



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, MARCH 4, 2009
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

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

Michelle Rentzsch, Director of Planning and Economic Development, and Elizabeth Maxwell, Planner, were present from Staff.

Mr. Greenman 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 FEBRUARY 18, 2009 PLANNING AND ZONING COMMISSION MEETING

Mr. McDonough moved to approve the minutes from the February 18, 2009 Planning and Zoning Commission meeting as presented. Mr. Jouron seconded the motion. On roll call, all members voted aye. Motion passed.

2009-05 WRISTEN – 7218 Virginia Rd – PUBLIC HEARING

This petition was continued from the February 18, 2009 PZC meeting.

Special Use Permit Amendment and Variation for outdoor display, sales & storage.

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

Ed Wristen was present to represent his petition. Mr. Wristen said he is requesting approval to use 7 of his front parking spaces to sell cars. He is adding 7 spaces in the rear of the building for his employees to use.

Mr. Greenman asked if the petitioner received the Staff report and if there are any concerns with the suggested conditions. Mr. Wristen said he did receive the report and he is ok with the conditions.

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 additional paving. Mr. Wristen said it is not shown on the plan but he has a permit to enlarge the fenced in area and add the paved area for the 7 parking spaces. He is just waiting for the weather to break.

Mr. Skluzacek asked if there are any new spaces in the fenced area. Mr. Wristen said they are expanding the fenced area and adding the employee parking spaces. Mr. Skluzacek said he noticed several vehicles outside of the fenced area. Mr. Wristen said he can't get all of them inside the fenced area.

Mrs. Schofield asked how this request evolved. What is the intent? Mr. Wristen said this is incidental to the body shop. Mrs. Schofield said they have recently seen many car care and repair businesses. She asked how selling cars fits in with the existing business. Mr. Wristen said sometimes he is approached by a customer who wants to sell his car. Also as part of their business they purchase old cars, fix them up and sell them. They conduct most of that business over the internet.

Mr. McDonough asked if staff reviewed the permit. Ms. Maxwell stated that the petitioner won't be storing additional cars but the fenced area was undersized and there was no room to maneuver the cars. Mr. McDonough suggested a condition be added to allow the sales area for 7 cars only after the rear paving is complete and final approval by the City. Mr. Wristen agreed.

Mr. Jouron asked about the fence along the property line. Mr. Wristen said he is not sure whose fence that is but he has been cutting the grass and will probably be removing the fence posts.

Mr. Greenman said the additional condition suggested by Mr. McDonough will give the City more protection.

Mr. McDonough moved to approve a Special Use Permit Amendment to allow outdoor display, sales and storage of vehicles along Virginia Road, and Variation from Section 650-65 B from the requirement to provide a 6-foot screen around the vehicles for Wristen at 7218 Virginia Road with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Wristen, received 01/22/09).
 - B. Parking Site Plan (SpaceCo Inc., dated 01/20/09, received 01/22/09).
2. The Special Use Permit for outdoor display, sales and storage of vehicles is hereby granted to Edward Wristen with the following conditions:
 - A. No more than 7 vehicles can be stored outdoors for display and sales as illustrated on the Parking Site Plan.
 - B. The vehicles shall be in good condition.
 - C. Any signage placed on the vehicles shall be limited to any or all of the following: the year, make, model, mileage, warranty information and price of the vehicle.
3. The Conditions of Ordinance No. 6172 and Ordinance No. 6212 approving the Special Use Permit for major automobile repair and outside storage shall remain in effect as applicable.

4. The petitioner shall comply with all of the requirements of the Engineering & Building, Public Works, Fire Rescue, Police, and Planning & Economic Development Departments.

5. This Special Use Permit shall become effective when the rear paving project is complete and final approval is granted.

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

Mr. Esposito said he voted no because if this is given to the petitioner they will need to approve this for everyone.

2009-04 MACIAS – 1338 Fair Oaks – PUBLIC HEARING

This petition was continued from the February 18, 2009 PZC meeting.
Variation from the required rear yard setback to allow for a new home.

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

Chris Russo, architect, Jesus Macias, owner, and Scott Siman, engineer, were present to represent the petition. Mr. Russo handed out an additional site plan showing the wetlands delineation, wetland buffer, and required setbacks. He said this lot is complicated – Corrine is a dedicated road but not built, it is a corner lot, and it has wetlands located on it. They are requesting a variation from the east property line so the house footprint will fit on the lot.

Mr. Greenman asked if the petitioner reviewed the conditions listed in the staff report. Mr. Russo said yes and they have no problems with the conditions.

