



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, JANUARY 21, 2009  
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

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

Michelle Rentzsch, Director of Planning and Economic Development, Elizabeth Maxwell and Latika Bhide, both Planners, were present from Staff.

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

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

**APPROVE MINUTES OF THE JANUARY 7, 2009 PLANNING AND ZONING COMMISSION MEETING**

Mr. McDonough moved to approve the minutes from the January 7, 2009 Planning and Zoning Commission meeting as presented. Mr. Esposito seconded the motion. On roll call, members Batastini, Esposito, Jouron, McDonough, Skluzacek, and Hayden voted aye. Members Greenman and Schofield abstained.

**2008-80 CRYSTAL LAKE BRAKE & AUTO - 6200 Berkshire** – PUBLIC HEARING

This petition was continued from the January 7, 2009 PZC meeting.

Special Use Permit for outside storage of vehicles; and Zoning Variation from the required 6-foot solid screen of fence, earth berm or dense evergreen growth.

Mr. Hayden stated that the fees have been paid, and the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice without objection.

Bruce Barry was present to represent his petition. Mr. Barry said he is present to address the concerns of the Zoning Department for variations. This is a multi-tenant building and the parking needs to be accessible for all of the tenants. That means the fence doesn't fit into the plans.

Mark Guarno said he spent several years renting this same space in the building and is very aware of the parking situation. The same thing was brought up a few years ago when Gerber Auto came before the City for a Special Use Permit. He doesn't want his building to the east to be blocked by a fence. Also, if there is a fence, there is more of a chance for cars to be stored there that are leaking fluids. Mr. Guarno said Gerber made some changes and added a small fence. He doesn't want this to turn into a scrap yard. He said there are no measurements on the

drawing so he is not sure how big the storage area will be. Also where will it start and end. Will they be using the dimensions that were originally approved by Gerber? Mr. Barry said he would prefer no fence at all.

Mr. Greenman said the petitioner is requesting to store 10 cars but staff saw 30 to 40 cars there. Mr. Barry said those cars don't belong to his business. He is not sure when staff viewed that number of cars.

Mr. Guarno said he is next door every day. He feels that having a gate there will stockade the place and it shouldn't be blocked in. The petitioner could make money storing cars there for longer than the 30 day limit. It would be hard to control what is stored there if there is a fence. He has no problem with having a parking lot with lighting. Mr. Guarno said sometimes you need to wait for the parts to repair the car. Mr. Hayden said they are talking about the storage of vehicles. Mr. Barry asked what the City considers "storage".

Wes Puchinski said he is retired from the City of Chicago's Streets and Sanitation Department. He said they didn't want fences to block the view for the police. It's a safety issue. He also doesn't understand what the definition of "storage" is.

Brian Gatza with Family Pet Center said he is not objecting to the fence. He agrees that any storage of vehicles needs to be off of Berkshire and he would prefer to limit the fence size if it is required. Mr. Gatza said they received a Special Use Permit for their pet training center and are required to lease 35 parking spaces for their customers. Those spaces are on the east side of the building and if a fence is installed enclosing that entire area – his spaces would be blocked. Mr. Gatza said there are 3 entrances to the property off of Berkshire. The first and second entrances closest to Virginia can't be accessed because of the stacking of the cars at the light. The third entrance is usually open but after you enter the property you can't turn left to go in front of the building because it is one way going to the east. Usually that second entrance is blocked with cars and his customers can't enter the site using that entrance off Berkshire. Mr. Gatza said he is concerned with the size of a fence so it doesn't block his customer parking.

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

Mr. Jouron said there has always been a parking mess there. People park every which way. Mr. Barry said he takes the cars that will be there for a while and parks them in the back. Mr. Jouron asked if the spaces were lined off. Mr. Barry said they are for the dog center.

Mr. Batastini isn't sure why there are three entrances off Berkshire and there is an entrance on Virginia. After he read through the staff report it seems that the petitioner has been ignoring the City. The initial project was to put in a fence and it wasn't put in. He said the City has been trying to work with the petitioner since July about the storage. Mr. Barry said there are many auto repair businesses in town and he is the only one being required to get a Special Use Permit. Mr. Batastini asked why it has taken 6 months to get this petitioner here.

Mr. McDonough asked if the cars being stored are for Gerber. Mr. Barry said no.

