



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, JANUARY 2, 2013
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chairman Greenman at 7:30 p.m. On roll call, members Batastini, Esposito, Gavle, Goss, Jouron, Lembke, Skluzacek, and Greenman were present. Mr. Hayden was absent.

Michelle Rentzsch, Director of Planning and Economic Development, and Elizabeth Maxwell, Planner, were present from Staff.

Mr. Greenman 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 DECEMBER 5, 2012 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the December 5, 2012 Special Planning and Zoning Commission meeting as presented. Mr. Skluzacek seconded the motion. On roll call, all members present voted aye. Motion passed.

2012-113 CRYSTAL POINT CENTER – 6000 Northwest Hwy. – PUBLIC HEARING

The petitioner is requesting a continuation of this item to the February 6, 2013 PZC meeting.

Mr. Greenman asked if there was anyone present who wished to speak on this petition. There was no one in the public who wished to speak on this petition.

Mr. Esposito moved to continue 2012-113 Crystal Point Center to the February 6, 2013 PZC meeting. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion passed.

2012-119 MILESTONE THERAPY – CL BUSINESS CENTER– 394 S. Federal Drive – PUBLIC MEETING

Final Plat of Subdivision for a two-lot subdivision.

Mr. Greenman stated that the petitioner has met the requirements to appear before the Commission.

Shabbir Kapadia, petitioner, and Dave Hempel with Charles River Development were present to represent the petition. Mr. Kapadia said they are requesting to subdivide the property since they only need 1.1 acres for their building.

Mr. Greenman asked if the petitioner had concerns with the recommended conditions in the staff report. Mr. Kapadia said no.

Mr. Greenman stated that this is a public meeting and asked if there were people in attendance who wished to speak on this matter. There was no one in the public who wished to comment on this petition.

Mr. Goss asked if the Lot 1 drained into the easement on the other side of Lot 2. Mr. Hempel was not sure.

Mr. Gavle asked if the lot is buildable. Ms. Maxwell said there are structures in the easement that can't be built over and the property does slope in places but it can be built on. She said it would be a narrow building but it could be done and added that there would need to be public hearings for the PUD. She added that the potential purchaser of the lot would be aware of the easements, etc.

Mr. Batastini said they will be creating an odd lot and we would be forced to approve variations, etc. to allow a building on it.

Mr. Esposito moved to approve the Final Plat of Subdivision to create a two-lot subdivision at 394 Federal Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Kapadia, received 12/14/12)
 - B. Final Plat of Subdivision (Northwestern Engineering Consultants, PC, dated 12/12/12, received 12/14/12)
2. The conditions of approval ordinance #6865 for Milestones Therapy shall remain in effect as applicable.
3. The petitioner shall address all the review comments of the City departments.

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

2012-120 C & D RECYCLING – 1350 S. Virginia Street – PUBLIC HEARING
Final Plat of Subdivision, variation for a two-lot subdivision.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Tom Kelecus was present to represent the petition. Mr. Kelecus said the recycling of landscaping and construction materials were previously approved but he needs to subdivide the property into two lots. It is an EPA requirement that they be on separate lots.

Mr. Greenman asked if there were any concerns with the conditions listed in the staff report. Mr. Kelecus 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. Goss asked if the City has any restrictions with creating a lot that does not have any public access. Ms. Maxwell said that is why they are also requesting a variation. Mr. Goss said there could be two owners in the future. Mr. Kelecus said they will own and maintain both the landscaping and construction material recycling. Mr. Goss feels there needs to be an access easement added to the plat.

Mr. Jouron asked about the types of buildings to be used on the site. Mr. Kelecus said they will be open on three sides and are semi-permanent structures.

Mr. Skluzacek said he would prefer an access easement just in case the rear lot is sold in the future.

Mr. Greenman said it is not specific to this business but for the future.

Mr. Kelecus said the storm detention basin is on the back lot which would limit the sale of that lot. Mr. Goss understands that with the storm detention basin on the back lot it would be hard to sell that lot but the easement is very easy to add to the plat.

Mr. Greenman said the request meets the variation standards in the UDO.

