



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, JULY 6, 2016
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

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

Elizabeth Maxwell, Senior Planner, and Kathryn Cowlin, Planner, were present from Staff.

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

Mr. Greenman 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 JUNE 15, 2016 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the June 15, 2016 Planning and Zoning Commission meeting as presented. Mr. Goss seconded the motion. On roll call, members Esposito, Goss, Jouron, and Skluzacek voted aye. Members Batastini and Greenman abstained. Motion passed.

2016-24 MATT'S EXPRESS CAR WASH – 1145 S IL Rt 31 – PUBLIC HEARING

This petition was continued from the June 15, 2016 PZC meeting.

Preliminary and Final PUD and a Special Use Permit for a car wash.

Final PUD Amendment to amend Condition #2F from Ordinance 5917 to allow a free-standing sign on this property.

Variations from: A. Article 4-400 F1 to allow 15 parking spaces in a row without an interior landscape island; B. Article 4-1000 F to allow 88.8 square feet of signage on the north elevation and a total of 153.7 square feet of wall signage; and C. Article 3-300 to allow a front yard setback of 60 feet along Route 31 from the required 80 feet, a variation of 20 feet

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Joe Gottemoller, attorney, and Matt Speiser, petitioner, were present to represent the petition. Mr. Gottemoller said the property located between Chase Bank and the strip center on the east side of Route 31. Mr. Speiser showed a Power Point presentation. They have experience in the car wash/gas station business and their site in Romeoville is identical to what is proposed here. They understand the challenges with the operation and reviewed the express wash concept. The customer's car washing experience should be enjoyable and quick. Mr. Speiser said they will provide the customer access to a state of the art vacuum and accessories to allow them the option to clean the interior of their vehicle if desired. This is not a full service

car wash inside and out. There is not a business like this in the area and they will fill a void. The only car washes available in the area are full service or the gas station rollover car wash. He said the site plan layout is an effective plan and keeps the line moving counterclockwise. Mr. Speiser showed the site plan as well as the revised elevations which incorporated recommendations from staff and the PZC. He also showed the site signage including a monument signage and wall signage on the new elevations. He added that this location provides a unique and existing opportunity to provide multiple customer bases a needed service that is currently lacking in the community.

Mr. Gottemoller said the number one issue is meeting the UDO design requirements. The elevations were revised to meet those requirements. They don't have a problem with matching their metal roof color with the other buildings. He said they are concerned with the sidewalk around the perimeter of the site. There is a sidewalk on Route 31 currently, as well as, a sidewalk along the entrance drive on Chase Bank's property. They don't believe anyone would walk to a car wash and it doesn't make any sense to have one there. Also, he is not sure how many people use the sidewalk on Route 31. Mr. Gottemoller said they do not have a problem with the landscaping. He said they are concern with the 80-foot setback requirement. The building is 80 feet back and paved area is 60 feet. They are requesting signs including a ground sign. Chase Bank has one and their proposed sign is smaller. The overall sign square footage is slightly over because of the "Free Vacuum" sign. This is a destination and people know what they are looking for. The variation for the signs is for the north side of the building which is a higher square footage that what is allowed per the UDO. He added that the remaining conditions are ok.

Mr. Greenman asked about the required sidewalks. Ms. Maxwell said the other properties both to the north and south were required to install sidewalks in the front and along the side of their buildings. This is the same condition as the others. She added that the condition is worded that the petitioner shall work with staff on the sidewalk location. Ms. Maxwell said people may not walk to this use, but the sidewalk is provided for people to get to other uses on the surrounding properties. Staff is willing to work with the petitioner on location. Mr. Gottemoller said there is even a less reason to have another sidewalk since Chase Bank has a sidewalk across the entrance drive. This isn't a major entrance as it is right in /right out only. He asked how many people walk to Chase Bank from WalMart.

