



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, MAY 19, 2010
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

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

Mr. Batastini asked those 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, Rick Paulson, Building Commissioner, Latika Bhide and Elizabeth Maxwell, both Planners, were present from Staff.

Mr. Batastini stated that since both the Chairman and Vice Chairman were absent for this meeting, there needed to be a vote by the Commissioners for a Chairman Pro-Tem. Mr. Goss moved to appoint Mr. Batastini as Chairman Pro-Tem. Mr. Esposito seconded the motion. On voice vote all members voted aye. Motion passed.

Mr. Batastini 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 5, 2010 PLANNING AND ZONING COMMISSION MEETING

Mr. Goss moved to approve the minutes from the May 5, 2010 Planning and Zoning Commission meeting as presented. Mr. Jouron seconded the motion. On roll call, members Batastini, Esposito, Goss, and Jouron voted aye. Mr. Skluzacek abstained. Motion passed.

2010-34 BUY BUY BABY – 5540 Northwest Highway - PUBLIC MEETING

Bonus Sign Area for additional wall signage.

Enrique N. Castel with JTS Architects and Dean Lev with Inland Commercial Properties Management were present to represent the petition. Mr. Castel said they had provided staff with an elevation of the building showing the sign proposed. He understands that the ordinance allows for Bonus Area for signs. They are requesting 211.58 square feet.

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

Mr. Goss asked if the business will have any panels on the monument signs for the shopping center. Mr. Castel said they will have a panel on both signs.

Mr. Esposito said he has no problem with the request since the building is set back from Route 14. Mr. Jouron has no concerns with this request.

Mr. Skluzacek asked if the petitioner had any concerns with the recommended conditions in the staff report. Mr. Lev said no.

Mr. Skluzacek moved to approve the Bonus Sign Area for additional wall signage for Buy Buy Baby at 5540 Northwest Highway with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Inland, received 5/11/10).
 - B. Sign information (received 5/12/10).

2. Signage
 - A. Due to this anchor tenant's distance from the roadway and the length of the business name, the buy buy Baby business is permitted 211.58 square feet of wall signage. All other provisions shall meet the requirements of the Sign Code.

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

2010-26 CRYSTAL CREEK – NW Miller & Randall Roads – PUBLIC HEARING
Rezoning, Final PUD for a townhome development.

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

Thomas Burney, attorney, Moises Cukierman and Thomas Meyer both with Lexington Homes, Ron Adams with Pierson Brown Engineers, Terrance Smith and Douglas Buster with BSB Design, Sharon Dickson with Dickson Design Studio, and Luay Aboona with KLOA Consultants were present to represent the petition. Mr. Burney said this is a modest request as far as rezoning is concerned. They feel that "B-2" zoning is more appropriate for this property. This property is a PUD which allows elimination of uses the City objects to for this area. Mr. Burney gave an example of a Furniture store is allowed in the "B-2" district and not in the "B-1". They will keep the original approval to eliminate liquor stores unless it is in a convenience store. The architecture will need to come back for each of the outlots. He said the Final PUD for the townhouses is in substantial compliance with the Preliminary plan. The PZC recommended 88 units and the Council approved 92 units which is reflected in the plan presented. Mr. Burney said they are concerned with condition 3B regarding the County Division of Transportation needing to sign off on the plat. He said the petition does not include an additional access points onto roads that are governed by the County and therefore they feel the County's approval is not necessary. Mr. Goss asked if Miller Road was under City or County jurisdiction. Ms. Rentzsch said this portion of Miller Road is under Crystal Lake's jurisdiction.

Kevin Ross, 1413 Washington, Lake in the Hills, said he received a flyer about this meeting and was concerned that there would be a strip center there. He is also concerned with the amount of traffic the townhouses will generate with the park on the south side of Miller Road.

