



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, MAY 1, 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.

Michelle Rentzsch, Director of Planning and Economical Development, Latika Bhide and Elizabeth Maxwell, both Planners, 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 24, 2013 SPECIAL PLANNING AND ZONING COMMISSION MEETING**

Mr. Jouron moved to approve the minutes from the April 24, 2013 Special Planning and Zoning Commission meeting as presented. Mr. Greenman seconded the motion. On roll call, all members voted aye. Motion passed.

**2013-20 FUHLER – 905 Pyott Rd.** – PUBLIC HEARING

The petitioner is requesting to be continued to the May 15, 2013 PZC meeting.

Mr. Skluzacek moved to continue 2013-20 Fuhler to the May 15, 2013 PZC meeting. Mr. Esposito seconded the motion. On voice vote, all members voted aye. Motion passed.

**2013-18 BEBE'S DOG DAY SPA – 15 Morgan St.** – PUBLIC HEARING

SUP Amendment to allow overnight boarding of dogs.

Mr. Hayden stated that there was a problem with the required notification so this petition will need to be continued to the next PZC meeting.

Mr. Greenman moved to continue 2013-18 BeBe's Dog Day Spa to the May 15, 2013 PZC meeting. Mr. Goss seconded the motion. On voice vote, all members voted aye. Motion passed.

**2013-21 BETHESDA THRIFT SHOP – 7606 Northwest Hwy.** – PUBLIC HEARING

Special Use Permit and Variations for a used merchandise store.

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.

Jack Vater, Director of Resale Operation for Bethesda, was present to represent the petition. Mr. Vater said they have been in Crystal Lake for 27 years and would like to move their store from the Crystal Lake Plaza to this location. This is a larger location and they want to stay in Crystal Lake. He said they are also requesting to continue how they receive the donated items which include not recording their origination. The items are gone through and the ones that are not sellable are recycled. Mr. Vater said they transport merchandise between the stores and nothing is stored outside.

Mary Vanstell, 272 Firenze Dr. Cary, said a family member stays at one of the Bethesda homes and she volunteers at the resale shop. This is a beautiful, large building and it will be wonderful.

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

Mr. Goss said the existing SUP for the Bethesda Thrift Shop predates the UDO, which requires a record to be kept of the items they take in. He has no problem with them continuing with the way they have operated in the past. Mr. Goss asked if there would be a turn-around created in the rear of the building for the trucks. Mr. Vater said he believes there is an area created using blocks. Mr. Goss asked if the impervious surface listed in the report is before or after the IDOT taking of the land. Ms. Maxwell said she will check on the calculations.

Mr. Gavle said he likes the current location and has donated to them a number of times. He is concerned with the in/out at the proposed location. The customers will need to go north on Route 14 and turn around somewhere to be able to go south on Route 14 because of the IDOT plans for that area. Mr. Gavle is concerned that people will not want to go there because of the traffic on Route 14. He does support the request but wanted the petitioner to be aware of the traffic issues.

Mr. Vater said they were not aware of the changes IDOT was going to be making to that area.

Mr. Batastini said he has the same concerns with the location. Mrs. Lembke supports the request and wished them good luck.

Mr. Skluzacek said he also supports the request but the problem is the traffic and the construction on Route 14. He added that people coming from Woodstock won't be able to enter the site either because of the raised median. Mr. Jouron agreed.

Mr. Esposito asked if there will be a left turn lane at Ridgefield Road to allow vehicles to make a u-turn to go back southbound. Ms. Maxwell said she was not sure and needed to look at the plans. Mr. Esposito asked about the parking on the site. Ms. Maxwell said they are leaving it up to the business since they know

more about what they need. Mr. Vater said there will be approximately 8 people working at the shop at one time and the volunteers usually car pool. He said even during a busy time there probably won't be any more than 15 customers in the store at one time. They don't anticipate the parking lot to ever be full.

