



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, FEBRUARY 3, 2010
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Vice Chair Greenman at 7:30 p.m. On roll call, members Batastini, Esposito, Jouron, McDonough, Skluzacek, and Greenman were present. Members Goss and Hayden were absent.

Michelle Rentzsch, Director of Planning and Economic Development, Latika Bhide and Elizabeth Maxwell, both Planners, were present from Staff.

Mr. Greenman stated that this meeting is being televised now as well as being recorded for future playback on the City's cable station.

Mr. Greenman said the petition 2010-07 Legendary Cheerleading Gym has withdrawn their petition.

APPROVE MINUTES OF THE JANUARY 20, 2010 PLANNING AND ZONING COMMISSION MEETING

Mr. Esposito moved to approve the minutes from the January 20, 2010 Planning and Zoning Commission meeting as presented. Mr. Batastini seconded the motion. On roll call, members Batastini, Esposito, and Greenman voted aye. Members Jouron, McDonough, and Skluzacek abstained. Motion passed.

2010-03 CREEKSIDE OFFICE CONDOS – 850 McHenry Ave. – PUBLIC HEARING
Final PUD Amendment to add an exterior trash enclosure.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Bo Strom with Charles River Development and Nancy Crimmins, owner of one of the units in the building, were present to represent the petition. Mr. Strom said there are some things in one's lifetime that they regret doing. Agreeing to have no trash enclosure for this office building is one of them. It has caused severe stress. He said they have requested in the past to add a trash enclosure and have been denied. Mr. Strom stated that most if not all commercial buildings in the City have a trash enclosure of some type. If he were to build this building today, he is certain that the City would require him to have a trash enclosure. Mr. Strom added that this is the first time that the building is completely occupied. He fails to see how having a trash enclosure is a problem for surrounding property owners since the landscaping has matured.

Mr. Strom said they have been maintaining the property and even cleaned up the creek area which is not their property. He is asking to be treated the same as other commercial properties in town. The

occupants use the same large residential totes that are provided for use around town. Each occupant has one tote while most of the homes have two such totes. Mr. Strom showed an aerial photo of the property and noted the proposed location of the enclosure. He said this property is about 4 feet below the grade of the surrounding properties so they would only see the roof of the enclosure and most properties won't be able to see it at all. Mr. Strom showed photos showing what can be seen from the adjacent properties between the homes and also photos of the homes from the parking lot of the office building. He also showed photos of the City's pump station which is located on his property.

Ms. Crimmins said she wasn't told when she purchased her unit that the trash would not be allowed outside.

Terry Easler, 1635 Penny Lane, said he previously lived adjacent to this property and was one of the original owners to negotiate the no trash enclosure. They understood a person's right to develop their property and the owner was required to provide a certain number of parking spaces. That number would not have been able to be met if there was a trash enclosure. Mr. Easler said the houses are still there and so are the neighbors. He is still concerned with what the garbage attracts.

Bob Brix, 867 Woodmar Drive, said he has lived in this home since 1989 and was also part of the original discussion. He said there currently is an 8 foot buffer and today's standards would require it to be 30 feet between office and residential uses. Mr. Brix said back in 1990 the City required an 8 foot buffer and the residents also requested a solid screen. He recalls the original agreement was to have evergreens and when the agreement was approved the evergreens were dropped and trees were added. Mr. Brix said if the City is going to revisit the trash enclosure, they also need to revisit the landscaping and screening. There was no 6 foot screening put in. Also several homes have been up for sale recently only to hear from the potential purchasers that they don't want the house because of the view of the office building. Mr. Brix showed a video of the landscaping. He would like a 30 foot barrier/landscaping.

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

Mr. Strom said they have 6 parking spaces over what is required by code and they have never had a parking problem. As far as animals in the garbage, they are requesting a shed-type building which would be completely enclosed. It would be similar to what the neighbors have in their yards. Mr. Strom said there is nothing that can be done with the setback since the building has been there for some time and it met the requirements at the time. He added that Mr. Easler had no problem selling his home that backed up to this property.

Mr. Strom stated it was left up to staff to come up with the plantings/landscaping plan. He said that many of the plantings that were required by staff didn't make it because of the mature tree canopy.

