



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 1, 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, McDonough, Schofield, Skluzacek, and Hayden were present. Mr. Jouron was absent.

Michelle Rentzsch, Director of Planning and Economic Development, Latika Bhide, Planner, and Rick Paulson, Building Commissioner, 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 18, 2009 PLANNING AND ZONING COMMISSION MEETING

Mr. Greenman moved to approve the minutes from the March 18, 2009 Planning and Zoning Commission meeting as presented. Mrs. Schofield seconded the motion. On roll call, members Batastini, Esposito, Greenman, Schofield, Skluzacek, and Hayden voted aye. Mr. McDonough abstained. Motion passed.

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

The petitioner is asking to be continued to the April 15, 2009 PZC meeting.

Mr. McDonough moved to continue 2009-13 Fitness Center to the April 15, 2009 PZC meeting. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

2009-15 WALGREEN'S – NE Corner Routes 176 & 31 – PUBLIC MEETING

A motion is requested to set the public hearing date on April 15, 2009.

Preliminary & Final PUD; Special Use Permit, Variations for a stand-alone Walgreen's with a drive-through facility.

George Arvanitis, nephew of the owner and developer of the property; George Arvanitis, owner of the property; Eric Fors, contractor; Jim Pavleck, architect; and Melissa Wick, attorney, were present to represent the petition. Mr. Arvanitis, nephew, said there is a section of the City's website dedicated to the business climate in Crystal Lake. He read from that section. They are submitting for approval of a Walgreen's store but the human element always seems to be lost. Mr. Arvanitis (nephew) reviewed his uncle's history of working hard and being a good citizen. He said they are fortunate that Walgreen's will be moving forward with this project since many projects have been discarded recently because of the economic climate. Part of the plan includes

widening and improving Routes 176 and 31 even though it will be taken out in a few years when the roads are realigned.

Mr. Hayden asked if any of the representatives of Walgreen's would like to make a short presentation. He said usually there is a general overview of the project, some general comments from the Commission and the petitioner's public hearing date is set.

Mr. Fors said the project is located at the northeast corner of Routes 176 and 31. He showed the elevation of the building and the building's front entrance will be facing the intersection. They will be using decorative masonry veneer and the colors shown on the elevations are very close to actual. There will be a canopy feature which is typical of what Walgreen's uses for their buildings.

Mr. Hayden asked what are the differences between the proposed building and the existing building on Route 14 are. Mr. Pavleck said they are minor differences such as the cast stone features. Mr. Hayden said the staff report shows illustrations of other Walgreen's buildings and asked if there are any comments. Mr. Pavleck said much of the budget for this project will be going towards the street improvements required by IDOT. Also IDOT will be taking a large amount of the property at the intersection for the future road improvements. That is a large hardship. Mr. Fors said the photos shown in the staff report had other constraints placed on them such as they were in a themed center and not a stand-alone building like this one is.

Mr. Hayden asked if there was anyone in attendance who would not be able to come to the next meeting and would like to make any comments. There was no one in the public who wished to speak on this petition.

Mr. McDonough agrees with the comments made in the staff report regarding the elevations especially the east elevation. Also he has never been a fan of the "thing that sticks up on the building." It's adding signage without calling it signage. Mr. McDonough asked how long ago was the stand-alone Osco building planned for this site. Ms. Bhide said it was approved in 2003.

Mr. Skluzacek agrees with the comments in the staff report. He said the east elevation needs to be improved. Mr. Esposito agreed and said that they should make it look nice but not go to extremes. He said some of the elements from the building photos shown in the staff report could be added without much additional cost.

Mr. Greenman asked the petitioners to pay close attention to the recommended conditions listed on pages 7-9 in the staff report. He will be looking for the petitioner to address every one of them. He has seen many different Walgreen's and has seen better elevations than these. Mr. Greenman said, generally speaking if the petitioner does not come before them at the next meeting prepared to meet all of the conditions, he would not be in favor of granting both a Preliminary and Final approval. It is very seldom that the Commission recommends approval for both at one time.

