



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, MARCH 18, 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, Schofield, Skluzacek, and Hayden were present. Members Jouron and McDonough were absent.

Michelle Rentzsch, Director of Planning and Economic Development, and Latika Bhide, 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 MARCH 4, 2009 PLANNING AND ZONING COMMISSION MEETING

Mr. Skluzacek moved to approve the minutes from the March 4, 2009 Planning and Zoning Commission meeting as presented. Mrs. Schofield seconded the motion. On roll call, members Batastini, Esposito, Greenman, Schofield, and Skluzacek voted aye. Mr. Hayden abstained. Motion passed.

2009-13 FITNESS CENTER – DUNN – 741 McHenry Ave. Unit A – PUBLIC HEARING

This petition is being continued to the April 1, 2009 PZC meeting.

Mrs. Schofield moved to continue 2009-13 Fitness Center – Dunn to the April 1, 2009 PZC meeting. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

2009-11 NOBLE – 61 S. Walkup Ave. – PUBLIC HEARING

Variations for a new house.

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.

Dan Repholz, architect, Paul and Patti Noble, owners, were present to represent the petition. Mrs. Noble said they previously lived in Crystal Lake and had to move because of Mr. Noble's

job. They have moved back and want live near the downtown area. Mrs. Noble said they have cleaned up the property over the winter and met many of their neighbors. She said they received input from them on their home because they want this to fit in with the existing neighborhood. Mrs. Noble said the neighbors have been very welcoming and helpful. Mr. Noble said they want the house to fit into the historic area.

Mr. Repholz said this is the first full tear down in the downtown area. They are not building a huge house. It is a straight 2-story home and they wanted as much green space but because this is a corner lot it poses additional problems with two front yards. The petitioners were also looking for an attached garage to their home. Mr. Repholz said the variation of 10 feet is for the garage only. Even the second floor over the garage is pushed back. The variation requested along Walkup is where the original house was located and the porch acts as a buffer and the use of dormers on that elevation reduces the mass from the street. Mr. Repholz stated that the 1st floor of the home is raised like the other homes in the neighborhood. He said the height variation is for only 1/3 of the length of the roof and the farthest from the street. Mr. Repholz said the lot coverage is 28% and 40% is allowed. The mass of the home is consistent with the neighborhood.

Mr. Repholz reviewed the criteria listed in the Staff report for variations. He said the home will not impact the neighbors and will increase the property values.

Mr. Hayden said there is a variation needed from the City Code regarding the 45 degree angle from the roadway. This is not a Zoning Variation and does not need to be published.

Jim Gesler, 69 S. Walkup, said he lives in the home across the street from the garage and he supports the variation. They would need a variation to building anything on that lot. Mr. Gesler said his home is 34 feet tall and all of the others in the immediate area are taller than the one proposed.

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

Mr. Batastini said this is a beautiful home. The plans do say "future patio" and he asked Staff if there would be any additional variations for that patio. Ms. Rentzsch said as long as they maintain the 20 foot setback and can encroach 4 feet.

Mr. Batastini asked about the 45 degree angle for the driveway. Ms. Rentzsch explained that the driveway can angle into the sidewalk/approach at a maximum 45 degree angle. Because of the width of the driveway would require a larger angle. The driveway is not on a highly traveled street and the Engineering Division is comfortable with the request.

Mr. Batastini said this home will add to the neighborhood and is comfortable with the requested variations. It seems that everything has been done to minimize the variations requested as well as the location from the street.

Mr. Skluzacek asked if there will ever be sidewalks on Paddock. Ms. Rentzsch said that is a very distant possibility but they would be located in the parkway, providing enough room on the driveway for a vehicle.

Mrs. Schofield said this fits in well with the neighborhood. She said the precedence will be set with this request.

Mr. Greenman asked about the square footage of the neighbor's home. Mr. Gesler said his home is 1800 square feet on 2 floors. Mr. Greenman asked if that was the approximately average for the homes in that area. Ms. Rentzsch said some of the homes in that area are very sizeable and this home is in keeping with the neighborhood. Mr. Greenman said they need to be clear that this home is in line with the homes in the neighborhood. He said this is an incredible improvement to the neighborhood and he supports this project. Mr. Esposito and Mr. Hayden agreed.

Mrs. Schofield moved to approve the Simplified Residential Variations from: A. Section 4.4-10 from the maximum building height of 25 feet to allow 28 feet, a variation of 3 feet; B. Section 4.4-6 from the minimum yard abutting a street setback of 30 feet to allow 20.62 feet along Paddock Street, a variation of 9.38 feet; and C. Section 4.4-3 from the minimum averaged front yard setback of 27.65 feet to allow 20 feet along Walkup Avenue, a variation of 7.65 feet for Nobel at 61 S. Walkup Avenue with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Noble, received 2/17/09)
 - B. Architectural Plan Set (Repholz studio, received 2/17/09)
2. The simplified residential variations are hereby granted:
 - A. Section 4.4-10 from the maximum building height of 25 feet to allow 28 feet, a variation of 3 feet;
 - B. Section 4.4-6 from the minimum yard abutting a street setback of 30 feet to allow 20.62 feet along Paddock Street, a variation of 9.38 feet; and
 - C. Section 4.4-3 from the minimum averaged front yard setback of 27.65 feet to allow 20 feet along Walkup Avenue, a variation of 7.65 feet.
3. The porch stairs shall not encroach more than 4-feet into the required setbacks.
4. **The Variation from the requirements to provide a maximum 20 foot wide cut and a 45 degree angle from the house to the street at the driveway is hereby granted.** ~~The maximum driveway width at the edge of pavement is 20 feet with a 45 degree angle from the house to the road. The Engineering Division has a concern that in granting the setback variation request, the petitioner will not be able to construct the driveway per the City's requirement and still maintain access to all three garage stalls. The Engineering Division is open to a variation request from the maximum driveway width and/or angle.~~