Brian Van Sickle, 374 Elmwood Ave., is concerned with the water that will be displaced. He asked where it will go. The wetlands are inadequate to handle the water in the area and it ends up in his back yard or crawl space.

Diana Van Sickle, 374 Elmwood Ave., showed photos of their property and the surrounding area showing standing water.

Mr. Van Sickle said he wouldn't put a home on that lot. He hopes that if this is approved that something is done with the wetlands. Corrine doesn't go through and that is because you sometimes need a boat to get through. This is not a desirable lot and he is afraid that the water damage to his home will be more extensive.

Mrs. Van Sickle asked who will pay for the repairs for the additional water. She said they have reseeded the back yard several times and it is costly. She asked where will the additional water go. They currently have several pumps for their home.

Mike Hickey, 384 Elmwood Ave., said the entire area is a quagmire. He showed photos of the area to the Commissioners. Mr. Hickey said in the spring the entire area floods. He has a new sump pump, battery backup and a new pump in the garage just in case the first one goes out. He has spoken with the original owner of the lot and they were told several years ago that they were not able to get a permit for this property.

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

Mr. Greenman asked about the water issues. Mr. Siman said the City and McHenry County both have very stringent storm water ordinances. They have met the compensatory storage for this lot and have received staff's approval.

Mr. McDonough asked where the storage is marked on the plan. Mr. Greenman said the City requires that all water retention be stored on the property.

Mr. Skluzacek asked if the crawl space will have flow through vents. Mr. Siman said yes and it is a very common practice near the river. Mr. Skluzacek asked if there is a heavy rain, will the crawl space hold water. Mr. Siman said yes – it is designed for that.

There was discussion about the high water mark for the area.

Mr. Greenman asked staff to review for the neighbors, the City's process regarding water retention, etc. Ms. Maxwell said this project was submitted for a building permit and has gone through two engineering reviews. The City also has a new storm water consultant who has also reviewed the plans and has signed off on it. Mr. Greenman said staff is confident that there will be no additional water runoff to the neighboring properties. Mr. McDonough said the situation won't improve but it also won't make it worse. Mr. Siman said yes. Mr. Jouron said that possibly because of the new ordinances, that is why the owner can build on the lot now and not in the past.

Mr. Batastini asked if there are any concerns about mold because of the standing water in the crawl space. Mr. Siman said there is cross ventilation. Mr. Batastini said even with the house being built on the high portion of the lot and vents installed there will be water standing in the crawl space.

Mr. McDonough asked if Corrine will ever go through. Ms. Maxwell said there is no intent to put it through. Mr. McDonough asked why Corrine would be the front yard of this lot. Ms. Maxwell said the front yard is determined by the narrowest side of the lot. Mr. McDonough said the minimum side yard setback is 7 feet and they would not need a variation if the front yard was along Fair Oaks. He said Corrine is a ghost street and won't go through. He feels this is a bad idea to put the house here. Mr. McDonough asked if there is a regional storm water plan. Ms. Rentzsch said Hey & Associates did a study, held hearings and a solution is on the way for the majority of the area. This property is southwest of the lake and wasn't covered by the plan. Mr. McDonough said the 100 year flood has happened 3 times in the past 10 years. He believes that building a home here is a terrible idea.

Mr. Batastini said if Fair Oaks was considered the front yard, they would not need a variation. Our storm water ordinance is very rigid, but what bothers him is to have a driveway that could be underwater and standing water in the crawl space.

Mr. McDonough asked what the hardship is for the variation. Mr. Russo said the lot has restrictions and it is hard to put a house on the lot. They did not know the wetlands and flood plain were on the property when they purchased it. Mr. McDonough said that is part of the due diligence when purchasing property.

Mr. Batastini said he recalls the discussion that was held with Hey & Associates who stated that if the area north and west of the lake were to be developed today, it wouldn't be done. If the petitioner met the requirements for the setback they could pull a permit and build the house without any hearings. Mr. Russo said they need the variation or the house would look strange.

Mr. Skluzacek asked if there will be a concrete floor in the crawl space and if it will be pitched to allow the water to run out. Mr. Siman reviewed the flood vents for the crawl space.

Mrs. Schofield agreed with what has been said but stated this is a classic example of a hardship for the variation. To consider Corrine a road is ridiculous. Mr. Esposito agreed and believes the variation should have been to determine Fair Oaks as the front yard.

Mr. Jouron asked about the size of the house. Mr. Russo said it would be 2,127 square feet.

Mr. McDonough asked if the driveway can be in the wetland buffer. Mr. Siman said it is not. Mr. McDonough said that is shown on the site plan they received at the beginning of the discussion tonight.

