



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, AUGUST 19, 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, Latika Bhide and Elizabeth Maxwell, both Planners, 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 5, 2009 PLANNING AND ZONING COMMISSION MEETING**

Mr. Skluzacek moved to approve the minutes from the August 5, 2009 Planning and Zoning Commission meeting as presented. Mr. Goss seconded the motion. On roll call, members Esposito, Goss, Greenman, Jouron, Skluzacek, and Hayden voted aye. Members Batastini and McDonough abstained. Motion passed.

**2009-43 LEDERMANN – 132 Wallace Ave.** – PUBLIC HEARING  
Special Use Permit, Variations for a garage addition.

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.

John Ledermann was present to represent his petition. Mr. Ledermann said the garage is small – only 18 feet wide on the outside – and he is requesting to increase the garage to allow the parking of another vehicle as well as storage for his 5 children's bikes, and other things. He has spoken with the Building Division and contractors about the addition. Mr. Ledermann said he is requesting the variations from the recently changed ordinances so he can continue the roof line and there won't be a job in the building. He has spoken with several of the neighbors and they don't have any objections. The garage can't be enlarged any other way unless he was to remove trees and his kid's cemented in play set.

Mr. Hayden asked if there were any concerns with the conditions listed in the Staff report. Mr. Ledermann said he would like to put windows along the south elevation so light can enter the garage.

Ron Vermillion, 140 Wallace, said he lives next door and is not opposed to the request but has expensive landscaping. He said the petitioner has agreed that if there is any damage to the landscaping the petitioner has agreed to replace it.

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

Mr. McDonough asked if the petitioner agreed to replace the damaged landscaping. Mr. Ledermann said there are large trees deeper in the lot and they will be replaced if damaged. Mr. McDonough asked about the windows. Ms. Bhide said the Building Code won't allow windows if the structure is within 5 feet of the property line. The windows would need to have a 1 hour fire rating, which are very expensive. Mr. Ledermann said he would like windows on the side of the garage so it looks uniform with the existing garage which does have a window. The windows would be on the south elevation which would allow a lot of light into the building. He said the garage may be used as a workshop in the future and could use the extra lighting.

Mr. Jouron asked if this building will be used for a business. Mr. Ledermann said he has an antique car that is currently parked in the garage. Mr. Esposito said the addition would increase the garage from a 2 car garage to a 4 car garage. Mr. Hayden said it is more like an 8 car garage. Mr. Ledermann said the dimensions aren't exactly right. It could be smaller. Most garages are 22-24 feet wide.

Mr. Greenman said the hardship is due to the non-conforming lot. He asked how this garage addition fits in with the neighborhood. Ms. Bhide said most of the homes have garages similar to the existing garage. The addition on the back of the garage won't be seen from the street and there is extensive landscaping on the surrounding lots. Mr. Greenman asked what if the landscaping goes away since it is on other properties. The building would be significant. He said they need to look at if this request makes sense now and in the future. Mr. Greenman agreed that the addition could not be seen from the street but is there a need to protect the neighbors. Mr. Ledermann said there is a 3 ½ car garage in the area and several of his neighbors have sheds for their storage. The addition is well in the back and someone would need to walk through the yards to see it.

Mr. Goss said he doesn't want to legislate the future even though the landscaping is on other properties.

Mr. Skluzacek asked if the campers will also go in the garage. Mr. Ledermann said one is for sale and the other is a pop up camper. He does have a chain link fence around his yard which he also wants to change to a wood fence. Mr. Skluzacek said he has no problem with the request.

Mr. Batastini said he agrees with Mr. Greenman and the addition seems a bit large. He doesn't want a business being run out of there.

Mr. Hayden said he is struggling with a couple of issues. The size – if it is less than 600 square

feet would not require a variation. There is also a variation to increase the existing non-conforming structure. He is also concerned with the building being 18 inches from the property line. Mr. Hayden said the addition of 850 square feet is larger than his first house. He is concerned that this addition could be used for an office or play area. Mr. Ledermann said he doesn't plan on having a business there. He has 5 children and various pieces of yard equipment to store. He is also planning on putting a bedroom in the basement of the house which would mean additional items to be stored in the garage addition. Mr. Hayden said 600 square feet is still a large addition which would be like a 3 car garage. Mr. Ledermann said he also has a full size van and this addition would take care of his future storage needs.

Mr. McDonough asked if the addition were to be moved 5 feet from the property line would the variations go away. Ms. Bhide said yes and then only a Special Use would be needed for the size of the addition. Mr. Ledermann said the garage and the property line are not parallel. He would prefer not to have the addition in 5 feet. He feels it would look silly. Mr. Batastini agreed that it would look funny.

Mr. McDonough moved to approve the Special Use Permit for a detached accessory structure greater than 600 square feet to allow a garage with the proposed addition to be approximately 850 square feet; Variation to allow the garage addition to be as close as 18 inches from the side property line, instead of the required 5-foot side-yard setback; Variation to allow the enlargement of an existing non-conforming building at 132 Wallace Avenue with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (received 7-23-09)
  - B. Plat of Survey (Brauer Surveying, received 7-23-09)
  - C. Site Plan (received 7-23-09)
2. A special use permit and variation are hereby granted to allow the petitioner's request.
3. No windows or doors are permitted on the south exterior wall of the garage addition.
4. The maximum projection of the eave or overhang for the addition is limited to four inches.
5. The addition shall be consistent with the existing garage with respect to style, **height lines**, building materials and colors.
6. The petitioner shall address all comments of the Planning, Engineering and Building, Public Works, Fire Rescue and Police Departments.

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

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

This petition was continued from the August 5, 2009 PZC meeting.

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

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.

