



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, MAY 18, 2011  
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

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

Latika Bhide and Elizabeth Maxwell, both Planners, were present from Staff.

Mr. Greenman 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 4, 2011 PLANNING AND ZONING COMMISSION MEETING**

Mr. Jouron moved to approve the minutes from the May 4, 2011 Planning and Zoning Commission meeting as presented. Mr. Esposito seconded the motion. On roll call, members Batastini, Esposito, Goss, and Jouron voted aye. Members Greenman and Skluzacek abstained. Motion passed.

**2011-26 MONEY – 1557 Hollytree Lane – PUBLIC HEARING**

Variation for a patio one foot from the property line.

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

Monica Money was present to represent her petition. Ms. Money said she is asking to install a brick or concrete patio in her very narrow back yard of her corner lot. She said the City considers it a side yard.

Mr. Greenman asked if the petitioner had reviewed the conditions recommended in the staff report and if there were any concerns with those conditions. Ms. Money said she had reviewed them and had no concerns.

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 petition meets the findings of fact listed in the staff report and the lot is very narrow.

Mr. Batastini said he has no problem with the request and asked why this size corner lot was originally approved. Ms. Bhide said that typically corner lots are required to be 15% larger in area than the district

minimum. She said that this was a larger subdivision and the final PUD and subdivision approval did not have anything specific regarding this lot.

Mr. Skluzacek asked if the neighbors had a problem with the request. Ms. Money said no.

Mr. Greenman asked if the house was oriented differently would there still be a need for a variation. Ms. Bhide said yes – because the yards are determined irrespective of the orientation.

Mr. Esposito moved to approve the Simplified Residential Variation (Article 4-600 E, Location of Accessory Structures), to allow a patio to be located in the required side yard as close as 1 foot from the property line at 1557 Hollytree Lane with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application, received 4-27-11
  - B. Plat of Survey, Mionske, dated 11-12-91, received 4-27-11
  - C. Site Plan (Not to Scale), received 4-27-11
2. This variation is granted solely for the installation of an in-ground patio. Elevated seating walls and other similar accessory structures shall not be added to the patio.
3. Appropriate building permits must be obtained prior to the installation of the patio.
4. The petitioner shall address all comments of the Engineering and Building, Public Works, Fire Rescue, Police and Planning & Economic Development Departments.

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

**2011-27 VINEYARD CHRISTIAN CHURCH – 7105 Virginia Rd** – PUBLIC HEARING  
Special Use Permit to allow a religious establishment.

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

Tim Mengler was present to represent the petition. Mr. Mengler said they would like to permanently locate their church in the rear portion of the building. They will not be making any changes to the building's exterior and will be removing only a few minor walls. Besides the services on Sunday, they will possibly be holding events on Wednesday and Friday evenings and Saturday mornings.

Mr. Greenman asked if the petitioner had reviewed the conditions recommended in the staff report and if there were any concerns with those conditions. Mr. Mengler said he had received it and there was no problem with the conditions.

Larry Berg, 6119 Northwest Highway, said it would be great to have the church in that building.

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

Mr. Skluzacek asked about the number of parking spaces required for a church. Ms. Maxwell said the parking is based on the number of seats provided within the space and they have not provided an exact number. Mr. Mengler said they are looking to have 100 to 125 permanent seats with a maximum capacity of 150.

Mr. Jouron said this is a nice project. Mr. Goss said this requests meets the Special Use Permit criteria. Mr. Greenman agreed and wished the petitioner the best of luck in their new location.

Mr. Jouron moved to approve a Special Use Permit (Article 2 Section 2-300) to allow a religious establishment for the Vineyard Christian Church at 7105 Virginia Road with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Vineyard Christian Church, received 4/29/11)
  - B. Site Plan (Muterspaugh & Associates, dated 4/25/88, received 4/29/11)
  - C. Floor Plan (Muterspaugh & Associates, hand drawn floor plan Tim Mengler, received 4/29/11)
  - D. Use Letter (Tim Mengler, dated April 28, 2011, received 4/29/11)
2. The use of the facility shall be the same as explained in the Use Letter. Expansion of services could affect the parking required and create conflict with surrounding tenants and would require an SUP Amendment.
3. An accurate floor plan shall be submitted with the building permit plans so the total parking requirement can be calculated.

