



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 18, 2012
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, Lembke, Skluzacek, and Hayden were present. Members Greenman and Jouron were absent.

Mr. Hayden 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, Latika Bhide and Elizabeth Maxwell, both Planners, 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 4, 2012 PLANNING AND ZONING COMMISSION MEETING

Mr. Esposito moved to approve the minutes from the April 4, 2012 Planning and Zoning Commission meeting as presented. Mr. Skluzacek seconded the motion. On roll call, members Esposito, Gavle, Goss, Lembke, Skluzacek, and Hayden voted aye. Mr. Batastini abstained. Motion passed.

Mr. Hayden asked to revise the agenda that was published. Mr. Esposito moved to revise the order of the agenda. Mr. Goss seconded the motion. On voice vote, all members voted aye. Motion passed.

2012-25 LIGHTNING LAZER TAG – 19 E. Berkshire Units 4 & 5 – PUBLIC HEARING

The petitioner is requesting a continuation to the May 2, 2012 PZC meeting.

Use Variation to allow an amusement arcade as a permitted use in the "B-1" district.

Mr. Esposito moved to continue 2012-25 Lightning Lazer Tag at 19 E. Berkshire Units 4 & 5 to the May 2, 2012 PZC meeting. Mr. Goss seconded the motion. On voice vote, all members voted aye. Motion passed.

2012-26 SADZECK – 958 Sheffield Dr – PUBLIC HEARING

Variation to allow a shed to be 3.3 feet from the property line and closer than 6 feet to the house.

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.

Donald Sadzeck was present to represent his petition. Mr. Sadzeck said he would like to replace a metal shed that was put up about 25-30 years ago since the metal roof is leaking. Mr. Hayden asked if the petitioner would reuse the pad for the shed. Mr. Sadzeck said yes and that the corner of the pad is too close to the lot line. Ms. Bhide said when a non-conformity is removed completely and replaced it needs to meet the current requirements. Mr. Sadzeck said his lot is slightly pie shaped and the neighbor's fence angles.

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

Mr. Goss asked if the petitioner installed the original shed. Mr. Sadzeck said he has lived in the home for 40 years. Mr. Goss asked if he had a permit for the shed. Mr. Sadzeck said he can't locate the information and the shed has been there about 30 years. Ms. Bhide said the current setback requirement is 5 feet but the previous ordinance only required 3 feet. Mr. Goss said this meets the Findings of Fact listed in the staff report.

Mr. Skluzacek said he has no problem with the request as long as the same foot print will be used. Mr. Sadzeck said a Building inspector came out to check the concrete pad and they said it was ok. Mr. Esposito and Mrs. Lembke have no problems with the request.

Mr. Gavle asked if anyone has complained about the shed. Mr. Sadzeck said no. Mr. Gavle asked if the shed will be the same height, etc. Mr. Sadzeck said the current shed has a gambrel roof and this will be a gable roof which will better match the house. Mr. Gavle said he has no problem with the request.

Mr. Hayden said this shed will be much nicer.

Mr. Esposito moved to approve Simplified Residential Variations from Article 3, Density and Dimensional Standards and Article 4-600 Accessory Structures and Uses to allow an accessory structure (shed) to be located as close as 3.3 feet from the property line and to be located closer than 6 feet to a principal structure at 958 Sheffield Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, Site Plan Sketch, Plat of Survey – received 3-30-12
2. Variations to allow the shed to be located as close as 40 inches from the property line and to be located closer than 6 feet to a principal structure are hereby granted.
3. 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.

2012-22 WATKINS – 903 North Shore Dr. – PUBLIC HEARING

A Special Use Permit and Variations to allow additions to the house and garage, including a garage at 660 square feet and variations from setback requirements.

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.

Joe Gottemoller, attorney, and Scott Watkins, owner, were present to represent the petition. Mr. Gottemoller showed photos of the home and stated the stairs are setback 18 feet. There will be an overhang from the 2nd floor. Currently the home is 2 feet into the averaged required setback and the first floor of the home will not be moved closer to the lake. Mr. Gottemoller said the garage is already on the property line, like most garages in that area are. They would like to change how they enter/exit the garage. Instead of backing out onto the street they want to come out of the side of the garage. There is already a paved area next to the garage when they would be exiting. Also they are requesting to put a 5½ foot addition toward the house onto the garage for storage. Mr. Gottemoller showed the site plan and explained the expansion of the home.