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

Mr. Goss said he is concerned with "B-2" and several uses that are allowed. Instead of going through the list at this meeting, he would rather turn this over to Staff to review with the petitioner before Council. He still is of the opinion that liquor stores are not desirable there. Now if there is liquor in a restaurant is another thing. Mr. Goss said there are many uses that don't belong in this area that are allowed in the "B-2" district such as automobile uses. The uses get him more now than anything. Some uses don't belong there such as liquor store even in a convenience store is not appropriate there. Also public uses such as parking lots that are limited uses, as well as drive-throughs. He added many educational uses are much too intense for this property as well as bowling alleys are not appropriate and should be eliminated. He also agrees that the County shouldn't sign off on the plat but that is for Council and legal to decide. Mr. Cukierman agrees that there are several uses that should not be in this area and suggested auto outdoor sales, storage and display be eliminated. Mr. Goss said he doesn't want to go through the list one by one at this meeting but suggested that the petitioners work with staff on narrowing down the list of allowable uses. Mr. Cukierman said they only want to allow for more flexibility beyond the "B-1" district. They need the flexibility in this economy to have uses beyond the "B-1" district. Mr. Goss said he understands and asked how large the building pads are for the buildings. Mr. Cukierman said they are approximately 6,000 square feet. Mr. Goss said that would not be a very big furniture store. Mr. Cukierman said that would give them the flexibility they need beyond the "B-1" uses. Mr. Goss reiterated that the petitioners work with staff prior to Council on a use list for this development. Mr. Burney asked if staff had enough information to move forward. Ms. Rentzsch said the size of the lots will also limit what can go on the property.

Mr. Esposito agreed with the review of an allowable use list especially with the elimination of gas station since there is water in that area. That would be looking for trouble. He said the plans are in substantial compliance with the Preliminary approval.

Mr. Jouron said he would like to see the architecture of the "B-2" lots match the townhouses. He doesn't want this area ruined. He also asked if there were changes to the guest parking. Mr. Cukierman said they will still allow parking on the main street. Mr. Jouron feels the buildings still look like army barracks backing up to Randall Road.

Mr. Skluzacek agreed with trimming down the allowable use list for this property. He asked if they could leave the lots zoned "B-1" and the petitioner come in with possible uses that are allowed in the "B-2" district. Ms. Rentzsch stated this rezoning would allow the developer to market the properties and give them the flexibility up front. Mr. Cukierman said they will work with staff on the list.

Mr. Batastini said he still would prefer this parcel to be commercial but does like the elements that were added to the buildings. He asked if the petitioner could use hardy board instead of vinyl siding. Mr. Cukierman said there are some areas that would be difficult to have anything other than siding. Mr. Smith showed the revised elevations for the townhouse units and said they are looking for a price range and target profile. They have added more masonry and stone vertically to the buildings so it can be seen over the cars and landscaping. They have also added accent pieces and the heavy grade vinyl siding proposed has color through and through. This vinyl siding is for the ease of maintenance for the association. Mr. Batastini appreciates the attention to detail but feels that hardy board wears well. Vinyl seems to buckle with the weather conditions in this area and this is a lot of vinyl. Mr. Smith said the board costs more than some masonry and there are maintenance issues with that material.

Mr. Esposito said the vinyl will keep costs down for the association but there are a lot of vinyl sidings that buckle. Mr. Smith said they will be using high end vinyl siding. Mr. Skluzacek said he is not sure there is any such thing as high quality vinyl siding. He wants to be sure that is used in this development.

Mr. Batastini supports the "B-2" but does object to some of the allowable uses in that district. He agrees that a liquor store not being allowed in this development but doesn't have any concerns if it is part of a convenience store. But it is Council's decision. He added that there should not be any neon signs in the windows of the businesses.

Mr. Goss said what they approved and what the Council approved are two different things. The density is still a concern of his and is afraid that's what he will vote on. The development meets the conditions of Preliminary approval but as far as he is concerned he feels 88 units is more appropriate.

Mr. Burney stated that as the Commission knows the question before them is if this plan is in substantial compliance with the Preliminary approval. He asked that the Commissioners reflect on that before voting.

Mr. Batastini said the architecture is beautiful but the density bonus is a give and take area and this Commission has been consistent with pushing for higher quality materials. He does like this project and is ok with the "B-2".

Mr. Esposito moved to approve the Rezoning from B-1 to B-2 PUD, the Final PUD and Final Plat of Subdivision for a townhome development for Crystal Creek subdivision located at the northwest corner of Miller Road and Randall Road with the following conditions:

1. Approved plans, reflecting PZC recommendations, as approved by the City Council:
 - A. Application (Lexington, received 4/9/10)
 - B. Engineering plans (Pearson Brown, dated 2/8/10)
 - C. Final Plat of Subdivision (TFW, dated 3/30/10)
 - D. Site plan (BSB, dated 3/15/10)
 - E. Architectural elevations and floor plans (BSB, dated 9/3/09)
 - F. Landscape plan (Puglsey & LaHaie, dated 3/12/10)

2. The following uses are not permitted in this Planned Unit Development: liquor stores and bars.

3. General

A. While the berm has been moved to the west, a portion still remains within the ROW. Per McDOT requirements, all of the berm must be located outside of the ROW.

