



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, MARCH 3, 2010
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.

Mr. Hayden asked the people in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Michelle Rentzsch, Director of Planning and Economic Development, Latika Bhide, Planner, were present from Staff.

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 FEBRUARY 3, 2010 PLANNING AND ZONING COMMISSION MEETING

Mr. Skluzacek said Mr. Greenman called the last meeting to order, not Mr. Hayden.

Mr. Batastini moved to approve the minutes from the February 3, 2010 Planning and Zoning Commission meeting as amended. Mr. Skluzacek seconded the motion. On roll call, members Batastini, Esposito, Greenman, Jouron, McDonough, and Skluzacek voted aye. Members Goss and Hayden abstained. Motion passed.

2010-15 METRA RIDGEFIELD STATION – Ridgefield Road – PUBLIC MEETING

A motion is requested to set a public hearing date on March 17, 2010.

Comp Plan Amendment, rezoning and Preliminary PUD for a commuter train station.

Joe Gottemoller, attorney, and Rick Mack with Metra, were present to represent the petition. Mr. Gottemoller said they are here to request the setting of the public hearing for March 17 and to ask if there are any questions the Commissioners might have so they will have the information at the next meeting. He said they have the minutes from the conceptual review meetings. Mr. Gottemoller said there were many questions previously about traffic and asked if there were any other concerns.

Mr. Hayden asked if there was anyone in attendance who would not be able to attend the public hearing and wished to speak on this matter. There was no one in the public who wished to speak on this petition.

Mr. Goss said they received a very complete traffic study and that answered questions he had not even thought of. He would like to see the plans for the road network improved and what amount of right of way is needed. Mr. Esposito asked that a time line be presented at the next meeting. Mr. Gottemoller asked if it is a time line for the entire station. Mr. Esposito said a time line for the station and road network improvements. Mr. McDonough said he will be recusing himself from the next meeting since

his firm does business with Metra. Mr. Skluzacek asked that they discuss how the improvements will impact the properties in the area. Mr. Batastini asked if the traffic engineer will be present to answer questions. Ms. Rentzsch said yes. Mr. Greenman said his comments were made at the previous meeting.

Mr. Batastini moved to set a public hearing for 2010-15 Metra Ridgefield Station for March 17, 2010. Mr. Jouron seconded the motion. On roll call, members Batastini, Esposito, Goss, Greenman, Jouron, Skluzacek, and Hayden voted aye. Mr. McDonough abstained. Motion passed.

2010-13 RANDALL ROAD ANIMAL HOSPITAL – W. Carlemont; S. Angela – PUBLIC MEETING

A motion is requested to set a public hearing date on March 17, 2010.

Preliminary PUD and variations for a veterinary animal hospital.

Brian Korte, architect, and Dr. Sandali were present to represent the petition. Mr. Korte showed an aerial photo of the property. The building proposed is 4,400 square feet on the first floor and 800 square feet on the second level. He showed the elevations of the proposed building. Mr. Korte said they wanted the building to have residential characteristics.

Mr. Hayden asked if there was anyone in attendance who would not be able to attend the public hearing and wished to speak on this matter. There was no one in the public who wished to speak on this petition.

Mr. Hayden said he has questions about no overnight boarding and how that will be handled if an animal needs surgery. Mr. Jouron said he will be comparing this building to existing buildings in the area. There may need to be more details added. Mr. Hayden said the petitioner should be ready to address the staff comments and conditions.

Mr. Batastini moved to set a public hearing for 2010-13 Randall Road Animal Hospital for March 17, 2010. Mr. McDonough seconded the motion. On roll call, all members voted aye. Motion passed.

2010-04 SMOLEN – 605 Lochwood Dr – PUBLIC HEARING

Variation to allow an ice rink in the front yard as close as 10 feet from the property line.

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.

Bruce and Lynn Smolen were present to represent their petition. Mr. Smolen said he built an ice rink in his front yard and because of the slope of the property there is a portion of the rink where the ice is 24 inches thick. Because the ice is so thick and above the grade, he put up boards for safety. He said he has an in ground pool in his back yard so there is no room for a rink. Mr. Smolen said he was a hockey player and his kids play hockey. He would rather have them play on this rink than have them play on the detention pond ice which may not be a safe thickness.

Mr. Smolen said their hardship is there is no room in the back yard for the rink and there is no place for the kids to skate. Regarding the objection letters received, Mr. Smolen said one of the neighbors tried to sell their house and has taken it off the market and the other said they want to move out. He said there may be a buyer who would like to see a rink in the neighborhood. It may bring down the values of the homes but it also may increase their values. Mr. Smolen said the rink is small for the younger kids. This rink is not for adults. He said if the objectors had smaller children they might have liked it.