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

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

TRAINING SESSION – PUBLIC MEETING

Draft UDO document

Ms. Bhide stated that they would be reviewing the first 3 sections of the UDO. She said the UDO combines all of the City's ordinances – Zoning, Subdivision, Sign, and Tree Preservation into one document.

ARTICLE 1 – Zoning Districts

Ms. Bhide said the major change to the zoning districts is the addition of the overlay districts. The overlay districts “sit on top of” the base district. The Neighborhood Conservation Overlay / Pattern Book are voluntary. If a neighborhood feels that there are certain characteristics that they wish to preserve, they can make a request to the Council that the overlay district be placed on that specific neighborhood. Mr. Greenman asked what constitutes a neighborhood and who determines who the leader of that area is. Ms. Bhide said there are requirements for the minimum size of the area and it needs to be approved by 51% of the home owners in that area to move forward. Mr. Greenman asked if can be abolished. Ms. Bhide said it could be amended or abolished. Ms. Rentzsch said there would be a public hearing before the PZC and approval by the City Council. She said it only would cover the look of the residence from the street – the “public realm.”

Mr. Batastini asked if an overlay district could be used to cover adjacent vacant properties zoned residential. Ms. Rentzsch said it could if the percentage of approval is 51% which would include the property owner for the vacant lots.

Mrs. Schofield asked if this will be promoted to various neighborhoods. Ms. Rentzsch said there will be a pamphlet, article in the newsletter and information on the City's new website. Ms. Bhide said the neighborhood needs to be a minimum of 20 years old to qualify for the overlay. Mr. Batastini asked why not 10 or 15 years old. Ms. Bhide said they were hoping to cover older neighborhoods from the 1960s or 1970's or earlier.

ARTICLE 2 – Land Uses

Ms. Bhide said the changes in this article will be the return of the chart for land uses and the addition of the Limited Use to the Special Use, Limited Use, Temporary Use, and Prohibited use. They have also included the NAICS codes which will be used primarily by staff. She said staff will review the use proposed and if it meets all of the standards it can be approved administratively. Ms. Bhide said the standards are very detailed. Mr. Greenman said this is excellent. It will practically eliminate the waiting time for a possible business.

Mrs. Schofield asked if there is a requirement to notify the surrounding property owners of a possible administrative approval. Ms. Bhide said it is not currently included in the UDO but it could be added when this document is reviewed in 6 months and a year after adoption.

Mr. Batastini asked a use is not noted as permitted, etc. could a petitioner request a variation. Ms. Bhide said they would ask for a text amendment but only for that parcel. Mr. Batastini was concerned about the wind energy systems being permitted in a residential area. He said if this area doesn't have enough wind to warrant a "wind farm" why would there be enough wind for an individual system. Ms. Bhide said the height is limited. Ms. Rentzsch said that the Ordinance encourages the use of alternative energy sources.

ARTICLE 3 – Density and Dimension Standards

Ms. Bhide said that the lot coverage requirements of the current ordinance were split into a maximum building coverage and maximum impervious coverage requirements. The building coverage would include the sum of all buildings on site and the impervious surface coverage - all the impervious surfaces. The use of graphics makes this easy to understand.

GENERAL COMMENTS

Mr. Batastini asked about the wind towers in a residential area. He feels that they should be more a public utility than individual. He is not questioning the intent but is that something we want to see in every backyard? Ms. Rentzsch explained that Highland Park has had this in their ordinance for a few years now. They are not very tall and do become part of the neighborhood. Mr. Hayden said it will be no taller than 15 feet from the highest point. Ms. Bhide added that it can't be taller than 15 feet above the tallest allowable principal structure height allowed in that district.

Mr. Batastini asked if unbuildable land be counted towards the conservation land requirement. Ms. Bhide said there are detailed criteria and it could be credited up to 50% by the City Council. They will look at it on a case by case basis.

Mr. Batastini said this is terrific and well organized.

REPORT FROM PLANNING

- 2009-05 Wristen – 7218 Virginia Rd – Special Use Permit Amendment
- 2009-04 Macias – 1338 Fair Oaks – Variation

Ms. Rentzsch reviewed the petitions for the next meeting.

COMMENTS FROM THE COMMISSION

There were no comments from the Commissioners.

The meeting was adjourned at 8:50 p.m.