Mr. Skluzacek asked about the trash enclosure. Mr. Strom said they would prefer to have a shed-type building to house the garbage totes. There would be no windows and a roof. It would be approximately 7 foot by 8 foot. Mr. Skluzacek said he has no problem with the request as long as it is enclosed.

Mr. Batastini said he lives near the Terra Cotta office buildings and they always look nice. He read the minutes from the July 29, 1999 meeting which stated that there was to be a 6 foot screening. He said he would be ok with the request if the screening were installed. Mr. Batastini said he recalled from the previous meeting that each tenant would have their cleaning service remove the trash. Mr. Strom said it hasn't worked out. He said most businesses don't have room for the large tote and one refuses to keep in inside the space. Most of the users are small business owners who don't have cleaning services.

Ms. Rentzsch recalled walking the property at that time. Landscaping was preferred as the neighbors did not want a fence. Given the existing tall trees and heavily shaded areas, sun-loving evergreens would not do well here. Chokecherries bushes were selected as they will tolerate shady areas. Mr. Strom said he didn't ignore the requirement - he did what staff wanted. He added that they discovered a 15 inch sewer line that ran through his entire property. He granted an easement for that line as well as for the pump house and additional dedicated right of way for possible future expansion of McHenry Avenue.

Mr. Batastini said the neighbors will see the enclosure. Mr. Strom asked what makes the shed they are requesting any different than the shed that is on the neighboring properties.

Mr. McDonough said he is willing to support a masonry enclosure with a roof and would like to see screening added to where the enclosure is. He asked if there are plants that could be planted there that will grow. Ms. Rentzsch listed a few choices.

Mr. Strom said they have been down the masonry path before. All it takes is one snowplow or a garbage truck driver that is not careful and there goes the entire structure. He said staff has requested that before with other buildings of his and the Council has agreed with him. Mr. McDonough said his office has a wood enclosure and it is always in disrepair. Mr. Strom said there are ways to make it look good without going to masonry.

Mr. Jouron said he is ok with the enclosure. He questions the landscaping. It seems that with many businesses when the landscaping dies it is not replaced.

Mr. Esposito said he has no problem with the enclosure so long as it is close to the building. Mr. Strom said he will put it next to the City's pump station.

Mr. Greenman said the general consensus was they are ok with the enclosure and there is a clear message that the landscaping/screening is a problem. He added that he has a problem with the enclosure. He understands the problem. Mr. Greenman said what has changed is the mixture of tenants but what hasn't changed is this property is next to residential. He hasn't found a compelling reason to change what was originally approved. He reviewed the Findings of Fact.

Mr. Strom reminded the Commissioners that the original plan approved for RDG showed 3 office buildings on this property which was much less neighbor friendly than his one building. The problem was the neighbors lost their dump area for unwanted stuff such as grass clippings, etc. He has been cooperative with the neighbors and the City for easements, etc. Mr. Strom added that the neighbors have

more garbage than paper which is what these businesses toss out. The neighbors garbage which is mostly food, attracts more animals that these businesses.

Mr. McDonough said if they had the enclosure plan in hand he would not have a problem with it. Mr. Batastini said it makes sense what was originally approved. There are a lot of what ifs. Mr. Esposito preferred to continue the request and have the petitioner bring back the plan for the enclosure as well as a landscape plan for them to review. Mr. Skluzacek agreed.

Mr. Strom said he is not prepared to do a masonry enclosure. He would install a shed like the neighbors have and landscaping.

Mr. Batastini moved to deny the Final PUD Amendment for Creekside Office Condos at 850 McHenry Avenue. Mr. Jouron seconded the motion. On roll call, members Batastini, Jouron, Skluzacek and Greenman voted aye. Members Esposito and McDonough voted no. Motion to deny passed.

Mr. McDonough said he agrees that there needs to be an enclosure but he would like the petitioner to come back with the plans. Mr. Batastini said this request makes total sense. They need a place for their trash but they also need to work with the neighbors.

2010-05 CAMELOT SCHOOL – S. Congress Pkwy; E. Main Street – PUBLIC HEARING

This petition was continued from the January 20, 2010 PZC meeting.

