



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 20, 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, Gavle, Goss, Jouron, Skluzacek, and Hayden were present. Members Greenman 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 APRIL 6, 2011 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the April 6, 2011 Planning and Zoning Commission meeting as presented. Mr. Skluzacek seconded the motion. On roll call, members Batastini, Esposito, Goss, Jouron, Skluzacek, and Hayden voted aye. Mr. Gavle abstained. Motion passed.

2011-13 EVANGELICAL FREE CHURCH – 575 E. Crystal Lake Ave. – PUBLIC HEARING
Variation from Subdivision Standards for the Letter of Credit requirement.

Mr. Hayden stated that the petitioners are requesting to be continued to the May 18, 2011 PZC meeting.

Mr. Gavle moved to continue 2011-13 Evangelical Free Church Variation to the May 18, 2011 PZC meeting. Mr. Skluzacek seconded the motion. On roll call, all members voted aye. Motion passed.

2011-14 SAVERS – COUNTRY CORNERS – 230 Virginia St. – PUBLIC HEARING

Final PUD Amendment, Special Use Permit for a drive-through drop off lane for a used merchandise store.

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.

Charlie Margosian Sr. and Charlie Margosian Jr., owners of the shopping center, Phil Gattone with Friends of Epilepsy Foundation of Greater Chicago, and Mike Hayes, District Manager with Savers, were present to represent the petition. Mr. Margosian Jr. said they were before the PZC about three

years ago requesting an amendment to the shopping center for upgrading the architecture. They have invested in their center and it has been a long three years with tenancy at a low point. He said they hope adding Savers as an anchor tenant will bring interest to the center as well as to the community. He added that they visited another Savers store that recently opened in Downers Grove and the merchandise was a combination of new items with the tags still on them and items in very good condition. Mr. Margosian Jr. said Savers will also be opening a store in Naperville shortly. He said they have struggled with attracting tenants and they want an anchor store that will attract other businesses to Crystal Lake. He added that Savers is an international company with stores across the U.S. and in Canada and Australia.

Mr. Margosian Sr. said they have owned the center since 1992. He would not put a tenant in any center he owns unless he believes it will be good for the community. Everything in the store they visited was in good order. He added that the complexion of retail has changed over the past few years and resale shops are everywhere.

Mr. Hayes said they currently have 272 stores and opened their first store in Illinois last weekend. They started in 1954 in San Francisco and now have 134 stores in the United States with the remaining stores in Canada and Australia. Mr. Hayes said they partner with a local not-for-profit organization and the group for the Chicago area is the Epilepsy Foundation of Chicago. He said they are proposing a drive-through in the front of the store to help customers unload their items and give them the best possible experience. Mr. Hayes said they have found that if the drive-through is in the front of the store, it lessens the illegal drop-offs after hours. Also when they open in the morning those items are removed immediately. He said the charity group that the stores partner with have trucks that pick up the items and drop off them off at the stores in the rear.

Mr. Gattone said their trucks pick up the donated items which are brought to the store. He said funding for charities from the State is going down as budgets are tight all over. They are very happy that Savers contacted them to offer this assistance and the business is very successful. Mr. Gattone said their foundation gives support and provides services to families at no charge. He said when items are picked up or dropped off a receipt is given to the customer as well as information about the foundation. They have received many calls about their foundation from people who have received this information.

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 asked about the foundation. Mr. Gattone said they are sending out post cards about their involvement with Savers and their foundation. He said they have 14 trucks currently and 20 in the next few months that are on the road collecting items to sell at Savers from around the Chicago area. Mr. Batastini asked if the drive-through will be manned while the store is open. Mr. Hayes said yes. Mr. Batastini asked if the items are gone through as they are being dropped off. Mr. Hayes said no they are taken in and gone through later. The items that are not going to be sold at their stores are baled up and sent overseas. They only put out about half of the items they receive and only about half of those items are sold.

