



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, OCTOBER 3, 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 SEPTEMBER 19, 2012 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the September 19, 2012 Planning and Zoning Commission meeting as presented. Mr. Batastini seconded the motion. On roll call, members Batastini, Esposito, Greenman, Lembke, Skluzacek, and Hayden voted aye. Members Gavle, Goss and Jouron abstained. Motion passed.

2012-98 TITTLE – 235 Crystal Ridge Dr – PUBLIC HEARING

Special Use Permit for a pool and deck over 600 square feet, totaling 1,161 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.

Herbert Tittle was present to represent his petition. Mr. Tittle said they recently installed an above ground pool and intended to put a deck around it. The deck will meet all of the necessary building codes.

Mr. Hayden asked if the petitioner had any concerns with the recommended conditions listed in the Staff Report. Mr. Tittle said he noticed the address is incorrect on Page 3. He does not have any problems with the conditions. Mr. Tittle said he had received all of the setback requirements prior to installing the pool. He added that the inset photo of his property shows a pool location which is slightly incorrect. The pool will be closer to the house and more to the middle of the lot. Ms. Bhide explained that the photo was for illustration purposes only. The plans and the plat are accurate.

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 Homeowner's Association maintained the property to the rear of this lot. Mr. Tittle said yes.

Mr. Greenman said the pool and deck appears to be in close proximity to the neighbor's pool. He asked why not add a little space in between. Mr. Tittle said the pool is 9 feet from the property line and the deck will only be 2 feet on that side of the pool for maintenance of the pool only. He tried to keep as much of the back yard as he could for his kids to play in. Mr. Greenman said this request complies with all of the Findings of Fact.

Mrs. Lembke said she supports the request. Mr. Skluzacek said he supports the request as well since there are no variations needed.

Mr. Gavle asked if the petitioner had spoken with the neighbor. Mr. Tittle said he had, and they don't have a problem with the request though they were not able to attend the meeting.

Mr. Jouron said he doesn't have a problem with the request.

Mr. Esposito asked why the pool is so far away from the house. Mr. Tittle said they have a brick paver patio and the stairs for the deck will be approximately 4 feet away from that.

Mr. Greenman moved to approve a Special Use Permit for a detached accessory structure greater than 600 square feet, to allow a pool and deck totaling 1,161 square feet at 235 Crystal Ridge Drive with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Tittle, received 9/12/12)
 - B. Plat of Survey/Site Plan (Henderson and Bodwell, received 9/12/12)
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. Skluzacek seconded the motion. On roll call, all members voted aye. Motion passed.

2012-99 SEA LEVEL DIVING – 296 Liberty Dr. – PUBLIC HEARING
Variations for sidewalk installation, parking lot curbing and landscaping.

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.

Art Koch was present to represent the petition. Mr. Koch said they are proposing to build a 5,000 square foot building on Liberty. They are requesting a deferral for installing the sidewalk. There is no sidewalk on that side of the street currently and he doesn't see the need to put in a sidewalk that doesn't connect to anything. He is also requesting a variation from installing curb around the parking lot. Mr. Koch said they are planning to install landscaping and a swale in place of the curb and gutter. He read a section from the ordinance that states the City is trying to get away from the curb and gutter in parking lots. Mr. Koch added that he is also requesting a variation from installing a landscape island. The island would be very close to the garage door and it would be difficult to plow that area as well as get in and out with deliveries and garbage pickup.

Mr. Hayden asked if the petitioner had any concerns with the recommended conditions listed in the staff report. Ms. Maxwell said the petitioner has been working with staff on the site design. She said with the elimination of the curb and gutter around the parking lot allows the runoff water to sheet flow to the swale. The landscaping keeps the people and snow plows from driving off the edge of the parking lot.

Mr. Hayden asked if there were any immediate plans for the shopping center to the east to redevelop. Ms. Maxwell 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 there could be an area-wide program. With Three Oaks Recreation Area in close proximity, he can see more foot traffic in the area. Ms. Maxwell said they can't be sure where a road/access point would be if the property to the east redevelops. Mr. Batastini asked about the landscaping and swale in place of the curb. Ms. Maxwell explained how that would work. She said it would help clean the water and the landscaping would look good. Mr. Batastini said the parking lot is only 11 spaces and he doesn't have a problem with the elimination of the landscape island.

Mr. Esposito asked about the portion of the ordinance that allows for the elimination of the curb and gutter. Ms. Maxwell said it is in the conservation design portion of the UDO. She said this development is not exactly a conservation development but they will be using portions of it.

Mr. Batastini said other sidewalks are not next to this property so he does see a hardship. He also would prefer to have the water runoff from the parking lot go through a swale especially since it is next to the Three Oaks Recreation Area. He also understands the variation request for the elimination of the landscape island.

