



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, MAY 20, 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, Skluzacek, and Hayden were present. Mr. McDonough was absent.

Latika Bhide, Planner, was 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 MAY 6, 2009 PLANNING AND ZONING COMMISSION MEETING**

Mr. Batastini stated that the minutes reflect that he was in favor of the outdoor seating for Fire Bar & Grill be closed at 9 or 10 p.m. (page 5 paragraph 4) He said Mr. Esposito had said that.

Mr. Jouron moved to approve the minutes from the May 6, 2009 Planning and Zoning Commission meeting as amended. Mr. Esposito seconded the motion. On roll call, all members present voted aye. Motion passed.

**2009-21 SCHAFFER SUBDIVISION – S. Rt. 176; W. Lippold Park – PUBLIC MEETING**

A motion is requested to set the public hearing date on June 3, 2009.

Preliminary Plat of Subdivision and Preliminary PUD Amendment for 5 single family lots.

Ed Dean, attorney, Bill Schafer, owner, and Ralph Schmidt, engineer, were present to represent the petition. Mr. Dean said they are requesting to set a public hearing date on June 3, 2009. He said this property has a very long history with the most recent being the approval of a preliminary plat for 4 lots. This plat being presented shows 5 lots. Mr. Dean said this plan shows a better use of the land and depicts the wetlands more accurately.

Mr. Schmidt showed the original plat showing 4 lots, all in the southwest corner of the property. The City's consultant questioned the area of the wetlands and there was a more detailed review done. After the review it was discovered that more of the property could be used allowing the lots to be more spread out which gives them more options as to where the homes can be placed on the lots. Mr. Schmidt said this plan is less dense than the surrounding residential area since many of them are developed on several lots. Mr. Dean said the City's Engineering staff and wetlands consultant have reviewed the finding and are in agreement. This plan is better with the lots more spread out and avoids many of the issues the neighbors had originally. Mr. Schmidt said, with having more options for the home locations, more trees can be saved.

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

Mr. Batastini said he has no problem with the increase in the number of lots and feels the layout is much better. He asked about the Watershed Ordinance requirements. Ms. Bhide said they walked the site and remapped the wetland areas. She said the original map was in error. Mr. Schmidt said the problem was interpretation. He said it was easier to ignore that portion of the site instead of determining exactly where the wetlands are. Ms. Bhide said the City's watershed consultant has recently changed to Burke & Associates from Hey & Associates. The review by the consultant is based on the information given to them from the developer.

Mr. Batastini said he would like information at the next meeting: how the wetlands were delineated; who went out to determine the areas the first time or did they; and who went out the second time.

Mr. Greenman said he would like a better understanding and more information as to how they are planning on protecting the wetlands by Lot 4.

Mr. Hayden agreed with the comments made. He also would like a better understanding of whether wetland delineation changed during a wet season and a dry season.

Mr. Batastini moved to set the public hearing date of June 3, 2009 for 2009-21 Schafer Subdivision. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

**2009-26 WALGREENS – 315 N. Route 31** – PUBLIC MEETING  
Final Planned Unit Development for a stand alone store/pharmacy.

George Arvanitis, developer of the property, and Sarah Hanson with the Redmond Group, were present to represent the petition. Mr. Arvanitis said during the Preliminary approval, most of the discussion was about architecture. Mr. Hayden said both the PZC and Council gave them input on architecture.

Ms. Hanson said they understand the Commissioners liked the tower used at the Walgreen's in Algonquin. They have changed this tower to be very similar. She said they have changed the number of piers on the building and added them to all of the elevations. They also are including decorative medallions at the top of the piers and a sign on the east elevation. Ms. Hanson said they have raised the parapet walls to break up the building and provide better cover for what is behind them. They have also added a brick soldier course instead of the CMU.

Mr. Arvanitis passed around the material sample boards to the Commissioners. Ms. Hanson said Walgreens has not determined which color they want to use for the canopy and she has shown both on the plans. She said if the City wants the bronze color, they will need that in writing. She said they will need a variation for the sign on the east elevation.

Ms. Hanson reviewed the conditions listed in the Staff Report. She said they feel that condition 3B and C regarding adding the split faced concrete block and smooth cast stone to the elevation would be a good addition to the building. Ms. Hanson added that they don't have the budget for 3D, F and G which were for fake windows, hipped roof over the entrance, and extending the canopies. She said they have been working with IDOT regarding the entrance locations. Mr. Arvanitis said IDOT is requesting a change back to the original plan showing a smaller entrance and a different angle. Mr. Hayden said IDOT trumps the PZC.