Preliminary Plat of Subdivision, Preliminary Planned Unit Development and variations for a Camelot School.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Christian Laden, attorney, Dwight Avram, Avram Builders, Theresa Smith and Joseph Carter, with Camelot School, and Frank Cuda, engineer, were present to represent the petition. Mr. Laden said they are requesting to subdivide off 5 acres of the approximate 15 acre site adjacent to the post office for a school and dormitory. They are also requesting variations for the parking setback and also the impervious surface coverage. Mr. Laden said they are also requesting that the connection to the south property be an emergency access only and not a roadway. The property is zoned "B-2" and the buildings would be designed to look like office buildings. The proposed elevation is a masonry building with a shingle roof. They would have between 60-75 employees on-site at one time.

Mr. Greenman asked how different the proposed elevation is from the one shown. Mr. Avram said the rendering presented is the same design but a smaller building. The architect was not able to complete the drawings in time for this meeting.

Mr. McDonough asked about the open roof. Mr. Avram said it is to screen the HVAC. They will have the complete drawing at City Council. He said staff wants the roof line reduced and there will be dormers on the end of the building for the gym. Mr. Avram said they will add the stone corners to the

building and will increase the stagger in the building.

Mr. Cuda showed the site plan. He said the detention will be shared by all of the lots. There will be a shared access point for the lots. Mr. Cuda added that they would like to leave the proposed access as a right in right out for the bus traffic.

Mr. McDonough asked about the number of parking spaces. Mr. Cuda said they have over 200. Mr. McDonough asked what would trigger the Phase 2 parking. Mr. Avram said if the school ceases and the buildings convert to office it would trigger the additional parking.

Ms. Smith showed a Power Point presentation. They provide therapy and resident care for autistic and special needs children. Their schools are accredited by the Joint Commission. Ms. Smith said they have many locations throughout the country with 5 day schools in Illinois and 1 resident treatment center. She said the residential program has 135 employment opportunities and many children require one on one teaching. There will be 60 employees in the day school. Ms. Smith added that the school can accommodate up to 60 residential children who stay from 3 months to a year. Mr. Avram said the rooms are mostly single occupancy but there are a few double rooms.

Mr. Laden said this use is very beneficial to the community as well as to the retail and medical facilities in the area.

Mr. McDonough asked the number of students per class. Ms. Smith said there will be 10 children per class as well as the support staff for each child.

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

Mr. McDonough asked about landscaping. Mr. Avram said it is not complete but it will be ready for Final. Mr. McDonough asked if the kids go outside. Ms. Smith said yes but not alone. Mr. McDonough asked if the residents stay 7 days a week. Ms. Smith said yes and their stay is from 3 months to 1 year. They do have an admissions policy.

Mr. McDonough asked why this is a good site. Ms. Smith said the City has a lot to offer and in a good location. This is a good service for the community. Mr. McDonough asked if the Hoffman Estates site has residence. Ms. Smith said that is a day school only. Mr. McDonough asked about the hours for the school. Ms. Smith said from 8:15 a.m. to 2:45 p.m.

Mr. Greenman said this property is landlocked with not much outdoor space. Ms. Smith said the children don't all go outside at the same time. She said they have an adaptive PE program, art therapy and music therapy. They are not the traditional PE, art and music classes.

Mr. McDonough asked why they didn't purchase a little more property so there would not be any variations needed. Mr. Laden said it was the property owner who determined it.

Mr. Batastini said the best part about this particular business park is that there is a lot of landscaping and open areas. Mr. McDonough said he would almost prefer to have the detention area located on the property so there would be more open space. He is not sure he would like this use in a business park. He said the City doesn't have many business parks.

Mr. Batastini said this school/business will create a good number of jobs and with family coming to visit the residents they will need to be close to hotels, food, etc. which is available nearby.

Mr. McDonough feels there needs to be a use variation for a group dwelling not just for a school. Mr. Esposito said when they were discussing dormitories it was mostly thought of as halfway houses and not dormitories for schools.

