



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, SEPTEMBER 5, 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 AUGUST 20, 2012 SPECIAL PLANNING AND ZONING COMMISSION MEETING**

Mr. Skluzacek moved to approve the minutes from the August 20, 2012 Special Planning and Zoning Commission meeting as presented. Mr. Jouron seconded the motion. On roll call, Batastini, Esposito, Gavle, Greenman, Jouron, Skluzacek, and Hayden voted aye. Members Lembke and Goss abstained. Motion passed.

**2012-48 FOLEY – 274 Midlane – PUBLIC HEARING**

This petitioner was continued from the August 20, 2012 Special PZC meeting.  
Variation to allow a brick paver patio to encroach 1.4 feet into the required 5-foot setback.

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.

Gladys Foley was present to represent her petition. Ms. Foley apologized for not checking into possibly needing a permit for the patio. She said that is the first outside project she did on her home. Ms. Foley said she is requesting a variation from the side yard setback for the patio. Since her home is on a corner lot there is not much room in the back yard. The wall of her neighbor's home has only one window on it that faces the patio and they have not complained.

Mr. Hayden asked if the petitioner has any concerns with the recommended conditions listed on page 3 of the staff report. Ms. Foley said she has no problems with them.

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

Mr. Goss did a quick calculation and the house takes up about 80% of the lot area.

Mr. Esposito said he lives on a corner lot and understands the problems with placing a patio.

Mr. Skluzacek, Mrs. Lembke, and Mr. Jouron said they were ok with the request.

Mr. Gavle asked if the neighbor had commented on the patio. Mrs. Foley said she spoke with them and they don't have a problem with it.

Mr. Hayden said when they look at the surrounding conditions of the property; the shape of the lot can be classified as a hardship. Ms. Maxwell said the patio could have been made 1.5 feet smaller or put in a different location to meet the required setback. She said there are always problems with corner lots.

Mr. Hayden said a similar request was approved a few years ago and he has no problem with the request.

Mr. Esposito moved to approve the variation from Article 3-200 of the UDO to allow a brick paver patio to encroach 1.4 feet into the required 5-foot accessory structure setback from the side yard setback and be as close as 3.6 feet from the side property line at 274 Midlane with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Foley, received 07/06/12)
  - B. Plat of Survey/Site Plan (Brauer Land Surveying, dated 12/13/1991, received 06/08/12)
2. A variation to allow the encroachment into the required 5-foot accessory structure side yard setback by 1.4 feet for a brick paver patio is granted.
3. No structure shall be constructed on the patio surface.
4. The petitioner shall comply with all of the requirements of the Engineering and Building, and Planning and Economic Development Departments.

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

**2012-91 HARKINS – 73 Lincoln Pkwy** – PUBLIC HEARING  
Special Use Permit and Variations for a new 2,880 square foot 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.

Redmond Harkins was present to represent his request. Mr. Harkins said he currently has a 24 foot x 30 foot garage and wants to replace it with a garage that is 10 feet longer with a second floor and a basement. He does not have a problem with the request to change the dormer to 2-8 foot dormers. Mr. Harkins said the reason for the size of the garage is because the home is very old and has very little storage area including closets. His basement also leaks which does not allow for storage in that area.

Mr. Hayden asked if the petitioner had any concerns with the recommended conditions listed in the staff report. Mr. Harkins said no.

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

Mr. Batastini said the plans show for a bathroom in the basement of the garage. Mr. Harkins said yes. Mr. Batastini asked if the garage would be heated and/or air conditioned. Mr. Harkins said it would be heated but not air conditioned. Mr. Batastini said this property is about a ½ acre and the garage appears to be similar to the neighbor to the north. He said with the plumbing and heating it feels more like a house.

Mr. Jouron asked if there will be a business in there because of the size. Mr. Harkins said no. Mr. Jouron said he is concerned with the size.

Mr. Esposito said this is considerably larger than what is allowed by ordinance and can't support it. This is more like a commercial structure.

Mr. Batastini asked what the approximate size of a 3-car garage is. Ms. Maxwell said approximately 800 square feet.