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 at the last meeting the petitioner claimed they could clean 140 cars a hour. Mr. Speiser said they can do that, but that isn't usually the case. Mr. Goss asked how many cars they expect. He prefers that the interior parking stalls be separated from the stacking lane with a curb. Also, there is not enough places for people to pull in to towel dry or vacuum their cars and it will create a backup. Even if there are 20 or 30 cars in an hour, there is no place for the customer to wait to use the vacuum. Mr. Goss believes that #3 of the Findings of Fact are not met. He also would like the signs to meet the UDO requirements. Many of the businesses to the north in the strip centers wanted signs on rear of building so people can find businesses. The signage for this use is over what is allowed under the UDO and he expects the petitioners to be coming back asking for signage on the east side of the building. Mr. Speiser said he doesn't believe they will want

the additional signage based on their location.

Mr. Skluzacek said he would like the signage to meet the UDO requirements and is ok with the remainder of the request.

Mr. Esposito said he likes the project and asked when their busiest time of the year is. Mr. Speiser said January, February, and March. He added that they rarely do 100 cars an hour and no one wants to towel dry or vacuum their car in the winter unless something is spilled. He added that the beauty of this car wash is that it is easy and quick. Mr. Esposito said he would prefer the signs to meet the UDO requirements and address that the petitioner will eventually want a sign on the east elevation. He said this will be a good use with the gas station being added to the WalMart parking lot.

Mr. Jouron believes the petitioner should meet the UDO sign square footage and he is ok with the monument sign.

Mr. Batastini asked about the need for the sidewalk. Mr. Esposito added that in the past people asked who would walk along Route 14 on a sidewalk, but they do. Mr. Batastini said the signs are close to meeting the UDO. Mr. Gottemoller said the north side of the building is a little sign heavy. Mr. Batastini said he is not sure the overall signage is too much and added that if the "Free Vacuum" sign is reduced it may look too small for the length of the building. Mr. Goss said people can't get into the project off of Route 31 going south bound. Mr. Speiser said there is a turnaround just south of the entrance. Mr. Batastini said he's not sure it would be a good idea to see a lot of turnarounds on Route 31. Mr. Batastini asked if there will be anyone available to vacuum or dry the cars. Mr. Speiser said they don't provide that service. Also, there won't be any towel service available. Mr. Batastini asked if there would be an attendant or will it be a machine. Mr. Speiser said it will be like an ATM machine. Mr. Batastini asked if there will be an attendant in case the conveyor goes crazy. Mr. Speiser said yes.

Mr. Greenman asked about the curb between the parking stalls and stacking lanes. Ms. Maxwell said the Engineering Division did not mention that in their review but understands the concern. Mr. Gottemoller said there is a 30 foot wide access drive which has 6 extra feet so cars won't back into each other. He added that it is hard to believe that there would be waiting for the vacuums. Mr. Speiser said having a curb would create another set of problems. This site is designed with the worst possible drivers in mind. Mr. Greenman asked if this is an exact foot print of their another site. Mr. Speiser said yes. The spacing is what they have found is needed. Mr. Greenman asked about snow removal and if all of the snow will be removed from the site. Mr. Speiser said yes. Mr. Greenman said that would be important so there are no problems with the sight lines and suggested a condition be added. Ms. Maxwell said the City has not conditioned it in the past. If there was a problem with sight lines it would be a property maintenance issue and the owners would be notified. Her concern is to be sure the sidewalks aren't blocked or there is damage to the landscaping.

Mr. Greenman said there is a general agreement with the Commissioners that the signs meet the UDO. He said there is also a general consensus that there is a value to put in a sidewalk. He is comfortable with the petitioner working with staff on the size and location of the walkways. Mr. Greenman thanked petitioner for

listening to staff and PZC members and revising the elevations of the building.

Mr. Jouron asked if there are special drains or rumble strips to get more water off of the cars. Mr. Speiser said there will be a catch basin for the water runoff and the concrete will be heated to keep ice from forming. Mr. Batastini is concerned with the icing on the drive aisle and a portion of the larger parking lot. He asked if that would be salted by the petition. Mr. Speiser said yes..

Mr. Gottemoller said they will deal with the signage as best they can. He said they don't see any reason to have a sidewalk along north property line since there is a large grade change.

