



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, AUGUST 1, 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, Greenman, Jouron, Lembke, Skluzacek, and Hayden were present.

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 JULY 9, 2012 SPECIAL PLANNING AND ZONING COMMISSION MEETING

Mr. Goss moved to approve the minutes from the July 9, 2012 Special Planning and Zoning Commission meeting as presented. Mr. Greenman seconded the motion. On roll call, members Batastini, Gavle, Goss, Greenman, and Skluzacek voted aye. Members Esposito, Jouron, Lembke, and Hayden abstained. Motion passed.

2012-50 ROGERS – 68 Carmella Dr. – PUBLIC HEARING

Special Use Permit for a detached accessory structure greater than 600 square feet to allow a pool and deck at 758 square-feet.

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.

Brad and Michele Rogers were present to represent their petition. Mr. Rogers said they have a 24-foot above ground pool and they want to add a deck so it will be easier to get in and out of the pool.

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

Mr. Gavle asked about the safety requirements for a pool of this size. He is concerned that small children will have access to the pool. Mr. Rogers said they do have a fence around their yard. Mrs. Rogers added that there will be a gate at the stairs of the deck.

Mr. Batastini asked if the petitioners had any concerns with the conditions listed in the report. Mr.

Rogers said no.

Mr. Greenman asked if there was a problem with the setback requirements. Ms. Maxwell said no. Mr. Greenman said the Findings of Fact have been met.

Mr. Goss asked if the electric line would need to be relocated. Mr. Rogers said the Building Division sent an inspector to check and he said there was no conflict.

Mr. Jouron moved to approve the Special Use Permit for a detached accessory structure greater than 600 square feet to allow a pool and deck at 758 square feet at 68 Carmella Drive with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Rogers, received 07/16/12)
 - B. Plat of Survey/Site Plan (Unnamed, undated, received 07/16/12)
2. No structure or attachment shall be constructed between the deck or pool and the principal residence. The pool and deck must remain at least 6 feet from the principal structure.
3. The petitioner shall comply with all of the requirements of the Engineering and Building, and Planning and Economic Development Departments.

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

2012-51 JENKINS - 627 Leonard Pkwy – PUBLIC HEARING

Special Use Permit, Variation to allow storage dormers as part of the roof replacement for the garage.

Mr. Hayden stated that the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice without objection.

Ed Brandwein, contactor, was present to represent the petition. Mr. Brandwein said the owners of the property would like to add a second floor to the garage which is to be used for storage. He said there is no basement in the home so there is very little storage space.

Mr. Hayden asked if the footprint of the garage would remain the same. Mr. Brandwein said yes. They will have a pull down staircase inside the garage so the second floor can be accessed safely. Mr. Hayden asked if the petitioners had any concerns with the conditions listed in the staff report. Mr. Brandwein said there was no problem with the conditions.

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 garage needed to be reinforced since they were not replacing the garage. Mr. Brandwein said yes. Mr. Goss said he has a problem with the request. There is not much of a setback from the roadway and the garages in the area are all one story. This addition will block light, air and the view of the lake from the neighbors. He would prefer the garage be moved back 15 feet. Mr. Brandwein said it would be up to the owners if they wanted to move the garage. Mr. Goss feels it would be better if it were moved.

Mr. Jouron asked if not having a basement for storage could be considered a hardship. Mr. Hayden said a hardship must be caused by the ordinance.

Mr. Esposito said recently there was another large garage addition approved for storage and it is not being used for that. He asked if there would be any plumbing to that area. Mr. Brandwein said no. Mr. Esposito said the City has been burned lately with other garages and feels this lot is very tight.

Mr. Greenman asked how the sizes of the dormers were determined. Mr. Brandwein said the architect mirrored the structure of the home. Mr. Greenman asked if the dormers were reduced what would that do to the size of the storage area. Mr. Brandwein believes it would be reduced but that change would need to be approved by the property owners.