Mrs. Schofield moved to approve the Variation (Section 650-7) from the required 20-foot rear yard setback to allow 10.5 feet, a variation of 9.5 feet to allow construction of a home for Macias at 1338 Fair Oaks with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Macias, received 01/16/09)
 - B. Plat of Survey (RLS Land Surveyors, dated June 27, 2006, received 01/16/09)
 - C. Site Plan [two sheets] (Land Technologies, dated 7/6/08, received 01/16/09)
2. The simplified residential variation is hereby granted from the required 20-foot rear yard setback to allow 10.5 feet, a variation of 9.5 feet to allow construction of a home.
3. The front porch and all stairs shall not encroach more than 4-feet into the required 30-foot front yard setback.

4. No connection by porch, deck, platform, trellis, canopy, roof or similar shall occur between the detached garage and the house.

5. The petitioner shall comply with all of the requirements of the Engineering and Building, Fire Rescue, Police, Planning and Economic Development and Public Works Departments.

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

Mr. McDonough said he voted no because this is a terrible place for a home but agrees with Mrs. Schofield about the hardship. Mr. Batastini said the ordinance ties their hands but agrees that the house should not be there.

Mr. Jouron said he spoke with Staff about the signage portion of the UDO. They told him they would like the comments submitted in writing and that will be forwarded to Council. He feels that they should eliminate pole signs for any new project but can remain if they already exist. There should be monument signs only. Mr. Jouron said with the TIF districts, there may be a chance that the signs will be changed. He said Algonquin changed their sign ordinance and overnight there were no pole signs.

Mrs. Schofield said the prime example is the new monument sign for Buffalo Wild Wings. It looks nice.

Mr. Batastini said the monument signs for Crystal Lake Plaza are very large. Ms. Rentzsch said those signs exceed the height requirement.

Mr. Batastini asked when the Council will review the UDO. Ms. Rentzsch said it is scheduled for March 17th. She asked that if the members have any comments they should send them to staff and they will be forwarded.

ANNUAL COMPREHENSIVE LAND USE PLAN REVIEW – PUBLIC MEETING

Ms. Rentzsch said this is the annual review of the Comprehensive Plan. It is to review the progress in the past. There are a lot of changing trends in the real estate market today.

RETAIL

Ms. Rentzsch said our country has 6 times more retail space per capita than any other country in the world and half of the buildings in the world have been built since 2000. We have been in a period of unprecedented growth. Over 148,000 retail locations closed in 2008 and another 73,000 retail locations are predicted to close in the first half of 2009. In 2008, 2/3 of our economy was based on consumer spending. The phenomenon of internet sales is not going away. National retailers would prefer that you purchase on-line instead of walking into their store, which costs them money. Sears recently completed a study that concluded that it cost them money every time a customer walked into their store. Internet sales for national retailers will

only expand. In 1950, New York had 40% manufacturing as a land use and in 2009 there is 4%.

The good news is that there will be a growing demand for goods in the next 20 years but it won't be in the scale that it previously was. The United States population is growing by 30 million people per decade. In the next 20 years, there will be 35 million more household than today. They will need to live somewhere and need to buy things for their homes. She said development also won't be built on as large of a scale as it has been in the past. Also, the average house size is reducing from 2500 square feet three years ago to 2,000 currently.

MIXED USE – SUSTAINABLE DEVELOPMENT

Ms. Rentzsch said most developers are having problems leasing their spaces. They are now looking towards mixed use with non-traditional uses such as civic uses, residential uses, etc. Crystal Court is a special situation as is the Ridgefield area. She said redevelopment plans encouraging mixed use development and high density is the key. This would allow preserve larger areas of open space.

The planning the City has done is in concert with many of the most successful planning concepts.

DOWNTOWN CRYSTAL LAKE

The TIF Redevelopment Plan encourages mixed use developments. High densities are key. Small retailers will always be in demand for their service, convenience and cultural traditions.

VIRGINIA STREET CORRIDOR

Ms. Rentzsch said they have final engineering on the streetscape. The project will include decorative lighting, benches, gateway signs, etc. that would beautify this corridor. Local businesses provided needed services to the surrounding core residential area. This area encourages incubator businesses. Entrepreneurial endeavors will abound in the upcoming months.

VULCAN LAKES

Ms. Rentzsch said the Vulcan Lakes Recreational Project is moving forward. The City will be sending this out to bid shortly with the area open to the public in summer of 2010. This is a tremendously unique recreational draw to the area.