Mr. Goss moved to approve the Final Plat of Subdivision with a variation to create a two-lot subdivision at 1350 S. Virginia Road with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Yahoo LLC, received 12/21/12)
 - B. Final Plat of Subdivision (Genesis Surveying and Engineering, PC, dated 09/21/12, received 12/21/12)
2. The conditions of approval ordinance #6718 shall remain in effect.
3. The variation to allow a lot not abutting public right-of-way is hereby granted.
4. The petitioner shall address all the review comments of the City departments.
- 5. The plat shall be revised to show an access easement to Lot 2.**

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

2012-117 CONGRESS PKWY APT (PEDCOR) – Congress Pkwy, E. Commonwealth – PUBLIC MEETING

Final PUD and Final Plat of Subdivision for a 60-unit apartment development.

Mr. Greenman stated that the petitioner has met the requirements to appear before the Commission.

Mike Smith and Bruce Hagen, both Senior Vice Presidents with PEDCOR; Matthew Peterson, project architect with Humphreys & Partners Architects; Christopher Morgart, project manager with Cemcon LTD; Richard Shively, Vice President of Signature Construction; and Thomas Burney, attorney with Schain Burney Banks and Kenny were present to represent the petition. Mr. Smith said there were changes made to the plans to reflect the conditions of the Preliminary approval. He said the plan was reduced to 60 units and the detention area has changed slightly but the other amenities such as the pool, gazebo, etc. have not changed. Mr. Smith said the unit mix has not changed and there are 57 surface parking spaces which is 2.15 spaces per unit. There will be 6 units that are handicap adapted and 2 that are sensory adapted. He added that this will be a green community. Mr. Smith said the proposed sign meets the City standards.

Mr. Peterson showed the elevations of the buildings and club house. The architecture will be similar but the color schemes will be different. He showed and described the materials to be used.

Mr. Burney said this review is different than their previous one. The review for Final PUD is to be sure it is compliance with the Preliminary approval. He added that the petition deserves our thanks for bringing this development to our community.

Mr. Greenman stated that this is a public meeting and asked if there was anyone in attendance who wished to speak on this item. There was no one in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Greenman said there is substantial compliance with the Preliminary approval and the plans presented. Ms. Maxwell said the development did lose a building and the detention area required minor changes, but the overall layout and character was in compliance.

Mr. Goss asked if the petitioner would have a copy of the draft Covenants for the Council to review. Mr. Smith said this is under private ownership and they were not planning on having covenants. Mr. Goss asked if the lease agreements will cover garbage containers, etc. Mr. Smith said yes. Mr. Goss suggested that a draft lease agreement be presented to Council for their information. Mr. Goss asked if all of the detention is on this property. Mr. Smith said yes. Mr. Goss asked if it will be fenced because of the steep grade. Mr. Smith said they did not intend to fence the area. Mr. Morgart said they are required to provide 150% of the detention and it will be planted with naturalized plants that require low maintenance.

Mr. Goss said with the state of the government recently does the petitioner still expect to receive tax credits for this project. Mr. Smith said the tax credits were awarded in the fall and they received them.

Mr. Gavle said he is concerned with the density of the facility and confirmed with the petitioner's engineer that the site would be minimally graded for this development. Mr. Batastini is concerned with the parking. He is not sure how the recycle can, garbage can, general storage stuff and cars can fit in the garage provided. Mr. Peterson said it is not a standard size garage. They are extremely deep. Mr. Batastini asked if there will be something in the lease stating that the cars must be kept in the garage especially since with the 3 bedroom units there may be more than 3 cars. Mr. Smith said they don't believe they will have a problem with the parking. Mr. Batastini asked if there is an overflow parking plan for holidays or graduations. Mr. Smith said there is a walkway provided between the rear of the shopping center and this development. They could park there. He added that they have not had any problems in the past with their other developments.

Mr. Batastini said he is concerned with the safety of the kids who will be living there with such a deep detention area. He said there are others like this in town but there are parks, etc. around the subdivisions for the kids to play in. Mr. Smith said there will be play areas provided on-site and there are many park areas within walking or biking distance both across Main Street and Route 14.

Mr. Batastini said he is disappointed with the materials to be used. Most of the buildings in the area are masonry and feels that if a residential development is placed in the middle of a business area; it should use the materials that are being used there.