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

**2011-24 DYNAMIC HEALTH & WELLNESS – 6119 A Northwest Hwy.** – PUBLIC HEARING  
PUD Amendment, Variation for additional signage and from the required parking spaces.

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

Larry Berg with Dynamic Health and Wellness and Steve Kritz, building owner, were present to the petition. Mr. Berg said they are currently in Unit B and want to use a Unit A also. He said there are currently 92 parking spaces on the property and the City is requiring 130 for their use. He feels the

location and average traffic generated by this business would not warrant the high number of parking spaces. Mr. Berg said that this is a franchise location and handed out information regarding the business including photos and the number of visits per hour for the Atlanta, Georgia location. Based on that information, they will only need about half of the parking spaces they currently have. Mr. Berg added that they would like a monument sign as well as a building sign that matches the "Cash for Gold" sign. He said this will be a great addition to the community and they are open 24/7.

Mr. Greenman asked where the counts were taken from. Mr. Berg said they are from Corporate taken at the Atlanta, Georgia center. Mr. Greenman asked if the petitioners had received the staff report and if there are any questions or concerns with the suggested conditions. Mr. Berg said he did receive the report and that is why he gathered the information regarding traffic generated by the business. He doesn't feel they need the extra parking spaces and feels it would be a waste of money. Mr. Berg added that the signage is confusing. Mr. Kritz said the two businesses are separate and this is a multi-tenant building which will remain that way. Mr. Berg said he doesn't understand why they are required to have more parking spaces in the "B-2" zoning district.

Mr. Kritz said the photo provided by staff shows the water tower which was removed several years ago. He said the economy went bad and the two tenants that were previously in the building went bankrupt. He said this is a great use and the building won't end up empty and owned by the bank.

Chelsey Avil, an employee of the business, said they help people every day and with adding the gym they will be able to help them even more.

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

Mr. Greenman asked about the additional memo they received just prior to the meeting. Ms. Bhide said the memo recapped the history of this property and the signage request. She said with the adoption of the UDO 1 year amendments for a PUD, a multi-tenant building the signage reverts back to the 75 square feet per tenant. As for the monument sign that they are requesting to re-install, the ordinance allows for 80 square feet with a maximum height of 9 feet. Ms. Bhide said general retail parking calculations require 5 spaces per 1000 square feet of net space. However the B-2 district allows a range of uses and parking requirements vary based on the use.

Mr. Batastini said he has been to another 24/7 location and feels very comfortable with the parking spaces that are already provided. This business has more of a dribble in and out usage. Mr. Batastini asked why the petitioner wants a taller than allowed sign. Mr. Berg said he would be ok with the lower sign. Mr. Batastini said when the City was reviewed the new UDO, they looked at health clubs differently regarding their parking. It seems that with this business being open 24/7 it doesn't attract the same mass of cars that others do. He added that it doesn't seem that "Cash for Gold" needs a lot of parking spaces. Mr. Kritz said they are not there for the long haul.

Mr. Goss asked how this will impact the agreement the owner has with Aarons parking their delivery vehicles in this rear lot. Mr. Kritz said he can cancel that agreement at any time. Mr. Goss said he would like the trucks to remain parked in the rear lot. He asked about the access to the units from either the front or rear lots. Mr. Berg said there is access from either parking lot. Mr. Goss said he doesn't have a problem with two signs but feels the third is over-kill. He would like the wall signs to be balanced on the building but he would not like the monument sign.

Mr. Jouron feels the monument sign should be lower. It's a nice building and he doesn't have a problem with the two wall signs. He said with the building being so close to the road people won't miss those and a monument sign would not be needed.

Mr. Esposito said the wall signs are enough and the addition of the monument sign would be clutter.

Mr. Skluzacek agreed and would prefer the building signs only. Mr. Berg said he won't put in the gym if there is no monument sign.