Mr. Greenman agreed with the comments made by his fellow Commissioners and thanked Ms. Vanstell for taking the time to come to this meeting. He congratulated the petitioner on their expansion and thanked him for staying in Crystal Lake. He hopes that this use will overcome the travel obstacles. Mr. Greenman added that outside of the Special Use Permit, all of the Findings of Fact have been met and the shape of the lot is the hardship for the petitioner.

Mr. Hayden agreed and feels this is a great spot for this use. The people who want to go there will still come. The moving of this store will open up a large retail area to be occupied by another retailer. This is a win-win situation.

Mr. Goss said he doesn't believe that IDOT will put in a left turn lane at Ridgefield Road to allow for u-turns.

Mr. Hayden asked if the petitioner had any concerns or comments regarding the proposed conditions listed in the staff report. Mr. Vater said no.

Ms. Maxwell said she will review the lot coverage after the IDOT taking and it will be reflected in condition 2d. The Commissioners agreed.

Mr. Greenman moved to approve the Special Use Permit to allow a Used Merchandise Store, Variations from: A. Article 3 Section 3-200 Density and Dimensional Standards to allow a 60 foot building setback, rather than the 80-foot required setback, a variation of 20 feet; B. Article 4-200 E Off-Street Parking and Loading and Article 4 Section 4-400 F Landscaping and Screening Standards to allow a 0 foot parking lot landscape screening setback, rather than the required 20-foot setback and 15-foot landscaped area, a variation of 20 feet and 15 feet respectively; and C. Article 4-200 Off-Street Parking and Loading to allow 33 spaces from the required 64 spaces, a variation of 31 spaces for Bethesda Thrift Shop at 7606 Northwest Highway with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Bethesda Thrift Shop, received 4/12/13)
  - B. Site Plans (Bethesda Thrift Shop, received 04/12/13)
  - C. Sign Elevation (Bethesda Thrift Shop, received 4/12/13)
2. The variations approved in the original zoning ordinance No. 5499 are still valid.
  - A. The minimum lot area shall be reduced from 3 acres to 1.711 acres;
  - B. The total side yard setback shall be reduced from 30 feet to 26 feet;

C. The minimum side yard setback shall be reduced from 12 feet to 11 feet; and

**D. The maximum lot coverage shall not exceed 0.27%; (to be reviewed)**

E. The interior parking lot landscaping requirement shall be 0%.

3. No outside drop boxes or outside drop/collection areas for collecting merchandise are permitted. Store staff shall continuously monitor the outside drive-through to ensure that donated material does not collect outside. Repeated violations of this condition shall render this SUP null and void.

4. If, in the future, a bike path or multi-use path is constructed to or adjacent to the site, at least 2 bicycle spaces shall be provided.

5. All wall and free-standing signage shall meet the UDO requirements.

6. The following variations are approved as part of this request:

A. Variation from Article 3 Section 3-200 Density and Dimensional Standards to allow a 60 foot building setback.

B. Variation from Article 4-200 E Off-Street Parking and Loading and Article 4 Section 4-400 F Landscaping and Screening Standards to allow a 0 foot parking lot landscape screening setback.

C. Variation from Article 4-200 Off-Street Parking and Loading to allow 33 spaces.

7. The petitioner shall address all of the review comments and 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.

#### **2013-15 UDO AMENDMENTS** – PUBLIC MEETING

This petition was continued from the April 3, 2013 PZC meeting.

Discussion only – various proposed changes to the UDO.

Ms. Bhide said there are several items staff is reviewing for possible amendments to the UDO. They are requesting feedback from the Commissioners before proposing language for the changes. She showed a Power Point presentation detailing the various items.

Ms. Bhide said they are reviewing the Accessory Structures portion. The UDO currently requires a Special Use Permit for any accessory use over 600 square feet which includes decks attached to pools along with garages and sheds. Most of the variations requests for the accessory structures have been approved by PZC and City Council. She said that 3-car garages are more common now and suggested that the UDO be amended to increase the square footage allowed.