Mr. Hayden asked if there are any recommended conditions in the staff report that the petitioner is concerned with. Mr. Gottemoller said they are concerned that the variation for the garage has been recommended for denial. He said they have no problem if the garage is destroyed that the replacement garage would be moved to meet the setbacks. Ms. Bhide said most of the garages in the area encroach in the right of way or are just a few inches off. Mr. Gottemoller said they would like to continue to do what is there. He said North Shore Drive is a collector road but not the regular collector road that is in other areas of the City. He said the addition to the garage is only 60 square feet which takes it over the 600 square foot limit.

Mr. Hayden asked about screening. Mr. Gottemoller said they were planning to screen it. Mr. Hayden asked about the hardship. Mr. Gottemoller said the building itself needs variations as it exists and there are garages in the area that are larger than 600 square feet.

Jim Heisler, 131 Baldwin, said this is a beautiful upgrade to the neighborhood. He is concerned with impervious surface. It is a good idea to change the garage entrance to the side of the garage. Mr. Heisler asked if there could be a surface added that would allow water to flow through. That would help with the impervious surface. He explained that there is a home in the area that now has water running through the crawl space and they haven't had that before. There is also another home that put on an addition and has a beautiful "creek" running next to it. This is a problem even when they haven't had much rain recently.

Wess Pucinski, 897 North Shore Drive, said he looked at the plans for the house and some of them show an overhang on the second floor and some don't. Mr. Gottemoller said there is an overhang of the roof line.

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

Mr. Gavle asked if the roof line on the garage will remain the same. Mr. Gottemoller said yes. Mr. Gavle asked if they will need to push up the roof to allow the garage to be open on the side. Mr. Gottemoller said no.

Mrs. Lembke asked if the impervious surface has been checked. Ms. Bhide said that is checked by Engineering and hasn't been completely verified yet. Mr. Gottemoller said they will also need a storm water permit.

Mr. Skluzacek said there is not much impervious surface that will be added. Mr. Gottemoller said no because there is already a paved area on the side of the garage. Mr. Skluzacek is concerned with water runoff during construction. He doesn't want any contaminants to go into the lake. Mr. Gottemoller said silt fencing is required.

Mr. Goss asked if the variation for the garage is not approved what would happen. Ms. Bhide said the garage can stay but if it were destroyed it would not be rebuilt in the same location. She said that granting the variation for non-conformity to be enlarged will allow the proposed addition without granting a zero-lot-line setback.

Mr. Hayden asked about the designation for the front and rear yards for property on the lake. Ms. Bhide explained.

Mr. Gottemoller said staff measured all of the garages in the area for their setback. He said if they were building a garage today they would move it back to the setback but they are only requesting to put on an addition.

Mr. Hayden asked if the Engineering Division looked at the turning radius and is it adequate. Mr. Gottemoller said there is enough room. Ms. Bhide said it is over 25 feet.

Mr. Esposito moved to approve the Special Use Permit to allow a detached accessory structure greater than 600 square feet to allow the garage to be approximately 660 square feet; Variations from: A. Article 7, Nonconformities, to allow a front yard (lakeside) setback of 35 feet instead of the required 52.23 feet; B. Article 7, Nonconformities, to allow a corner side yard (street side) setback of 52 feet instead of the required 57.05 feet; C. Article 7, Nonconformities and Article 4-600 Accessory Structures and Uses to allow a zero lot-line setback along North Shore Drive; and D. Article 7, Nonconformities, to allow the existing nonconformities to expand at 903 North Shore Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application – received 3-26-12
 - B. Plat of Survey, dated 5-11-11, received 3-26-12
 - C. Plan Set, ALA, dated 10-12-11, received 3-26-12

2. The following variations are hereby granted:
 - A. Variation from Article 7, Nonconformities, to allow a front yard (lakeside) setback of 35 feet instead of the required 52.23 feet;
 - B. Variation from Article 7, Nonconformities, to allow a corner side yard (street side) setback of 52 feet instead of the required 57.05 feet;
 - ~~C. Variation from Article 7, Nonconformities and Article 4-600 Accessory Structures and Uses to allow a zero lot line setback along North Shore Drive;~~
 - D. Variation from Article 7, Nonconformities, to allow the existing nonconformities to expand.