Mr. Batastini suggested that Mr. Arvanitis (owner) place a small Little John's restaurant in Walgreen's similar to the Subway that is within the Walmart. He said the use is fine and would like to see different elevations, but can understand the rational. Mr. Batastini asked if the materials suggested for this building are the same of the materials used in the existing building on Route 14. Mr. Pavleck said yes.

Mr. Hayden stated he was against the large tower glass enclosure on the existing store and he is not in favor of it at this location. He will not ask for anything as elaborate as the Grayslake Walgreen's but some of the elements would be nice. Mr. Hayden said the petitioners should heed the comments made in the staff report and it will serve them well. Mr. Fors said the report is very detailed and they understand the comments that were made. They will see what they can come up with.

Mr. Batastini moved to continue 2009-15 Walgreens to the public hearing on April 15, 2009. Mrs. Schofield seconded the motion. On roll call, all members voted aye. Motion passed.

2009-08 D.P.A.P. – 765 Duffy Drive Unit G – PUBLIC HEARING

This petition was continued from the February 18, 2009 PZC meeting.
Special Use Permit and Variation for outside storage of vehicles.

Mr. Hayden stated that this petition was continued from a previous meeting and the petitioner was sworn in at that time.

Daria Pierzynska was present to represent her petition. Ms. Pierzynska said the business owners of the other units are here and she would like to wait for them to complete their presentation. Mr. Hayden agreed.

2009-14 MARK'S POWER, ET.AL. – 765 Duffy Drive Units A-F – PUBLIC HEARING

Special Use Permit and Variation for outside storage of vehicles and equipment.

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.

Mark Bianchi, owner of Mark's Power Equipment; Anthony Zobott, owner of Auto Authority; and Roger Schultz, owner of ABA Woodworking, were present to represent the petition. Mr. Zobott said they are requesting approval for a Special Use Permit for overnight parking, and outside display of equipment during the day. There are currently multiple businesses in the building that need the overnight parking. Mr. Zobott said his business is closed on Saturday and Sunday but customers and tow trucks do drop off vehicles after hours and he wouldn't know until Monday morning when he comes in. They are looking for some latitude. He said they don't want cars parked there for long periods of time. They want to get the cars in and out. Mr. Zobott said image is important to him. He parks as many cars as he can inside his building to prevent vandalism.

Mr. Hayden stated they have 2 petitions for this property and 4 businesses. He asked how this was brought to the City's attention. Mr. Paulson stated they received a complaint from someone driving down Rakow Road. That prompted the investigation and they notified everyone in the building. Mr. Hayden asked if this is a parking or storage problem. Mr. Paulson said per the ordinance it is an outside storage problem. Ms. Pierzynska said there are 5 parking spaces per unit. On occasion they need to have cars outside but they are usually kept inside.

Mr. Hayden thanked all of the businesses owners for coming before the City.

Mike Bailey said he is in the auto industry and understands the need to have cars stored outside at times.

Tom Knutson, owner of three of the units in this building (Units E, F, & H), said he is not opposed to the Special Use as long as it is restricted to designated areas. Sometimes cars are parked overnight in places other than designated areas especially along the southeast side of the building. Mr. Knutson asked how can this be enforced and he doesn't want fire lanes to be blocked. He asked if there are enough spots on the lot and are they being used correctly. He doesn't want the business owners to feel they have the right to park anywhere and have any number of vehicles because they have a Special Use Permit.

Mr. Greenman asked if Mr. Knutson was concerned with the over parking. Mr. Knutson said yes. He understands there are peak periods but he doesn't want vehicles parked everywhere all the time. Mr. Greenman asked if there are 5 parking spaces per unit. Mr. Knutson said yes and he has given the businesses permission to use the 5 spaces from his vacant unit unless someone is coming to see the space. Then he contacts the businesses and asks them to move the vehicles. There are no spots identified or marked for each unit but they could put up signs.

Mr. Zobott said they understand what spaces are for which unit but the problem arises when a tow truck drops off cars after hours. Mr. Paulson said he is concerned with designating spots which become part of the Special Use. He said the majority of the enforcement should come from the association or business owners. Mr. Zobott said when they come into work, they move the cars that are in the wrong place. They won't use all of the spaces for overnight parking.

Ms. Bhide stated that one of the petitioners is requesting outside display of equipment during the day only.

