



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
SPECIAL MEETING  
WEDNESDAY, APRIL 24, 2013  
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.

Elizabeth Maxwell, Planner, and Rick Paulson, Building Commissioner, were present from Staff.

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

Mr. Hayden stated that this meeting was being televised now as well as recorded for future playback on the City's cable station.

**APPROVE MINUTES OF THE APRIL 3, 2013 PLANNING AND ZONING COMMISSION MEETING**

Mr. Greenman moved to approve the minutes from the April 3, 2013 Planning and Zoning Commission meeting as presented. Mr. Jouron seconded the motion. On roll call, members Batastini, Esposito, Gavle, Goss, Greenman, Jouron, Skluzacek, and Hayden voted aye. Mrs. Lembke abstained. Motion passed.

**2013-19 SIGNATURE AUTO GROUP – 970 Pyott Road – PUBLIC HEARING**

Use Variation and Variation for parking lot construction to allow a gravel/crushed asphalt parking and storage area for vehicles.

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

Brent Pennington with Signature Auto Group and Jennifer Wagner were present to represent the petition. Mr. Pennington said they are currently located at 1095 Pingree and want to expand their business. He handed out additional information for the request. Mr. Hayden asked if there are changes to what they had received. Mr. Pennington said no that it was only to help understand their business.

Mr. Pennington reviewed the conditions listed in the staff report. He said they usually purchase cars in good condition and they will be parked in the rear away from the well. There is space in front of the building that would allow them to have more parking spaces. They do not have a problem with the 5 foot landscaping area around the building. Mr. Pennington said he needs clarification regarding the landscape island requirements for parking lots. Is a landscape island needed if there are 10 parking spaces and none is

required with 9? Mr. Pennington questioned the need for a berm, as he said they did not expect to do that. JA Frate, next to this property, has an extensive berm. Mr. Pennington added that they do not have a budget for a berm. They will not be parking cars right up to the property line so he doesn't see the need. He said they will not be parking cars on the grassy area and the gravel/crushed asphalt they are suggesting won't be dusty. They will pave the area in two years and that will give the area time to settle. He said the signs will meet the ordinance.

Ms. Wagner said they have been in their current location for 1 ½ years. With them moving, the business will increase. She is concerned with the berm requirement and the cost of it. She had read several years ago that the City had programs to help businesses. Mr. Hayden said that is not in their purview.

Inga Neuner, 947 Cardiff Drive, said she lives directly behind the property and is happy that the vacant building will be used again. Ms. Neuner said they do need a berm between the properties to help with the noise from the business. The noise coming into their back yard will affect their quality of life. She asked if there will be lighting in the rear. Mr. Pennington said there will not be lights in the rear. Ms. Neuner said she is happy to hear if there is a gravel/crushed asphalt area that it will not be dusty.

Lynett Aul, 955 Cardiff Drive, said the berm will help screen the car storage area.

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

Mr. Batastini said he can support the variation to use crushed asphalt as well as the variation for the auto dealership. He appreciates the business owner wanting to stay in Crystal Lake. Mr. Batastini said the City is very generous with giving the petitioner 1 ½ years to put in a berm. He believes that it should be a joint effort between the residents and the business owner. The berm from JA Frate is very tall and he would like the height matched but put evergreens on it so the view is blocked all year around.

Mr. Batastini said that the landscaped islands in a parking lot add to the aesthetics of the property. If there are 10 spaces, an island is required. He added that just recently there was a car dealership that went to great lengths for the landscaping.

Mr. Esposito said he lived in an area that was adjacent to a large berm. It was a great dirt bike path and there were many parties over the summer.

Mrs. Lembke said she supports the request.

Mr. Gavle said the berm is to protect the residents and the use. He said the cars will be stored a football field away from the property line. Mr. Gavle thanked the neighbors for coming to the meeting and voicing their opinion. He is challenged with developers having to put in something that is of no use like the berm. Ms. Neuner said currently they see an open lot but with this approval there will be cars parked there.

Mr. Pennington said they currently have an indoor showroom now and with this location they can have cars displayed outside as well. He is concerned that the berm will be a very large expense and the owner won't do it. There won't be much noise and they will close about 8 p.m. On the other hand, JA Frate is 24 hours a day with big trucks coming in and out. This berm won't help the noise from that company. Ms. Neuner said the owner of the property was told he needed a berm and started dumping broken concrete and dirt in the rear of the property but didn't get very far. She would like a berm so long as it doesn't cause flooding to her property.

Mr. Greenman thanked the petitioner for remaining in Crystal Lake. He suggested that discussions be held between the neighbors, the petitioner, and staff to determine what would be a good and useful berm. Mr. Greenman said he understands the variation for the use and the Findings of Fact for that variation have been met but he has not heard a hardship for the variation to allow the crushed asphalt. Mr. Pennington said the technology has gotten much better. He is concerned that if he paved that area that with having cars parked on it the lot would need to be replaced in a year because of settling. Mr. Greenman said it doesn't matter if the variation is for a small area or large, it's still a variation. He added that every business in town started with vacant farmland.

Mr. Skluzacek asked about the crushed asphalt. Mr. Pennington said they didn't want to spend the money on regular pavement, so they want to put in the crushed asphalt and let it settle. Mr. Skluzacek said the petitioner would have the expense of digging out the crushed asphalt prior to putting in the new parking surface. If the lot is done right with a good base, it wouldn't need to be replaced soon.