Mr. Smolen said he would be able to move the lights and adjustments can be easily made. He would also be willing to put up a netting to keep pucks from flying out of the rink. Mr. Smolen said he would prefer to remove the rink when weather permits and not a hard deadline of March 1st. As you can see the ice is still frozen and would be difficult to remove. He said he had received letters of support and asked if the Commissioners had received them. Mr. Hayden said they have a very efficient staff.

Mike Marchyshyn, 612 Lockwood Drive, lives across the street from the ice rink. He thinks this is a great idea. When they were looking for a home to purchase, they saw the rink and that showed them there were kids in the area who wanted to be outside and play. Mr. Marchyshyn said only small kids can use the rink and they don't have the strength to cause the pucks to fly out of the rink. He also doesn't see a difference between having a basketball hoop in the front yard and this rink.

Philip Zack, 596 Ryan Way, said he objects to the rink. It doesn't belong in the front yard. He added that there are many places in Crystal Lake where the kids can skate.

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

Mr. Jouron said he can sympathize. His son played hockey from the age of 6 years old until he was 19 but there are a lot of places in Crystal Lake where you can skate. He doesn't feel it is appropriate to have a rink in the front yard. Mr. Jouron stated that even a 7 year old can shoot the puck really hard and it can fly out of the rink.

Mr. Batastini said he drove to the petitioner's home today and came before the meeting thinking "no way" should the rink be in the front yard. However, he now is not sure. It is very cool what the petitioner did for his kids but this is different than a basketball hoop. He added that a swing set can't be put in the front yard even just for a few months in the summer. Mr. Batastini added that it is about protecting the neighbors and the neighborhood. He said lighting is an issue and it is hard to point them so not to shine on other property.

Mr. Goss agreed with Mr. Batastini's support of the ordinance. He said the City has a problem with RV's in the front yard and there are restrictions on the heights of fences in the front yard.

Mr. Esposito said this is a structure in the front yard and it is like putting a pool in your front yard. It is not allowed.

Mr. McDonough feels it is an annoyance in the front yard. When he was reviewing the findings of fact he was not able to answer true to any of them. Mr. McDonough said he can't support this request.

Mr. Skluzacek agrees that this doesn't belong in the front yard. It is also very close to the sidewalk and the City's right of way is just past the sidewalk on the house side. There is no way the rink could be setback 10 feet from that line and still have a nice size rink to skate on. He understands they want something nice for their kids but this should not be in the front yard.

Mr. Greenman said he understands what they are trying to accomplish and some of the neighbors support it. Mr. Greenman applauds their passion for their kids but their task is to find the hardship for the variation. He asked if the petitioner put in the pool in the back yard. Mr. Smolen said yes. Mr. Greenman said that the petitioner created the hardship by putting the pool in the back yard. He said this does not belong in the front yard.

Mr. Hayden agrees that none of the questions raised in the findings of fact listed in the report can be answered "true" and therefore he can't support the request. Mr. Smolen said he is very disappointed. Mr. Hayden said it is very hard for a neighbor to speak out against another neighbor. The objecting neighbors do have a valid argument and they came to the City for help with this matter.

Mr. Esposito moved to deny the Simplified Residential Variation from Section 4-600 E, Location of Accessory Structures at 605 Lochwood Drive. Mr. Greenman seconded the motion. On roll call, all members voted aye. The motion to deny passed.

2010-11 CRYSTAL LAKE AUTO BODY – FOXX MOTOR SPORTS – 6096 Commercial Rd. – PUBLIC HEARING

Use Variation to allow automobile sales and parking variation.

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 Bishop, attorney, Jerry and Mark Simonsen, petitioners, were present to represent the petition. Mr. Bishop said the petitioners have done business in the City for many years. He said Foxx Motor Sports sells vintage cars on the internet and they are not repaired at this location. They are stored inside to protect them. They do not do oil changes, and there is very little gas in the cars. Mr. Bishop continued stating the auto body shop would be in the other half of the building. It would consist of two frame racks and a paint booth. These are very clean operations by nature. He said there is a screened area that could be used for outside storage so they are requesting that as well. They do not intend to store cars outside but since they were going through the process for the land use they thought they would request the outside storage just in case they needed it in the future.

Mr. Bishop said leaks from the vehicles are a great concern and leaks are taken care of inside the building. Mr. M. Simonsen said by the time a damaged vehicle comes to their shop, it usually doesn't

have much leaking from it. Mr. Bishop said in the past the owner of the building stored boats, cars, motorcycles, etc. in the building. He also said the one business will need only 4 parking spaces so the remaining spaces can be used for the auto body repair shop. Mr. McDonough asked how many employees will there be. Mr. Bishop said about 8 total.