Mr. Gavle said he replaced his garage a few years ago and recalls there is a maximum height. Ms. Bhide said the height is measured to the midpoint of the roof. This garage measures at 14 feet and the maximum allowed is 15 feet. Mr. Gavle agrees that the dormers should be smaller to reduce the mass of the building.

Mr. Hayden said he is torn. Ms. Bhide said the garage is within a few feet of the right of way. Mr. Hayden asked what is open behind the house. Mr. Batastini said it is open to the lake with a huge back yard. He feels it would be better to move the garage back. Mr. Hayden asked if the garage would be taken down. Mr. Brandwein said no because the garage itself is in good shape. Mr. Hayden said he would prefer the garage to be moved back but that would be expensive to do. Ms. Bhide said the garage is in the watershed area and it should be noted that moving it would increase the impervious surface.

Mr. Greenman said he would prefer that the variation for the dormers be eliminated. Mr. Batastini said that would reduce the storage area for the petitioners. He is concerned about the windows not being covered and the neighbors being about to look into the storage area which may be unsightly.

Mr. Batastini 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 720 square feet; Variation from Article 7, Nonconformities, to allow the existing nonconformity (detached garage) to expand; and Variation from Article 10, Definitions, to allow the dormers to be wider than 40% of the length of the side elevation at 627 Leonard Parkway with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application, received 7-16-2012
 - B. Addition Drawings, Kang Architects, received 7-16-12
2. The following variations are hereby granted:
 - A. Variation from Article 7, Nonconformities, to allow the existing nonconformities (detached garage) to expand.
 - B. Variation from Article 10, Definitions, to allow the dormers to be wider than 40% of the length of the side elevation.
3. A Special Use Permit to allow a detached accessory structure greater than 600 square feet to allow the garage to be approximately 720 square feet on two stories;
4. No habitable second-story is permitted within the garage. The attic area must be used solely for storage.
5. 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.
- 6. Blinds or screening shall be used in the windows of the dormers to screen the storage area as well as to keep lights from the storage area from shining into adjacent properties.**

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

Mr. Greenman said his no vote was because he felt the variation for the dormers is excessive. Mr. Goss said he voted no because of the building mass and it being so close to the right of way. Mr. Hayden said he would have preferred the garage to be moved back but didn't want to increase the impervious surface.

2012-49 CVS – CROSSROADS – 1305 Randall Rd. – PUBLIC HEARING

Final PUD Amendment/SUP to allow additional wall signage and an electronic message center component to the existing freestanding sign.

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.

Dan Brooks with Midwest Signs was present to represent the petition. Mr. Brooks said CVS is requesting to change their current monument sign which has a changeable copy portion to an electronic

message center. They are also requesting additional wall signage. Mr. Brooks said the total square footage of the signs proposed and current will be less than what is allowed by ordinance.

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

Mr. Batastini is ok with the copy portion to be swapped out. He likes the way the building looks and feels the additional wall signs are excessive. They would cheapen the building. Mr. Batastini added that as far as the lighting on the building is concerned, he can understand it during the construction but not after.

Mr. Gavle said he is concerned with the amount of signs requested. He believes the current signs are sufficient.

Mr. Brooks said CVS, Walgreens, etc. spends a lot of money on marketing research and they have determined that people don't know what they have available. Mr. Batastini said if the City would allow it, the companies would have a sign for everything they have in the store. He doesn't want flash and splash.

Mr. Greenman agreed. He said the Findings of Fact for the additional signs are not met such as they are not necessary or desirable and they will be unsightly. He said when CVS originally came in they were given 173 square feet of signage for that PUD. These additional wall signs do not make sense.

Mr. Skluzacek said he has no problem with the EMC sign and agrees that the additional wall signs are not needed. He also would prefer the external lighting should be turned off.