Mr. Gavle is impressed with the detail of the drawing provided. He is concerned with the close proximity of the garage to the property line. It will be hard to dig the hole required for the foundation and basement and not have some of the neighbor's yard collapse into the hole. Mr. Gavle would prefer that it be moved away from the lot line since the current garage will be removed completely. He asked how does the City control people living in the "garage". Ms. Maxwell said the City acts on complaints. Mr. Gavle said he can't support the side yard variation.

Mr. Jouron asked why not move the garage to meet the setback requirements since the current garage will be removed. Mr. Harkins said it's a very narrow lot and he does not want to look out his back window and see the large garage.

Mr. Skluzacek said he normally doesn't have a problem with a garage of this size but can't support the side yard variation. He feels it should be moved over. Mr. Skluzacek also believes that someone will be living in the garage.

Mrs. Lembke said she can't approve the side yard variation. She asked if there would be windows in the basement. Mr. Harkins said yes for egress.

Mr. Greenman asked what the size of the home is. Mr. Harkins said it is approximately 2,000 square feet. Mr. Greenman asked how long they have lived there. Mr. Harkins said about 16 years. Mr. Greenman said they have seen many larger garages recently and agrees with the additional storage but not this size. He understands the need but he doesn't think of this as a garage because of the size. Mr. Greenman said he is not in favor of this petition.

Mr. Goss said this is not the typical residential construction with steel beams and poured concrete walls. This doesn't seem to be a normal accessory structure because of its size, a basement, and plumbing.

Mr. Hayden agreed. He said the compelling comment was that the petitioner didn't want to meet the required setback because he didn't want to look out his back window and see the large garage. He can't support the request. The size and the construction are out of place. Mr. Hayden said this proposed garage is more than 500 square feet larger than his two-story Colonial home. He is also concerned that the garage has plumbing as well as heat. He feels that with this type of storage building sprinklers should be required because of all of the combustibles that would be stored in it.

Mr. Jouron asked if the floor would be strong enough for the weight. Ms. Maxwell said that is not usually looked at until it goes through the permit process.

Mr. Hayden said a number of the Findings of Fact are not met.

Mr. Esposito moved to deny the requested Special Use Permit and Variations at 73 Lincoln Parkway. Mr. Goss seconded the motion. On roll call members Esposito, Gavle, Goss, Greenman, Jouron, Skluzacek, and Hayden voted aye. Members Batastini and Lembke voted no. Motion to deny passed.

**2012-93 KNIGHTSBRIDGE COMMERCIAL - TRAMPOLINE PARK - 5593 Northwest Hwy. – PUBLIC HEARING**

Special Use Permit for a trampoline amusement park.

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.

Vikas Sharma and Mandeep Sidhu were present to represent the petition. Mr. Sidhu said they are basically a trampoline amusement park. There are approximately 130 in the United States with 5 in the Chicago area. They are requesting a Special Use Permit for the approximately 25,000 square foot facility. Mr. Sidhu said the property has been vacant for about 4 years and they hope this will start to revitalize the area.

Mr. Sharma said the closest trampoline business is in Gurnee and this use will attract people from all over. That will bring more business to other Crystal Lake businesses.

Mr. Sidhu said they will be serving limited amounts of food. Mr. Sharma said they will have more like a Starbucks' café – type food service.

Mr. Sidhu said they reviewed the Findings of Fact and believe they meet all of the conditions for a Special Use Permit. They also don't have any problems with the recommended conditions in the Staff Report. Mr. Sidhu said they have met with representatives from the City several times at the site and know what the City will require for the permitting process.

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

Mr. Jouron asked about the hours of operation. Mr. Sharma said during the week the hours will be after school from about 3 p.m. to 10 p.m. and weekends will be from 9 or 10 a.m. to midnight. He added that the facility can be rented for exercise classes before they open for regular business during weekdays.

Mr. Jouron asked if there are pits under the trampolines. Mr. Sharma said the trampolines are raised 4 to 5 feet off of the floor with the frames being attached to the floor. He said the frames are custom built for a space. Mr. Jouron asked if there will be separate areas for the various age groups. Mr. Sharma said they will have inflatables for the younger children – approximately 3 to 7 years old. Mr. Jouron asked about supervision. Mr. Sharma said they will have 12-14 employees who will be trained. Mr. Sidhu said their big thing is safety and everyone who will be on the equipment will watch a video as well as the parents signing a waiver. Mr. Sharma said there will be a seating area for the parents who wish to stay and watch.

