



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, SEPTEMBER 2, 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 Esposito, Goss, Greenman, Jouron, Skluzacek, and Hayden were present. Mr. Batastini was absent.

James Richter II, Planning and Economic Development Manager, and Elizabeth Maxwell, Planner, 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.

APPROVE MINUTES OF THE AUGUST 19, 2015 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the August 19, 2015 Planning and Zoning Commission Meeting as presented. Mr. Skluzacek seconded the motion. On roll call, members Esposito, Goss, Greenman, Jouron, and Skluzacek voted aye. Mr. Hayden abstained. Motion passed.

2015-43 OAK HOLLOW – S. Ken St., N. RR Tracks, W. Thomas – PUBLIC MEETING

The petitioner is requesting to be continued to the September 16, 2015 PZC meeting.

Mr. Greenman moved to continue 2015-43 Oak Hollow to the September 16, 2015 PZC meeting. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion passed.

2013-61 MARTIN CHEVROLET – 5220 Northwest Hwy. – PUBLIC HEARING

Site lighting review

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.

Ken Rawson, attorney, and Todd Martin, owner, and Dan Hoyland, General Manager, of Martin Chevrolet, were present to represent the petition. Mr. Rawson said they were required to come back before the City for approval of their site lighting. He said they are under the minimum height for light pole standards. They are using 25 feet – not 35 feet as other dealerships have.

Mr. Hayden asked if the petitioners had any concerns with the conditions listed in the staff report. Mr. Rawson said no.

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

Mr. Jouron said he is ok with the request.

Mr. Greenman asked if this request was similar to what has been approved for other car dealerships. Mr. Richter said the maximum foot candles are similar to what Anderson VW and Pauly Toyota have. There aren't other businesses that have the amount of product stored outside like car dealerships and the bonus lighting in the ordinance is needed for security. Mr. Greenman said he can support the petition. He added that the Findings of Fact for a Special Use Permit are generally met.

Mr. Esposito said he is good with the request. Mr. Skluzacek said he has no problem with the request.

Mr. Goss said he is upset that the conditions of the Special Use Permit that was granted in February of 2014 has not been completed yet. Specifically the HVAC units have not been screened. Mr. Rawson said during the construction they found other problems with the roof and they can't puncture it with typical RTU screening. They are working on solutions to provide the needed screening that will withstand 90 mph winds. One of the solutions they are looking into is to attach the screening to the units themselves. Mr. Goss said he has spoken to staff several times about it. Mr. Rawson said the screening will be installed.

Mr. Goss suggested modifying the UDO for car dealership lighting needs. There are certain areas where the upgrade in foot candles shouldn't happen. He added that a hardship hasn't been proven in his opinion. Mr. Rawson said the lighting is very important not only for sales but also for security. There are millions of dollars of product that is stored outside. Car dealerships need this type of lighting. Mr. Rawson said many people come to look at the cars when they are closed. Ms. Goss said the UDO already calls for an exception for the car dealerships. He asked if half of the lights are turned off overnight. Mr. Martin said they are turned down at 11 p.m. Mr. Goss said it sounds like the petitioners have 5 yes votes. He will be voting no because he doesn't feel that it meets the criteria. Mr. Richter said they looked at other communities when the UDO was being reviewed. He added with future UDO Amendments there will be proposed changes to lighting. Mr. Goss said he has nothing against the petitioners but they need to look at the Findings of Fact and the hardship. Mr. Rawson said the lighting has been that way for 30 years and it was poorly designed at that time.

Mr. Hayden said he understands where Mr. Goss is coming from. He would like to look into the UDO lighting requirements in the future. That would make things clearer for future petitioners. Mr. Hayden added that when he looks at the Findings of Fact he doesn't see anything that glares at him and that he can support the request.

Mr. Richter reminded the petitioner that in the proposed conditions, staff is recommending conditions to eliminate the multiple flag poles and archway feature that were part of the original request in 2013. The petitioners agreed, and have no problem with that.