Mr. Greenman said there is consistent support for this use and they understand there doesn't seem to be a need for the additional parking with this use. There is also a possibility to land bank the additional parking so it can be put in if needed in the future. Mr. Greenman said he is confused about the signage. Mr. Kritz said if the wall signs are reduced to 75 square feet, they need a monument sign. Mr. Batastini asked if the wall sign for the fitness business is the same size as the gym that is not sufficient. Mr. Berg said they want the "Cash for Gold" sign reduced. Mr. Goss said they are trying to clean up Route 14 signs. Mr. Batastini said he understands that they are saying "We want what they have." Mr. Kritz said he has been in retail all of this life and they need the signs because the traffic moves by so fast. Mr. Goss said this business is not an impulse destination. Mr. Berg said that membership purchase is impulse and he has found they need to advertise.

Mr. Greenman said they have been consistent in their recommendations to the City Council regarding signage. He added that they are not the final decision making body – the City Council is. Mr. Berg said he could continue this request to another review body. Mr. Greenman said it is up to the petitioner if he wants to be continued but there is no other review body other than the PZC prior to Council.

Mr. Batastini said he would like to have this business in town but is challenged by the signs. They need to give direction to the Council, if they (Council) are agreeable to the additional signage that the PZC would prefer that it be more pleasing and match the building.

Mr. Goss said they need to add that they accept the parking counts provided and there could be a one year review of the use and parking. If there is a need the additional parking is to be installed at that time.

Mr. Jouron said he doesn't like the proposed sign at all. They are showing a pole sign in their information and not a monument sign. A monument sign is lower to the ground. Mr. Berg said there needs to be a sign on Route 14.

Mr. Greenman said the wall signs are ok with him. He feels that addition of the other sign is excessive. They have had many discussions similar to this with other petitioners.

Mr. Jouron said a monument sign would improve the area. Mr. Greenman said that would give them almost 30% more signage.

Mr. Batastini moved to approve the Final PUD Amendment for additional signage and a parking variation from the required number of spaces for Dynamic Health & Wellness at 6119 A Northwest Highway with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Development Application, received 4-21-11
  - B. Site plan, plat of survey, Mionske dated 1-25-02
  - C. Floor plan, received 4-21-11
  - D. ~~Freestanding sign, received 4-21-11~~
2. No parking is allowed in the alley between the parking (rear of building) and the main parking lot. Provide "No Parking Fire Lane" sign if not currently present.
3. ~~It appears from a cursory review that an additional seven spaces could possibly be added to the rear lot as truck access to the loading dock is assumed to no longer be needed due to the type of use of the building. In addition, ten spaces could possibly be added; however, an engineering firm would need to ensure existing detention of stormwater is maintained (see exhibit A attached).~~
4. ~~There is a lack of available overflow parking should the additional 46 spaces be needed in the future or during peak operation times of the fitness center. Parking is allowed along Lou Avenue; however, adjacent businesses have parking spaces directly on this street which restricts the number of available on-street parking spaces (see exhibit B attached).~~
5. Should redevelopment occur, cross access north of the building must be provided to the adjacent businesses.
6. Work with staff to replace the dead or missing parking lot landscaping material.
7. The total wall signage shall be no more than ~~200~~ **216** square feet.
8. The freestanding sign shall be a small monument sign to be located at least 10 feet from the property line, its location to be worked out with staff to ensure no sightline obstructions. The sign base materials and colors are to match the architecture of the building.

9. 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.

**10. The parking statistics presented by the petitioner are accepted as official record. They are found to be a relevant and accurate basis for granting the variation on.**

**11. The parking for this use will be reviewed one year after Final occupancy is granted. If additional parking is found to be necessary, it will be added at that time.**

**12. The monument sign shall be redesigned and approved by staff to match the building and meet the sign criteria in the UDO.**

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

Mr. Greenman said he supports the business and understands what they are trying to accomplish. Mr. Goss said he voted no because of the signage.

**2011-28 BARNES - 321 Terra Cotta Ave.** – PUBLIC HEARING

Variations from the required parking lot standards for a replacement parking lot.