Mr. Esposito asked the members about the sidewalks and working with staff. Mr. Goss feels there is a need for the sidewalks on the south and east side. Mr. Gottemoller said they don't believe a sidewalk is needed on the south side since there is one along Chase Bank's property. Mr. Goss said if the petitioners own the property to the curb, the sidewalk will work with staff. Ms. Maxwell said they will look at the locations so it's on their property. Mr. Greenman said it is not their intent to force a sidewalk in a location that doesn't work. It can be added on the east and south sides. Mr. Goss said it depends on the distance from curb and it will be covered with snow anyway. Mr. Batastini prefers the sidewalk to be completed on the east side. Mr. Goss said he doesn't believe there is room because of the island tapering. Mr. Gottemoller said they will work with staff. He added that the east side makes sense and landscaping on the north also makes sense. Mr. Esposito said he is ok with the sidewalk on the east side.

Mr. Batastini asked about the location of the monument sign. Mr. Goss feels it would be better on the other side of the property.

Mr. Greenman said this request meets the Findings of Fact for the design criteria.

Mr. Esposito moved to approve the Preliminary and Final PUD and a Special Use Permit for a carwash and Final PUD Amendment to amend Condition #2F from Ordinance 5917 to allow a free-standing sign on this property and Variations from: A. Article 4-400 F1 to allow 15 parking spaces in a row without an interior landscape island; ~~B. Article 4-1000 F to allow 88.8 square feet of signage on the north elevation and a total of 153.7 square feet of wall signage;~~ and C. Article 3-300 to allow a front yard setback of 60 feet along Route 31 from the required 80 feet, a variation of 20 feet for Matt's Express Car Wash at 1165 S. IL Route 31 with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Speiser, received 05/16/16)
 - B. Site Plan (arsa, undated, received 06/24/16)
 - C. Elevations (arsa, dated 05/25/16, received 06/24/16)
 - D. Site Renderings (arsa, dated 05/26/16, received 05/31/16)
 - E. Landscape Plan (Upland Design, dated 05/23/16, received 05/31/16)
 - F. Sign Plans (Olympic Signs, dated 05/24/16, received 06/24/16)
 - G. Engineering Plans (M. Gingerich, Gereaux, dated 05/10/16, received 05/31/16)

2. Site:

A. Sidewalk is required around the perimeter of the site. An easement may be required to provide for the sidewalk. If so, a plat of easement needs to be provided for City review. Work with staff to properly locate the necessary sidewalk improvements.

3. Elevations

A. The metal roof shall be a compatible color with the other roofs in the shopping center including the Central Park retail buildings, the Wal-Mart and the Chase Bank. Work with staff to select a compatible color.

4. Landscape:

A. Add foundation base landscape around the entire building, only areas with the direct perpendicular sidewalk connection to a door are exempt.

B. Landscape is required around the free-standing sign at 1 square foot per square foot of signage.

5. Signs:

A. Reduce the size of the signs to meet the requirements of the UDO including not more than 75 square feet per one elevation and not more than 150 square feet in total wall signage.

B. All site and building signage shall meet the requirements of the UDO.

6. All mechanical equipment including roof mounted equipment must be screened per the UDO.

7. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments.

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

Mr. Goss said his no vote was based on the petition not meeting the Findings of Fact.

2016-17 FREY – 1083 North Shore Drive – PUBLIC HEARING

Simplified Residential Variation to allow a 12-foot encroachment into the required front yard setback to allow the construction of a screened porch and deck.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Joe Gottemoller, attorney, Paula and Brad Frey, petitioners, were present to represent the petition. Mr. Gottemoller said they are requesting to construct a deck and screen porch and showed photos of the property from various angles. He said the homes to the east are closer to the lake than this house and there is a vacant

lot to the west between this house and the next house. He said there is an ordinance for this house and the adjacent property where the home no longer exists. This home is 71 feet from the water. Mr. Gottemoller showed an aerial photo from 2014 which was used to determine the setback for this home and the adjacent home which no longer exists. He said if the UDO is used, they would need a 10-inch variation, but because they are governed by another ordinance this lot would need a 12 foot variation. The hardship is caused by the additional ordinance. This is not part of the UDO and it is specific to these two lots only. The deck is not a giant structure. He understand concerns of homeowner that used to be there, but that home is not there anymore.