Mr. Greenman moved to approve the site lighting as a condition of the previously-approved Special Use Permit Amendment and a Variation from the requirements for light levels for Martin Chevrolet at 5220 Northwest Highway with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, Martin Chevrolet, received 1-9-14
 - B. Site Lighting Plan, Hansen Palmer and Associates, revised 8-19-15.
2. All **exterior light pole** lighting fixtures shall be directed downward. During the inspection process, staff reserves the right to require shielding and other intensity adjustments to minimize glare on adjacent properties.
3. The previously-proposed arched entry feature and oversized flagpoles will be eliminated. The petitioner may install flagpoles that meet the height requirements of the Ordinance. Flag pole lighting shall be reviewed administratively and shall not substantially increase the overall lighting intensity for the site.
4. All other conditions and requirements of Ordinance 7000 remain in effect.

Mr. Esposito seconded the motion. On roll call, members Esposito, Greenman, Jouron, Skluzacek, and Hayden voted aye. Mr. Goss voted no. Motion passed.

2015-37 BEARD – 1394 Teakwood – PUBLIC HEARING

This petition was continued from the August 19, 2015 PZC meeting.
Special Use Permit Amendment for Home Daycare

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.

Kristine Beard was present to represent her petition. Ms. Beard said the staff report covers most of the issues. She explained the differences between the types of day care facilities as defined by DCFS. Ms. Beard said she has finished her Masters in Early Childhood Education and has exceeded the requirements set by DCFS. She added that her day care is from infant through pre-school. There are only an occasional school aged child. There is a great need in the area for infant care and she is continually turning away people because she can't accommodate them. By adding the four children that would help the community.

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 there were any concerns with the comments made in the report. Ms. Beard gave the

Commission copies of photos she took of her yard and available parking.

Mr. Jouron asked how many adult assistants does the petitioner have. Ms. Beard said she is allowed to watch 8 children without an assistant. She added that with an assistant she can watch four additional children.

Mr. Goss asked if the assistant would require a license through DCFS. Ms. Beard said no, but they must meet the education requirements, back ground check, etc. The license is for her. She added that she requires her substitutes to meet those requirements and also come occasionally so the children know the assistant and they are not a stranger to them.

Mr. Jouron asked about the hours of operation. Ms. Beard said she now starts at 6:15 a.m. and the children are picked up by 5:30 p.m. Mr. Jouron asked about the hours for outside play. Ms. Beard said after they eat breakfast they are outside between 9:00 to 10:45 a.m. and again between 4:00 and 5:00 p.m.

Mr. Greenman said he was on the Commission when the petitioner presented the original request. He added that the petitioner is committed to providing high quality day care for the community and has been successful for many years. Mr. Greenman said he understands working with DCFS and the need to provide service for younger children. He said the City's ordinance reflects the ability to care for up to 8 children. There are no other home day cares with more than that. In reviewing this request, Mr. Greenman said his question is how it is impacting the surrounding neighbors. The question they need to answer is what do we want the neighborhoods to be turned into. Mr. Greenman recalls that others have requested more than 8 children and have been denied. He said they would need to consider what would happen to the neighborhoods if all of the home day cares went up to 12 children. Ms. Beard has worked with DCFS and feels that the City is causing an extra burden that is not needed.

Mr. Esposito asked the Commission at what number of children does this go from a home day care to a business. They need to remember this is a residential neighborhood. He asked if this a home day care or is it a day care business in a residential area. There is a reason they limit the number of children to 8 and he can't support this request.

Mr. Skluzacek said he can't support more than 8 children in a home day care.

Mr. Goss asked about other home day cares and the number of children they have. Ms. Maxwell said the home day cares that have City approval are licensed by DCFS but they probably don't know about all of them. Mr. Goss said City Council needs to deal with. The providers have the education and back ground to provide child care. He will have to vote no on the request.