Mr. Skluzacek said he doesn't have a problem with the variations. He asked if the petitioner had any concerns with the conditions especially 3E regarding the road connection to the south. Mr. Avram said they are requesting that the connection to the south be an emergency access only. Mr. Batastini asked why staff wants a road there. Ms. Maxwell said Council wanted a road connection many years ago from the Sam's Club property. Mr. Batastini asked if it would be wise to have a road connection next to the school. Mr. McDonough said it would help people get to the school. Mr. Batastini said he would prefer an emergency access. Mr. Avram said they would not want the roadway because of the children. Mr. Skluzacek asked where the connection would be made to. Mr. Avram said they would prefer the access be from the shopping center and not Sam's Club. Ms. Maxwell said a cross access agreement would be needed. Mr. Avram said they are working on the agreement.

Mr. Jouron asked about the roof. Mr. Avram explained the roof line.

Mr. McDonough asked about the bus circulation on site. Mr. Avram showed the circulation on the site plan. Mr. Batastini added that he would prefer closing the proposed entrance when the other lots develop because Congress Parkway curves in that area. Mr. McDonough asked how many buses are used. Ms. Smith said some children come in taxis and the buses that are used are the smaller buses.

Mr. Batastini asked about the fencing. Mr. Avram said they have contacted several fence companies and they will get the information to staff shortly. He said it will be a metal fence but not chain link.

Mr. Batastini said this plan does not have a lot of open area and is concerned that in the future others will want the same thing. Mr. Skluzacek said this can be converted to office in the future.

Mr. Greenman is excited about the use but concerned with the lot coverage and approving the variations. He believes others will request the same. He is also not sold on the space for the children to play but they know their students. Mr. Greenman would prefer the petitioner go back to the property owner for a small amount of land so there won't be a variation because he doesn't see a hardship for the variation. Mr. Laden said there is off-site detention. Mr. McDonough said if they would need 7 to 8 acres not 5 if the detention were on-site.

Ms. Maxwell said they can send it to the Council without the variation since the petitioner will need to

come back for Final. Mr. Avram said that will allow them time to speak with the property owner.

Mr. Batastini moved to approve a Preliminary Plat of Subdivision of Lot 3 in the Crystal Lake Business Center for a two-lot subdivision; a Preliminary Planned Unit Development to allow two buildings on a zoning lot; and the Use Variation from Article 2, Land Use of the Unified Development Ordinance, to allow an Educational Service, Elementary or Secondary School as a Permitted Use in the "B-2" zoning district for Camelot School located east of Main Street and south of Congress Parkway with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Avram Builders LLC., received 01/13/10).
 - B. Plat of Survey (Smith Engineering, dated 01/24/05, received 01/13/10)
 - C. Preliminary Engineering packet (Schefflow Engineering, dated 01/08/10, received 01/13/10).
 - D. Architectural Plans (K. Peterson Associates, dated 01/07/10, received 01/13/10)
 - E. Front elevations (K. Peterson Associates, dated 01/26/10, received 01/26/10)

2. A complete landscape plan shall be submitted with the final PUD submittal which illustrates the following:
 - A. The species, size and quantity of all selected plant types and a planting detail.
 - B. The plan shall provide for foundation base landscape around the buildings, parking lot landscape and perimeter landscape areas.
 - C. The plan shall provide the required number of trees required from the tree replacement calculations.

3. Site Plan
 - A. Cross access should be provided with the parcel to the west. If possible a single shared entrance off of Congress Parkway should be provided for both parcels.
 - B. Upon development of western parcel, proposed entrance should be converted to a right in-right out or closed. Congress Parkway pavement markings should be changed to a two way left turn lane east of the entrance.
 - C. Sidewalk access should be provided to Congress Parkway.
 - D. 5 handicap parking stalls are required for the proposed 136 parking spaces. The H.C. stalls should be located as close to the public accessible entrances for both buildings as possible.
 - E. ~~The planned roadway connection shall be provided, extended from the Sam's Club property through this site to Congress, which will require the shifting of the dormitory building to the west side of the lot.~~ **An emergency access from the property to the south shall be provided as illustrated with the ultimate goal to "T" into the Sam's Club property from Crystal Point Center.**

4. Architecture
 - A. Complete four-sided elevations shall be provided with the final PUD submittal.
 - B. The petitioner shall work to incorporate the suggestions from staff, which include
 - i. To lower the roof pitch from a 5/12 to a 4/12 pitch.
 - ii. To bring the prairie stone block up the corners of the end columns on the dormitory building.