Mr. Greenman asked if the petitioner had any concerns with the recommended conditions in the staff report. Mr. Smith said no.

Mr. Greenman recapped the discussion. This request is in substantial compliance with the approved Preliminary. He said they want the petitioner to be successful and they are proud to have them here in Crystal Lake.

Mr. Goss moved to approve the Final Plat and PUD approval for an apartment development for PedCor located on Congress Parkway between Commonwealth and the Post Office with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Pedcor, received 12/10/12)
 - B. Final Plat of Subdivision (Cemcon, dated 12/06/12, received 12/10/12)
 - C. Engineering Plans (Cemcon, dated 12/10/12, received 12/10/12)
 - D. Architectural Plans (Humphreys & Partners Architects, dated 12/03/12, received 12/10/12)
 - E. Landscape Plan (Dickson Design Studio, dated 12/03/12, received 12/10/12)
 - F. Final Plan (Cemcon, dated 12/10/12, received 12/10/12)
 - G. Final Planned Unit Development (Cemcon, dated 12/10/12, received 12/10/12)

H. ALTA Survey (Cemcon, dated 12/04/12, received 12/10/12)

2. Final Plat of Subdivision

- A. Indicate the floodplain designation for this property.
- B. Indicate all building setback lines.

3. Provide a copy of the reciprocal access agreement between this site and the property to the west.

4. Provide a sample color and material board for the exterior materials of the buildings.

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. Provide a copy of the lease to the City Council stating the restrictions for garbage can placement, etc.

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

2012-121 4500 Northwest Highway – PUBLIC HEARING

Use Variation for a retail flooring business in the "M" Manufacturing district.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Lisa Waggoner, attorney, and Brad Joseph, petitioner, were present to represent the petition. Ms. Waggoner said the property is a unique parcel that does not have frontage on Route 14 but rather off of a frontage road. The property is currently bank owned and in the past there have been retail uses in the building.

Mr. Joseph said they would like to fix up the building and put it to good use. He added that Lumber Liquidators is very interested in a large portion of this building.

Ms. Waggoner said that some uses previously allowed in the "M" district were eliminated when the UDO was adopted. For the short term, they are requesting a use variation, but it is possible in the future they would request to rezone the property depending on other uses that are interested in the remaining portion of the building. She said the petitioner will work with the City on improving the property.

Ms. Waggoner and Mr. Joseph reviewed the standards listed in the UDO and Ms. Waggoner reviewed the recommended conditions listed in the staff report. She said there is a monument sign on the property but it is not visible from Route 14. There may be a need, in the future, to request a sign variation. She added that this request promotes the goals of the 2020 Comprehensive Land Use Plan.

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 he does not object to the use variation and feels this site is unique. He believes there will be more “B-2” uses that will go in the building. Mr. Joseph said the uses that are currently in the building do not have leases – they have lapsed. He said for the short term they will stay. He is not sure what else will go in the building.

Mr. Batastini said he looked at the rear of the building from the photo provided and he is not sure what is there. Mr. Joseph said there are loading docks there and someone is storing their RV and boat there. He said those will be removed.

Mr. Gavle asked how the parking will be divided up for the tenants. Mr. Joseph said it is a common parking area and there will not be designated areas for each use. He added that the Lumber Liquidators is a high volume but low traffic business.

Mr. Skluzacek believes there are enough parking spaces in the rear of the building for this and future uses. He has no problem with this request. Mr. Esposito agreed and feels they will need directional signs.

Mr. Goss asked if the deliveries were by semis. Mr. Joseph said they are via box trucks. Mr. Goss believes that semis would have a problem getting in and out of the site.

Mr. Greenman said he completely supports this request.

Mr. Skluzacek moved to approve the Use Variation to allow a retail flooring use in a building zoned M Manufacturing at 4500 Northwest Highway with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Brad Joseph, received 12/20/12)
 - B. Site Plan (Charles Mionski, received 12/20/12)
 - C. Floor Plan (Brad Joseph, received 12/20/12)
2. The petitioner must work with the property owner to complete outstanding permit punch-list items prior to obtaining occupancy. The following items are required to be completed:
 - A. Storm sewer structures need to be mortared around the pipes and inlets need the area around the structure and frame (gaps) filled with mortar.
 - B. Restoration of disturbed areas needs to be top soiled and seeded.
 - C. The above ground handicap signage needs to be installed.

