



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 6, 2011
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

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

Michelle Rentzsch, Director of Planning and Economic Development, and 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 MARCH 16, 2011 PLANNING AND ZONING COMMISSION MEETING

Mr. Skluzacek moved to approve the minutes from the March 16, 2011 Planning and Zoning Commission meeting as presented. Mr. Jouron seconded the motion. On roll call, members Batastini, Goss, Greenman, Jouron, Skluzacek, and Hayden voted aye. Mr. Esposito abstained. Motion passed.

2011-05 AHMED – 935 Hawthorn Drive – PUBLIC HEARING

The petitioner is requesting to be continued to the April 20, 2011 PZC meeting

Tom Schmidt, attorney, was present to represent the petition. Mr. Schmidt stated that Mr. Ahmed is in the process of opening a restaurant in town and is requesting this petition be continued until the June 1, 2011 PZC meeting. He added that Mr. Ahmed is currently out of the country but is eager to get this done.

Mr. Goss moved to continue 2011-05 Ahmed at 935 Hawthorn Drive to the June 1, 2011 PZC meeting. Mr. Greenman seconded the motion. On roll call, all members voted aye. Motion passed.

2011-04 COLONIAL CAFÉ/SIMON – 5689 Northwest Hwy. – PUBLIC HEARING

PUD Amendment, Plat of Resubdivision, and variations to create 3 lots.

Mr. Hayden stated that 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.

Burt Andrews and Clinton Anderson were present to represent the petition. Mr. Andrews said Colonial Café

has added LED lighting to their prototype in St. Charles. He handed out copies of a photo of the building. They agree that the color of the lighting used will change seasonally or relating to a special event not continually. Mr. Anderson said they are very excited about this lighting. He said it is on the building in St. Charles and that location changes colors every 10 seconds.

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

Mr. Batastini said he supports this request and thinks it will look good. He agrees with the comments made by staff and feels that changing the color of the lighting every 5 to 10 seconds is excessive.

Mr. Hayden said the petitioner is only asking for the LED lighting and not the signage which was approved previously. Ms. Bhide said that is correct and they are also asking for a resubdivision so the entrance roadway will not be part of this lot. Because of that resubdivision, a variation is needed.

Mr. Esposito said he has been by the St. Charles location and it looks nice. He also agrees with having the color change for the seasons.

Mr. Skluzacek said he doesn't care for the flashing lights but seasonal color changes would be ok.

Mr. Jouron asked how often the colors will change. Mr. Andrews said they would set the lighting to a solid color and change it with the seasons. Mr. Jouron said he likes the requested lighting.

Mr. Greenman said he spoke a few meetings ago that they wanted to be consistent with the recommendations on deferrals. Mr. Batastini asked why the petitioner was requesting a deferral. Ms. Bhide said there are very large restricted easements along Route 14 and it is not possible to plant trees or have sidewalks.

Mr. Greenman thanked the petitioner for making adjustments to their requests based on staff comments. He asked staff if they should be specific with the colors that are acceptable. Ms. Bhide said the UDO allows for primary colors and doesn't permit neon colors. Mr. Greenman said the findings of fact support the request.

Mr. Goss feels that the additional signage on the front and sides that was recently approved was enough. He doesn't want this glitized up.

Mr. Hayden asked about the lighting of the awnings. Mr. Andrews said they are goose-neck lights over the awnings and they were approved with the original sign request. Mr. Hayden said the lighting may be an enforcement issue.

Mr. Greenman moved to approve the Final Planned Unit Development Amendment to allow the addition of lights to the façade for Colonial Café; a Minor Subdivision to create 3 lots; Variations from: A. Article 3-200 B from the minimum required lot width of 100 feet to allow 62 feet for proposed Lot 3 along Northwest Highway; and B. Article 3-200 B from the maximum permitted impervious surface coverage of 65% for lots

in the “B-2” district; and Deferral from the requirement to install sidewalks and parkway trees along Route 14 and Liberty Road for Crystal Court Shopping Center and Colonial Café with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Development Application, received 3-29-11
 - B. Final Plat of Resubdivision of Lot One in Crystal Court Subdivision, Condon, dated 12-17-10, revised 1-10-11, received 1-21-11
 - C. (Architectural) Permit Plans, Larson and Darby, dated 12-10-2011
2. As a condition of the PUD, a variation from the provisions of the UDO is granted to allow:
 - A. A variation from the minimum required lot width of 100 feet to allow 62 feet for proposed Lot 3 along Northwest Highway
 - B. An impervious surface coverage greater than the maximum permitted 65% for lots in the “B-2” district to allow the existing configuration with the proposed changes
3. The Final Plat of Subdivision shall meet all the requirements of Article 5-200 G 3 b.
4. A deferral until an area wide program is hereby granted for the following UDO requirements:
 - A. From the requirement to install sidewalks along Route 14 and Liberty Road
 - B. From the requirement to install parkway trees.
5. The LED lights as proposed on the north, west and east façades are permitted only as solid lights (constant color change not permitted); however seasonal color changes are permitted. **The colors to be used must adhere to the UDO standards and guidelines.**
6. Private utilities within the proposed subdivision traverse the lots. Provide evidence that the maintenance and repair of these utilities has been addressed.
7. All applicable conditions of previous Ordinance 6623 shall apply.
8. 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.