Mr. Gavle said the hours of operation presented at this meeting are different than what was in the packet they received. Mr. Sharma said the hours have not been finalized. Mr. Gavle said he supports this request.

Mr. Esposito said it sounds like fun. He suggested using Jimmy Johns to cater parties since they are so close.

Mr. Skluzacek said this is a good idea. Mrs. Lembke said it sounds like fun.

Mr. Greenman said he supports the request. He asked if the petitioners own or operate other facilities. Mr. Sharma said no. Mr. Sidhu said their children go to similar facilities. Mr. Greenman said the petitioners have done their homework so they know what is involved. He asked if the petitioners will be running the business or will they hire someone. Mr. Sidhu said they will be running the business. They want to be very active in it. Mr. Greenman said the location is great – near TORA and using large vacant spaces.

Mr. Goss asked if there are cross access agreements for the parking lot. Ms. Bhide said yes. Mr. Goss said this needs to be cleaned up. Mr. Sharma said they will need probably 30 to 40 parking spaces on the weekends. Mr. Goss asked if the frames are anchored to the floor. Mr. Sidhu said yes. Mr. Goss said this meets the Findings of Fact.

Mr. Hayden said there was no discussion regarding signage for this use therefore the petitioner will need to meet the requirements of our Sign Ordinance. Mr. Sidhu said they may need a different sign in the future and may need to come back before the PZC and City Council for approval.

Mr. Hayden said he read the letter from Simon regarding this use. Mr. Sidhu said Simon is ok with the use but they need to get the final approval from their shareholders. He believes it is just a formality.

Mr. Goss moved to approve a Special Use Permit pursuant to Article 2, Land Use of the Unified Development Ordinance to allow a trampoline amusement park as a special use in the "B-2 PUD" district for Trampoline Park at 5593 Northwest Highway with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application, Project Description, Photos, received 8-16-12
  - B. Suite Layout, received 8-16-12
2. A special use for the proposed use classified as 'all other amusement & recreation facilities' at this location is granted.
3. If the facility is expanded in area or intensity, the petitioner shall be required to seek a SUP amendment.
4. The petitioner will contact the McHenry County Health Department to obtain any necessary permits for food being served at this location.
5. All proposed signage must meet the provisions of Article 4-1000 Signs of the UDO or the PUD approval, as applicable. Permits through the Building Division must be obtained for all signs.
6. The petitioner shall replace any dead and dying landscaping in the immediate vicinity of their tenant space, including the areas of the parking lot closest to the tenant space.
7. The petitioner is responsible for meeting all building, plumbing, electrical, and sprinkler requirements as identified by the Building and Fire Rescue Departments.

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

**REPORT FROM PLANNING**

- The Living Room-Crush Club – 446 W. Virginia – Sign Variation
- Schanz – 323 Poplar St. – Special Use Permit
- UDO Amendment

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

**COMMENTS FROM THE COMMISSION**

Mr. Goss said the parking lot at Crystal Court needs to be looked at. If it were one unit and redeveloped, it would help the tenants. Mr. Esposito said this is probably the worst parking lot layout in the City. Mr. Jouron recalled the conceptual plan they reviewed a few years ago. Ms. Bhide said the City is using that plan showing potential developers what the City's vision for this area. She said one of the challenges is that there are so many owners that are involved in this center. Mr. Goss said he would like the issue raised at Council.

Mr. Hayden said the car care center across from Home Depot has a large EMC sign that is constantly changing the copy. Mr. Goss recalled that it was part of the Annexation Agreement. Mr. Hayden asked if staff could check into the Annexation Agreement and when it expires so the time limit for copy change can be implemented on this sign.

Mr. Batastini asked about the parking of large billboard-type trucks. Mr. Goss asked if a limit could be placed on vehicles like that which are parked off-premises. Mr. Batastini asked if it could be added to the UDO.

Mr. Batastini moved to request the City Council to have staff look into an amendment the UDO to limit the trucks with advertisements from parking off-premises. Mr. Jouron seconded the motion. On voice vote, all members voted aye. Motion passed.

The meeting was adjourned at 8:40 p.m.