



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, SEPTEMBER 2, 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, Goss, Greenman, Jouron, McDonough, Skluzacek, and Hayden were present.

Michelle Rentzsch, Director of Planning and Economic Development, Elizabeth Maxwell, Planner, 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 AUGUST 19, 2009 PLANNING AND ZONING COMMISSION MEETING

Mr. Skluzacek moved to approve the minutes from the August 19, 2009 Planning and Zoning Commission meeting as presented. Mr. Esposito seconded the motion. On roll call, all members voted aye.

2009-39 CRYSTAL CREEK – NW Miller & Randall Roads – PUBLIC HEARING

This petition was continued from the August 19, 2009 PZC meeting.

Preliminary PUD, Rezone, Comprehensive Land Use Plan Amendment for a mixed use project

Mr. Hayden opened up the public hearing and stated the petitioner is requesting to be continued to the October 7th, 2009 meeting. Tom Burney, attorney, stated they are asking that the public hearing be continued to the October 7 meeting. Mr. Hayden stated that the public portion of the hearing was closed at the previous meeting but he will reopen that portion of the meeting at the October 7th meeting. Mr. Burney thanked the Commission for their consideration.

Mr. Esposito moved to continue 2009-39 Crystal Creek to October 7, 2009 PZC meeting. Mr. McDonough seconded the motion. On roll call, all members voted aye. Motion passed.

2009-48 SAM'S CLUB – 5670 Northwest Hwy. – PUBLIC HEARING

Final PUD Amendment for parking lot, façade and signage changes.

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.

Jim Lastovica and Doug Anderson were present to represent the petition. Mr. Lastovica handed out color renderings of the building elevations. They are requesting approval to upgrade Sam's Club with

new signs, exterior and parking lot improvements, and interior improvements. Mr. Anderson said there are minor pavement modifications including the landscaped islands, handicap parking, etc.

Mr. Hayden asked the petitioners to address the conditions listed in the Staff report, and hardships for the variations. Mr. Anderson said they have a concern with condition #3 regarding the landscape islands. Their intent was to upgrade the handicap parking and they wish to eliminate the curbed islands because they are a tripping hazard. He said if it is the City's intent to have the islands, they can be added. Mr. Anderson continued stating their concern about condition #4 regarding the cross access to the property to the west. He said they would need more information before they would agree to that. Mr. Hayden said the condition asks the petitioner to work with staff on a location for the cross access. Mr. Lastovica said they would like additional clarification on several of the comments made by various departments such as the warning strip requested by the Building Division. He asked if there is a specific color that they would like used. Ms. Maxwell said there is no set color for those. The Building Division is asking that the color used be very distinctive so a person who is color blind will notice the difference.

Mr. Lastovica said the Engineering Division had comments regarding the loading area. The canopy is currently in use in various locations and he is not aware that there is a problem with the width of the canopy.

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

Mr. Goss questioned the need for a sign for tires since the building is over the sign limit. Mr. Lastovica said not all of the Sam's Clubs have tires.

Mr. Batastini said the canopy is a good idea but it seems that the people are trapped because of the posts. Mr. Lastovica said there have not been any problems that he is aware of with the canopy. He said there is enough space for people to get out between the posts. Mr. Batastini asked if there will be a walkway where people getting to the parking on the east side of the entrance can get through. Mr. Lastovica said the walkway is 5 feet which is plenty of room. Mr. Batastini feels that is not enough room for people with carts to get by if others have the large flat bed carts that they are unloading. Mr. Lastovica said there is a 2 foot section designated between the cars and cart for others to get through. Mr. Batastini said if there are a lot of cars being loaded, there will be a lot of empty carts left there. Mr. Lastovica said there will be enough room to get by. Mr. Batastini said the Staff comment regarding replacing the dead or dying plants is a good idea. It is a challenge but it would look better. He is not sure the canopy will work.

Mr. Skluzacek said many people pull up to the front and park by the entrance to load their cars now. Mr. Anderson said that is the intent of the loading canopy. Mr. Skluzacek said he doesn't believe a sign is needed for the gas station. Mr. Lastovica said that is the corporate standard. Mr. Skluzacek feels it is not necessary.

