



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, MAY 15, 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 Esposito, Gavle, Goss, Greenman, Jouron, Lembke, Skluzacek, and Hayden were present. Mr. Batastini was absent.

Michelle Rentzsch, Director of Planning and Economic 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 MAY 1, 2013 PLANNING AND ZONING COMMISSION MEETING**

Mr. Skluzacek moved to approve the minutes from the May 1, 2013 Planning and Zoning Commission meeting as presented. Mr. Gavle seconded the motion. On roll call, all members present voted aye. Motion passed.

**2013-15 UDO AMENDMENTS** – PUBLIC HEARING

The petitioner is requesting to be continued to the June 5, 2013 PZC meeting.

Mr. Esposito moved to continue 2013-15 UDO Amendments to the June 5, 2013 PZC meeting. Mr. Greenman seconded the motion. On voice vote, all members voted aye. Motion passed.

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

This petitioner was continued from the May 1, 2013 PZC meeting.

Variations for building and parking lot setbacks and landscaping requirements.

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.

John Fuhler was present to represent his petition. Mr. Fuhler said he is requesting variations for his existing building in light of the fact that Pyott Road will be widened and the property line will be moved closer to the building. He is asking for the variations so that if anything catastrophic happens, he will be able to rebuild as-is.

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

Mr. Goss said if another lane is added to that road his building will become a drive-through. Ms. Lembke and Mr. Skluzacek said they are in favor of the request.

Mr. Gavle asked if there will be any work done on the paving or to the property. Mr. Fuhler said the Highway Department said they will move reconfigure one of the handicapped parking spaces that is closest to the building so it is away from the roadway. Mr. Gavle asked if the petitioner had considered making the northern driveway enter only and the southernmost driveway exit only. That would allow for angled parking and would be easier movements. Mr. Fuhler said the southernmost was always an exit only. There was a sign there in the beginning. Mr. Gavle asked if the configuration of the parking lot had changed. Mr. Fuhler said nothing has changed. He said they will consider the "in only" by the building and the out only on the south leg.

Mr. Greenman thanked the petitioner for hanging in there with what is going on. He asked if the petitioner had any concerns with the conditions listed in the staff report. Mr. Fuhler said no. Mr. Greenman said he believes the standards for the variation have been met.

Mr. Jouron said he does not have a problem with this request.

Mr. Hayden stated that he has no problem with the request. He said they usually struggle with finding hardships for variations but this is the strongest case for hardship he has seen. The petitioner is only asking for the ability to rebuild his building if anything should happen. Mr. Hayden thanked the petitioner for doing business in Crystal Lake.

Mr. Skluzacek moved to approve Variations from: A. Article 3-200 Density and Dimensional Standards to allow a 15.4 foot building setback; and B. Article 4-200 E Off-Street Parking and Loading and Article 4400 F Landscaping and Screening Standards to allow a 0-foot parking lot and landscape screening setback for Fuhler at 905 Pyott Road with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Fuhler, received 04/12/13)
  - B. Site/Landscape Plan (Earth Industries, dated 6-27-89, received 4/29/13)
2. Any future changes to the building or site shall be required to comply with the ordinances in effect at that time, provided they were not granted a variation through this request.
3. In the case of a catastrophic event, the building and parking lot may be replaced/rebuilt in their current location and configuration.

4. 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.

Mr. Hayden said the Commission had discussed possible changes to the UDO regarding administrative approvals. He feels this is a case for that approval. Ms. Bhide said they were already working on the language to cover a situation like this.

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

This petition was continued from the May 1, 2013 PZC meeting.  
SUP Amendment to allow overnight boarding of dogs.

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.

Kristin Bourey and Victoria Smith were present to represent the petition. Ms. Bourey said they are requesting to add overnight care to their previously approved day care and grooming facility. Currently, they take the dogs to the outdoor potty area between 7 a.m. to 9 a.m. and everything is double bagged. Ms. Bourey said they are currently licensed as a kennel operator through the State of Illinois. She said if the dogs appear ill, they can't stay there during the day or be groomed. It would be the same for overnight stay.

Ms. Bourey believes that they meet the Findings of Fact listing in the staff report. She said there was an e-mail sent to staff stating concerns they have about the request. She said they have already been approved for 12 dogs maximum during the day for day care and grooming. Also this property is not zoned "R-2" Single Family Residential but it is zoned "M" Manufacturing. They have been inspected, approved and licensed through the Illinois Department of Agriculture as a kennel. Many of their clients are from the neighborhood and walk their dogs to the facilities and this is a convenience to the neighbors who require these services. Ms. Bourey continued stating that this use will not detract from the area. She said there were photos provided showing the building prior to and after their renovations. There will not be additional traffic since they are not that busy to interfere with it. Also all of the dogs they have are not dropped off or picked at the same time. She said the dogs will not be outside from 9 p.m. to 7 a.m. so there will not be any noise associated with them.