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

Mr. McDonough asked if the owner of the vacant unit received a copy of the parking layout. Mr. Knutson said no because it is not attached to the staff report. Ms. Bhide said the Fire Department needs a certain amount of space and no parking in areas. Mr. McDonough said there will be changes to the uses in this building over time. Should this be reviewed annually? Ms. Bhide said the

Building Division now requires occupancy permits when uses change in buildings. That will provide staff an opportunity to review the needed parking for the use and the overall need for the building. It will also give Staff an opportunity to review the Special Use Permit requirements with them.

Mr. McDonough asked if the outside display during the day will be in one parking space. Mr. Bianchi said yes. Mr. McDonough asked if they could explain to the tow truck drivers where cars should be parked. Mr. Zobott said that is not a problem with their usual drivers but if there is a new company bringing a vehicle to them, that usually where the problem comes into play.

Mr. Hayden asked if this was an anonymous complaint. Mr. Paulson said yes. Most of the complaints they receive are anonymous.

Mr. McDonough asked if staff was ok with the plan presented. Mr. Paulson said yes but he would prefer that the business owners enforce it themselves and he will work with them. He said the Building Division doesn't do selective enforcement. Mr. Zobott said he is not opposed to the plan but would like to slightly modify it such as moving the trailer to the side of the building so it is not blocked in by cars parked on either side of the parking spaces. They want to keep the area as neat and orderly as possible. That reflects on their businesses.

Mr. Hayden said the plan shows an additional 6 spaces being added and if everything is used it will be very crowded. Mr. Greenman said it seems that the only problem is after hours – overnight. Mr. Knutson said the new spaces could be used by the employees.

Mrs. Schofield said she looks at this as a whole building. There are 35 spaces required for the uses and there are 42 spaces provided on the site. She doesn't feel comfortable to allow more than 7 spaces to be designated as storage or Special Use Permit. The 35 parking spaces take into account the normal flow of business. The other concern is screening. Mrs. Schofield stated that there is a problem at this site now and doesn't want to approve an existing problem. She said at the previous meeting Mr. Knutson said the businesses were parking in his spaces. Mr. Knutson said he has given permission to the business to use the spaces unless there is someone coming to look at the vacant unit. Ms. Bhide said they also would be adding 6 parking spaces with this plan.

Mr. McDonough said this plan won't solve all of the problems and this wouldn't be before the Commission if someone hadn't complained. Mr. Zobott said they will be self regulating. Mrs. Schofield asked why not have some screening along Rakow. Mr. Zobott said there is screening by the dumpster.

Mr. Batastini suggested that the parking requirements be changed for auto repair. Ms. Bhide said it is changed in the UDO which will be adopted soon. Mr. Batastini said this situation seems to have been worked out with the business owners.

Mr. McDonough moved to approve a Special Use Permit for outside storage of vehicles and trailers; a Special Use Permit Outside Storage, Display and Sales of power equipment for Mark's Power Equipment and Repair; and Zoning Variation (Section 6.5-9.2) from the requirement to provide a

solid 6-foot screen of fence, earth berm or dense evergreen growth around the storage areas at 765 Duffy Drive Units A-F with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Applications, received 3/13/09
 - B. Final Plat of Lakeview Business Center (Smith Engineering Consultants, dated 2/17/92, received 3/13/09)
 - C. Plat of Survey, Duffy Drive Condominium (Condon Consulting Engineers, dated 9/25/98, received 3/13/09)
 - D. Overall Plan (Condon Consulting Engineers, dated 12/17/97)
2. Outside Storage
 - A. No collision (wrecked) vehicles or vehicles that are or potentially could leak fluids shall be stored outside.
 - B. Any trailers stored on-site must be maintained in good condition and must not be leak fluids.
 - C. Outside storage of vehicles shall be limited to repaired vehicles and shall be limited to the designated parking spots on the east side of the building **as indicated in a parking and outside storage plan to be approved by staff to be attached to the Special Use Permit.**
 - D. Industrial absorbent mats shall be placed on the designated storage spots for the automotive users and must be inspected and maintained on a recurring schedule and a report must be provided to the City annually.
 - E. Stormwater catch basin filter inserts filled with pellets are required on all catch basins in the rear parking lot. The filters must be periodically maintained to prevent them from becoming clogged. A copy of the maintenance scheduled must be provided to the City and a report must be provided to the City annually.
3. The outdoor display and sales of equipment is limited to Mark's Power Equipment for a maximum of 5 items. The display and sales area shall not block accessible routes **and be limited to one (1) parking space on the most westerly side.**
4. ~~If additional~~ **A new striping plan is required.** ~~is approved,~~ The petitioners must submit all applicable information and obtain a permit from the City. Wheel stops must be provided to prevent the vehicles from colliding against the building. The parking spaces will not block exit routes from the building. A variation from the requirement to provide landscape islands at both ends of the parking row is approved in conjunction with these spaces (Staff exhibit should be included in the conditions of approval, if additional striping is approved).
5. If upon inspection by the City, it is noticed that any of the conditions of approval are not adhered to, the SUP shall be revoked immediately.
6. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development