Mr. Hayden said DCFS has laws for the child care that is provided across the state and not based on specific areas or Cities. The City takes the DCFS rules and modifies them to fit our community. Based on having 20+ legal running day cares in City, all have 8 children or less and he can't support the request.

Ms. Beard said she met all of the requirements and asked what she didn't meet. She met the parking, etc.

Mr. Hayden said it's the number of children increasing from 8 to 12. He added that the back yard looks very nice but there are no others that have 12 children. Ms. Beard said she wants to be the first.

Mr. Esposito moved to deny the Special Use Permit Amendment for Home Daycare at 1394 Teakwood. Mr. Greenman seconded the motion. On roll call, all members voted aye. Motion to deny passed.

Mr. Greenman said his vote to deny was not based on the petitioner's abilities. It's the number of children that could be an extra burden on neighbors and that he asked Ms. Beard to please not misunderstand. What she provides is needed in the community.

2015-39 SPARTA BROTHERS OIL – 90 Brink St. – PUBLIC HEARING

Special Use Permit to allow a Gasoline Service Station and Convenience Store with a Gasoline Electronic Pricing signs; and Variations from: A. Article 2-400 13 d. Special Use Criteria for Gasoline Stations from the requirement to construct a peaked canopy and from the required 15-foot setback to allow a flat canopy and a 10-foot setback along Brink St. and a 6-foot setback along Crystal Lake Ave.; B. Article 3-200 Density and Dimensional Standards from the required 20-foot rear yard setback to allow 6 inches; C. Article 4-400 Landscape and Screening from the requirement to provide a landscape island every 10 parking spaces and at the ends of the parking rows; D. Article 4-800 Exterior Lighting from the requirement not to exceed 0.5 foot candles of light at the property line allowing up to 9 foot candles and the requirement not to exceed 30 foot candles of light under the gas station canopy to allow up to 40.3 foot candles; and E. Article 4-900 Design Standards from the requirement to meet at least six of the standards.

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.

Chris Kalischefski, architect, and Ken Kearns, with PS Fuels, were present to represent the petition. Mr. Kearns said he supplies fuel to the gas station. They have met with staff a number of times regarding this request. He added that this station has been owned by the Anagnostopoulos brothers since 2003. This is not a large operation and they want to make this area a pleasing entrance into the Downtown.

Mr. Kalischefski showed a Power Point presentation. He showed the existing site plan which is a unique shape. They are requesting to move the building to the back corner and the canopy be moved so there is more landscaping at the corner. Typically a new gas station-convenience store building would be range between 4,600 to 6,300 square feet. This building is 1,700 square feet which is dramatically smaller. The FAR ratio is 1/12th less dense than the ordinance allows. Mr. Kalischefski said there are two things that make a site successful – safety and convenience to get in and out. This is not a designation trip. Usually you would get gas while you are already out. He described the canopy, additional landscaping, and parking. The site currently has no parking. The new plan shows a clear parking back up area and drive aisles. Mr. Kalischefski showed the landscape plan. Currently, there is no official agreement for downtown sign on their property but they are dedicating that corner. They are requesting variations for the building setbacks

and canopy setbacks. They are proposing one building sign which will be 70 square feet which is much smaller than the allowed 150 square feet. They are also requesting a variation from the landscape islands.

Mr. Kalischefski said they are requesting a maximum of 40.3 foot candles. The Illuminating Engineering Society recommends the lighting under the canopies be 50 foot candles and the City allows 30 foot candles. The lighting will be LED directional lighting that will shine between the pumps and the vehicle for ensure safe fueling of the vehicle. He showed the building elevations and product samples. Stone is proposed at the base of the building, and brick around the building. He said the petitioners are showing a commitment to Crystal Lake by building a masonry building. They are making an extra investment with a full masonry building. There will be accent area of hardy board – fiber cement panels that will be of a complimentary color to the stone and brick. The accent band on building will be blue to go with the canopy blue. They believe they meet more than the 5 of 10 design standards. Mr. Kalischefski said they intended to meet all of the design elements but this is a small building. There are jogs in the building and shadow lines will be created. There will be a nice base under the windows and the parapet is stepped. The windows are in clusters of 3 sections. The building is broken up and they feel they meet the intent of that requirement.

