign for the Three Oaks Recreation Area to contend with. He is in favor of meeting the UDO requirements for height and just change the font size.

Mr. Greenman said he respects the request, but they need to find a hardship for the variations. He doesn't believe what has been stated is a hardship. He prefers that the ordinance requirements be met.

Mr. Esposito said he can see complying with the ordinance. He said the problem with the BMO Harris Bank sign is people see the sign and don't recognize the bank. Previously the Hulbert Lion was helpful in recognizing the bank.

Mr. Jouron said he doesn't like all of the blue that is used on the sign. He said the buildings have always been nice but this goes too far. He doesn't believe it will look good and feels it could be classier. Mr. Jouron feels the signs should meet the ordinance and be no taller than six feet.

Mr. Batastini said he supports this petition and asked how tall the Home State Bank sign is at Route 14 and Main Street. Mr. Richter said that sign is taller and so is Home State Bank's sign because they were approved under the old ordinance. Mr. Goss said the Home State Bank sign has been there forever and it hasn't changed. Mr. Batastini said he has no issues with this request. Just drive down Route 14 and you will see other banks with larger signs.

Mr. Hayden noted that Crystal Lake Bank's sign on Pingree is not a tall sign but it is longer. Mr. Batastini said he doesn't want the sign closer to Route 14. Mr. Hayden said a taller sign for the east bound traffic won't help. Mr. Esposito agreed. Mr. Merritt said adding only one foot to the sign is a great expense and it won't help. They need to be more in line with the other signs. Mr. Goss suggested that they change the panel and use a larger font size. Mr. Merritt said the most important thing is to increase the height of the sign. They need to be sure the sign can be seen. He added that the location of the sign is a hardship. The bank accepted the site as is, but they still need a certain sign height. If 11 feet is a problem they can work with the PZC and staff. The sign is not visible and the PUD is extremely restrictive. Mr. Merritt said the location is where it should be, which is in the middle of the lot. He is asking the Commission to consider this request. It makes no sense to increase the signs on the building.

Mr. Goss suggested that the petition continue to another meeting and come back with additional information.

Ms. Cowlin said the older banks were granted larger signs many years ago. Since 2009 they tried to keep signs at the UDO standards. Mr. Merritt said they perceive the sign to be the hardship because it can't be seen. There is no reference point such as a corner. He said the site has a 50-foot setback and a six-foot tall sign won't suffice. Mr. Hayden said how will they tell other businesses that we ok a sign of this size for this business, but not for theirs. Mr. Merritt said they only want to be seen. They are not asking for an EMC sign and are willing to work with staff.

Mr. Batastini suggested that the sign be moved closer to the road. Mr. Goss said eventually Route 14 will be wider and that area will be taken for right-of-way. Then it will be hard to see the sign from the extreme right lane. Mr. Merritt stated again that they only want to be seen.

Mr. Goss has no problem sending this request back to staff to work together to come up with something.

Mr. Greenman said he isn't sure if coming back with anything other than meeting the UDO requirements would be desirable. He said the ordinances allow certain things. Mr. Greenman suggested that they may not want to give up certain things in the original PUD approval such as size for the wall signs.

Mr. Hayden said he is struggling with approving the request without opening flood gates for others. There are a number of branches for this bank and they are all the same. He struggles with granting the request. He agrees with what was said but how can we grant this without opening flood gates. Mr. Richter said there are other signs that are closer to Route 14. Mr. Hayden said that is the problem with grandfathering the signage for a long period of time. They will never come down. Mr. Merritt said they will work with staff and meet with them on-site. They have done everything they can to show they need additional height for the sign. He suggested they be continued so they can work with staff.

Mr. Goss took a straw poll of the Commissioners regarding a taller sign than six feet. Mr. Jouron said the City is on the right track to keep the signs at eye level and not go back to the very tall signs. Mr. Merritt said he agrees, but in this care people can't even see the sign.