Ms. Bhide said in reviewing the Height and Story requirements, the City allows ½ stories on buildings which doesn't count towards the building height. The possible changes could be to the definition as well as how

the building height is measured for both the building height and ½ story.

Ms. Bhide stated that the PZC had recommended staff review the dimensions for the standard parking space. She said most of the newer ordinances from surrounding communities are using smaller size spaces for their required size.

Ms. Bhide reviewed the change to the UDO to require foundation landscaping completely around the building. Staff is suggested that it be revisited and possibly changed to have foundation plantings on sides of the building being seen by the public. There are several buildings recently that have been required to put the foundation plantings around the entire building and no one sees the plantings in the rear of the building.

Ms. Bhide said political signs are classified as temporary signs but during this past election the signs were 16 square feet instead of the allowed 6 square feet in residential areas. The City can't regulate what is said on the sign but can limit the size.

Ms. Bhide said when a property is involuntarily annexed, the property is zoned "E" Estate and is accepted as is – building, parking, signs, etc. There is nothing in the UDO that requires compliance with our ordinances within a certain time frame.

Another section looked at by staff is the land uses. This chart was changed with the UDO and several uses are required to seek Special Use Permits or Limited Use Permits in certain districts such as Used Merchandise stores, supermarkets, junior college, electronic message center signs, and physical fitness facilities. The Commission may want to review the types of uses and the restrictions that are placed on them.

Ms. Bhide said many communities allow administrative approvals for minor changes. There would be standards created to determine what could be reviewed via an administrative approval. It may also include notification of the surrounding properties to be sure there are no objections.

Mr. Hayden asked how these areas were determined to be looked at. Ms. Bhide said they have seen a lot of variations requested and they were approved by the PZC and City Council. If there was no concern with the variation why have the property owner go through the process. It would save them time and money.

Mr. Hayden asked what is the number of petitions that would be impacted in a year. Ms. Bhide said if there was the administrative adjustment, the number of petitions that would not need to go through the process would be about 10 to 15%. Mr. Goss said it bothers him that they won't go through a public hearing for comment. He asked if those requests are usually placed on the Council's consent portion of the agenda. Ms. Bhide said yes. Mr. Hayden said there are many neighbors who are reluctant to go before the Council if they have a problem with their neighbor's request. Mr. Goss said they need to be careful. He doesn't have a problem with a 720 square foot garage/deck/ etc. but he does with a 2400 square foot one. Ms. Bhide said staff was also checking into a sliding scale that if the building is so large, then it has to be setback from the property line a certain setback.

Mr. Greenman said there are a lot of variables. He said 720 square feet may be right on some properties but it may not be right on a parcel where the house is only 750 square feet. Those are the types of requests that need to go before the review bodies. Also the height may have a big impact on the neighbor's light and air.

Mr. Batastini said he is trying to understand the scope of the administrative approval. He said stuff impacts the neighbors and the Commission is in place to help the neighbors whether they come to the meetings or not. Mr. Hayden added that many times the request looks simple enough but then with the Commissioners question the petitioner it comes out that the request wasn't as simple as first thought. Ms. Bhide said they were thinking of a much narrower scope. They were thinking more of the side yard setback variation of only a few inches or a foot. Mr. Batastini said it depends on how large the lot is and where the buildings are located. Mr. Esposito said he doesn't want things squeezed together. Mr. Batastini is concerned that if a small variation is allowed that will become the norm. Also how does staff say no. Ms. Bhide said there would be standards in place and if those are not met they would be required to go through the process. Mr. Batastini said it seems that this is setting up a separate UDO. Mr. Goss said they will be asking for the most they can get. Mr. Hayden asked what they would be saving. Ms. Bhide said the petitioner would be saving time and money – application fee, no publication costs, etc.

Mr. Hayden suggested that they have a consent agenda similar to City Council. The small and simple variations could be put on that and if there is questions from either a Commissioner or the public it could be put on the regular agenda. That way it is still before the Commission. Ms. Bhide said she will have to check with the attorney on that. Mr. Hayden asked if there would be a sign posted that they were requesting a variation. Ms. Bhide said that is not a requirement in other communities with administrative approval.