- iii. Increase the wall plane stagger on the education building from a 1 foot recess to a 2 foot recess.
5. The amount of parking constructed shall be sufficient for the total number of on-site employees.
- ~~6. The following Zoning Ordinance Variations are hereby granted:~~
 - ~~A. Side yard parking lot setback of 8 feet to allow a reduced parking lot setback of 6.23 feet, a variation of 1.77 feet.~~
 - ~~B. Maximum permitted 65% impervious surface coverage limit to allow the impervious surface as illustrated on the site plan.~~
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.

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

2010-08 SALON MACKK - 415 Congress Pkwy – PUBLIC HEARING

Land use variation for a salon and common sign plan amendment for additional wall signage.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Joshua Hawkins and Kristin Shipley were present to represent the petition. Mr. Hawkins said the building was originally a medical building. This will give people waiting for others at the medical facility an opportunity to do something with their time. The use requires 18 parking spaces and there is adequate parking. Mr. Hawkins said the hours of operation for the businesses in the building vary greatly.

Mr. Hawkins said they are requesting a sign to be located on the back of the building and it be illuminated. The Mercy Health sign is large but not illuminated which is not a problem because car lights illuminate it when they drive by. The reason for the sign for the salon is because he is afraid they will be lost in this location.

Mr. Greenman asked if there were any concerns with the conditions listed in the Staff report. Mr. Hawkins said no. Mr. Greenman asked staff how it is determined if this space is turned into retail. Ms. Bhide said it is an enforcement issue. This property is zoned Manufacturing which allows an office use by right, however retail is not permitted in a “M” district.

Mr. Esposito said he has no problem with the request but would prefer the sign not be illuminated. Mr. Batastini and Mr. Jouron agreed.

Mr. McDonough said he is concerned with this use at this location and doesn't care for the sign.

Mr. Skluzacek said he is ok with the use and can go along with the sign if it isn't too large. Mr. Hawkins said they could reduce the sign to match Mercy's sign. Mr. McDonough said that size is more in line with what is in the area.

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

Mr. Greenman said the consensus of the Commissioner is the sign is too large and no illumination. He is ok with the use and is concerned if they don't have an appropriate sign the business will get lost there. He would prefer they meet the Common Sign Plan criteria that was previously approved.

Mr. Batastini moved to approve the Land Use Variation to allow a hair and beauty salon; and Common Sign Plan Amendment to allow 22-square foot wall signage for Salon Mackk and 415 Congress Parkway with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (received 1-18-10)
 - B. Proposed Sign for Salon Mackk (Hughes, received 1-25-10)
2. The proposed sign shall not be illuminated, either internally or externally.
3. The use variation is granted only to this applicant at the specified location. An increase in the intensity of the use beyond what is indicated in the application is not permitted.
4. Any sales of related products shall be ancillary to the salon use. Retail sales are not approved as the primary use for this space.
5. The petitioner shall comply with all of the requirements of the Planning, Engineering and Building, Fire Rescue, and Public Works Departments.

Mr. Skluzacek seconded the motion. On roll call, members Batastini, Esposito, Jouron, and Skluzacek voted aye. Members McDonough and Greenman voted no. Motion passed.

Mr. McDonough and Mr. Greenman voted no as they felt the sign was too large and the motion did not address this issue.

REPORT FROM PLANNING

- 2009-59 Bryn Mawr (Thorndale) – N. Rt. 176; W. Bryn Mawr Ln. – Rezone, Comp Amend, Annex Agree Amend, etc.
- 2006-88 Ashwood Estates – Plat extension (3rd)
- County Request – Church on Crystal Lake Avenue

Ms. Bhide stated the next scheduled PZC meeting on February 17, 2010 will be cancelled and replaced

with the Zoning Commission's 6 month review of the UDO. She also reviewed the items that are currently scheduled for the March 3, 2010 PZC meeting.

COMMENTS FROM THE COMMISSION

There were no comments from the Commissioners

The meeting was adjourned at 10:15 p.m.