Mr. Batastini said he appreciates the investment the shopping center owners have made.

Mr. Gavle said there is a criteria regarding records for items that are brought in and sold and that the petitioner would not be able to comply with that request. He asked if that was ok with the Police Department. Ms. Bhide said yes. Mr. Gavle asked about the signage requested. Ms. Bhide said it is just slightly over the allowed square footage but that does not include the signage on the canopy. Mr. Gavle asked if Crystal Lake and the surrounding communities will have enough items to merchandise the store. Mr. Hayes said they will be pulling merchandise from the entire Chicago area and not just locally. They hope to open four more stores in the Chicago area this year and 20 stores over the next 5 years.

Mr. Esposito said his only concern was the signage after he checked into the company on the internet. He said the signage can be worked out. This resale store will be nice for the area and it is going to help a great cause.

Mr. Jouron asked if they will take electronics. Mr. Hayes said they will not take old tube TVs and the signs by the drive-through will state that. Mr. Jouron asked if they will have an agreement with a larger company to recycle old computers. Mr. Hayes said they are looking into that but there has been no agreement to date. Also they do accept computers and they are tested before they are put on the sales floor. Mr. Jouron said he likes having the drive-through in front. He doesn't care for going behind buildings. He added that it might be a good idea to have a cross access with Burger King since it is very difficult to get out of that site. Mr. Margosian Sr. said he would not have a problem with it. He said the trucks park in this lot and they always have to clean up their garbage that they leave behind.

Mr. Skluzacek said he doesn't have a problem with the drive-through and asked about the removal of the parking spaces. Ms. Bhide said the petitioner will work with Engineering to be sure the design will work for semi trucks. Mr. Skluzacek asked if the petitioner had any concerns with the conditions listed in the staff report. Mr. Hayes said no.

Mr. Jouron asked about the number of employees at this location. Mr. Hayes said usually there are 50 at each store.

Mr. Goss agrees that a cross access will be a good thing for Burger King. He asked if the trucks used to pickup items from the area are emptied in the rear and the residents go through the drive-through. Mr. Hayes said yes. Mr. Goss added he doesn't feel there is a need for signage on the west elevation of the building and asked about the panels on the pylon and monument signs. Mr. Hayes said one sign is for the business and the other is about donations.

Mr. Goss commended the owners of the shopping center for keeping it up the way they do.

Mr. Hayden said the UDO states that similar uses within 1000 feet are not permitted and there is another resale shop in the shopping center adjacent to this one. Ms. Bhide said the UDO allows for a Special Use

Permit for another similar use closer than 1000 feet and that petition includes this request.

Mr. Hayden suggested that the petitioner add security cameras that are visible to help prevent unwanted after-hour drop-offs. Mr. Hayes said they will have security cameras and have them at every store. Even with the cameras there are still sometimes incidents of after-hour drop-offs. Mr. Hayden asked if they notice repeat offenders if they prosecute them. Mr. Hayes said yes. Mr. Hayden asked about their store hours. Mr. Hayes said their hours are Monday through Saturday 9 a.m. to 9 p.m. and Sunday 10 a.m. to 7 p.m.

Mr. Hayden agreed that the shopping center owners have done a wonderful job with the center. Mr. Margosian Sr. thanked the PZC for their support over the years.

Mr. Batastini said that since the center is not fully occupied today will the additional signage on the pylon and monument signs be a problem in the future. Mr. Margosian Sr. said they don't believe there will be a problem with the signage. Mr. Batastini added that the findings of fact listed in the staff report have been met.