3. A Special Use Permit to allow a detached accessory structure greater than 600 square feet to allow the garage to be approximately 660 square feet;

4. A variation to allow a zero lot-line setback for the garage is not granted. If the garage is destroyed or needs to be rebuilt, it must meet the requirements of the Ordinance at the time of construction.

5. The deck along the lakeside shall not be screened-in or enclosed in any way nor shall a roof be installed over it.

6. No variations from the maximum height for the principal or accessory structure are granted. No variations for a 3rd story shall be granted with this approval.

7. Data indicating the proposed maximum building and impervious lot coverage is not provided. The proposed plans are allowed as presented.

8. 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.

2012-28 PEDCOR HOUSING DEVELOPMENT – Congress Pkwy next to Post Office – PUBLIC MEETING

A motion is requested to set a public hearing date on May 2, 2012

Preliminary PUD and Land Use Variation for a multi-family apartment development.

Mr. Hayden stated that this is a public meeting where the public hearing date will be set. Usually it's just a quick overview of the project.

Tom Burney, attorney, Mike Smith and Thomas Crowe with PEDCOR Investments, Matthew Peterson, architect, Kevin Serafin, PE and Peter Pluskwa with Cemcon Ltd, were present to represent the petition. Mr. Smith said they had given the Commission a lot of material to read. He gave a Power Point presentation for the project. An aerial photo of the property was shown and the surrounding uses were described. He also reviewed PEDCOR's company history. Mr. Smith said demographics show that over 17,000 workers commute into Crystal Lake for their jobs and over 14,000 make less than \$40,000 a year. Many of the apartments around Crystal Lake have been converted into condos. Mr. Smith said Crystal Lake has been listed as an AHPAA community and workforce housing is a needed product type in our community.

Ms. Cumpata on behalf of the McHenry County Economic Development Commission, said that many levels of manufacturing employees can't afford to live in the County. Some companies have employees that also attend college. She said she was in banking prior to becoming the President of the McEDC and feels that it is strength that Pedcor would build and stay to maintain their project. Ms. Cumpata said that many companies she works with on a daily basis are in support of this kind of project so that their employees can live, shop and dine closer to work.

Mr. Smith said this site addresses several needs that are discussed in the City's Comprehensive Plan for multi-family. He explained that the grant criteria set by the IHDA which gives points for certain amenities within a mile radius of a project. Every point for amenities is critical. Mr. Smith said IHDA requires a commitment of 25% for disabled tenants, and they also give preference for veterans. IHDA inspects the books annually to be sure that Pedcor is adhering to their requirements. He added that seniors are 5-20% of their renters. Mr. Smith said the buildings are required to be green certified in some way and this development will create 21 local long term jobs in addition to the construction jobs created. He said people spend their money where they live, so our community's shop, restaurants and service providers will greatly benefit.

Mr. Smith said this development will pay approximately \$1.4 million in fees – impact, connection, etc. The density is 9.13 units per acre which is a very low density for this type of development. There will be a mixture of 1-, 2-, and 3-bedroom units with the rent of \$700 to \$950. The parking shown on the plan is more than what is required under the City's ordinance.

Mr. Peterson reviewed his company's credentials and the many awards they have won for their designs. He showed several developments that they have designed. Every unit in this development has a ground entry and a garage with direct entry. He showed the floor plan for one of the buildings which was color coded because it can be confusing. They plan open space around the clustered buildings. Mr. Peterson explained the materials to be used - high grade vinyl siding, masonry, architectural shingles, etc. They will use 2 or 3 different color schemes so they are not all the same but will break up the development.

Mr. Smith said they did look at several different sites and the matrix is included in the packets. He stated that it was difficult to build next to single family residential developments given the “not in my back yard” mindset that is commonly demonstrated by neighbors at public meetings. The average rent for houses in Crystal Lake is \$1300 a month and on the website he looked at there are 39 foreclosure residences. Mr. Hayden said there are significantly more than 39 foreclosure residences in Crystal Lake. He added that every community is looking for affordable housing.

Mr. Hayden explained that this is the public meeting and the public hearing would be at the next PZC meeting in two weeks. He asked if there was anyone in the public who would not be able to attend the meeting who wished to speak on this petition. There was no one in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Goss asked for a short recess. Mr. Hayden agreed. The meeting resumed after 5 minutes.