Michelle DellaMaria, 1095 North Shore Drive, said they own the vacant parcel and is confused on how the setback and site lines work for lake lots. She feels the future owners of the vacant lot need to be represented. Ms. DellaMaria asked how this request impacts the setbacks. Mr. Gottemoller said the vacant lot is not under the same ordinance as this lot and the setback would be based on the average of the surrounding homes. It would be measure to a screened porch and not a deck. Mr. Batastini explained the setbacks on lake lots. Mr. Gottemoller said the four lots to the east are closer to the lake because the lake curves in that area. Mr. Greenman said they would not be here if there wasn't a specific stipulation on this and another lot. Mr. Goss said the previous owners agreed to the setback for both lots. Mr. Greenman said one of the houses that was used to determine the setback line is no longer there and they need to determine if it makes sense for that to remain.

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

Mr. Batastini said they have had several requests lately for lake lots. He asked if the petitioners aware of this ordinance. Mr. Gottemoller said even staff wasn't aware of it. It was attached to the other lot. Mr. Batastini said he read the Council minutes from the original decision. This was done to protect the neighbor's sight lines. Now the home to the west is gone. He added that there are homes to the east have lattice structures which blocks the view from this home. The petitioners want to put up a screened porch which you can see right through it. This will be largely open air and will have less impact than the other neighbors with the lattice. Mr. Gottemoller said if they went by the UDO requirements they would need less than a foot variation and only a small section of the deck would clip that setback.

Mr. Batastini said if this were allowed it would increase the average setback by about an inch. He is ok with the request. He added that unless the neighbors are asked to remove the lattice from their structures he is not sure why this request should not be granted. This is a nice addition and it looks goofy to have a 4 foot wide deck. Mr. Batastini added that this meets the Findings of Fact and the hardship is clearly stated. The home to the west is gone and the homes to the east encroach closer to the lake.

Mr. Goss said he was on the City Council in 2003. He feels this request should go to City Council to remove the restriction. He is not sure it's their job. Mr. Gottemoller said they are asking for a variation from that restriction. Mr. Goss said this request is for a specific clause. Mr. Greenman said the petitioners are asking to relieve this property from the previous ordinance.

Mr. Jouron said he has no problem with the request. Mr. Esposito said a screened porch is needed near the lake.

Mr. Skluzacek asked if this is for an open deck. Ms. Maxwell said it is both a screened in porch and an open deck. Mr. Skluzacek said he is ok with the request.

Mr. Goss asked about the elevation change from the deck to the ground. Mrs. Frey said it's 8 steps.

Mr. Greenman said he is in general agreement with Mr. Goss. He said the purpose of Ordinance 5723 is no longer valid since the home is no longer there. He added that they don't usually grant this type of variation on a lake lot. They all agree that this ordinance is onerous and the petitioner is requesting a variation of less than a foot from the UDO requirements. It is important that they are clear on the granting of this variation of this size on the lake. Mr. Greenman said he can support this request because the ordinance no longer applies. Mr. Goss said he is hesitation since this voids the ordinance for only one of the two lots. He feels the ordinance needs to be voided first and then the PZC can look at the request. He encourages this ordinance be looked at.

Mr. Greenman said they need to look at the evidence for this petition.

Mr. Batastini moved to approve the Simplified Residential Variation to allow a 12-foot encroachment into the required front yard setback to allow the construction of a screened porch and deck at 1083 North Shore Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Frey, received 06/14/16)
 - B. Plat of Survey (McKiernan, dated 04/27/16, received 06/14/16)
 - C. Architectural Plans (Dated 05/20/16, received 06/14/16)
2. Ordinance No. 5723 shall no longer be applicable to this property.
3. The open deck portion shall remain open and cannot contain a roof, pergola, trellis, sides or become enclosed in any way.
4. The petitioner shall address all of the review comments and requirements of Community Development Department.
5. Things have changed since Ordinance No. 5723 was approved. It is requested that the City Council reconsider the ordinance.

Mr. Esposito seconded the motion. On roll call, members Batastini, Esposito, Jouron, Skluzacek, and

Greenman voted aye. Mr. Goss voted no. Motion passed.