Mr. Hayden read the definition of “storage” from the Zoning Ordinance.

Mr. Batastini said the City had sent several letters with no response. Mr. Barry said he did not receive the letters. He asked again why this requirement was being imposed on him and no other repair business. Mr. Jouron said Gerber had previously stored their cars outside and now they store them inside.

Mr. Batastini said every time he goes by this site it seems disorganized. Mr. Barry said they are working on it. Mr. Batastini said there needs to be a coherent parking plan for the site that benefits all tenants. He said there are businesses in town that store vehicles without fences.

Mr. Skluzacek said the area shown on the plan is too large. If it were possibly ½ that size it would be sufficient. He said currently there is stuff sticking up out of the dumpster area in back and he knows that is not allowed.

Mr. Barry said he is not an auto body shop and the cars they work on are not wrecks. They are not unsightly and it is just like looking at a parking lot like the one here at City Hall. He asked why he needs to hide them behind a fence. Mr. Skluzacek said the storage area would get stretched into the regular parking area. Mr. Barry asked if it is that big of an issue.

Mr. Batastini asked how many cars can fit in the north parking area for storage and how many parking spaces are for clients. Mr. Barry said the far east parking area is going to be used for the storage. He said that is also currently used by the pet center which is open mostly evenings and on weekends.

Mr. Esposito said he doesn't care for the gates and striping the parking lot would go a long way. The tenants need to get together to figure out what is best for all of the businesses.

Mr. Gatza said their business will be expanding their hours shortly and will open during the day. He said their lease restricts them to parking in the east lot and the four spaces south of their tenant site.

Mr. Greenman asked if the petitioner received the Staff Report and to review the conditions listed at the end. He said they already know that the petitioner has concerns with the fence. Mr. Barry said if there is no fence then the condition about keeping the dumpster behind it does not apply. He said he doesn't deal with wrecked cars and agrees that cars should not be stored there longer than 30 days. Mr. Barry said currently he has vehicles that have been there that long because the customer has not paid the bill for the repairs.

Mr. Greenman stated that in the past the grassy area in front of this business has been used for parking. He would like it landscaped. Mr. Barry asked what type. Ms. Maxwell said it would be

the plan that was approved with the Gerber request. Mr. Barry asked if it would be his expense of the property owners. Mr. McDonough said it is his Special Use and believes it would be his responsibility. Mr. Barry said the ground is frozen and nothing can be done now. Ms. Maxwell said the intent was to screen the vehicles. Mr. Barry said he had not seen the plan. Ms. Maxwell said the plan was dropped off by the petitioner with the other copies of the application.

Mr. Greenman said the definition of length of storage is 24 hours and the petitioner is requesting a Special Use Permit. He said it is clear that there are issues with customer parking for the businesses and the Commission is not here to resolve those issues. They are here to discuss the storage of vehicles.

Ms. Maxwell said she spoke with the owner of the dog center the other day and didn't realize that their parking was located to the east of the building and that's why the revised conditions were presented tonight. She said staff wants a designated area for the storage of vehicles for Code Enforcement.

Mr. Barry asked again why he was being singled out to be required to have a Special Use Permit while other similar businesses were not.

Mr. Greenman suggested that the petitioner continue to work with the other tenants and property owner to resolve the parking questions. That will speak louder to the Council than words.

Ms. Maxwell said the Building Division has been on-site several times and letters were sent. She said other property owners as well as the property directly to the east of this site have been notified that they are required to come before the City to request a Special Use Permit for outside storage for their businesses.

Mrs. Schofield is concern about the City approving something that is outside of a business lease agreement. Mr. McDonough said the parking on that site is haphazard. Mr. Barry said the lot is striped. Mrs. Schofield asked if the other tenants have stipulations in their lease about parking spaces. Ms. Maxwell said Gerber leases the entire building from the property owner and subleases to the other two businesses.

Mr. Batastini asked how many parking spaces are required per business. Ms. Maxwell said it is based on the number of employees. She said the dog center was required to stripe the lot.

Mr. Barry said their lease with Gerber allows them 35 parking spaces. Ms. Maxwell said the dog center exceeds to number of required parking spaces and theirs are striped.