Mr. Goss said he can't approve more than six feet. Mr. Skluzacek agreed. Mr. Esposito agreed that the sign needs to meet the ordinance. Mr. Jouron said they worked hard on the UDO and the signs should meet the ordinance. Mr. Batastini said car dealers are taller. Ms. Cowlin said banks are considered an office use. Mr. Batastini said he is ok with larger than six feet sign here. The entire area is a challenge. He added that a bank is not an impulse buy. Mr. Hayden said fair is fair and that is where he has the difficulty. There is not a lot they can do with grandfathered signs. Other signs were approved after the UDO was adopted and the City will be hearing from them if this is granted. Mr. Goss told the petitioners that the City Council has overruled the Commission more than once. Mr. Merritt said they can delay another month and come back to the Commission but he thinks they will take their chances at the City Council. He doesn't want this to become a football. He would prefer to have the Commission's support but wants to move forward to City Council.

Mr. Greenman suggested the petitioner show the sight line at various speeds so the Council can see a comparison of heights.

Mr. Batastini moved to approve the Final PUD Amendment to allow changes to the freestanding signage and Variation from Article 4-1000 sign height and area to allow an 11.25-foot tall freestanding sign with an area of 60.90 square feet for BMO Harris Bank at 5545 Northwest Highway with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Professional Permits, received 05/27/15).
 - B. Sign Plans (Icon dated 2/12/15, received 05/27/15)
2. Any future changes to the sign copy on the freestanding sign or wall signage shall comply with the Unified Development Ordinance, and does not require an amendment to the PUD.
3. The freestanding sign shall meet the requirements of the Unified Development Ordinance.
4. The petitioner shall comply with all of the requirements of the Community Development Department.

Mr. Goss seconded the motion. On roll call, Members Batastini and Hayden voted aye. Members Esposito, Goss, Greenman, Jouron, and Skluzacek voted no. Motion did not pass.

2015-34 BMO HARRIS BANK – 1105 S. IL Route 31 – PUBLIC HEARING

Final PUD Amendment to a second freestanding sign; and Variation from Article 4-1000 sign quantity, height and area to allow a second freestanding 11.4 feet tall freestanding sign with an area of 60.90 square feet

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

Doug Merritt with Professional Permits and Jamie Maravich, with BMO Harris Bank were present to represent the petition. Mr. Merritt said they are requesting an additional wall sign and a second ground sign for this location. He said the ground sign they currently have is on their property. They were originally planning to be located on the larger multi-tenant WalMart sign but that did not happen and now the decorative grass is covering the lower retailers' signs. He said the bulk of the businesses have no signs out on Route 31.

Ms. Maravich said every year they host the Community Harvest mixer so people know they are here. Many people have told her they go to WalMart a lot and didn't know the bank was there. There is no signage on Route 31 and you can't see the building signs when going north or south bound on Route 31.

There was no one in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Hayden asked if the petitioner would meet the UDO. Mr. Merritt said they are asking for a height of 11.4 feet. If they put up a 6 foot tall sign, it won't be seen by southbound traffic because of the WalMart sign and landscape. Mr. Esposito said soon there will be a gas station right behind the bank's site. Mr. Merritt said there is no ground sign for the primary roadway.

Mr. Jouron said they spent a lot of time on the WalMart signs. Ms. Cowlin reviewed the history of signage for the site. A free standing sign was allowed in rear of building as well as wall signage that met UDO standards and a panel on the multi-tenant WalMart sign.

Mr. Goss said he has a problem with the decorative grasses blocking the signs. That is not what should be there now.

Mr. Richter said when the petitioner originally applied for their PUD Amendment, including a 20-foot tall freestanding sign, the requested package was much larger. At Staff's suggestions, they did bring it down and they made an effort to improve compliance. He said the bank received wall signage in front and rear of building. He added that the petitioner was going to work with WalMart to get a panel on their sign but

didn't materialize. Mr. Goss said he is receptive to removing the existing ground sign on the rear of the property and add a wall sign on rear of building facing WalMart. Mr. Merritt said a 6-foot tall monument sign wouldn't be worth it.