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

Jane and Robert Walsh were present to represent their petition. Mrs. Walsh said they are requesting the variations because they removed the parking lot since it was in poor condition. The lot is very small and they were informed that they needed to conform to the new requirements.

Mr. Greenman asked if the petitioners had received the staff report and had any concerns or questions regarding the proposed conditions. Mrs. Walsh said they did receive the report and have no concerns with the conditions.

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.

Ms. Maxwell stated that the parking lot is a legal non-conforming lot and once the parking lot was removed it is required to meet the current codes. The petitioners are requesting the variations to install the parking lot exactly as it was. Mr. Skluzacek asked if they just blacktopped over the existing lot they would not need variations. Ms. Maxwell said that was correct. Mr. Skluzacek said he can see the hardship. They are trying to improve their lot and do not have a problem with the request. Mr. Esposito and Mr. Jouron agreed.

Mr. Batastini asked about the curbs. Ms. Maxwell said the curbs protect the asphalt and landscaping but also block the water flow. They would need to figure out what to do with the water runoff if the curbs were installed.

Mr. Walsh said they were looking into using concrete since it won't deteriorate as quickly. Mr. Batastini said he appreciates the improvements they are making to their property.

Mr. Goss said he does see the hardship and supports what the petitioners are doing. Mr. Greenman said he supports the project and appreciates the information regarding the curbing. He asked about the variation. Ms. Maxwell explained that the parking lot goes from up to the property line to several feet away which allows for landscaping. She said whatever landscaping is there will remain.

Mr. Greenman asked about the number of parking spaces. Ms. Maxwell said staff is recommending a condition that would require a restriction on the lease agreements to one car per unit. Mr. Walsh said there are a few occupants that don't drive. Mrs. Walsh said several of the units have only one bedroom.

Mr. Goss moved to approve the Variations (Article 4 Section 4-200 B Off-Street Parking and Loading) from the required number of parking spaces and parking lot setbacks, curbing and landscape requirements at 321 Terra Cotta Avenue with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Barnes, received 5/2/11)
  - B. Plat of Survey (C.T. Amelse, received 5/2/11)
  - C. Parking plan (hand drawn on plat of survey, dated 5/2/11)
2. The following are hereby granted:
  - A. A variation from the required number of parking spaces to allow 8 spaces.
  - B. A variation from the required perimeter setbacks and landscaping.
  - C. A variation from the requirement to curb around the perimeter of the parking area.
3. The parking lot shall be striped with 8 parking spaces, a maneuvering area along the west side and a no parking area for the dumpster.
4. Future lease agreements shall limit the vehicles a tenant can have to 1 per unit.
5. Any existing landscape areas on the site adjacent to the parking area shall remain.
6. The petitioner shall comply with all of the requirements of the Engineering and Building, Fire Rescue and Planning and Economic Development Departments.

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



**2011-13 EVANGELICAL FREE CHURCH – 575 E. Crystal Lake Ave.** – PUBLIC MEETING  
Variation from Subdivision Standards - cont from 4-20-11 meeting.

Robert Page, Senior Pastor, and David Shank, church member, were present to represent the petition. Rev. Page said they are requesting a waiver from the requirement to post a letter of credit (LOC) for the Oak Hollow Road extension. There is currently no desire by the City to extend the road and the LOC costs the church almost \$1000 per year. Rev. Page said it pains them to hand over the money when it could be used in better ways. There is no plan to develop the land and they are asking to save that money.

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

Mr. Batastini said that of the options listed in the staff report he feels that option #1 is best. He asked if staff knew how much that would cost. Ms. Maxwell said bonds are typically cheaper than LOCs but she did not price it out for the petitioner. Mr. Batastini said of all of the options presented, that one seems to be the best. It would protect the City and reduce the burden for the church. Mr. Goss agreed and he is not in favor of no LOC. The City needs to be protected.

Mr. Esposito said it would set a precedent to eliminate the LOC. Mr. Skluzacek agreed that option #1 is better than the others. He asked why the road needs to go through the other property. Ms. Maxwell said if the road were only on the church's property the curve at the south end would be very tight and would not meet the traffic safety standards. Rev. Page said their youth center would be very close to the road if the road were to be moved.