NORTH ROUTE 31 CORRIDOR

Ms. Rentzsch said the construction of the intersection at Routes 176 and 31 by IDOT should help traffic as well as spur development in the area. If the Prairie Grove planned residential developments and Preston Pines get built, there would be a significant number of rooftops that would be underserved in this area.

SOUTH ROUTE 31 / RAKOW ROAD CORRIDOR

Ms. Rentzsch said this has been the most talked about area at the seminars/meetings she has attended recently. The Super Wal Mart, car dealerships, and a large townhouse development in that area have increased the awareness of this area. Walmart is a draw for other retailers to this area.

NORTHWEST CORRIDOR SUBAREA PLAN

Ms. Rentzsch said there are some minor changes to the map that are needed for this area. The plan envisions mixed use as well as clustering of building to allow more open space to be preserved. The Northwest Area provides excellent opportunities for mixed use conservation development. Affordable, locally grown food is becoming one of the major concerns for families. Crystal Lake is rich in fertile soils and the Northwest SubArea Plan has an agricultural plan element in it. MCC presents an interesting component for this area and opens up the possibilities for companion land uses that would complement the College, their curriculum and future expansion plans.

Ms. Rentzsch said there have been significant changes occurring worldwide. She said they will be looking at the Comprehensive Land Use Plan again in the near future. Mr. McDonough asked how many amendments to the Comp Plan were approved last year. Ms. Rentzsch said 3. Mr. McDonough said he worked on the Comp Plan and it is difficult to determine uses for a certain area. In the past, they found it easier to leave the designation and the petitioner could ask for an amendment. He would prefer they decide what they would like in a particular area and the petitioner can still ask for an amendment.

Mr. Batastini said with where the world sits today, it this makes sense to update the Comp Plan but we don't know what will happen even in 2 years from now. He would like to see transportation be added to this plan. If there is going to be clustering of developments that will mean more traffic on the roads. We need to determine how people will get in and out of their area.

Mr. Skluzacek said he agrees with higher density clustering of developments so long as the density isn't too high. He also agrees that they need to plan for the roads to get people in and out.

Mrs. Schofield said she likes the idea of tying things in with MCC. That is a great benefit. She said when they were working on the Comp Plan originally she never envisioned a Wal Mart or car dealership being in that area. That has completely changed that corridor because of someone's vision. Also the Council's vision for Vulcan Lakes has changed since the time we first received ownership of the property.

Mr. Esposito said he also would like a transportation section for the Comp Plan. He believes there needs to be more public transportation available as well as information on bike paths. Mr. McDonough added that there should be sidewalks along Route 14. Mr. Esposito agreed but they should be double wide to allow walkers as well as bike riders.

Mr. Jouron said incubator businesses seem to be the way to go.

Mr. Greenman said he appreciated the presentation. He asked how they accomplish what they want. The Comp Plan puts structure behind what they want to do. He would like a workshop with the City Council so they can understand what the Council's vision is as well. Mr.

Greenman suggested a sub-committee to take a look at areas and different alternatives. He said they need to be proactive and not reactive. Mr. McDonough said they need to have the courage to design a plan that makes sense to them. If it changes it changes.

Mr. Greenman said there is an overabundance of retail. Ms. Rentzsch said Crystal Court is most in jeopardy. It is the gateway to the Vulcan Lakes area. There is a lot of interest in the Circuit City space because it has good visibility from Routes 14 and 31. She said we are very fortunate that we have property owners of the shopping centers who care about their property and want to upgrade it.

Mr. Batastini said he loved the City's vision for Route 14 by Vulcan Lakes. He said they should not settle on just anything. Ms. Rentzsch said the City's Vulcan Lakes project should be a shot in the arm for that TIF district.

Mr. Jouron asked if the City is actively trying to get businesses into the City. Ms. Rentzsch said they send out targeted marketing packets. The information is also on our website.

REPORT FROM PLANNING

- 2008-80 Crystal Lake Brake & Auto - 6200 Berkshire – Special Use Permit
- 2009-06 Lutter Center – 1125 & 1145 Route 31 – Final PUD Amendment
- 2009-07 Gingras – 337 Charlotte – Variation
- 2009-09 Commuter Car Care – 82A Railroad – Special Use Permit

Ms. Rentzsch reviewed the petitions for the next meeting. She said because there is only one item on that agenda that it would be a perfect time for a training session. Mrs. Schofield asked if they could have a training session on the UDO. It seems that it will be approved soon and they need some training. The other commissioners agreed.

COMMENTS FROM THE COMMISSION

There were no comments from the Commissioners.

The meeting was adjourned at 9:45 p.m.