Mr. Batastini said they need a plan for the parking lot showing dimensions and how the parking will be laid out. Mrs. Schofield said they don't have the needed information to vote on this request.

Mr. McDonough said the City has made ample communication. He is not sure why the petitioner

is being required to do the things Gerber was to do previously. Mr. McDonough suggested that the petition be continued until a plan can be provided and reviewed by staff. The plan should show where the storage will be. There needs to be some organization to this site. Mr. Barry said they are working on the parking.

Mr. Jouron said there was to be landscaping in front of this business in the grassy area. That also needs to be provided to staff.

Mr. Jouron said he recalls that The Shop was required to put up a fence. Ms. Rentzsch said it was the towing company that was required to put up a fence. Mr. Barry said he knows the owners of the towing company and there have been many cars broken into because of the fenced area.

Mr. Hayden said he was looking at the history of this property. The application through the Building Division for the build-out of this space states that there will be no outside storage of vehicles. Mr. Barry said yes but it was not clear what the definition of storage was. Mr. Hayden said he can't support the outside storage of vehicles in this area because of the well protection area. Mr. Barry said there are storm sewers in the lot.

Mr. Hayden asked if the life safety issues have been resolved. Mr. Barry said they are working on them.

Mr. Batastini asked if this business was previously near The Freeze on Route 14. Mr. Barry said yes. Mr. Batastini said that property was always unsightly. There were cars that had hoods missing which are not cars that were in for just repair. If history is an indicator, it will be transferred to this property.

Mr. Hayden said several years ago there was a problem with the gas station in that area with leaking tanks. Based on all items, he can't support this request.

Mr. Batastini said if this request is continued there needs to be a time limit on their continuations. He doesn't want this dragging out.

Mr. McDonough said they could vote on this request and let them go to Council.

Mr. Barry said the old site didn't look good because the site was so small and they had only two bays to work on cars. Mr. Batastini said there were cars at the previous location that were without hoods, tires, etc.

Mr. Greenman said the petitioner can request a continuation or they can move forward. Mr. Barry said he would like to ask for a continuation. Mr. Hayden said the new plans need to be submitted to staff so they can be reviewed by the other departments and a new report submitted to the Commission. Ms. Maxwell said they will work very closely with the other departments.

Mr. Jouron moved to continue 2008-80 Crystal Lake Brake & Auto at 6200 Berkshire Drive to the February 18, 2009 PZC meeting. Mr. McDonough seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Greenman said it would be beneficial for the petitioner to review the new report completely and address the leaking fluids, etc. at the next meeting.

**2009-02 BOUNCIN BONKERS – 580 E. Terra Cotta Ave. – PUBLIC HEARING**  
Special Use Permit for Commercial Recreation for an indoor inflatable playground.

Mr. Hayden stated that the fees have been paid, and the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice without objection.

Brad Bender was present to represent his petition. Mr. Bender said they are proposing a children's recreational facility. They will have two party rooms with a total of three parties going on at one time. There will be a maximum of 30 kids for each party.

Mr. Hayden asked if the petitioner had any concerns with the recommended conditions. Mr. Bender said the layout won't change. The equipment they will have has already been determined.

Mr. McDonough asked if they will take up the entire space. Mr. Bender said no. They will use all but approximately 2,500 square feet.

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

Mr. McDonough asked about the condition regarding parking in the rear of the building. Ms. Maxwell said that was a comment made by the Engineering Division. They were concerned with blocking the rear for emergency vehicles and garbage pickup. Mr. McDonough said the stacking lanes that were provided for the previous tenant (car wash) would be good for parallel parking. Mr. Bender said the employees could park there. Mr. McDonough agrees with no parking on the side of the building but feels they should use the parking in the rear.

Mr. Greenman said this is a great concept and are looking forward to having them in Crystal Lake. He agrees with Mr. McDonough and the rear parking restriction doesn't make sense. That would put a parking burden on the next tenant in the building. He would prefer to restrict the rear parking to employee parking only.

Mr. Esposito asked about their hours of operation. Mr. Bender said they will be open mostly weekends and afternoon/evenings. They will possibly open at noon and close about 8 or 9 p.m. Mr. Esposito also agrees with the employees parking in the rear.

Mr. Batastini said parking should not be an issue but the drop off and pick up may be since it will all be at one time. Mr. Hayden said this is a great idea.