Mr. Jouron said even when the sidewalks are deferred for 5 years they don't seem to get done or have an area wide program. Mr. Koch said he would like sidewalks in the entire area but doesn't see the need for him to put them in when they don't go anywhere. Mr. Goss said the car wash has one as well as the State's car testing facility. He would prefer that the sidewalks be put in along that side of the street.

Mr. Gavle said he would prefer sidewalks. He asked what would be the trigger if they deferred the sidewalks. What would be built or done to force them to install the sidewalks. He also cautioned the petitioner to be sure the types of landscaping as well as the existing trees are tolerant to water.

Mr. Skluzacek agreed with preferring a sidewalk in the area but it is not connected to anything. He asked about the number of employees the business has. Mr. Koch said he is the full time employee year around and there is usually one additional full time person during the summer. They hold classes with a limit of 6 people. He said this is not a heavy traffic business. Mr. Skluzacek said he also doesn't see a need for the landscape island.

Mr. Greenman said the landscape island requirement could be removed if they land bank 2 parking spaces. He said there is a need for a sidewalk in the area and asked how they can get the sidewalks installed in the area. Ms. Maxwell said currently the sidewalk program is for repair and not new sidewalk. She said there are two properties to the east that do not have sidewalks. Possibly when they were built there was no requirement for sidewalks.

Mr. Goss said the Council has triggered new sidewalks before. He suggested that they deny the deferral request and add a comment that an area wide program is needed. Mr. Greenman said timing is critical and if the trigger is the redevelopment of the property to the east that could take some time. They want this area to be safe.

Mr. Goss said he is in favor of landscaping around the perimeter of the parking lot. He asked if the petitioner would be filling cylinders there. Mr. Koch said yes. Mr. Goss reminded him that the noise needs to be kept inside the building. He is glad the property is developing.

Mr. Hayden asked if the petitioner had any concerns with the recommended conditions listed in the Staff Report. Mr. Koch said no.

Mr. Hayden agreed that the sidewalks need to get done in that area. He said they received a letter from Dr. Autolak across the street regarding sidewalks and safety.

Mr. Goss moved to separate the request. Mr. Batastini seconded the motion. On voice vote, all members voted aye. Motion passed.

Mr. Goss moved to deny the Variations from Article 4 Section 4-100 D 2.g from the requirement to install sidewalk to defer the sidewalk until an area wide program is established for Sea Level Diving at 296 Liberty. Mr. Batastini seconded the motion. On roll call, all members voted aye. Motion to deny sidewalk deferral

passed.

Mr. Goss moved to approve the Variations from: B. Article 4 Section 4-200 C 8 from the requirement to install curb around the perimeter of the parking lot and landscape island; and C. Article 4 Section 4-400 F from the requirement to have a landscape island at the end of the parking row and every ten spaces, a variation of two landscape islands for Sea Level Diving at 296 Liberty with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (CSC Commercial, Inc, received 09/18/12)
 - B. Geometry Plan (CSC Commercial, undated, received 09/18/12)
2. The following variations are granted:
 - ~~A. A variation to install the sidewalk, deferring the installation until an area wide program is established or within 5 years whichever is sooner.~~
 - B. A variation from the requirement to install curbing around the perimeter of the parking lot and the landscape island.
 - C. A variation from the requirement to have a landscape island at the end of the row as well as every ten spaces.
3. Add additional landscape materials in the end landscape island on the north side of the parking lot to screen the parked cars.
4. The petitioner shall comply with all of the requirements of the Engineering and Building, Fire Rescue, Public Works and Planning and Economic Development Departments.

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

Mr. Goss moved to recommend to the City Council to institute an area wide sidewalk program to install the sidewalk across the other properties to the west of 296 Liberty Drive. Mr. Jouron seconded the motion. On roll call, all members voted aye. Motion passed.

REPORT FROM PLANNING

- Harkins – 73 Lincoln Pkwy – SUP, Variation
- Kumi Sushi – 1145 S. IL Route 31 – PUD Amendment
- Wickenkamp – 141 Ellsworth – Variation
- Crossfit – 110 W. Woodstock St. – Use Variation
- Nagel - 215 Union St. – Variation

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

COMMENTS FROM THE COMMISSION

Mr. Esposito said he was coming home this weekend and noted the number of businesses who park their “advertising” trucks off site from their businesses. It seems that they put the trucks there when the businesses are closed and they have no idea that the trucks are parking there after hours. Ms. Bhide said it has been brought to the Council’s attention but it had not been referred back to the PZC for further action at this time.

The meeting was adjourned at 8:30 p.m.