Mr. Esposito said they fought hard for the way the building looks. He said the signs in the windows are sufficient and they look cheap. Mr. Brooks said wall signs are designed to get your attention and the window signs do not serve that purpose. Mr. Esposito said this is a known product. People around the country know what they have in their stores. He said the City has spent many hours discussing this building so it looks the way it does.

Mrs. Lembke said she is ok with both the additional wall signs and the EMC. She would like the light band removed.

Mr. Jouron said this is a PUD and it was a give and take on both CVS and the City's part. He does not have a problem with EMC portion of the sign but feels the other signs are too much.

Mr. Goss said six pharmacy signs are too much and every Walgreens, CVS, Right Aide, and Wal-Mart have photo areas. He can't approve any of the wall signs but ok with the EMC. He added that CVS needs to strictly follow what was approved as far as lighting is concerned. He said the light band needs to be completely removed not just remove the breakers or bulbs.

Mr. Hayden asked what the EMC would be used for. Mr. Brooks said it would be used for weekly specials and possibly Amber Alerts. Mr. Hayden suggested that it be used to promote what the wall signs that are being proposed would have said. Mr. Brooks said there are some communities that previously limited sign sizes are now changing their ordinances back to what they were previously. He said they have found that the signs are too small and people can't find the businesses.

Mr. Goss said he would have preferred for a representative from CVS be at the meeting so they can hear this discussion.

Mr. Hayden said the additional wall signs are not needed since they can advertise those uses on their EMC sign along with the specials of the week. He also wants the light band completely removed from the building.

There was a discussion regarding turning the sign off from 11 p.m. to 7 a.m. if the pharmacy is not open. It was the consensus of the members that if the business is open, whether the pharmacy is open or not, the sign should be on. Ms. Bhide said if an EMC sign is across from residential, the sign is to be off between those hours. Mr. Goss said if the store is open the sign should be on and it should be dimmed at night.

Mr. Batastini moved to approve the Final Planned Unit Development Amendment to allow ~~additional wall signage and~~ an electronic message center component to the existing freestanding sign; and Special Use Permit and variations to add an electronic message center component to the existing freestanding sign for CVS Pharmacy at 1305 Randall Road with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Development Application, received 7-11-12
 - B. Sign Details, received 7-11-12
2. A Final Planned Unit Development Amendment, Special Use Permit and variations to allow the proposed changes to the ~~wall and~~ freestanding signage are hereby approved.
3. The EMC component must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level.
4. The EMC is not required to be extinguished between the hours of 11:00 p.m. and 7:00 a.m. as long as the store pharmacy is open to customers 24 hours. The sign must be extinguished between the hours of 11:00 p.m. and 7:00 a.m. if the 24-hour operation of the store pharmacy ceases.

5. The message area of an EMC must be illuminated by white or amber incandescent lamps, LED (light-emitting diode) or magnetic discs, not red as proposed.
6. The EMC unit must have the “flash” feature disabled and messages shall have a 5-minute “hold” time.
7. The messages displayed on the EMC can only transition from one message to another by either fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages.
8. Messages must be static and not reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video are not permitted.
9. If the EMC unit is equipped to override commercial messages for emergency situations such as an “Amber Alert” or other such acute public emergencies, the owner of the EMC unit is requested to cooperate with the City of Crystal Lake in order to allow the City to exercise its override authority
10. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.
11. The petitioner shall address any comments and requirements from the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

12. Exterior lighting around the perimeter of the building if not approved shall be completely removed and extinguished immediately.

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

Mrs. Lembke voted no because she felt the additional wall signage should be approved.

REPORT FROM PLANNING

- Alleyway Annexation
- Honda Northwest et al – 4911, 4901, 6509 Northwest Hwy. Annexation

Ms. Rentzsch said the next meeting on August 15 has been rescheduled to Monday August 20, 2012. She reviewed the petitions for the next PZC meeting.

COMMENTS FROM THE COMMISSION

Mr. Hayden said he misses the PIQ maps that used to be part of their reports.

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