Mr. Batastini moved to approve the Final PUD Amendment to allow the addition of a drive-through drop-off lane along the front of the building and the addition of signage; and Special Use Permit to allow a used merchandise store for Savers at the Country Corner Shopping Center at 230 Virginia Street with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Development Application, received 3-17-11
 - B. Floor Plan, received 4-7-11
 - C. Dock Location, received 4-1-11
 - D. Drive-through canopy plan/elevation, received 4-7-11
 - E. Plat of Survey, received 4-1-11
 - F. Sign Package, 3-17-11
2. A Special Use to allow a Used Merchandise store at this location is hereby approved.
3. A detailed, dimensioned plan that shows the proposed improvements relative to the existing building, existing canopy, existing drive aisles and islands is required. ~~If the changes to the parking lot necessitated by the addition of the canopy are deemed by staff to be a major change, an additional PUD amendment will be necessary.~~ **This includes the revised parking and landscape plan presented at the April 20, 2011 Planning and Zoning Commission meeting, which shows changes to the parking lot.**
4. Landscaping shall be installed in the proposed island along the drive-through lane. Any landscaping that may be removed to accommodate the drive-through canopy will be replaced on-site.
5. The total wall signage including all signage on the canopy shall be no more than 200 square feet.

6. The materials and colors for the proposed canopy shall match the materials and colors of the existing building.

7. No outside drop boxes or outside drop/collection areas for collecting merchandise are permitted. Store staff shall continuously monitor the outside drive-through to ensure that donated material does not collect outside. Repeated violations of this condition shall render this SUP null and void.

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, all members voted aye. Motion passed.

2011-17 RETAKE RESALE SHOP - 19 Berkshire – PUBLIC HEARING

Use Variation for a resale shop in the “B-1” district.

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.

Christine Gardener, petitioner, and Andy, property owner, were present to represent the petition. Ms. Gardener said she approached the owners of 19 E. Berkshire to open a resale shop. When they came in for the occupancy permit she was told the property was not properly zoned for a resale shop. Her vision was to outreach to the community. Ms. Gardener said this is not a consignment shop and she is very excited about this project.

Andy said he has had problems with that building since that portion was vacant. He hopes that it will be better having someone in the space and he is sure that if they work had they will make good things happen.

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. Goss said this is a good request and the findings of fact listed in the staff report have been met. He welcomed Ms. Gardener and her business to the community.

Mr. Skluzacek said he agreed with Mr. Goss’ comments and wished her good luck with her store.

Mr. Jouron feels it is a good idea.

Mr. Gavle said he has no issues with the request and wished the petitioner good luck.

Mr. Hayden asked if the petitioner had any comments or concerns with the conditions listed in the staff report. Ms. Gardener said they won't have any garbage in the beginning since they will be taking it home with them. Mr. Hayden asked if there was a problem keeping records for the Police Department of what is brought in and from whom. Ms. Gardener said no. Mr. Hayden added that the overnight drop offs need to be cleaned up immediately in the morning. He wished the petitioner good luck with her project.

Mr. Esposito moved to approve the Land Use Variation from Article 2 of the UDO, to allow a Resale store, classified a Used Merchandise Store as a Permitted Use in the "B-1" district for Retake Resale Shop at 19 E. Berkshire Drive with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, received 3-31-11
 - B. Floor Plan, received 3-31-11
2. The petitioner shall work with staff to ensure that any dumpsters or trash areas shall be appropriately enclosed.
3. All donations must be secured and cannot be stored outdoors. All receipt, sorting and processing of goods shall occur within the building.
4. Sign permits are required of all exterior signage and all signage (including any window signage) must meet the requirements of the Unified Development Ordinance.
5. The petitioner shall address all comments of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.

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

REPORT FROM PLANNING

- Colonial Café/Simon – 5689 Northwest Hwy. – PUD Amendment, Plat of Resub, Variation
- Tomasello – 290 E. Crystal Lake Ave. – Variation

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

Ms. Rentzsch said Mrs. Lembke will be off until the June meetings. She gave birth to their third daughter, Quinn. Both Mom and daughter are doing well.

COMMENTS FROM THE COMMISSION

Mr. Goss asked if banks give discounts to not-for-profit groups on Letters of Credit. Ms. Rentzsch said she doesn't believe banks do that.

The meeting was adjourned at 8:30 p.m.