2012-90 PARRISH TRUST – 650 ½ W. Terra Cotta Ave. – PUBLIC HEARING

Rezoning upon annexation to W- Watershed, and a Special Use Permit for outdoor storage of material and equipment.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Joe Gottemoller, attorney, and Bud Parrish, owner, were present to represent the petition. Mr. Gottemoller said the property is before the Commission by invitation of the City to fill in the “holes” in the City’s boundaries. He added that there are cement forms that are also stored on the property. The variations requested are to allow the building and uses to continue as they are currently on the property. Mr. Parrish said he purchased the property in 1984 and the building was there at that time. Mr. Gottemoller said they are requesting that the building and uses be allowed to continue as it is currently.

Mr. Greenman asked if the petitioner had any concerns with the conditions listed in the staff report. Mr. Gottemoller said it is not just cars that are stored on the property. Ms. Cowlin said the storage would include building materials.

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

Mr. Batastini said he doesn’t have any issues with the request. It is very straight forward.

Mr. Jouron asked about the zoning. Mr. Gottemoller said the property is within the City’s watershed area and the uses would be allowed to continue.

Both Mr. Esposito and Mr. Skluzacek said they didn’t have a problem with the request.

Mr. Greenman agreed and said he has no issues with the request. He said that this request meets the Findings of Fact and he supports the annexation.

Mr. Goss moved to approve Rezoning upon annexation to W- Watershed, and a Special Use Permit for outdoor storage of material and equipment for Parrish Trust at 650 ½ W. Terra Cotta Avenue with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Gottemoller, received 06/15/16)
 - B. Petition to Annex (Gottemoller, received 06/15/16)

C. Petition to Zone (Gottemoller, received 06/15/16)

2. The current address of 650 ½ W. Terra Cotta Ave does not conform to the City address ordinance and should be changed to a Dearborn Court address.

3. The petitioner shall comply with all the watershed requirements and would need to take precautions to ensure any outdoor storage would not contaminate the surface and ground water that flows to the lake, including, but not limited to, using mats under any leaking vehicles and not storing any hazardous materials on site.

4. The petitioner shall comply with the requirements of the Community Development Department, Public Works, Police and Fire Rescue Departments.

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

2012-88 TMJ LAND INC (Querhammer & Flagg Funeral Home) – 500 W. Terra Cotta Ave – PUBLIC HEARING

Rezoning upon annexation to W- Watershed, and Sign variation to allow a setback of zero feet for the existing freestanding sign, a 10-foot variation.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Ruth Schlossberg, attorney, was present to represent the petition. Ms. Schlossberg said the City invited the owner of the property to annex into the City. She said they are comfortable with the zoning for the property. Currently, they have no plans to expand the parking lot, but are requesting a sign variation at this time just in case they would need it in the future.

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

Mr. Goss asked if the relocation of the sign would be to the property line. Ms. Schlossberg said there is a drainage ditch they would need to stay away from and there would be landscaping around the sign. Mr. Goss said this requests meets the Findings of Fact.

Mr. Skluzacek said he has no problem with the requests. Mr. Esposito said they have been in the same location for many years. Members Jouron, Batastini, and Greenman gave their support to the request.

Ms. Schlossberg said they appreciate the cooperation of the City.

Mr. Esposito moved to approve the Rezoning upon annexation to W- Watershed, and Sign variation to allow

a setback of zero feet for the existing freestanding sign, a 10-foot variation for 500 W. Terra Cotta Avenue with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Zukowski, Rogers, Flood & McArdle, received 06/1/16)
 - B. Petition to Annex (Zukowski, Rogers, Flood & McArdle, received 06/1/16)
2. The freestanding sign is proposed to be relocated with the parking lot expansion and may be as close as 0 feet to the property line, as long as sight lines are maintained. All over provisions of the UDO must be met for the sign permit.
3. The petitioner shall comply with the requirements of the Community Development Department, Public Works, Police and Fire Rescue Departments.

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

REPORT FROM PLANNING

The City Council meeting scheduled for July 5th was cancelled.

Ms. Cowlin reviewed the items to be discussed at the next meeting on July 20, 2016.

COMMENTS FROM THE COMMISSION

Mr. Batastini asked about the new gas stations that were approved recently. Ms. Cowlin said they are currently going through the permit process.

Mr. Batastini said he is not sure if he will be able to attend the next meeting on July 20th.

The meeting was adjourned at 9:30 p.m.