Mr. Goss said he likes the plan and the garages, but the guest parking needs to be spread out a little better. He believes they will have a difficult time with getting a cross access agreement with the shopping center to the south and he is concerned with traffic going through the age restricted development. Mr. Goss asked what the IHDA ranking would be for the property on the west side of Main Street just north of the Commons Shopping Center. Mr. Smith said the numbers are very high but is very concerned with it be adjacent to existing single family residential. Mr. Goss said they would never think of allowing “B-2” zoning in the middle of a residential area and this is the same issue. He is also concerned with the State participation. Mr. Crowe explained how the process works. Mr. Goss asked if the developer would walk away from the project. Mr. Crowe said they stay with a project for 15 years or more and now with the land use restriction from IHDA, the units will need to affordable housing for more than 15 years.

Mr. Goss said he is concerned with the criteria requirement of having the railroad so close. It seems to negate the desire to have housing so close to the workplace. People can come from other communities on the train such as Woodstock, Cary, and Fox River Grove and take that housing. Mr. Smith said proximity to work is the primary reason to rent in an area.

Mr. Skluzacek likes the architecture but this is not the right spot for it. This is a commercial area and feels this development should be across Main Street, by the Lutheran school.

Mr. Esposito said this is definitely needed and he likes that it looks like a single family home. He does have a problem with the location. There will be more traffic with school buses going in and out. Mr. Esposito asked how long tenants usually stay in the development. Mr. Crowe said there are some who stay a year and there are some that stay 20 years. Mrs. Lembke agreed with the comments that have been made.

Mr. Batastini appreciated the numbers and statistics that were given. He likes the layout and the

architecture but also struggles with the location. The economy won't be down forever and doesn't want the industrial/manufacturing property to be taken up by other uses. He is not sure if there is anything that compelling to change his mind and said there are other properties for this project. Mr. Burney said that the other developments previously approved for this area such as the Camelot School and a senior housing development were on commercial property.

Mr. Gavle asked if the building footprints will be exactly the same. Mr. Peterson said probably not. They used the greatest mix of units possible to create the footprint. The building could possibly be a little smaller but not much. Mr. Gavle said there are always problems with storage and asking if people will be parking their cars outside of the garages so they can be used for storage. Mr. Peterson gave the dimensions of the garages and said they are deeper than most garages which would allow for storage in front of the vehicles. Mr. Gavle asked if the units are typically rented by young families. Mr. Smith said they have a diverse group – single parents, seniors, just out of college, etc. Mr. Gavle said he has difficulty seeing how children will get to a park or bike path. There is a need for walkways for safety purposes. Mr. Peterson said they are planning to have a number of walkways.

Mr. Hayden said these buildings look like very expensive homes, which makes it even more difficult to put here. He said the buildings and the landscaping looks nice but feels it doesn't belong here. With the senior housing he feels it belongs. It will only be seniors – no kids running around an industrial area. He added that there is a very small play area shown on the site plan for this development and it will be hard for the kids to get their bikes to the bike path. Mr. Hayden said he would love to have this in Crystal Lake but just not in this location. Also the impact fees are a one-time payment and residential development does need more City services which incur more costs than commercial sites. This will look out of place. Mr. Burney said this architecture doesn't diminish the other buildings. Mr. Hayden said the buildings in the business center are brick with landscaping and feels this will look out of place. Mr. Burney said his clients have outdone themselves. He asked that the Commissioners reflect on the project over the next two weeks. They do not want to move the development to the west side of Main Street because if the residents come to the meetings, how can the City approve the project with that many objections. This development is needed in the community. Mr. Hayden said kids need to play and ride their bikes. This is also too far from the grade school they would be attending to ride their bikes.

Mr. Hayden asked how Crystal Lake's need for affordable housing compares to other communities. Mr. Burney said most communities need this. Crystal Lake is not unique in that respect. Mr. Hayden asked if the developer gets the tax credits or do the renters. Mr. Crowe said the renters get the benefit of lower rent. Mr. Hayden asked how they cater to veterans. Mr. Crowe said they work with veterans groups.

Mr. Goss said he contacted staff with a number of possible properties and they scored all of them. This was the highest. He asked how this development stacks up points-wise with the other developments presented for the grants. Mr. Smith said they don't publish the point totals with the developments who receive the grants. They can only surmise and this site allows for the maximum number of points. Mr. Goss asked how often the developer has been turned down for the grants. Mr. Smith said they have been turned down and they modify their development and resubmit. He is very confident that they will

receive a grant.

