



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, MAY 16, 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 Esposito, Gavle, Goss, Greenman, Jouron, Lembke, Skluzacek, and Hayden were present. Mr. Batastini was absent.

Mr. Hayden asked those in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

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 MAY 2, 2012 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the May 2, 2012 Planning and Zoning Commission meeting as presented. Mr. Goss seconded the motion. On roll call, all members present voted aye. Motion passed.

2012-35 LANDOVER CORP– Main St & Teckler BLVD. – PUBLIC MEETING

Conceptual PUD review for an 84-unit multi-family apartment development.

Mr. Hayden stated that the applicant has requested that this concept plan be discussed at the June 6, 2012 meeting.

Mr. Jouron moved to continue 2012-35 Landover Corp Conceptual Plan review to the June 6, 2012 PZC meeting. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion passed.

2012-29 MARQUARDT – 310 View St. – PUBLIC HEARING

Variation for a replacement deck and stairs that encroach in the corner side yard setback by 17 feet 3 inches.

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.

Cindy Marquardt, owner, and Frank Vodnais, contractor, were present to represent the petition. Ms. Marquardt said she wants to replace the deck that was there. It was unsafe and needed to be replaced.

Mr. Hayden asked if this is just a repair, why the petitioner needs to request a variation. Ms. Maxwell said this is a non-conforming structure and if normal repairs are done they would not need a variation. Because the deck was completely removed, it needs a variation to be built in the same location. Mr. Hayden said if this was done piece meal it would not have been a problem. Ms. Maxwell said yes. Staff understands that the repair needs to be done and this is just a formality.

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

Mr. Vodnais said this repair needs to be done. Ms. Marquardt said the only part of the decking that was wood was the floor. The rest was metal.

Mr. Skluzacek asked if the replacement deck would be the same size. Ms. Marquardt said yes. Mr. Skluzacek said he has no problem with the request.

Mr. Greenman asked if there were any concerns with the conditions listed in the staff report. Mr. Vodnais said they have no problems with the conditions and the deck will be brought up to the current codes. Mr. Greenman said he supports what they are doing and the Findings of Fact listed in the report are met.

Mr. Gavle said he does support the request. Mr. Jouron said he has no problem with the request and is glad it is being repaired. Mrs. Lembke agreed.

Mr. Esposito moved to approve a Variation (Article 3-200 A. 4) to allow the replacement of a deck and stairs which will encroach into the required 30-foot corner side yard setback by 17 feet 3 inches at 310 View Street with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Marquardt, received 04/18/12)
 - B. Plat of Survey/Site Plan (Robert J. Conway/Marquardt, undated, received 04/18/12)
 - C. Deck Plan (Marquardt, dated 12/10/11, received 04/18/12)
2. A variation to allow encroachment into the required corner side yard setback by 17 feet 3 inches for a second story deck and stairway is granted.
3. The existing stairs and walkway within the right-of-way can remain provided it is not enlarged or removed.
4. The petitioner shall comply with all of the requirements of the Engineering and Building, Fire Rescue, and Planning and Economic Development Departments.

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

2012-34 BONICK – 145 Regal Drive – PUBLIC HEARING

Variation to allow a deck in the rear yard setback to be as close as 10 feet to the property line.

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.

Gary Bonick was present to represent his petition. Mr. Bonick said he purchased the home two years ago and the deck was small. He would like to enlarge the deck to 10 feet x 12 feet which is like most decks in the area and they will be able to use it. Mr. Bonick said he will keep the deck the same style that it is currently. Also he doesn't believe there will be any grading changes to the property.

Mr. Hayden asked about the grading plan. Ms. Bhide said it may be required and that would be part of the building permit process.

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

Mr. Goss said these lots were straight zoning when the subdivision was approved. Because of the road layout not being a regular grid, it created odd shaped lots. Also, most of the homes have a 3-car garage which takes up a lot of room on the lots. Mr. Goss said he understands the request but the lot has the majority of the space on the side and not the back.