Mr. Goss said the City well is very close to this property and he doesn't want to endanger it with the permeable surface. He asked if the property is on well and septic. Mr. Pennington said yes. Mr. Goss asked if there will be vehicles for sale inside the building. Mr. Pennington said the building will be divided – ½ for the showroom and ½ for the vehicle repair/car wash. Mr. Goss said the vehicles that will be for sale are not to be parked along the driveway. That is for emergency vehicles.

Mr. Goss asked if the repair portion of the business would be just for cars getting ready to be sold. Mr. Pennington said they will be doing minor car servicing such as brakes, exhaust, oil change, radiator flushes, etc. He looked it up in the UDO and he will not be doing major auto repair only minor.

Mr. Goss said something needs to be done for the neighbors whether it is a berm, fence or a combination. He suggested that the petitioner prepare something before the City Council meeting.

Mr. Jouron said what worries him is not having the landscape islands now and the parking area expand without them being added.

Mr. Hayden asked about the crushed asphalt. Ms. Maxwell said the material is similar to the roadway millings. It is a fairly solid surface and the Engineering Division did not have any major concerns about it.

Mr. Paulson said water will go through it.

Mr. Hayden said the petitioner is requesting retail in the manufacturing district, as well as auto repair and detailing which is allowed and a variation for the parking of the lot. He said originally the crushed asphalt wasn't a concern but he does want to protect the well head area. Mr. Pennington said he is currently at a property that has about an acre of crushed asphalt and no berm or fence. Mr. Hayden said if the well and septic on this property fails, they would be required to hook up to City sewer and water. Ms. Maxwell said they would if it fails but not as it stands currently.

Mr. Paulson asked exactly what type of minor car repair would be done at this location. Mr. Pennington said minor car repairs not major like engine repair, car body work, etc. Mr. Skluzacek said if the petitioner would need to hook up to City services. Mr. Paulson said the County regulates wells and septic and it would be up to them to determine if hookup were required. Mr. Pennington said he is putting in a triple tank system. Mr. Hayden said there would be many car fluids that would be involved such as gas, oil, antifreeze. He asked what would be the trigger for hooking up. Mr. Batastini said it was an auto repair business before. Mr. Goss said that was pre-UDO. Mr. Paulson said he understood originally that there would be no minor car repairs to other vehicles but only to the vehicles getting ready for sale. Mr. Skluzacek said there will be a triple basin put in. Mr. Paulson said they need to check with the County on their requirements.

Mr. Pennington said he did a pre-inspection of the location before applying for the variations. Mr. Hayden said he is not saying that the petitioner is not being upfront. Mr. Pennington said he has been working with Staff and the County to be sure what was needed. Mr. Paulson said he needs to talk with the County to see what fluids they would allow in the holding tank. Mr. Pennington said the tanks are pumped out. Mr. Goss said that because the area is a well head protection area, that changes the requirement of what can and can't be done.

Mr. Batastini moved to approve the Use Variation from Article 2 Land Uses to allow an automobile dealer in the M Manufacturing zoning district, and a Variation from Article 4-200 C 3 Off-Street Parking and Loading and City Code Section 570 Parking Lot, Driveway and Sidewalk Construction to allow a crushed asphalt/gravel parking and storage area for vehicles for Signature Auto Group at 970 Pyott Road with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Signature Auto Group, Inc., received 04/08/13)
  - B. Plat of Survey (RLS Land Surveyors, dated 05/27/05, received 04/08/13)
  - C. Site Plan (Signature Auto, received 04/08/13)
  
2. Ordinance No. 4016, for the former Crystal Auto Body, is no longer valid and replaced with this ordinance.

3. The property is located within a well-head protection area. Any vehicles stored outdoors that are awaiting repair or leaking fluids must utilize fluid capture mats.
4. The site shall maintain the minimum required foundation base landscape of 5 feet around the building where landscape materials exist now. The customer parking addition adjacent to the building should not remove all of the landscape area.
5. Customer parking areas shall have end landscape islands and a landscape island every 10 spaces.
6. ~~A berm and landscape area, similar to that on JA Frate's property, shall be completed by September of 2014.~~ **In place of a berm, evergreens shall be placed next to the property line and staggered. They shall be 6 to 8 feet in height.**
7. No vehicles shall be parked on any grass areas.
8. The crushed asphalt/gravel area shall be improved with a surface acceptable to the City Engineer within 2 years. All required compaction rates, engineering, landscape and permit requirements in effect at the time shall be met.
9. All wall and free-standing signage shall meet the UDO requirements.
10. The petitioner shall address all of the review comments and requirements of the Engineering and Building and Planning and Economic Development Departments.
- 11. This approval is for minor auto repairs only.**
- 12. Obtain/Secure plumbing modification approval from McHenry County code to mitigate the auto fluid concerns.**

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

Mr. Goss said his no vote was because of the well head protection area. Mr. Greenman said he voted no because there was no hardship given for allowing the gravel/crushed asphalt parking area and the variations were not separated out in the motion. Mr. Skluzacek said his no vote was because of the expense of using crushed asphalt for 2 years and then still having to put in the full asphalt parking lot.

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**REPORT FROM PLANNING**

- Sage YMCA – 701 Manor Road – PUD Amendment

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

**COMMENTS FROM THE COMMISSION**

There were no comments from the Commissioners.

The meeting was adjourned at 8:25 p.m.