B. All necessary permits and approvals must be received from ACOE, Illinois Department of Natural Resources and McHenry County prior to permit issuance. Approval of the Plat of Subdivision from the McHenry County Division of Transportation per their ordinances.

C. Access improvements – left turn lane striping along Miller Road needs to be provided per the Traffic Impact Study.

D. All comments outlined in the Stormwater Review dated 4/28/10 must be addressed. A formal wetland submittal should be included during the permit review.

4. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development Departments, as well as the recommendations contained within the traffic study by Gewalt Hamilton and the stormwater review by Christopher Burke.

5. Work with staff on a list of allowable uses in the “B-2” zoning district for this development.

Mr. Skluzacek seconded the motion. On roll call, members Goss and Skluzacek voted aye. Members Esposito, Jouron and Batastini voted no. Motion did not pass.

Mr. Batastini said his no vote was based on the use of vinyl siding issue. If that was cleared up he would have changed his vote. Mr. Esposito said he voted no for this project at Preliminary. Mr. Jouron said he didn't care for the size and shape of the buildings as well as the orientation to Randall Road.

2010-24 CRYSTAL LAKE SENIOR HOUSING PROJECT – SW Congress & Commonwealth – PUBLIC HEARING

This petition was continued from the May 5, 2010 PZC meeting.

Preliminary Planned Unit Development and variation for a senior independent living development.

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

Kelly Cahill, attorney, Tom Monico, owner, Pat Fitzgerald, architect, and Frank Cuda, engineer, were present to represent the petition. Ms. Cahill stated that at the previous meeting there was a concern about the height of the building. She said they reviewed alternative solutions. The first was the parking to be underground. She said it is not feasible because there is not enough room on the site to allow for

the ramps to get to the underground parking so they looked at other options. Ms. Cahill said they wanted to reduce the appearance of the mass of the building.

Mr. Fitzgerald showed the original plan and revisions. He said the drainage of the site also would create a problem for the underground parking. They have changed the landscaping around the building, added more brick to the building as well as at the entry. Mr. Fitzgerald said they also changed the articulation of the building so the legs are off-set. This will allow a better courtyard in the rear. He passed around a sample board of the materials and colors to be used. Mr. Fitzgerald showed photos of other projects to show the landscaping and furnishings. He also showed photos of the property with the building superimposed to scale on it.

Eileen Haydon, 81 S. Williams, said she currently lives in a senior housing project and it is very difficult at times since there is no on-site manager for the tenants to go to. She has also gone to this site at various times of the day to check the traffic and she did not have any problem getting in or out of that area. Ms. Haydon also doesn't believe that building height will be a problem.

Mr. Monico said all sites have resident managers and full time maintenance managers and janitors. He will also have an office in the building and will be there part time.

Norma Hinneberg, 311 Rose Street, said she is amazed that more seniors aren't here. She said they have been waiting for this for a long time and asked if she could get copies of what was presented so she can share it with other seniors. Mr. Batastini suggested she contact Staff.

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

Mr. Jouron said he likes the colors they will be using and thinks this is great. He asked how tall the medical buildings are near Pingree and Congress. Ms. Maxwell said they are 48 feet tall – 3 stories. Mr. Jouron said there are other buildings in the area and this won't be too tall. Ms. Batastini stated that the medical buildings that are near Pingree and Congress are lower in grade than this property.

Mr. Skluzacek likes the changes presented. He had originally objected to the height but with the changes that were made the building doesn't seem as tall.

Mr. Goss thanked the petitioner for listening to them about changes to the project. Mr. Esposito said he likes the changes that were made.

Mr. Batastini said he received 3 phone calls regarding the loss of commercial property and that still concerns him. This is a good use for the property. It is lower cost senior housing without it looking lower cost. He is pleased with the changes that were made. Mr. Batastini asked if there is enough space for the trees along the east and west property lines. Mr. Fitzgerald said they will be careful what species of trees will be in that area. Mr. Batastini said he likes the "stepped" approach to the building and

landscaping and asked if there will be an irrigation system. Mr. Monico said they do have one in Glenview and the grounds are maintained by Brickman. They cut the grass, maintain the irrigation, and do the snow plowing.

Mr. Batastini asked if there will be restrictions as to what people can have on their balconies. Mr. Monico said that will be stated in the lease. Mr. Batastini asked about bikes. Mr. Monico said there will be an area in the garage for bikes. Mr. Batastini asked about pets. Mr. Monico said they will be restricted as to what area and floors of the building they will be allowed. There will also be a weight and size limit and the owners will be charged a higher security deposit.