Mr. Goss asked how this affects the pattern book. Ms. Bhide said the pattern book is only voluntary. Mr. Batastini asked how they can say no to a bulk request for example, reduced side yard for all lots in a new subdivision. Ms. Bhide said it would only be for developed properties and not a vacant lot. Mr. Batastini said he worries that the variation will become the standard. Mr. Hayden said the UDO might as well be changed to allow it.

Mr. Greenman said staff deals with this daily and they have seen the potential to help. He suggested that staff look at the petitions for the last couple of years and give the Commission examples of where this would have helped the petitioner. Ms. Rentzsch said when a home owner is told that they need to go through this process they can't believe it. She said what they were mostly interested in was when something is being replaced that was previously allowed under the Zoning Ordinance and not under the UDO it requires a variation.

Mr. Goss said a person can develop 80% of their back yard and it is within the setbacks that is still a lot of stuff there. Mr. Batastini said the majority of Crystal Lake is quarter acre lots and people have more large "toys" they want to have at their home.

Mr. Gavle said each member of the Commission has a different view of the requests. He may think one way

before the discussion starts and someone brings up something that he hadn't thought of.

Mr. Jouron said he wants to protect the neighbors. Mr. Batastini said he doesn't have a problem with decks around a pool so long as they are within the setbacks. Mr. Greenman said it is different if it is attached to the house or not.

Mr. Goss said they have been burned a couple of times with gambrel roofs. He would suggest that the accessory structure not be taller than the house. He struggles with the ½ story especially if it is built after the home was built. Ms. Bhide said if a second floor to a garage is used for storage only it is not counted as a story per the definition. The definition needs to be revised. Mr. Goss believes there is a different fire code requirement for a 3-story home that if the one story is a walkout basement.

Mr. Goss said he had requested staff to look at the dimensions of the parking spaces. He thinks the cars will be getting bigger again with the better gas mileage and added that the spaces in the parking lot for Jewel are nice because they have the extra divider between the spaces. There are some people who take up 1 ½ parking spaces which is inconsiderate. Ms. Bhide said staff will look at the buffer spaces. Mr. Batastini said it is easier to get in and out of a car if there is that buffer between spaces.

Mr. Batastini said he likes the possible change for the landscaping. Mr. Goss agreed. Mr. Greenman said it is a great concept and suggested that it be kept in but add exceptions for when it is not needed.

Mr. Goss said a 6-foot-tall sign on a residential property is much too large. Mr. Batastini agrees and said it is visual pollution. He added that most signs in the last election were 4 foot by 4 foot. Mr. Greenman said that provision needs to be enforced. They should not be allowed to create their own temporary billboard. Mr. Batastini said the downtown area is beautiful until those signs are put up and then it looks trashy.

Mr. Greenman agreed with a time limit for forced annexation to be brought into compliance with signage, parking, etc. He asked if it could be done. Ms. Bhide said there are several communities who allow between 5 to 7 years to be brought into compliance.

Mr. Greenman said he is concerned when the economy turns around that there will be uses in spaces that should be used for manufacturing, etc. That could retard the City's ability to attract those types of businesses. Mr. Esposito feels there is a problem with the parking for a commercial recreation use vs. a manufacturing business. Mr. Goss suggested keeping track of the uses in the "M" district who have received a use variation to be there. That way the City will have a listing of what space can become available.

As a side note, Mr. Goss asked if there is a layer on our new GIS map that will show the well head protection areas. Ms. Bhide said yes.

Staff thanked the Commissioners for their input.

Mr. Greenman moved to continue 2013-15 UDO Amendments to the May 15, 2013 PZC meeting. Mr. Goss

seconded the motion. On voice vote, all members voted aye. Motion passed.

**REPORT FROM PLANNING**

There was no report.

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

**COMMENTS FROM THE COMMISSION**

There were no comments from the Commissioners.

The meeting was adjourned at 8:55 p.m.