Cathy Kirchoff, 5689 Marietta Drive, said she lives behind the gas station on the east side of Route 31 south of Route 176 and asked what has been done to address the storm water in the area. Ms. Hanson said the water from their site will run into two detention areas and then go into an underground holding tank. Ms. Kirchoff asked what the flow rate is. Mr. Hayden said all of those issues were addressed at the Preliminary approval meetings. The footprint, engineering, etc. have all been approved. Ms. Kirchoff said she could not make it to the other meeting and saw an article in the paper that there was going to be a meeting tonight. She would like to remind the Commissioners that this is the first of many developments that will be happening in this area and is concerned with the water runoff. She said even though there has not been much rain lately, there is still water running through her property. Ms. Kirchoff said she has volumes of records.

Mr. Hayden suggested that Ms. Kirchoff contact the Engineering Division about her concerns. Ms. Kirchoff said they won't help her and that the Commission is well aware of the problem. She said the water is still an issue and the Commission needs to keep in mind that the City wants further development in this area which will have an environmental impact.

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

Mr. Esposito said the petitioner has done a lot with the building but feels the tower is more signage. That seems to say to Crystal Lake that they will do what they want and it's a slap in the face to us.

Mr. Jouron asked if the existing Walgreens on Route 14 has the "sign" behind the glass that has a "W" on it. He would consider that with a "W" it is a sign. Ms. Hanson said she did not recall.

Mr. Skluzacek said he agrees with Mr. Esposito and doesn't care for the tower/windows. If the tower was kept, he would have a negative vote for this request.

Mr. Greenman said there were many things that needed to be addressed. The real issue is the tower. He said when they receive a report with several photos of other Walgreens in the area that don't have towers and showing something that is close to what they would like to see here it makes him wonder. He said specific comments were made at the previous meetings regarding economics but at the end of the day they need to look out for the residents of Crystal Lake and what the Commissioners feel would be in the best interest of the City.

Mr. Arvanitis said the Commission needs to compare apples to apples. He said this site has challenges and they are required to extend City sewer and water to the furthest point of the property which is costing them a lot of money. Mr. Arvanitis said the Walgreens in Algonquin was an outlot for a shopping center with little to no site work. The problem is the site work. He said the property owner builds the building for Walgreens. They want a turn-key operation and it is not until Walgreens takes final occupancy that they know it's a done deal. Mr. Hayden said that isn't something they can take into account but it is very interesting. Mr. Arvanitis said the developer takes all of the risk. Mr. Greenman said they look at what is in the best interests of the City and the residents.

Mr. Arvanitis said they thought the Commission did not want a flat roof tower. Mr. Hayden said both he and Mr. McDonough were very clear. He said the Walgreen's in Mundelein, Grayslake, Libertyville, Barrington and many other places don't have towers and they are recently built stores. Mr. Greenman agreed. He said they received several photos of stores that don't have the tower element.

Mr. Batastini said he grew up in Crystal Lake and there are many members of the Commission who have been on this review body for many years. They don't want the stock drawing 22 from the corporation. He said when WalMart was coming in with their superstore, it was easy to go on the internet and find other WalMarts that were recently built that were of a design to their liking and the City got a better building. He said that with all the traveling and the internet – it is easier now to get information and he has seen several buildings in Indianapolis which all look different and very nice. Mr. Batastini said that there are many ways to create interest instead of a fake window such as the Portillo's building where they did it all in brick. He wants Walgreens to be better for Crystal Lake.

Mr. Jouron said if there is no guarantee that Walgreens will take the building, just look at Circuit City with their tower. Who is going to want that and have to spend a lot of money to take that down?

Mr. Arvanitis said they are in the middle and are coming to the end. They know they are doing the best for the City.

Mr. Batastini said a few years ago a car dealership in the area wanted to put up a huge bright green wall. We contacted their corporate people and discussed it. They wall was never put up and something else was done. Mr. Arvanitis said if they were putting up a hotel or restaurant the request for a building like the City is proposing would make sense. He said it is the Walgreens name carries weight and because of them other companies are interested in the property where the former gas station was.