D. A final as-built survey needs to be completed showing all improvements including the verification of detention volumes.

3. Submit occupancy application and any necessary permits for proposed tenant suites. Complete a life/safety building inspection for proposed tenant suites to be occupied.

4. All wall and free-standing signage shall meet the UDO requirements. Signs which cannot meet the requirements shall seek a sign variation.

5. The petitioner shall address all of the review comments and requirements of the Engineering and Building and Planning and Economic Development Departments.

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

2012-118 CORNER BAKERY – ARCHWAY EAST – 815 COG Circle – PUBLIC MEETING
Conceptual Review for drive-through.

Bill Shank, representing the shopping center owner Bradford, was present to represent this request. Mr. Shank said they are discussing the possibility of adding a drive-through to the Corner Bakery unit of their building. This would allow them to have a “to go” service and alleviate the parking congestion in that portion of the parking lot. He said the plan given to the Commissioners just prior to the meeting is a modified plan based on comments given to them by Staff. Mr. Shank feels this will help the center. They believe the two vacancies in this building are mostly due to the parking issues that currently exist.

Ms. Rentzsch said they wanted to review this with the PZC to see if there are any problems or concerns prior to the petitioner moving forward with the formal PUD Amendment request.

Mr. Goss said this will help the parking situation but is concerned with the dumpster at the rear of the building. He also wants to be sure the employees are protected when they go out to the dumpster.

Mrs. Lembke thanked the requestor for addressing this situation.

Mr. Esposito said this is great and suggested that there possibly be a back door for Corner Bakery similar to what they have in Chicago. Mr. Goss said he would be concerned with its placement with cars flying around the corner.

Mr. Jouron said he is concerned with the delivery truck traffic. Mr. Shanks said they have done this in other places and the delivery trucks usually come later in the day. They can mandate the delivery times.

Mr. Greenman said there are a couple of tight spots but the snow removal will be critical. It must be completely removed. He also asked if there will be a “YIELD” sign for the traffic coming out of the drive-through. Ms. Rentzsch said it will be a “STOP” sign there. Mr. Greenman asked if Texas

Roadhouse is aware of this possibility. Ms. Rentzsch said they were informed of the possible change.

Mr. Greenman said he supports this request. He thanked Mr. Shank for coming before the PZC to discuss this conceptually. He feels that the brain storming helps both sides.

REPORT FROM PLANNING

- Stephani-Dodaro - 55 E. Crystal Lake Ave. - Special Use Permit
- TGI Friday's – Archway East – 835 COG Circle – PUD Amendment
- Jaster's/Sweet Melissa's - 414 Virginia – Parking Variation
- State St. rezonings - 4814, 4902, 4910, 4916, 5006, 5002, 4908, 5004, 4914 State St.
- Crystal Lake Ave. & Rt. 31 – pre annexation agreement

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

COMMENTS FROM THE COMMISSION

Mr. Batastini asked about the parking for PEDCOR. Ms. Rentzsch said if there are parking issues on holidays, etc. this will be monitored. All uses, commercial or residential, must provide adequate on-site parking. She said there are areas that could have additional parking provided. Mr. Batastini asked about the architecture. Ms. Rentzsch said it is similar to LSSI which is in that same area.

Mr. Goss asked if the PZC could look at the parking requirements in the UDO. Not only the number of spaces required but also the size of the spaces. Ms. Rentzsch suggested that staff do some research and present it to the PZC prior to asking Council to refer the issue back to the PZC.

Mr. Jouron asked about the lighting requirements of parking lots. Ms. Rentzsch said lighting levels were introduced with the UDO.

Mr. Batastini asked why there wasn't a rezoning on Congress Parkway for the residential developments. Ms. Rentzsch explained that there was a residential development proposed farther east on congress Parkway that was not built. This way the commercial zoning remained intact.

The meeting was adjourned at 9:15 p.m.