Ms. Bourey said they repaired the fence prior to opening the business and it was approved by the City. There was a concern about dogs not being on leashes. She has observed several dogs in the area that run around the neighborhood without leashes and those are not dogs from their facility. Their clients are required to bring their dogs in and out of the building on a leash. She said that any fecal matter is picked up immediately and double bagged before being disposed of in a dumpster on the premises. Also the yard is rinsed on an as needed basis. Ms. Bourey said she has not received any complaints from a neighbor who works overnight about a noise problem.

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 the presentation was very thorough. He asked staff if any complaints were received. Ms. Bhide said no. Mr. Greenman said the vast majority of the concerns raised when they first came forward were about overnight kenneling. He asked what caused them to now request overnight kenneling. Ms. Bourey said in the beginning they wanted to add kenneling but wanted the business to get started. She said their clients have been asking them to start this. When an owner finds someone that they are comfortable with and the dogs are comfortable, they prefer them to stay there. Mr. Greenman asked about soundproofing the building. Ms. Bourey said the building is not soundproofed but she would consider it if necessary. Mr. Greenman said the Commission tries to protect both the petitioner and the residents. He is concerned about the overnight business but there have not been any complaints about the current business. He added that the neighbors were notified, no one is here, and staff received only one inquiry. Mr. Greenman said he supports the petition.

Mr. Gavle said he has dropped his dogs off for boarding and almost every time he could hear the other dogs barking. He is fearful that this won't be a satisfactory situation. The homes are very close in that area. He can't support the request. Ms. Bourey said the City's water plant is next to their business and there is residential across the street. Mr. Greenman said there is "R-2" zoning on three sides of this property. Ms. Bourey said a typical boarding facility can have up to 50 dogs.

Mr. Esposito said he knew this was coming when they came in originally. He said there haven't been any complaints. He added that more soundproofing may be needed. Ms. Bourey said she is willing to add the soundproofing if it is deemed necessary.

Mr. Skluzacek said the closest neighbor is across Morgan Street. He said dogs make noise whether it's from a kennel or a neighbor's dog. Mr. Skluzacek asked how many dogs they take out at one time. Ms. Bourey said 1 to 2 at a time depending on the size of the dogs.

Mr. Goss asked if there will be staff staying there overnight. Ms. Bourey said the last outdoor potty will be at 9 p.m. and there will be cameras in the facility that can be checked from their phones. Mr. Goss asked if there were other dog day cares in manufacturing areas. Ms. Bhide said yes. Mr. Goss asked if Dr. Chamberland on Virginia and next to residential has overnight boarding. Ms. Bhide said yes. Mr. Hayden added that it is for animals that had surgery. Mr. Goss said there is also someone staying there. He is concerned with someone staying overnight in the manufacturing district. He added that he is on the fence with this request because of the proximity to residential.

Mr. Hayden said he is concerned as well with it so close to residential. Also he has concerns about the dumpster not being the most pleasant thing to be near in the summer whether the fecal matter is double bagged or not. Ms. Bourey said they do use scented bags and rinse down the area as needed. Mr. Hayden said this is too close to residential. He reviewed the Findings of Fact. The business is desirable but this is

next to residential. The odors may not be daily but they will happen. He is concerned with the runoff from the rinse down of the area being so close to the water plant.

Mr. Hayden feels that having the dogs outside at 6 a.m. may be a little early and suggested possibly changing that to 8 a.m. Ms. Bourey is concerned about the time span between being allowed to take the dogs out but she said it is doable. Mr. Hayden also is concerned about what might happen when the petitioners are asleep with no one on-site. Ms. Bourey said they will monitor the dogs and stay there overnight if necessary. Mr. Greenman asked if the other kennels provide someone who stays on the premises overnight. Ms. Bhide said she had reviewed the ordinances for the other kennels and the ordinances and minutes do not discuss that. Ms. Bourey said they would prefer not to have someone there overnight.

Mr. Greenman said they need to look only at the kennel portion since they already have certain procedures in place such as picking up from the dogs when outside. Mr. Esposito said they are doing what they should be doing which is more than what most pet owners do when outside.