Mr. Skluzacek asked if the deck will be the entire length of the house. Mr. Bonick said no. Mr. Skluzacek asked if the stairs will remain in the same place. Mr. Bonick said yes. Mr. Skluzacek said he has no problem with the request.

Mr. Esposito said he also has no problem with the request.

Mr. Greenman said in the past there have been restrictions put on the Plats of Subdivision regarding the restrictions on certain lots within a subdivision. He is not sure which way he is swaying. There is an opportunity to place the deck on the side of the house. Mr. Greenman asked about the vacant lot behind. Ms. Bhide said that lot is about the same size. She said the recorded plat was checked and there are no Plat restrictions on it. Mr. Greenman said if the lot behind is built and they request the same variation, then PZC needs to be consistent. Mr. Bonick said he would like to purchase the lot but doesn't know who owns it.

Mr. Gavle said the addition to the deck would allow it to be used.

Mr. Jouron said the deck will only be slightly deeper. He asked if there is a Homeowners Association.

Mr. Bonick said there is but he has not received anything back from them. He had submitted the information to the management group which was going to send it to the appropriate people in the Association.

Mrs. Lembke said she has no problem with the request. The lot is the hardship.

Mr. Hayden said the Homeowners Association needs to give their ok to the deck. The lot behind this one is currently vacant and the expanded deck will be there if and when it is built. He asked if the deck will be at the same elevation as the current deck. Mr. Bonick said yes. Mr. Hayden asked if the petitioner had any issues with the conditions listed in the staff report. Mr. Bonick said no.

Mr. Skluzacek moved to approve the Simplified Residential Variation from Article 3, Density and Dimensional Standards, to allow a deck to encroach into the rear yard setback and be as close as 10 feet from the rear property line instead of the required 16 feet at 145 Regal Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, received 4-30-12
 - B. Site Plat/Plat of Survey, TFW Surveying, received 4-30-12.
2. A Variation from the required rear yard setback of 16 feet for a deck to allow 10 feet is hereby granted.
3. A grading plan consisting of existing and proposed grades is required. Existing grading and drainage patterns must be maintained.
4. 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. Esposito seconded the motion. On roll call, members Esposito, Gavle, Greenman, Jouron, Lembke, Skluzacek, and Hayden voted aye. Mr. Goss voted no. Motion passed.

Mr. Goss said he voted no because the house is very large for the lot and it is a function of how the subdivision was set up. He does, however, support what the petitioner is requesting. Mr. Hayden agreed and added that in his view the Homeowners Association can worry about it.

2012-33 COUNTRY CORNERS SC – PETCO – 230 Virginia St. – PUBLIC HEARING
PUD Amend, SUP for exterior changes, additional signage for the addition of a dog grooming service within the existing 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.

Charles Margosian Sr. and Charles Margosian Jr., owners of the property; Homer Collin, Regional Director for Real Estate for Petco; and Freddy Renazco, architect, were present to represent the petition. Mr. Margosian Sr. said they purchased the center in 1992 with a 50% vacancy rate. He said Petco has been with them for 20 years and they have outgrown their space. Hancock Fabrics would like to remain in the center but downsize their space. This works out well for both companies. Mr. Margosian Jr. said Petco is planning on doing a complete renovation of their space. This is a good sign about how they feel about Crystal Lake and the center.

Mr. Renazco said the space they will be taking over from Hancock Fabrics will be the grooming area. They are also planning on having a canopy over the rear door of the store, a new lift for deliveries, and new signage.

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

Mr. Jouron said the center looks very nice. It has improved and he has no problem with the requested sign. He was concerned with the differences between the sizes of the signs such as Pablo's, which is very small, and Savers, which is very large.

Mrs. Lembke thinks the proposed sign is too large. She understands they are adding square footage to the store space, but the sign is too large. Mr. Margosian Sr. said the retailers control the owners today. This space is setback off of the road and there is another building in front of it. Mrs. Lembke said she would prefer that the font be shrunk down a little. Mr. Renazco said the grooming sign is what puts the signage over the allowable square footage. Mrs. Lembke said they are doubling the sign area but not doubling the square footage of their space.