Tom Burney, attorney, Terrance Smith and Doug Bustor with BSB Design, Thomas Meyer and Moises Cukierman with Lexington Homes, Sharon Dickson with PLG Landscape Architects, Luay Aboona with KLOA, and Ronald Adams with Person, Brown & Associates Consulting Engineers were present to represent the petition. Mr. Burney said they presented a concept plan to the Commission in January. He said they have reduced the number of units down to 92 townhouses. They have met with a neighbor who spoke at the previous meetings who identified concerns. One of the concerns was that a bar would not be permitted in these commercial spaces. Mr. Burney said the wetlands are a significant issue and they have been working with the Army Corps, IDNR, etc. regarding this property.

Mr. Smith showed the aerial photo of the property which is 15.7 acres. He described the surrounding uses and zonings. Randall Road has clearly had an impact on development in this area. He continued stating that Woods Creek runs along the west property line, turns east along Miller Road. Mr. Smith said the locations of the road connections were easy because of the current road network to the north and south of this property. He said the number of townhouses has been reduced, the street meanders through the property and they have consolidated most of the development to the east side of the road allowing for a larger buffer/landscape area between this parcel and the existing residential to the west. The townhouse units will be 3 stories in the rear and the buildings will have 3, 4, 5 or 6 units per building. Each unit will have two garage spaces and there are guest parking throughout. Mr. Smith said they wanted to avoid the buildings backing up to Randall Road and there will also be landscape islands in the garage courts. He said there are 2.82 parking spaces per unit.

Mr. Bustor said the units have rear loaded garages. He showed the floor plans for the units and they range from 1,400 2-bedroom to 1,500 2-bed rooms. The end units will have bay windows on the side elevations. Mr. Bustor showed the elevations of the units. They will have a “saw tooth” arrangement so they are not lined up and this will allow for gables on the front and rear elevations.

Mr. Adams said the creek was relocated with the original development of the Villages. He said his parcel was included in the drainage calculations for the detention area but he will be re-checking the figures. Also the Army Corps is re-reviewing the plan.

Ms. Dickson said they have taken special care of the landscaping at the northwest and southwest areas of the site. There will be a berm and landscape buffer along Randall Road. She said there will be two signs for this project. The plans presented to staff did not have measurements. They

will be 10 feet wide 2 feet tall.

Donna Klotz, 1744 Village Court, said she is concerned with the traffic that this will be creating. There are significant backups currently on Village Road. She is also concerned how this will impact the school districts.

??? Scott Ferrin, \_\_\_ Village Court, said he is concerned with drainage since this empty lot has been holding water. He also asked about the esthetics of the project and asked what he will be looking at when he looks out his kitchen window. Mr. Ferrin asked about the prices of the proposed units.

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

Mr. Hayden stated that the petitioner has met all of the City's requirements for notification but the original legal notice stated that the legal description was attached and it was not published. The petitioner has decided to republish their notice for the next PZC meeting which will be held on September 2 at 7:30 p.m. He asked if the Commission wanted to move forward with their questions or continue the request at this time. The consensus was to move forward with their questions.

Mr. Batastini said there is still the question – do we want residential here. He is still not sure of that. Commercial was proposed several years ago and there was an outcry from the neighbors. Mr. Batastini said he does like the changes that were made between the concept plan and the one presented. He asked what the actual density is. Ms. Rentzsch said it is 8.1 units per acre. Mr. Batastini said the setback from Randall Road is 61 feet and was wondering if that includes the expansion of Randall Road. Ms. Rentzsch said that is from the existing roadway.

Mr. Goss moved to continue 2009-39 Crystal Creek – Lexington to the September 2, 2009 meeting. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

**2009-44 PANDA EXPRESS (BOHL FARM) – 5260 Northwest Hwy.** – PUBLIC HEARING  
Final PUD Amendment for façade 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.

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

Mr. Batastini moved to deny Panda Express restaurant at 5260 Northwest Highway.

Mr. Batastini withdrew the motion.

Mr. Batastini moved to approve the Final PUD Amendment to allow exterior façade changes and bonus sign area for a Panda Express restaurant at 5260 Northwest Highway with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Chipman Adams Architects inc., received 07/29/09).
  - B. Elevation exhibit (Chipman Adams Architects, Inc., dated 07/29/09, received 07/29/09)
  - C. Sign exhibit (Superlor, dated 4/22/09, received 07/29/09)
2. Due to the length of the business name, the Panda Express business is permitted 95 square feet of wall signage.
3. A material sample board illustrating the final color of the E.I.F.S System and the awnings shall be submitted for review by staff and presentation to the Planning & Zoning Commission and the City Council.
4. Eliminate the conflict with the existing accent tile and medallion on the building and the awnings on the west and north elevations.
5. Ensure that the proposed gooseneck lighting closely resembles the existing lighting on the rest of the building.
6. All awnings on the building shall be consistent in style and color.

7. The petitioner shall address all review comments of the Engineering and Building, Fire Rescue, Public Works and Planning and Economic Development Department.

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

**REPORT FROM PLANNING**

- 2009-38 McHenry Co. Mental Health – N. 620 Dakota St. – Variation
- 2009-40 Halloween Express – 5831 B Northwest Hwy. – Variation (temp store)
- 2009-41 Country Corners – 230 Virginia St. – Final PUD Amendment
- 2009-32 Crystal Lake Park District – 680 W. Terra Cotta Ave. – PUD Amend, SUP, Variations

Ms. Rentzsch reviewed the petitions for the next meeting.

Ms. Rentzsch said there is a calendar for each member and asked that they mark

**COMMENTS FROM THE COMMISSION**

There were no comments from the Commissioners.

The meeting was adjourned at 11:00 p.m.