Mr. Batastini said the developer should not shy away from other properties because of residents. He said they want older residents to be closer to the amenities and he doesn't want kids playing in the back of Crystal Point Shopping Center. It is not a good reason to change his mind just because neighbors might object.

Mr. Crowe feels that LSSI will look equally out of place in this area. Mr. Burney said two other residential developments were approved here previously – the school and senior housing. He said the horse has left the barn so residential development is ok there. Workforce housing is a special need as well – just like senior housing. Mr. Hayden said the senior housing is more a business with assistance for residents. Also there are no children in that type of housing. Mr. Hayden said they are taking away the opportunity to have a tax generating business in this area. Residential developments cost more to maintain by the City. Mr. Burney said there is a day care in the business center and kids have to play there.

Mr. Goss moved to set the public hearing date of May 2, 2012 for 2012-28 Pedcor Housing Development. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

2012-20 COUNTRY CORNERS SHOPPING CENTER – DOLLAR TREE – 230 Virginia Street – PUBLIC HEARING

This petition was continued from the April 4, 2012 PZC meeting.

Final PUD Amendment and Variation for wall signage, which exceeds the 50-square-foot UDO requirement and the PUD Tenant Sign Criteria, to allow 4 foot high double stacked letters and 160 square feet of signage.

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.

Kimberly Russell with Signs of Distinction was present to represent the petition. Ms. Russell said Dollar Tree is expanding and they would like to locate in this shopping center. They would like a larger sign than what is allowed. The sign they are requesting is 2 rows of 4 feet tall letters for a total height of 9 feet 8 inches and 160 square feet in area.

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

Mr. Batastini thanked the petitioner for waiting so long. He said the square footage is way over the top and the business will have additional sign presence on Route 14. Ms. Maxwell said the size of the sign is based on the tenant space and Savers has a larger tenant space. Mr. Batastini feels this sign is too big. Ms Russell said they measured the signs in the shopping center and not the tenant spaces. Mrs. Lembke agreed with Mr. Batastini.

Mr. Esposito asked about the history of the signage in that center. Ms. Maxwell said most of the tenants have turned over and the sign criteria specifically for that center are that the signs are larger for larger tenant spaces. Also the anchor stores typically have larger signs. Mr. Esposito said he would like them to be in this location but allowing 3 times the amount of signage allowed is a bit much.

Mr. Skluzacek said the requested square footage is too much. He would like the letters cut down in size.

Mr. Goss said he would agree with 100 square feet for the wall sign since they will have a panel on the pylon sign on Route 14. Ms. Russell said she doesn't have the authority to negotiate the size of the sign.

Mr. Hayden asked if the petitioner wished for the Commission to vote on this request or to be continued to the next meeting so she could go back to Dollar Tree to find out what they could go with. Mr. Goss said they could vote on this and it move forward to Council. The petition could be referred back to the PZC at that time too.

Mr. Hayden took a straw poll of the Commissioners. Ms. Russell asked to be continued to the next meeting. Mr. Goss said staff should be sure to put this item first on the agenda.

Mr. Goss moved to continue 2012-20 Country Corners Shopping Center/Dollar Tree to the May 2, 2012 PZC meeting. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

REPORT FROM PLANNING

- Crystal Lake Plaza – Keith & Virginia – PUD Amendment
- Indian Hill Trails – (10 lots) – Variation
- LSSI – 15 Acres off Congress Pkwy – Final PUD, Plat
- CL Pk Dist – CL Rowing Club – 1294 North Ave. (Kamijima Pk) – SUP Amend
- UDO Text Amendments - Various sections
- UDO Text Amendment to allow a pawn shop – 457 W. Virginia

Ms. Rentzsch reviewed the petitions for the next PZC meeting.

COMMENTS FROM THE COMMISSION

Mr. Esposito said there are a lot of trucks parking in parking lots, vacant lots, etc. after hours. He said it doesn't look good and it needs to stop. Ms. Rentzsch asked Mr. Esposito to let staff know when and where this is happening. Mr. Esposito said he will take photos and sent them to staff.

The meeting was adjourned at 10:45 p.m.