Mr. Jouron said there is a big problem when he exits the building with something going on right there. Either there are groups selling things, cars and boats on display, etc. that forces people out onto the

roadway.

Mr. McDonough said they did not receive the engineering report but he feels the canopy is a bad design. He asked if the area will be curbed so cars can't pull out. Mr. Lastovica said there will be columns. Mr. McDonough said he believes that if the aisle would be wide enough for 2 cars it would work better. Also he feels there won't be enough room for carts to get by the larger carts being unloaded. He said the drive lane and sidewalk needs to be wider. Mr. McDonough said he was on the Plan Commission when the original request for the gas station came through. He has not changed his mind about the additional signage for the gas station.

Mr. Greenman said he was also on the Plan Commission at the time the gas station originally came before the City and the signs are not necessary. He feels that the width of the sidewalk won't be large enough unless there is an employee posted there to move the carts. Mr. Greenman feels that the design is a safety risk and he would like greater flexibility for pedestrians and vehicles. He likes the concept but is challenged by this design.

Mr. Lastovica said he will need to go back to the owners for information to show how this works in other locations. This has been done for several years. Mr. McDonough said he wants people to be able to "escape" the line for loading. He said photos would be very helpful.

Mr. Greenman said the design is facing all of the traffic towards the entrance and that is a risk in bad weather. Mr. Lastovica said there will be signs and arrows to direct people. Mr. McDonough asked if there are additional parking spaces that are not needed which can be used for the expansion of the areas. Ms. Maxwell said yes.

Mr. Batastini said most people park by the exit side of the building and would most likely use the walkway under the canopy. Mr. Lastovica said there will be areas for pedestrian traffic only. Mr. Batastini feels that people will still walk down the drive lanes to get to the entrance to the store. This is a great idea but it is not designed correctly.

Mr. Hayden agreed with the comments made by the Commissioners. He agrees this is a great idea but feels it should be used for the larger items that are sold at Sam's like desks, refrigerators, etc.

Mr. Lastovica said they will bring back information for the Commissioners. He said the design was developed by corporate and it may take some doing to alter it.

Mr. Hayden asked why there is a stop sign after you exit the gas station. Mr. Anderson said there was to be a road connection from the north. Mr. Hayden said the sign should be put in after the road connection is made. Ms. Maxwell said it was a requirement of the Engineering Department when the plan was originally presented.

Mr. Hayden feels there is a need for a gas pricing sign on Route 14. Mr. Goss said the gas is for members only, so advertising on Route 14 is not a good idea.

Mr. McDonough suggested that the petitioner get the needed information and work with Staff. Mr. Greenman said the petitioner can be continued to a future meeting or they can have a vote on what was presented and move on to Council where the final decision will be made. Mr. Jouron said he does not want to see an increase in the signs for this site and the plan needs to be changed. Mr. Goss said he is ok with the signs except for the gas station.

Mr. McDonough moved continue 2009-48 Sam's Club to the October 7, 2009 PZC meeting. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion passed.

2009-47 PYOTT PLACE II SUBDIVISION – 970 Pyott Road – PUBLIC HEARING

Comprehensive Plan Amendment, Rezoning, Preliminary & Final Plat of Subdivision, Special Use Permit, Variation for commercial projects.

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.

Marc Munaretto, Robert Munaretto, and Sean and Betty Conley with Hobby Town, were present to represent the petition. Mr. Munaretto said they are working with Hobby Town to expand their business. This would increase their sales and repair business for RC cars. They also want the ability to have an outdoor track for the RC cars which won't disturb the neighbors. Mr. R. Munaretto said the ceiling height in this building is too low for an industrial user and there is no loading dock. The ceiling height was good for retail.

Mr. Conley said they would like both an indoor and outdoor track. He said it would be very expensive to expand their business on Route 14 to include an indoor and outdoor track. They will be able to attract new clients from long distances.