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

Mr. Goss said if this is approved they will be seeing a lot more of this. He didn't envision our ordinances like this.

2011-15 TOMASELLO – 290 E. Crystal Lake Ave. – PUBLIC HEARING
Special Use Permit and variations for a garage.

Mr. Hayden stated that 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.

James Tomasello was present to represent his petition. Mr. Tomasello said his property is at the corner of East Street and Crystal Lake Avenue and would like to build a new garage and driveway. He was told to wait until Crystal Lake Avenue plans were finalized. Currently the driveway is near the intersection and with the new garage they would move it further north. Mr. Tomasello said the current garage is falling down and needs to be replaced. He wants the new garage to be close to the house but he has to be careful so he doesn't get too close to his septic field. Mr. Tomasello said the reason he wants the garage to be turned around is so the driveway will be away from the corner. Also he is requesting the driveway to be 24 feet wide instead of the allowed 20 feet so it fits in with the new garage size.

Mr. Tomasello said he has received the comments from the departments and will revise his plans accordingly. He added that there will not be a second floor in the garage – not even for storage and would prefer the windows to be high to let light into the garage. There have been some issues with thefts before and he feels safer with the windows at that height.

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

Mr. Jouron asked if he would run his landscape business out of the garage. Mr. Tomasello said his business is based in Cary and it will not be run from this location. He is planning to have a work area in the garage for himself and his sons to work on projects. Mr. Tomasello said there also needs to be room for their "toys" which include dirt bikes, motorcycle, etc.

Mr. Batastini said the property is well maintained and would like to see landscaping around the garage to soften the look of the garage. He does support the variation for the driveway since the lot is very large and is more in proportion with the garage. Mr. Tomasello said the City has agreed to allow him 5 years to pave his driveway and until that time it will be gravel. Mr. Batastini said what is being done is common sense.

Mr. Skluzacek asked if the garage should be attached to the house. Mr. Tomasello said the house is an old farm house and the porch is higher and hard to attach the garage to. Mr. Hayden asked if the garage were attached to the house it would significantly increase their taxes.

Mr. Esposito asked if the sight lines are ok. Ms. Bhide said yes.

Mr. Greenman asked about the requirement for a Special Use for accessory buildings over 600 square feet. Ms. Bhide said the normal 2.5 car garage is approximately 600 square feet. Anything larger would impact

the neighbors since a detached accessory structure can be as close as 5 feet from the property line. A Special Use Permit also allows the City to look at each request on a case by case basis to see how it fits on the property and within the neighborhood. If someone with a smaller sized lot came in with the same size garage as is being requested with this petition, it wouldn't fit. Mr. Greenman believes that the petitioner has not demonstrated a hardship for the driveway width. He said having the driveway that width is a desire and not a hardship.

Mr. Goss feels the mass of the garage is huge and it will need a lot of landscaping to soften it. He also has a problem with the variation from East Street because the hardship is being created because of the size and location of the garage.

Mr. Hayden said this garage is larger than his first house. He would like to see fake windows or doors to break up the mass of the building. Mr. Hayden asked if there would be any utilities run to the garage other than electricity. Mr. Tomasello said no – only electric.

Mr. Jouron asked is the siding will match the house. Mr. Tomasello said yes.

Mr. Batastini said he drives by this everyday and there are industrial uses to the west. This garage is not taking anything away from the neighborhood and it fits just fine with the size lot.

Mr. Batastini 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 960 square feet; a Simplified Residential Variation to allow the garage to be located in a corner side yard as close as 15 feet instead of 30 feet from the East Street property line; and a Variation to allow a driveway width of 24 feet at the property line instead of 20 feet with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, received 3-21-11
 - B. Plat of Survey/Site Plan, MJM Consulting, received 3-21-11
 - C. Floor Plans, Elevations, Sections, Woodridge Homes, received 3-21-11
2. A special use permit and variation are hereby granted to allow the petitioner's request.
3. The façade along Crystal Lake Avenue will be enhanced ~~by the addition of additional windows~~ **with architectural features to be determined by staff and City Council.**
4. The petitioner shall address all comments of the Planning, Engineering and Building, Public Works, Fire Rescue and Police Departments.
- 5. Landscaping shall be added to the south and west sides of the garage. The landscaping shall be maintained.**

6. A second floor in the garage building is not allowed.

Mr. Jouron seconded the motion. On roll call, members Batastini, Esposito, Jouron, and Hayden voted aye. Members Goss, Greenman, and Skluzacek voted no. Motion passed 4-3.

REPORT FROM PLANNING

- Shell – Circle K – 280 N. Route 31 – PUD Amend, SUP
- Advance Auto Parts – 6130 Northwest Hwy - Final PUD Amendment, Variations
- buybuy Baby – 5540 Northwest Hwy. – Final PUD Amendment
- Cell tower resolution
- Wyndmuir roadways

Ms. Rentzsch reviewed the items that are scheduled for the next PZC meeting.

COMMENTS FROM THE COMMISSION

Mr. Esposito asked about the Hobby Lobby sign request. Ms. Rentzsch said there will be new owners of the center soon and then it should be moving forward. Mr. Jouron said there needs to be room on the sign for other tenants.

Mr. Greenman asked when the flag will be put on the flag pole/cell tower in the WWT2 off of Coventry. Ms. Rentzsch said the flag was there earlier in the day.

The meeting was adjourned at 8:40 p.m.