Ms. Maxwell said the Engineering Division had the concern with the parking in the rear and that it could impede access. Mr. Hayden said it won't create a safety hazard. Ms. Rentzsch said there is 16 feet between the former stacking lanes and the building which is more than enough room for emergency vehicles to get through.

Mr. McDonough moved to approve the Special Use Permit for Commercial Recreation for an indoor inflatable playground for Bouncin Bonkers at 580 E. Terra Cotta Ave. with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Bouncin Bonkers, received 1/02/09).
  - B. Plat of Survey (VSEI, dated 01/13/06, received 1/02/09).
  - C. Site Plan (Northwestern Engineering Consultants PC, dated 5/20/05, received 1/02/09)
  - D. Floor Plan (Bouncin Bonkers, received 1/02/09).
2. Modifications to the floor plan which may substantially increase the intensity of the use are not permitted without an amendment to this special use permit.
3. Play equipment cannot be located where it will block or impede access to an exit door.
4. No customer ~~or employee~~ parking shall occur at the back and sides of the building **and employees shall park in the rear of the building only.**
5. The petitioner shall address all of the review comments of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

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

**2008-81 LEXINGTON – NW CORNER MILLER & RANDALL ROADS – PUBLIC MEETING**

Conceptual plan review for mixed use project.

Tom Burney, attorney, Moises Cukierman and Tom Meyers, both with Lexington Homes, and Ron Adams, engineer, were present to represent the request. Mr. Burney said this is a conceptual review. This is one of the last undeveloped parcels in Crystal Lake along Randall Road. When the entire Villages development came before the City, Randall Road was a little two lane country road. Mr. Burney said this is a transitional piece and was previously envisioned with commercial uses. He said there were too many demands on this property by other agencies for the commercial to be viable.

Mr. Burney described the site plan showing 2 commercial lots and 102 townhomes using 2 different designs. He said the commercial area is a work in progress. They are currently about 7,000 square feet each and 1-story in height. There is a substantial amount of flood plain and wetlands on this site and there will be landscaping on the west property line for a buffer. Mr. Burney said there will be two entrances to the site – one off of Miller Road and one off of Village Road. There may be a problem with the road connection on Miller Road due to the wetlands in that area. He thanked staff for their efforts in reviewing this concept plan.

There was no one in attendance who wished to speak on this matter.

Mr. Jouron said they were told previously that Lexington was out of business. Mr. Cukierman said Lexington never went out of business but was sold a few times.

Mr. Jouron said there is a creek running down Miller Road and asked if it would need to be relocated. Mr. Adams said the creek is part of the Woods creek tributary and the original creek location was moved to its current location.

Mr. Jouron asked about the density of this project. Mr. Burney said it is 8.8 du/ac. Mr. Jouron said this is the gateway to Crystal Lake and they originally wanted prairie style architecture. It is very important to them how this development looks. Mr. Jouron said the rows of townhouses look more like army barracks.

Mr. Batastini said he is not opposed to this use. This is a good transition between the single family homes and Randall Road. He understands that Randall Road will be expanding to 6 lanes. Ms. Rentsch said the buildings are shown with a 90 foot setbacks and the County would want 35 feet. Mr. Batastini said that would make the units very close to Randall Road but a unit could be taken off of the ends. He asked what the setback requirement is along Randall Road. Ms. Rentsch said 80 feet and 60 for parking lots. Mr. Burney said the County is requiring them to give them valuable land yet again. This is like getting punched twice. Ms. Rentsch said this owner once dedicated 50 feet already and now an additional 35 feet is being requested. She said the County believes that this is the widest Randall Road will be. Mr. Burney said they have not talked with the County yet. Mr. Batastini said the buildings are very close to Randall Road. He also would like nicer materials to be used as well as more architectural features.

Mr. Batastini said the question is for the Council if they are willing to give up the commercial tax base for this property on Randall Road to have additional residential units.

Mr. Esposito agreed. He said he would rather have the commercial development there. Also this development should be an “eye catcher” because it is the entrance to the City. This is a good transition but it is not what he wanted to see on this property.