Departments.

7. This Special Use Permit for outside storage for vehicles and a trailer and outside display of equipment shall be limited to Mark's Power Equipment, ABA Woodworking, and Auto Authority only.

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

2009-08 D.P.A.P. – 765 Duffy Drive Unit G – PUBLIC HEARING

This petition was continued from the February 18, 2009 PZC meeting.
Special Use Permit and Variation for outside storage of vehicles.

Ms. Pierzynska thanked the Commissioners for the help and patients.

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

Mr. Paulson suggested that a date be added to the conditions for completion of the parking lot improvements. Ms. Bhide suggested 60 days. Mr. McDonough stated that this condition was not added to the previous petition's list of conditions.

Mr. Hayden thanked Ms. Pierzynska for bringing in the other businesses to address the storage issue.

Mr. McDonough moved to approve the Special Use Permit for outside storage of vehicles and Zoning Variation (Section 6.5-9.2) from the requirement to provide a solid 6-foot screen of fence, earth berm or dense evergreen growth for DPAP Inc. at 765 Duffy Drive Unit G with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:

A. Application, received 1/26/09

B. Final Plat of Lakeview Business Center (Smith Engineering Consultants, dated 2/17/92, received 1/26/09)

C. Plat of Survey, Duffy Drive Condominium (Condon Consulting Engineers, dated 9/25/98, received 1/26/09)

D. Overall Plan (Condon Consulting Engineers, dated 12/17/97)

2. No collision (wrecked) vehicles or vehicles that are or potentially could leak fluids shall be stored outside.

3. ~~Outside storage of vehicles shall be limited to repaired vehicles and shall be limited to the designated parking spots on the east side of the building.~~ **Outside storage of vehicles shall be limited to repaired vehicles and shall be limited to the designated parking spots on the east**

side of the building as indicated in a parking and outside storage plan to be approved by staff to be attached to the Special Use Permit.

4. Industrial absorbent mats shall be placed on the designated storage spots and must be inspected and maintained on a recurring schedule and a report must be provided to the City annually.

5. Stormwater catch basin filter inserts filled with pellets are required on all catch basins in the rear parking lot. The filters must be periodically maintained to prevent them from becoming clogged. A copy of the maintenance scheduled must be provided to the City and a report must be provided to the City annually.

6. If upon inspection by the City, it is noticed that any of the conditions of approval are not adhered to, the SUP shall be revoked immediately.

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

8. A new striping plan is required. The petitioners must submit all applicable information and obtain a permit from the City. Wheel stops must be provided to prevent the vehicles from colliding against the building. The parking spaces will not block exit routes from the building. A variation from the requirement to provide landscape islands at both ends of the parking row is approved in conjunction with these spaces (Staff exhibit should be included in the conditions of approval, if additional striping is approved).

9. The petitioner shall comply with the parking lot improvements within 60 days of approval.

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

Mr. McDonough requested that the City Council also add a time limit to petition #2009-14 since it involves the same parking lot.

REPORT FROM PLANNING

There was no Council meeting held since the last PZC meeting to report on.

Ms. Bhide reviewed the petitions for the next meeting.

COMMENTS FROM THE COMMISSION

There were no comments from the Commission.

The meeting was adjourned at 9:15 p.m.