



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
SPECIAL MEETING  
THURSDAY, SEPTEMBER 3, 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 Goss, Greenman, McDonough, Skluzacek, and Hayden were present. Members Batastini, Esposito, and Jouron were absent.

Elizabeth Maxwell, 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.

**2009-46 SPIRIT HALLOWEEN – 4423 Northwest Highway – PUBLIC HEARING**

Variation to allow a temporary retailer.

Mr. Hayden stated that the fees have been paid, and the sign has been posted. He said the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice without objection.

Lyle Chiappetta and Bar Goisse, both with Spirit Halloween, were present to represent the petition. Mr. Chiappetta thanked the Commissioners for holding a special meeting since there were publication issues for them to attend last night's regular meeting.

Mr. Chiappetta said this will be their 5<sup>th</sup> season in Crystal Lake. They were in the old Frank's building for 2 seasons. He said they found out late that the requirements of the City had changed and they were required to get the ok to have their business in the City. Their store provides 40-60 jobs per season.

Ms. Goisse said they have been treated well by the City and handed out flyers about their business. Mr. Chiappetta said this is his home store.

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

Mr. McDonough laughed and stated that the sign on the photo provided is a little askew. Mr. Chiappetta said he did that with Power Point and the actual sign will be straighter and more in focus.

Mr. Greenman said the most important condition proposed by Staff is the size of the sign. Mr. Chiappetta said he understands the square footage they are requesting is lower than the allowable signage.

Mr. Hayden said they have recently approved two similar variations for temporary Halloween stores. He said Halloween is overtaking Christmas as far as dollars spent. Mr. Hayden said this seems to be the make or break time of the year for retailers. He is concerned with the businesses that are year-round here in town and he wonders how much this type of business hurts our permanent businesses. Mr. Chiappetta said his clients are more upscale. They sell higher priced costumes and have more unusual whimsical decorations. He said they do send business to places like Fantasy Festival that rent costumes and have more specialty items. Mr. Hayden said that does help him reconcile his concerns. There have been businesses that have come into town and sold Christmas trees which hurt the local charities who sell them as well. He asked if they would be selling candy at the store. Mr. Chiappetta said no. That would require a food license.

Mr. Chiappetta said they tried to extend their business operations last year at another location to move into selling Christmas items. It was not successful since the other stores had been promoting Christmas for several weeks prior to them changing over from Halloween.

Mr. Hayden asked if there were any concerns with the conditions listed in the staff report. Mr. Chiappetta said no and they will remove their sign by November 15<sup>th</sup>. They should be out of the space by November 10<sup>th</sup> and they do own their sign so it will go with them.

Mr. Greenman moved to approve a Variation from Article 2, Land Use of the Unified Development Ordinance, to allow a Halloween Store, classified a Temporary Retail Use/Activity as a Permitted Use in the "B-2" district for Spirit Halloween at 4423 Northwest Highway with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application packet including sign information (Chiappetta, received 8/13/09)
2. The banner wall signs shall not exceed 208 square feet in size.
3. All signs are required to comply with the requirements of Article 4-1000 in the Unified Development Ordinance.
4. All retail signs associated with this use are required to be taken down by November 15<sup>th</sup>. If not, sign penalties will apply anytime after November 15<sup>th</sup>.
5. The petitioner shall comply with all of the requirements of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.

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

#### **REPORT FROM PLANNING**

There was no meeting to report on.

**COMMENTS FROM THE COMMISSION**

There were no comments from the Commissioners.

Mr. Hayden thanked the Commissioners for attending the special meeting. It was a little close with having a quorum.

Mr. Goss said he was concerned with the statement made during the Hobby Town discussion. They stated they use Nitro fuel to run the cars and it is hazardous to have them indoors. He asked that the Fire Department be contacted to look at this use.

The meeting was adjourned at 7:45 p.m.