Mr. Skluzacek asked what the spacing is between buildings. Mr. Cukierman said it is 30 to 35 feet. Mr. Skluzacek said the density is too high. Mr. Cukierman said he understands that the Commissioners would prefer commercial on this site but it is not feasible. It won't work because

of the demands of the County. Mr. Skluzacek is concerned with the spacing between the buildings being so small especially if someone parks their car there and not in the garage. Mr. Cukierman said there will be a provision in the Homeowners' Association Covenants that cars are to be parked in the garage and not on the driveways. Mr. Skluzacek asked about guest parking. Mr. Cukierman said they can use the commercial sites for additional guest parking. Mr. Skluzacek said that is too far for guests to walk.

Mr. Cukierman handed out copies of a revised site plan showing guest parking spaces nearby each townhouse building.

Mr. Greenman asked about price ranges. Mr. Cukierman said that is a little trickier now but they will be from \$260,000 to \$290,000. Mr. Greenman said the topography of the site may be a challenge. Mr. Adams said they may have walkout basements for some of the units. Also the creek has a significant drop off from this property. Mr. Greenman said it is important to him to know what the existing single family residents will be looking out at. Also this is the entry to Crystal Lake and wants to know what the passers will see and what the berm will be like. Mr. Cukierman said those issues will be addressed.

Mr. Greenman said the development needs to keep in mind light pollution. He said there also needs to be close guest parking and a lot of it. There is also a concern that the property be pedestrian friendly. There is a walking/bike trail to the west and it is used almost year around. He also suggested that there be a gazebo area for residents to gather. Mr. Greenman added that turning left onto Miller Road from this site will be challenging. He likes the concept but the elevations don't "wow" him. There needs to be more creativity.

Mrs. Schofield said this is a very tough piece of property. She likes the concept of mixed uses but is concerned with Randall Road changes. The developer needs to be on top of what the County is doing in this area to Randall Road. Mrs. Schofield suggested that there be more clustering of units which will allow more open space, especially if there is a request for a density bonus. She is also concerned with the topography changes on this property. Staff has strong comments which need to be addressed.

Mr. McDonough said this is a disappointing layout and suggested an office building use here. Mr. Cukierman said an office complex won't work in this area; they've been trying for 10 years to sell this property for commercial. Mr. McDonough said this is a standard design and he believes clustering is a good idea. He would like high quality of materials and design but that is not in character with Randall Road.

Mr. Hayden said his first reaction was to cluster the development which would make this more of a community. He also would like to see a gazebo, possibly a walking bridge over the creek to the walking path, etc. Mr. Hayden said the commercial on each end looks a little out of place.

Mr. McDonough suggested possible work below-live above. Mr. Cukierman said that works closer to a downtown area and in Chicago itself but not in this location.

Mr. Cukierman thanked the Commission for their time and comments. Mr. Burney said this is a substantial investment and they are very happy to receive the comments from the Commission.

Upon polling of the Commission their comments were: Mr. Skluzacek said this was a good concept and feasible; Mr. Jouron said the density was too high and they needed to do special things for bonus densities; Mr. Batastini said he is not sure that they would want to turn over commercial property to a mixed use development and he is not comfortable with the materials; Mr. Esposito said he likes the townhouses on the west portion of the property but would prefer commercial on the east; Mr. Greenman said density is important and if a few buildings were eliminated he could support it; Mrs. Schofield said the site plan is lacking; Mr. McDonough said he doesn't care for the concept but the stage is already set for what can go in there; and Mr. Hayden said this is on the right track and density is an issue. Mr. Hayden suggested that the developers look at Bartley Square which is a mixed use development.

#### **DRAFT UNIFIED DEVELOPMENT ORDINANCE (UDO) PRESENTATION**

Mr. Hayden said there have been requests to hold off on the UDO discussion due to the lateness of the hour. Ms. Rentzsch agreed and stated it will take some time to go through it.

Mr. Greenman moved to continue the UDO discussion to the next available meeting date. Mr. Batastini seconded the motion. On roll call, all members voted aye. Motion passed.

#### **REPORT FROM PLANNING**

- 2008-79 Curves – 338 Memorial Drive – Special Use Permit

Mr. Rentzsch reviewed the petitions for the next meeting. She said the UDO may possibly be placed on that agenda depending on one of the petitions.

#### **COMMENTS FROM THE COMMISSION**

There were no comments from the Commissioners.

The meeting was adjourned at 10:30 p.m.