Mr. Greenman said this is a compelling position. There are options but it doesn't seem that the liability would be reduced. The reason for the LOC is so the City is not left with a dead end road. He would prefer another option but he is not sure what it would be. Mr. Greenman said they do need to protect the interest of the City and feels that there should be another option available. Ms. Maxwell explained that staff had met with the attorney and Engineering staff to determine the options that could be available to the petitioner. The City does need surety that the road will eventually be connected. Currently the City holds over 20 LOCs for various projects.

Rev. Page said the church has been in Crystal Lake for over 125 years and they are trying to figure out a new way to protect both the City and the church. Mr. Greenman said the City has no plan to expand the street at this time. Mr. Goss said the City is intending to have the two dead end roads connect in the future. Mr. Batastini said the road doesn't need to go through but he doesn't want to vacate the road. Rev. Page stated the principal at the junior high would prefer that the road not go through for safety reasons, especially when the students are being dropped off and picked up. The traffic would be from all different directions.

Mr. Batastini said he sincerely apologizes that there seems to be no other option. He doesn't see a way out. Mr. Greenman suggested staff meet again to possibly come up with another option.

Mr. Batastini moved to deny the request for a Variation from Article 5 Section 5-200 G.3.c (iv) from the requirement to post a Bond or Letter of Credit (LOC) for required improvements to remove the LOC for a portion of Oak Hollow Road for the Evangelical Free Church at 575 E. Crystal Lake Avenue. Mr. Skluzacek seconded the motion. On roll call, all members voted aye. Motion to deny passed.

**2010-69 SCHAFFER SUBDIVISION - S. Rt. 176; W. Lippold Pk; E. Briarwood** – PUBLIC MEETING

Final PUD/Final Plat of Subdivision for five single family lots

Ed Dean, attorney, Bill Schaffer, owner, Ralph Schmidt, engineer, and Terry Van Alstine, land surveyor, were present to represent the petition. Mr. Dean said they are requesting a Final Plat of Subdivision and PUD. The owners have been working very hard to address all of the concerns. One of the concerns was to protect the land and each lot is a conservation area with a specific area where a home can be built. They feel this keeps the City in control of the property. Mr. Dean said the lots will all have custom homes and feel that due to the size of the lots as well as the cost to develop them, it would make small homes unmarketable. He added that they are trying to be consistent with the surrounding homes. In discussion about the architectural criteria, Mr. Dean said there is only one home in the area with a side loaded garage and it is a corner lot. They don't want the garage to look larger than the home and also to have more impervious driveway surface than is necessary. He added that currently this property is being used as a dumping ground. This property is currently serviced by a private roadway and the developer is willing to repair any damage they cause to the roadway after construction. However to put in a new road after the property is developed is an unnecessary burden on the developer.

Mr. Greenman said there are several architectural criteria listed in the memo. The list was put together based on what the PZC members have stated in the past. He asked if the petitioner had any concerns with those criteria. Mr. Dean said the anti-monotony requirement doesn't really apply to a 5-lot subdivision. Mr. Schaffer added that side loaded garages are not an option on these lots. The homes would have to be down sized and the asphalt area would increase. He added that he would not want to require someone to have something on their home that they would not want such as shutters. Most of the arguments discussed were with criteria #4.

Mr. Greenman said they want to protect the aesthetics of the area but also don't want to handcuff the developer. Ms. Maxwell said she understands that some of the items won't work in this area. This list of criteria was taken from another development in Crystal Lake and staff has no concerns if some of the criteria are eliminated or amended. Mr. Batastini said there have been problems in the past with lots being sold off. The new developers don't necessarily follow what the original developer was going to do or how they work. He has no problem with this developer and the work that they do, but he would not necessarily be familiar with any other builder/developer who might purchase a lot.

Mr. Esposito said the UDO has architectural guidelines. Ms. Maxwell said there are criteria listed in the UDO that would require this development incorporate features from the existing neighborhood. Mr.