Mr. Batastini asked if there will be food served in the dining room. Mr. Monico said that area is available for the residents to have parties. It will be fully stocked with place settings, etc. and there will be a dish washer available for cleanup after the party. Mr. Batastini asked about the elevators. Mr. Monico said there will be two.

Mr. Batastini asked if there are any concerns with the conditions listed in the staff memo dated May 19, 2010. Ms. Cahill said they do not have any concerns.

Mr. Monico said he welcomes the City's approval and wants to move this project forward especially with the seniors who are present at the meeting.

Ms. Maxwell asked if some of the windows in the garage floor were eliminated. Mr. Goss said he noticed there are none in the front of the building. Mr. Fitzgerald said there will be windows to let in natural lighting around the sides of the buildings, but due to the bermed up planters there was no room for the windows up front.

Mr. Goss moved to approve the Preliminary Planned Unit Development and Use Variation to allow a senior independent living facility for the Crystal Lake Senior Housing Project located at the southeast corner of Congress Parkway and Commonwealth Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Thomas Crystal Lake, LLC, received 04/13/10).
 - B. Site Plan (FitzGerald Associates Architects, dated 04/30/10, received 04/13/10)
 - C. Floor Plans (FitzGerald Associates Architects, dated 04/30/10, received 04/13/10).
 - D. Landscape Plan (FitzGerald Associates Architects, dated 04/13/10, received 04/13/10)
 - E. Building Elevations (FitzGerald Associates Architects, dated 04/13/10, received 04/13/10)

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 petitioner shall provide a tree inventory, protection plan and removal calculations which meet Article 4-300 of the Unified Development Ordinance.

D. The plan shall provide the required number of trees necessary to meet the tree replacement calculations.

3. Site Plan

A. Cross access agreements need to be provided for the parcels to the east and west along the front access drive.

B. Provide a sidewalk access to Congress Parkway.

4. The following Variation is hereby granted as part of the PUD:

A. A variation from Article 3 Section 3 Density and Dimensional Standards to allow a building at 56 feet 6 inches exceeding the maximum height of 28 feet, a variation of 28 feet 6 inches.

5. 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. Skluzacek seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Batastini thanked the petitioner for working with the PZC.

2010-33 REGIONAL SPORTS CENTER – 1310 Ridgefield Road - PUBLIC HEARING

Final PUD/SUP Amendment and SUP to allow a wide range of activities in this venue.

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

Ben Curcio was present to represent his petition. Mr. Curcio said they would like to offer more uses for the building other than soccer and lacrosse leagues. They would like to host dog shows and possibly sports banquets. He said they want more business opportunities.

Mr. Batastini asked if the petitioner had any concerns with the conditions listed in the staff report. Mr. Curcio said the biggest problem is there are no sprinklers in the building and cost is the biggest factor. Another issue is the maximum occupancy load. Mr. Curcio said he started in October and was not aware of the previous issues with that. He believes that all of the other issues have been taken care of.

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

Mr. Paulson stated that in the past several months the Fire Prevention Bureau and the Building Division have been in contact with the petitioner for various code violations. He believes they have all been corrected.

Mr. Goss asked how far the additional parking across the street is from the entrances since they are off-set. Mr. Curcio said he wasn't sure. Mr. Goss said the petitioner should provide signs directing people to the additional parking area and he is also concerned with the safety of the people crossing Ridgefield Road. Mr. Jouron agreed.

Mr. Skluzacek asked if the County needed to agree with the off-site parking. Ms. Bhide said yes because that property is not within the City limits. Mr. Skluzacek asked what would happen if the County doesn't agree with off-site parking. Ms. Bhide said it would be a problem. Mr. Curcio said he had spoken with staff about additional parking in the grassy area on the west side of the building. He understands it has been used in the past. Mr. Batastini asked if they could park cars in that area. Ms. Bhide said the current parking is adequate for the building currently but if they hold a special promotion, condition #9 states that staff would need to review the parking situation for that promotion. Mr. Jouron recalls that Crystal Ice House was allowed to use their grassy area for parking. Mr. Goss said the petitioner can come back to the City if the County doesn't approve the off-site parking. Mr. Batastini asked if they could use a gravel lot. Ms. Bhide said that is not allowed in the Watershed. Mr. Batastini said he is concerned with crossing Ridgefield Road at any time but especially at night since it is so dark out there. Ms. Bhide said the City has required churches to hire off-duty police officers to help direct traffic and help people cross streets. She said the County also raised concerns with people crossing Ridgefield Road. Mr. Goss said even to have a police vehicle with the lights flashing will slow people down. Mr. Curcio said they were also discussing a valet service.