Mr. Bishop reviewed the surrounding properties' outside storage and said most of them are very unsightly. Also these uses will generate sales tax and fill up a building.

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

Mr. Jouron asked if these were two distinctive businesses. Mr. Bishop said yes. Mr. J. Simonsen said there are two different addresses for the building. Mr. Jouron asked what type of paint would be used. Mr. M. Simonsen said it is acrylic paint. Mr. Jouron said he has no problem with the use.

Mr. McDonough said when they were reviewing the UDO it doesn't allow for specialty sales in a manufacturing district. It seems there should be an additional category in the UDO that could probably even be approved administratively. He believes this is an appropriate use for the property. Mr. Bishop explained the County ordinance that requires conditional use permits.

Mr. McDonough asked if there should be screening for the storage area. Mr. Bishop said that is not a problem. Mr. McDonough said it may be better for the Police Department if there weren't any slats in the fence. Ms. Bhide said a wrecked vehicle needs to be screened for aesthetic reasons. Mr. Bishop said that is not a problem.

Mr. McDonough asked if the building is on City sewer and water. Mr. Bishop said neither. Ms. Bhide explained where the City's utility lines are in relationship to the property. She said if the current well and/or septic fails the County Health Department would require the property to hook up if it is within 400 feet. Mr. Skluzacek said he would like that added as a condition.

Mr. Goss asked if the petitioner had any concerns with the conditions recommended by Staff. Mr. Bishop said they have haz mats but don't use them very often. Mr. M. Simonsen said they clean up spills right away. Mr. Bishop said they agree with the conditions listed in the report. Mr. McDonough said the concern is outside. Mr. M. Simonsen said they bring in the vehicles first.

Mr. Skluzacek asked where they would be parking the wrecked vehicles. Mr. M. Simonsen said they would be parked inside immediately. Mr. Skluzacek asked if the fence is on this property or the adjacent property. Mr. Bishop said he wasn't sure.

Mr. Greenman believes that the only variation needed is for the striping of the parking area and he doesn't see a hardship for that. Ms. Bhide said there are no designated parking spaces and she doesn't think there is room on the lot to actually stripe parking spaces and drive through aisles as wide as required by our ordinance. He agrees with the use but doesn't see the hardship for the variation. Mr. J. Simonsen said that is in the rear of the building. Mr. Greenman said potentially they may not have

enough space for the required parking.

Mr. Hayden asked if there would be any work done outside such as sandblasting. Mr. M. Simonsen said no.

Mr. McDonough moved to approve the Land Use Variation to allow retail sales in a “M” Manufacturing district Unified Development Ordinance variation from the required number of parking spaces to allow the site to be used in its existing condition for Crystal Lake Auto Body/Foxx Motor Sports at 6096 Commercial Road with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application, received 2-16-10
 - B. Plat of Survey, RLS - received 2-16-10
 - C. Floor Plans, Prudential- received 2-16-10
2. The use variation is granted only to this applicant at this specified location. An increase in the intensity of the use beyond what is indicated in the application is not permitted.
3. A variation is hereby granted from the parking requirements of the Unified Development Ordinance to allow the petitioner to use this site in its present state.
4. Outside Storage
 - A. No collision (wrecked) vehicles or vehicles that are or potentially could leak fluids shall be stored outside.
 - B. Vehicles awaiting repair (after being visually inspected to ascertain that no fluids could leak) must be stored in an area that has solid fencing **on the south end only**. Repaired vehicles can be stored outside the fenced-in area up to 7 days for pick-up by owners.
 - C. Industrial absorbent mats shall be placed on the storage spots for vehicle awaiting repairs and must be inspected and maintained on a recurring schedule.
5. The outdoor storage of cars shall not block any required means of egress doors and access to the public way.
6. The petitioner shall address all comments of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.
- 7. If the well and/or septic fails, the petitioner shall connect to City sewer and water.**

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

REPORT FROM PLANNING

- 2010-05 Camelot School – S. Congress Pkwy; E. Main St. – Preliminary PUD, Variation
- 2010-08 Salon Mackk – 415 Congress Pkwy – Variation
- 2009-58 Crystal Lake Office Park – 741 McHenry Ave. – Rezone, PUD Amendment

- Immanuel Lutheran Church – SUP Clarification

Ms. Rentsch reviewed the items to be discussed at the next PZC meeting.

COMMENTS FROM THE COMMISSION

There were no comments from the Commissioners

The meeting was adjourned at 8:50 p.m.