Mr. Kalischefski said they are making this site safer with this layout as well as adding to the landscaping. He said retail petroleum is the highest tax generating business per square foot. They believe they meet the Findings of Fact. The hardship is the shape of the property and the required safety distances. He added that there will be landscaping added behind the building to break it up. The building is both customer and pedestrian friendly. This plan will allow for safer circulations, there will be more variety of products available, and it is a good building design. Mr. Kalischefski said the variation will allow the property to improve and this is a positive element to the area. If the property were rectangular in shape, they would not need the variations. The public welfare will be improved with this upgrade.

Mr. Hayden asked if there were any conditions listed in the staff report that the petitioners had concerns with. Mr. Kalischefski said they would prefer not to put stone caps on anything. His father is a retired mason and before he retired he replaced all the stone caps that were installed. The mortar will shrink, water will get in there and drip down building. The cornice shown is stepped and has a much better seal with the metal flashing.

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

Mr. Hayden said they presented good arguments on the design criteria and believe they are met. Ms. Maxwell said when staff met with representatives, details for the materials were not explained nor were they accurately represented in the plans. She now agrees that the architectural criteria are met. Mr. Goss asked if the sidewalk goes all the way to Brink Street's sidewalk. Mr. Kalischefski said yes. They also pushed the building a little south to allow a green strip along that side of the building.

Mr. Goss asked about the rainwater coming off of the building. Mr. Kalischefski said they will have internal downspouts that are connected to the storm system. Mr. Goss asked about the runoff from the canopies. Mr.

Kalischefski said there will be 2 drains and also connected to the storm sewer. Mr. Goss asked why there is an island on Brink Street at the entrance to the site. Mr. Kalischefski said there is a decorative light fixture there and didn't want to move it. It will also define the drive aisles. Mr. Goss asked where the snow will be put. Mr. Kalischefski said they are over parked and were planning to pile the snow in the corner parking spaces until it is removed. Mr. Goss said he would like the blue band all around the building. It would break up the rear of the building. Mr. Kalischefski said the tall building next door as well as the 6-foot-tall fence will block some of the building. Mr. Goss said the rear façade will appear boring. Mr. Esposito agreed and added that much of it won't be seen. Mr. Goss said the building is very impressive. He asked about the freestanding sign in the right of way. Ms. Maxwell said that is the Downtown Crystal Lake sign – not the gas station sign.

Mr. Skluzacek said he likes the plan and all of his questions were answered.

Mr. Esposito said this will look good coming down Main Street. He asked if the canopy poles could be wrapped with the brick to match the building. This will be a wonderful addition to the downtown area. A store like this is needed in the downtown and next to the bike path. Mr. Kalischefski said the spacing for the aisles are already tight and it would take some of that space away. Also, there are new technical requirement for the pumps and the brick around the pole will hinder the accessible areas of the pumps.

Mr. Greenman confirmed with staff that the variation for the design standards will not be needed since they meet the required number of standards. Ms. Maxwell agreed. Mr. Greenman said he would suggest having the blue band be added to the side elevations. There is more traffic coming from the sides. He supports what is being done here and this is a great project.

Mr. Jouron said the petitioners did a nice job. It's hard to put that building on such a small parcel. He asked if there is enough room for someone with trailer to access the southernmost gas pump so they aren't sticking out into traffic on Crystal Lake Avenue. Mr. Kalischefski said there is 9 feet to property line and 7 feet to curb line. There should be enough room. Mr. Jouron asked about the trash enclosure. Mr. Kalischefski said the enclosure will be masonry to match the building. There will be a 4 yard dumpster in the enclosure and demonstrated how the truck will enter and exit the property.