Mr. Batastini asked who would put up the NO PARKING signs. Ms. Bhide said Ridgefield Road is under the County's jurisdiction and it would be their decision. Mr. Paulson added that there have been several dog shows held at the facility in the past and additional parking has been across the street. He said the County has requested no parking on Ridgefield Road in the past.

Mr. Goss moved to approve the Final PUD Amendment to allow various events such as celebrations and gatherings at this location; Special Use Permit Amendment for a previously granted SUP for commercial recreation to allow dog agility shows, soccer and lacrosse tournaments and associated vendors; and Special Use Permit to allow off-street parking facilities in another zoning district not located in the same block for the Regional Sports Center at 1310 Ridgefield Road with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, received 4-29-10
 - B. Location and Plat Map, received 4-29-10
 - C. Dog Agility Show Description and Schedule, received 4-29-10

2. The Special Use Permit Amendment to the previously granted SUP for commercial recreation will only allow dog agility shows, soccer and lacrosse tournaments and associated vendors in addition to the existing sports activities (soccer, T-ball, football, basketball, lacrosse, fencing and wrestling).
3. The Planned Unit Development Amendment will permit celebrations, gatherings and events, only as it meets the conditions of approval. This approval does not include approval of any future trade shows, garage sales, or other similar events, without first meeting all the departmental requirements including but not limited to sprinkler protection. Submit a space plan prior to each event showing the layout and indicating the use of each area, egress aisle width between tables/booths, etc.
4. The Special Use Permit to allow off-street parking facilities in another zoning district not located in the same block is for overflow parking only. This SUP only acknowledges the off-site location of overflow parking. It is the petitioner's responsibility to contact McHenry County to address any requirements.
5. The maximum occupant load for participants and spectators is limited to 300 occupants.
6. The current sprinkler protection does not cover the areas used for sporting events. Only sporting events can occur in those areas unless the sprinkler system is properly modified as required in NFPA 13, IFC 903.2.1.4. Vendors can only be located within the portion of the building that has sprinkler protection or outside of the building. If tents are used, a TUP will be necessary.
7. Overflow parking along Ridgefield Road or Eiger Road is prohibited. McHenry County Division of Transportation (MCDOT) has jurisdiction on Ridgefield Road.
8. All drive aisles and fire lanes, not designated as parking stalls, must remain open and accessible to traffic. Maintain 24-foot drive aisles.
9. If on-site overflow parking arrangements are proposed for an event, they must be reviewed and approved by the City.
10. All off-site overflow parking arrangements must be reviewed and approved by MCDOT and/or McHenry County, per their Ordinances.
11. Any limited duration or temporary signs must meet the requirements of the UDO and may require a separate sign permit.
12. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development Departments.
- 13. Approval of this request is subject to approval of the County regarding off-site parking. If the County does not approve the request, the petitioner shall come back before the City.**

14. NO PARKING signs are to be posted along Ridgefield Road.

15. The petitioner shall provide a safe means to cross Ridgefield Road whether it is off-duty police officers or a valet parking service.

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

2010-06 COMPREHENSIVE LAND USE PLAN - PUBLIC MEETING

General Discussion on Economic Development Plan Element.

Mr. Batastini said the discussion of the Comprehensive Plan will be continued to a future meeting since they just had enough members to make a quorum. He asked for a motion to continue this discussion. Ms. Rentzsch stated this is not a public hearing and does not need to be officially continued to a date certain.

Mr. Skluzacek moved to continue the Comprehensive Land Use Plan discussion to a future meeting, possibly June 2, 2010. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion passed.

REPORT FROM PLANNING

- 2010-19 Schmidt – 148 Lakewood Ave. – Special Use Permit
- 2010-10 Sam’s Club - 5670 Northwest Hwy – PUD Amendment, Final Plat of Subdivision
- 2010-30 Camelot School – Congress Pkwy – Final PUD, Final Plat, Variation
- 2010-28 Nighttime Entertainment – 5831 Northwest Hwy. – Special Use Permit
- 2010-31 Randall Road Animal Hospital – W. Carlemont; N. Angela – Final PUD
- 2010-22 Bryn Mawr Townhouses – E. Rt. 47; N. Rt. 176 – Annex Amend, Concept Review
- 2006-40 Verbrugge - 645 McHenry Ave. extension 3

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

COMMENTS FROM THE COMMISSION

Mr. Esposito asked about the Hobby Lobby sign request. Ms. Rentzsch explained there are several owners who are trying to find a new location for the sign and have other tenants on the sign.

The meeting was adjourned at 9:15 p.m.