Mr. Gavle asked about the grooming area. Mr. Renazco said the grooming area will not have a separate entrance. Mr. Collins said it will be separated from the store area mostly for controlling the animals that are being groomed. Mr. Gavle asked about the work in the rear. Mr. Renazco explained the improvements and said there would not be any signage in the rear. Mr. Collins said the canopy and the new lift will help with safety issues. Mr. Gavle asked about the Savers sign size. Ms. Bhide said their wall signs total 190 square feet and their space is about 34,000 square feet. Mr. Collins said the logo will give the appearance of the same size sign as Savers.

Mr. Greenman asked how business was at this store. Mr. Collins said the Crystal Lake store is growing consistently. He said they have been pressured to move the store to the east but he has pushed hard to remain in this location. It is closer to where people live. Mr. Greenman said he frequents the store and

is pleased that they are staying in Crystal Lake and in this location. He is happy not to fight the traffic of the big box stores. This location is easy in-easy out. Mr. Greenman said he is struggling with the amount of signage that is requested. He does understand why they are requesting it. He is not in favor of the sign variation.

Mr. Collins said he understands it is hard to be fair and consistent with the number of requests that the PZC must deal with. Petco needs to communicate to potential customers and that is through their signs. This also tells people they are investing in the area. Mr. Margosian Sr. said this is what tenants are demanding now. Mr. Jouron said there is more foot traffic in this center because of Savers. Mr. Esposito said Dollar Tree was asking for a larger sign but they went back and reduced it. Ms. Bhide said with the additional square footage for the Petco space, the allowable signage would be 150 square feet.

Mr. Esposito said there is a sign there now that meets the ordinance and is hard to see because of where it is located in the center. He can support the slightly larger square footage for the signage because of the location of the space in the center.

Mr. Skluzacek asked if the signs available to Petco are only certain sizes. Mr. Collins said they do have their standards. Mr. Skluzacek said he has no problem with the Petco sign but suggested that “grooming” be reduced slightly.

Mr. Goss said he struggles with the signs and feels that 150 square feet is ok. He is certain the other retailers in the center will come in requesting additional signage. Mr. Goss would prefer 150 square feet.

Mr. Hayden said he looked at the elevation provided showing the sign and the scale looks good. It fits the size of the building. Mr. Hayden thanked the owners of the center for playing by the rules and that the signs are the signs and not hidden behind glass so those don’t count towards the total square footage. He added that the sign is very tastefully done and he believes “grooming” is necessary because it is a new service at this location.

Mr. Hayden asked if the petitioners had any concerns with the suggested conditions in the staff report. Mr. Margosian Jr. said no.

Mr. Esposito moved to approve the Final Planned Unit Development Amendment to allow changes to the side and rear façade and to allow signage which does not meet the approved sign criteria of the PUD and exceeds the maximum allowable wall signage to allow 181 square feet; and Special Use Permit to allow a dog grooming service within the existing store for Petco at 230 Virginia Street with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, received 4-27-12
 - B. Site Plan, Floor Plan, Elevation, Sign Details, Plat of Survey, received 4-27-12

2. A Final Planned Unit Development Amendment to allow the proposed changes to the elevation and signage is approved.
3. The amendment to the Final PUD to allow signage not meeting the Design Criteria for Tenant Signs shall only be applicable to this tenant space (including its future tenants). Other tenant spaces will need to meet the original criteria as approved.
4. This petition must meet the UDO criteria for Pet Care Services (listed in the report above).
5. Fire protection systems may need to be installed or altered during the construction of the overhead door or the new canopy.
6. The petitioner shall address any comments and requirements from the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

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

REPORT FROM PLANNING

- Lightning Lazer Tag – 19 E. Berkshire Units 4 & 5 – Use Variation
- School Dist 47 – Bernotas MS PTO – 170 N. Oak – SUP, Var
- Home Depot – 4447 Northwest Hwy. – Final PUD Amendment

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

COMMENTS FROM THE COMMISSION

There were no comments from the Commissioners.

The meeting was adjourned at 8:45 p.m.