Mr. Hayden asked if the petitioner wanted to continue their request to the next PZC meeting. Mr. Arvanitis said this may be the end of the road. Mr. Hayden asked if they wanted a vote tonight. Mr. Arvanitis said yes.

Mr. Greenman asked what the depth of the piers is. Ms. Hanson said they are about 2.5 inches off of the building. Mr. Arvanitis said they can do recessed brick but not the false windows. He said the tower is the biggest thing. Mr. Hayden said it doesn't seem that Walgreens want to work with the City. Mr. Arvanitis said they had already received approval from their real estate committee and if they make many more changes they will need to start over in the process with Walgreens. Mr. Hayden said he can't see how eliminating the tower would increase the cost of the building. He said there is no tower in other communities which Walgreens says is their logo. Mr. Jouron feels that the tower is a sign and if they take two signs off the building maybe they can keep their tower. Mr. Arvanitis said he doesn't want to butt heads with the City but wants to get the project done. This will improve the corner and bring other businesses to the area.

Mr. Hayden said he would love to have Walgreens in this location but this will establish the style of the area. They want this to be a nice corridor. He was hoping that Walgreens would work with them.

Mr. Greenman said the Council has the final decision. He said if additional enhancements are made, the petitioner should present those to the Council.

Mr. Greenman moved to deny 2009-26 Walgreens at 315 N. Route 31. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion to deny passed.

## **TRAINING SESSION**

### **UDO Article 5 – Subdivision Ordinance**

Ms. Bhide said they have looked at the first 4 sections of the new UDO. The section tonight is the subdivision ordinance. Currently all of the subdivisions whether it is a lot line shift or a 100 lot subdivision, follow the same process. The UDO allows for 4 different types of subdivisions. There are criteria for each type of subdivision that needs to be met. There first is Administrative which handles mostly the shifting of a lot line with no new lots or where no more than 4 lots all at least 5 acres or more. Mr. Greenman asked if there is a benefit. Ms. Bhide said it is a cost and time savings especially for the petitioner.

Ms. Bhide said the next type of subdivision is the Minor subdivision. That is for small subdivisions 10 lots or less. They can have a Preliminary & Final Plat approval in one step instead of two. She said the Major subdivision is the current process – Preliminary then Final and go before the PZC and Council for each. Ms. Bhide said a Plat of Condominium has been added. This has not been called out in the codes previously. Also added was the Conservation Subdivision. If there are certain conditions on the site or within a certain footage of the property and surrounding properties it would be required to request a Conservation Subdivision. She said they will be going through a mock-subdivision review at one of the future meetings. She said that the Michelle had recently attended an excellent seminar on conservation design and that the exercise only highlights some of the things she learned at the workshop. With this type of

subdivision it is required that the advisory board, staff and neighbors walk the site. The primary and secondary areas to be saved are identified, then where the homes should be located and then the streets and the lots are drawn in last.

Ms. Bhide said there is an open space requirement that at least 40% of the site is set aside as open space. She said if an area is unbuildable, that would be credited at 50%. The open space requirements and standards and management and stewardship are outlined in this section. Mr. Jouron asked approximately what percentage of existing subdivisions would have qualified for this. Ms. Bhide said 8-10%. Mr. Jouron asked about Barton Stream across from MCC. Ms. Bhide said they did some of these practices but not all that would be required.

### **REPORT FROM PLANNING**

- 2003-06 M'Lady Annexation Agreement extension and amendment
- 2006-40 Verbrugge - 645 McHenry Ave. extension
- 2009-17 Fire Bar & Grill – 435 Angela Ln – Special Use Permit Amendment
- 2009-22 Red Wing Shoes – 1275 Randall Rd. – Bonus Sign Area
- Bank Restriction Text Amendment Referral

Ms. Bhide reviewed the petitions for the next meeting.

### **COMMENTS FROM THE COMMISSION**

Mr. Batastini wants to thank the Community Service Officer who directed traffic recently at Crystal Lake Avenue and Pingree Road while South Main Street was closed for railroad track repairs. He did a great job. Mr. Hayden said he was also in that mess and the CSO did a great job.

Mr. Esposito said he has a problem when two streets are bisected by another street and each of the streets has different names. Mr. Hayden said like Barlina and Buckingham. Mr. Esposito said yes. He feels they should have the same name.

The meeting was adjourned at 9:05 p.m.