Mr. R. Munaretto said Nick's Pizza was formerly zoned industrial as well as several other properties in that area. Mr. Hayden asked if the weekend track would be removed. Mr. Conley said the track would be used more in this location. They would like to own the building instead of rent.

Bill Neuner, 947 Cardiff Drive, said he lives in one home of three that would be impacted by this use. He said JA Frate is not a 24 hour business and is closed on the weekends but they do have truck traffic until midnight. He did not have a problem with the body shop because the work was done inside. Mr. Neuner asked if the hours of business would need to be approved by City if it changed from the 10 a.m. to 6 p.m. that they stated. They would like to cut back on the noise.

Mr. Hayden asked if the track will be inside. Mr. Conley said there will be an outdoor track as well. They will also build a wall to help direct the noise up. He said they don't know how far the noise will travel. Mr. Neuner asked if the cars will be electric or gas. Mr. Conley said gas. Mr. Neuner said it is like a weed eater running all of the time. He said you can't hear the sound from the cars when they run on Route 14.

Lynette Aul, 955 Cardiff Drive, said she has lived in the house for 28 years. She understands things change but she wants peace and quiet on the weekends. They put up with the truck pounding and dust from early morning until midnight. This use will be noisy.

Henry Aul, 955 Cardiff Drive, said they have a peaceful neighborhood but he would have to hear the noise on evenings and weekends with this use. He asked how close the building is to the property line. Mr. Aul said if the parking lot is in the rear of the building he would like to see the berm extended.

Inga Neuner, 947 Cardiff, said she is asking the Commission to deny the Special Use. The noise will echo between the additional buildings. Mrs. Neuner asked if this were approved that the berm be extended and mature vegetation be planted. She said there is a neighbor who has a wake tonight and asked that this remain open until the next meeting so they can make comments.

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 he doesn't have a problem with rezoning. He has a neighbor who has 2 RC cars and the pitch of the noise drives him crazy. There are very loud and irritating. Mr. Conley said it is hard to find a location but the residential area next to their current business is about the same distance away from the residential for this property. Mr. Batastini said it is hard to get away from the pitch of the noise. He agrees with the rezoning but not with the Special Use Permits. He said there are only 3 houses but that is a neighborhood.

Mr. Skluzacek said the rezoning is ok but not the several variations needed. If one of the lots is made larger that would eliminate some of the variations. He is not ok with the parking variation. Mr. Skluzacek asked where the track would be located. Mr. R. Munaretto said it would be behind the building in the parking area. Mr. Skluzacek said the parking is short for this site and some parking is on another site. Mr. R. Munaretto said they could have additional parking in front of the building. Mr. Skluzacek asked if they own the property. Mr. R. Munaretto said they have a contract to purchase the property.

Mr. Jouron asked how many decibels are the RC cars. Mr. Conley said he didn't know. Mr. Jouron is concerned with the noise.

Mr. Esposito said he is concerned with the parking. Being short 17 parking spaces is a lot. Mr. McDonough said there are 50 spaces but not on this property. Mr. Esposito asked how much parking will be used. He doesn't believe they use 50 spaces at their current location. Mr. Esposito asked even if they expand their business. Mr. Conley said they can put in another row of parking. Mr. R. Munaretto said a parking agreement would be granted by Riggsby for the overflow parking after their hours. Mr. Esposito asked if the petitioners talked with the neighbors.

Mr. McDonough asked what size is a typical manufacturing lot. Ms. Maxwell said it depends on the use. If it is a smaller development such as Erick Street, that would not be a very large lot. Mr. McDonough said he would like to see manufacturing in Crystal Lake and there are not many lots with

that zoning designation. He read one of the objectives of the Comprehensive Plan. As soon as retail comes into an industrial area, it becomes a destination not just a drop-in while you are at another business in the same center. Mr. McDonough read a portion of the list of businesses allowed in the manufacturing district.