Mr. Greenman suggested starting over. He is not sure what the correct sign height would be. He would need more information and the petitioner states the height allowed in the UDO won't work. Mr. Merritt believes that 11 feet tall will work. Mr. Greenman said they need to show why 11 feet will work and not 6 or 7 feet. The sign would have to be placed on their property.

Mr. Hayden said they are not in a position to redesign the project. Mr. Goss asked the petitioner if they would like to be continued to another meeting so they can determine the height and location.

Mr. Merritt asked about Chase Bank. Ms. Cowlin said their sign is 5 feet tall. Mr. Hayden said this is a PUD and there is more flexibility with a PUD. Mr. Hayden said he can support the petition and sees the uniqueness on this site. He would prefer a small sign.

Mr. Greenman said he doesn't have anything in front of him that shows what height would be best for this location. Mr. Merritt said they would be ok with being continued. Mr. Hayden asked about the height of the WalMart sign. Mr. Richter said he wasn't sure but believes it is 8 or 9 feet in height.

Mr. Richter suggested that staff could do a sign survey of all signage for financial institutions.

Mr. Batastini said banks are not offices and they do have competition. Mr. Goss said they are not commercial either since they don't collect sales tax. Mr. Hayden said grandfathering the signs also puts a different spin on it.

Mr. Merritt asked that they be continued to prepare the information requested by the Commissioners. He believes that will also be helpful at the City Council.

Mr. Hayden said they took action on their request for the Northwest Highway site and asked if additional information would help. Mr. Merritt suggested that they provide the information for both locations. Mr. Greenman said when they took the straw poll for the first request and it didn't seem that the additional information would help. Ms. Cowlin said the setback on Northwest Highway is currently greater but that there may be a chance to move the sign closer to Route 14 and still meet setback requirements. They would need to be sure there are no easements there that would prohibit the sign to be located closer to the road. Mr. Hayden asked if the petitioner was in agreement to bring both requests back. Mr. Merritt said yes.

Mr. Batastini said he is not in favor of a taller sign, but if the current sign could be moved closer to the road that would be better. Mr. Merritt asked that the first petition be reopened. He would prefer a full commission to hear the requests. Mr. Greenman said it is hard to get a full Commission. Mr. Hayden said they will be short members on July 15th, but there should be a quorum present.

Mr. Greenman moved to reconsider 2015-33 BMO Harris Bank at 5545 Northwest Highway and continue the request to the July 15, 2015 PZC meeting. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Batastini moved to continue 2015-34 BMO Harris Bank at 1105 S. IL Route 31 to the July 15, 2015 PZC meeting. Mr. Jouron seconded the motion. On roll call, all members voted aye. Motion passed.

REPORT FROM PLANNING

Mr. Richter reviewed the items for the next meeting on July 15, 2015.

COMMENTS FROM THE COMMISSION

Mr. Goss asked if the facts come back to say they need a taller sign but a lower sign will work if the grasses are cut down, who will go to WalMart to ask for the grasses to be cut. Mr. Richter said he wasn't sure who owns that sign. Ms. Cowlin said they will check on that as well as the landscape plan for the sign.

Mr. Batastini asked if homeowners' associations will be required to remove and replace the ash trees. Ms. Cowlin said they will be required to comply with any approved landscape plan.

Mr. Hayden asked about the work ComEd is doing in his back yard adjacent to the walkway leading to the park. Mr. Richter said he will check with Engineering.

Mr. Hayden asked if it is possible to request the City Council to change the number of members of the Planning and Zoning Commission from the current 9 to 7. That would make it easier to get a quorum. The members felt that 9 members are too many.

The meeting was adjourned at 9:55 p.m.