Batastini said if a lot is sold off what would the City require. Ms. Maxwell said there would need provide elevations for review.

Mr. Goss asked about roadway maintenance. He understands that currently no homeowners association exists and the property owners share the maintenance of the road. He would feel more comfortable if the maintenance responsibilities were in writing. Mr. Goss said the houses are close to the street so the driveways won't be long. He asked how the conservation is conveyed in the future. Mr. Dean said it is on the plat of subdivision. Mr. Goss said he wants to prevent variations. Mr. Dean said it is clearly a conservation area and the building site is limited. This should also show up on the title report. Mr. Skluzacek asked if it would be pointed out to the potential owners. Mr. Dean said the plat is clearly marked. Mr. Skluzacek said they can always add a condition of approval that there will not be any variations. Mr. Goss said they can always request for a variation. Mr. Dean said this is similar to a condominium where you may own the property but have limited rights to it.

Mr. Batastini asked if the total impervious area of the lot is not completely used on one lot can it be used on another lot. Ms. Maxwell said no. Mr. Batastini is concerned with the road maintenance. Mr. Dean said it begs the current homeowners to create an association. Ms. Maxwell said it is not something the City can require.

Mr. Skluzacek said he is ok with the plan but also questions the road maintenance. Ms. Maxwell said the township does help these homeowners even though it is a private road.

Ray Adam, 5708 Buena Vista, handed out maps of the area with the private road area marked. He said he has no objection to the building of the homes. Mr. Adam said they were originally opposed to widening the roadway, but now they agree to widen the road. The additional width is to come from this development. He has spoken with the Township Road Commissioner and was told the bond should be high for repairing the existing street. Mr. Batastini asked if this developer should pay for the widening of the road. Mr. Adam said yes. They would prefer that gravel be put down during construction and then repair the roadway after. He added that this development will have a negative impact on the traffic in the area.

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

Mr. Dean said this parcel is part of the original development to the south and has rights to the roadway. He said it is an undue burden to put the road in by this petitioner. He added that this property could have had 200 homes on it, if developed at the time the other lots were being platted and developed.

Mr. Batastini moved to approve Final PUD / Final Plat of Subdivision for five single-family lots for Schafer Subdivision located south of Route 176, west of Lippold Park and east of Briarwood with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (William Schafer, received 11/03/10)
  - B. Final Plat of Subdivision (Heritage Land Consultants LLC, dated 2-12-10, received 5/25/11)
  - C. Civil Engineering Plans (Heritage Land Consultants LLC, dated 2-12-10, received 5/25/11)
2. Variations approved as part of the March 18, 2008 preliminary PUD approval are still valid.
3. Tree Removal
  - A. The developer shall be responsible for the tree removal for the sanitary sewer line. This is an estimated \$9,775 replacement contribution for the tree-banking fund.
  - B. Clarification is needed on the tree removal for trees #1076 and #1100. Tree #1100 should not be removed and the limits of disturbance for the sanitary sewer line shall be adjusted. Tree #1076 may be labeled incorrectly or twice.
4. These homes are to be custom homes, if the lots are sold to another homebuilder **other than the petitioner**, a set of architectural criteria and house elevation plans will need to be submitted to staff for review and approval.
5. The petitioner shall address all of the review comments of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments, as well as those of the storm water consultant.
- 6. The Engineering Division will calculate a bond amount which will need to be posted by the petitioner to ensure any damage to the private roadway is repaired after construction.**
- 7. Include the staff memo dated May 18, 2011 as other conditions including the architectural criteria, with #4 being required if another homebuilder develops the lots.**

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

#### **REPORT FROM PLANNING**

- 2011-20 Crystal Point Outbuilding – 6000 Northwest Highway – PUD Amendment
- 2011-21 Japanese Cultural Center/Aikido Studio – 1095 Pingree Road – Use Variation
- 2011-16 Rosati – 9607 Lucas Road – Administrative Subdivision
- EMC text amendment referral

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

#### **COMMENTS FROM THE COMMISSION**

There were no comments from the Commissioners.

The meeting was adjourned at 10:05 p.m.