Mr. Hayden said his only concern is the top cap being stone. Ms. Maxwell said the architect gave compelling evidence regarding stone cap and feels they won't need it, especially since the metal cap on the cornice will have additional detail.

Mr. Greenman said he is in favor of blue band on side. Mr. Esposito said it is not a show stopper for him. Mr. Kalischefski they could possibly have the blue band in the rear from the pier element around the side to the front pier and along the other side of the building between the piers. Mr. Kearns said they will check to see if the additional band works architecturally. The Commissioners agreed to the addition of the blue band if it works architecturally.

Mr. Esposito moved to approve the Special Use Permit to allow a Gasoline Service Station and Convenience Store with a Gasoline Electronic Pricing signs; and Variations from: A. Article 2-400 13 d. Special Use Criteria for Gasoline Stations from the requirement to construct a peaked canopy and from the required 15-foot setback to allow a flat canopy and a 10-foot setback along Brink Street and a 6-foot setback along Crystal Lake Avenue; B. Article 3-200 Density and Dimensional Standards from the required 20-foot rear yard setback to allow 6 inches; C. Article 4-400 Landscape and Screening from the requirement to provide a landscape island every 10 parking spaces and at the ends of the parking rows; and D. Article 4-800 Exterior Lighting from the requirement not to exceed 0.5 foot candles of light at the property line allowing up to 9 foot candles and the requirement not to exceed 30 foot candles of light under the gas station canopy to allow up to 40.3 foot candles for 90 Brink Street with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Anagnostopoulos, received 06/30/15)
 - B. Architectural Plans [Sheets G001, A001, A002, A003, and A202] (CDG, dated 08/03/15, received 08-03-15)
 - C. Elevations [Sheet EL-1] (CDG, dated 08/14/15, received 08/14/15)
 - D. Landscape Plans [Sheets L1, L2] (Brusseau Design Group, dated 08/03/15, received 08/03/15)
 - E. Engineering Plans [Sheets C-1 through C-6.3] (WMA, dated 07/30/15, received 08/03/15)
 - F. Plat of Dedication (W-T Land Survey, dated 07/31/15, received 08/03/15)
 - G. Photometric Plan (Ledco America LLC, undated, received 08/03/15)
2. Site and Landscape Plan
 - A. With the building permit submittal, provide a detailed foundation plan that illustrates the wall projections.
 - B. Add landscape shrubs 3 feet in height at the southwest corner of the site in front of the parking area to screen headlights from shining onto the adjacent property.
 - C. Add landscape shrubs in the small parking island created adjacent to the parking row along Brink Street.
3. When the existing tanks are removed, the results of the soil testing must be provided to the City of Crystal Lake.
4. Any banding on the canopy shall be non-illuminated.
- ~~5. The top cap to the cornice shall be stone.~~
6. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments and of the City's Stormwater Consultant.

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

REPORT FROM PLANNING

- BMO Harris Bank - 5545 Northwest Hwy. – PUD Amendment
- BMO Harris Bank – 1105 S. IL Route 31 – PUD Amendment
- Oshinski – 103 N. Caroline St. – Special Use Permit, Variation (garage)
- Villages 3 – Hoffman-Wilson – 778-782 Villages – Plat Amendment
- Edmonson – 163 Lakewood Ave. - Variation
- Petersen Paving – 362 Industrial – Final PUD Amendment, Special Use Permit
- Crystal Spa – 386 W. Virginia St. – Special Use Permit
- Crystal Lake Park District – 300 Lakeshore Dr. - Main Beach – SUP (boat rental building)

Mr. Richter reviewed the items for the next meeting on September 16, 2015.

COMMENTS FROM THE COMMISSION

There were no comments from the Commissioners.

The meeting was adjourned at 9:10 p.m.