Mr. McDonough asked if the track will be used on the weekends. Mr. Conley said they have a Temporary Use Permit for Sunday but would like to have it Saturday and Sunday in the spring. Mr. McDonough said he would prefer they locate in the former Walmart center. There is no residential around there and who cares what noise is made there. He said if a project needs many variations, something is wrong. There is also no front door to this business and there were no drawings submitted. Mr. R. Munaretto showed a plan to Mr. McDonough and explained where things would go. Mr. McDonough said he struggles with the plan and feels this business needs to be on Route 14. Mr. Conley said they are currently hidden by IHOP. This is a destination business.

Mr. Greenman said he agrees with what has been said. It would help if they had a plan they could discuss. He would like to keep this business in Crystal Lake but this is not the right location. Mr. Greenman said part of their job is to protect the residents and this is a huge risk to the residents there although it could be a lot worse. He said extending the berm would be needed to protect the residents. It would have been better to see a plan for the site. It would not have to be completed all at one time but could be done in phases. Mr. Greenman appreciates the effort but feels that this is the wrong fit and can't support this request.

Mr. Goss said he has a problem with the subdivision and the building is no more than a metal shed. There is no access to the parking in the front and no door on the 2nd condo building. He agrees there needs to be a berm. Mr. Goss stated that most manufacturing is on a full lot and not a flag lot which pushes the business closer to the residential area. He feels this is spot zoning.

Mr. Hayden said if this is denied at Council there would be a year wait until it could be presented again. Ms. Rentzsch said yes unless there are significant changes to the request.

Mr. Conley said their competition is located in industrial areas in the middle of nowhere. They can't remain on Route 14 and do what they want to do. This is their only option to keep the cost under control. Mrs. Conley said it would be nice if they would take into consideration what they are trying to do to cut down the noise. They don't believe the noise will be as bad as the neighbors feel it will be. They don't want to cause people any problems. She said this is a good activity for kids and keeps them busy. She would like to see more consideration for what they are trying to do.

Mr. Batastini said he had supported the zoning change but there is no plan presented.

Mr. Batastini moved to deny the Comprehensive Land Use Plan Amendment for Pyott Place II Subdivision. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion to deny passed.

Mr. Batastini moved to deny the Rezoning for Pyott Place II Subdivision. Mr. Goss seconded the

motion. On roll call, all members voted aye. Motion to deny passed.

Mr. Batastini moved to deny the Condominium Plat, Special Use Permits and Variations for Pyott Place II Subdivision. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion to deny passed.

REPORT FROM PLANNING

- 2009-43 Ledermann – 132 Wallace Ave. – Variation
- 2009-44 Panda Express (Bohl Farm) – 5260 Northwest Hwy. – Final PUD Amendment
- 2009-45 EDC Business Incentives – application approvals

Ms. Maxwell stated that there is a special meeting to be held tomorrow for the Spirit Halloween temporary store at 7:30 p.m. She reviewed the items that will be discussed at the next regularly scheduled meeting on September 16.

COMMENTS FROM THE COMMISSION

Mr. Hayden said he received a letter from the City of Libertyville regarding their new parking garage in the downtown area. It looks very nice and used TIF funds. He suggested we go take a look at it.

Mr. McDonough said the only parking for bicycles is on the north side of the railroad tracks which is inconvenient for those who come from the south side of town. He suggested that there be additional bike parking racks placed on the south side of the tracks, west of the depot. Mr. McDonough also suggested the City look into additional and better arranged motorcycle parking at the dept during the summer months.

Mr. Esposito asked why the temporary farm stand didn't come through the process if the other temporary businesses need to. Ms. Rentzsch said that is concerned produce sales which is a Temporary Use Permit and they did receive approval from City Council.

Mr. Batastini asked about the contaminated soils found on Pingree Road and Crystal Lake Avenue. Ms. Rentzsch said she understands it is pesticides and farm chemicals. She said things should be moving forward on the road construction shortly.

Mr. Greenman asked about the sidewalk along Randall Road by the condos south of Village Road. Ms. Rentzsch they will be going through the adjudication process soon.

The meeting was adjourned at 9:30 p.m.