Mr. Esposito moved to approve the Special Use Permit Amendment in accordance with Article 2, Land Use, of the UDO, to allow overnight boarding services at this pet care facility for BeBe's Dog Day Spa at 15 Morgan Street with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Kristin Bourey, received 4-4-2012)
  - B. Plat of Survey (Luco, on-file)
  - C. Floor Plan (Bourey, on-file)
2. The Special Use Permit Amendment allows overnight boarding services at BeBe's Dog Day Care and Spa for up to 12 dogs.
3. The Building Commissioner will determine whether additional sound proofing is required.
4. All previous conditions of Ordinance 6735 shall apply.
5. The petitioner shall address any comments and requirements from the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.
- 6. The dogs may be released into the outside run areas only between 7 a.m. and 8:30 p.m.**

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

Mr. Goss stated that his no vote was due to the proximity to residential. Mr. Hayden agreed and added that he is also concerned with the business being on septic.

**2013-23 INDUCTION HEAT TREATING CORP – 775 Tek Drive – PUBLIC HEARING**

Variation for parking lot and landscaping.

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.

Mike Smith and Dave Haimbaugh were present to represent the petition. Mr. Smith said the business, a job shop, has been located in that building since 1989. Their business currently runs 24 hours a day 5 days a week and there is a problem with parking during the shift overlap. There is not enough parking at that time. They were required to put in landscaped islands in the parking lot which, if removed, would help with the parking issues. Also it is hard for the semis to enter the lot coming from the west because the island is in their way. Mr. Smith said they enjoy being in Crystal Lake but they need some help with the parking. He showed photos of the building and parking area. Mr. Smith said they will be adding to the other landscaping on the property. He said the business has grown and they need parking. In the past they have been allowed to park in the Black Diamond lot across the street but their lots are full now too.

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 they would need the island to protect the employees' cars from the trucks. Mr. Smith said the trucks do come in slow. He added that when the building was built, it was under different ordinance requirements. There can be five spaces put in that area and they would also like to add motor cycle parking as well. Mr. Smith added that there are two landscape bumps which also could be removed to add one more parking space. Mr. Haimbaugh said there was an addition put on a few years ago. He said the property is landlocked.

Mr. Greenman asked if the first shift is maxed out. Mr. Smith said they could have more people in that shift. Mr. Greenman said the second shift is not maxed out. He is glad the business is doing well. His question is will this be enough for 5 years from now or is this just a band aid. He also asked if Engineering had looked at any possible reconfigurations such as one-way circulation or angled parking. Ms. Maxwell said staff looked at various possibilities but nothing gave them any more parking.

Mr. Jouron asked if there were any way to even out the shifts. Mr. Smith said the problem is office staffing and their customers coming to the office. He said the majority of the work is done from 8 to 5 and they are currently shuffling employees to other shifts but the parking issue remains.

Mr. Skluzacek said he owns a business on Prairie Street and the semi-drivers have no problem backing up on a regular City street.

Mr. Goss said he doesn't have a problem with removing the large island or the smaller portions to create the additional parking.

Mr. Gavle asked about the trees. Mr. Smith said they will be re-landscaping the front of the building and replacing the dead trees. He said appearance is very important to them.

Mr. Greenman said he appreciates the petitioner's request. The Findings of Fact have been met. The hardships are the property is landlocked and the layout of the building on the property.

Mr. Hayden asked if the petitioners had any questions or concerns with the conditions listed in the staff report. Mr. Smith said no.

Mr. Smith thanked Ms. Maxwell for all of her help with this request.

Mr. Greenman moved to approve the Variation from Article 4-400 F. Landscaping and Screening Standards to allow the elimination of the required landscape islands at the ends of the parking rows for Induction Heat Treating Corp at 775 Tek Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (IHT, received 04/29/13)
  - B. Site/Landscape Plan (Earth Industries, dated 6-27-89, received 4/29/13)
2. Any landscape materials removed from remaining landscape areas shall be replaced with similar materials. A landscape plan shall be submitted to the City for review and approval. This includes the foundation base landscape around the building.
3. Work with staff to add some landscape materials around the site which may include decorative grasses, shrubs, evergreens or flowers near the sign and the eastern property line.
4. The petitioner shall address all of the review comments and requirements of the Engineering and Building and Planning and Economic Development Departments.

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

Mr. Hayden said the Commissioners don't have a concern with supporting this variation.

### **REPORT FROM PLANNING**

- Signature Auto – 970 Pyott Road – Use Variation

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

**COMMENTS FROM THE COMMISSION**

Mr. Hayden asked about the extremely large sign at Title Max on Route 14. Ms. Rentzsch said she would look into it.

Mr. Hayden asked about Texas Road House. Ms. Rentzsch said they have submitted their revised plans for further review and building permit, so they are moving forward.

There were no other comments from the Commissioners.

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