



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, JUNE 19, 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.

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 JUNE 5, 2013 PLANNING AND ZONING COMMISSION MEETING**

Mr. Skluzacek moved to approve the minutes from the June 5, 2013 Special Planning and Zoning Commission meeting as presented. Mr. Jouron seconded the motion. On roll call, members Esposito, Gavle, Goss, Greenman, Jouron, Skluzacek, and Hayden voted aye. Mrs. Lembke abstained. Motion passed.

Mr. Hayden suggesting to change the order of the items on the agenda to move 2013-27 DC Liquidation before 2013-22 Goodwill. The petitioners did not object.

Mr. Goss moved to hear 2013-27 DC Liquidation before 2013-22 Goodwill. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

**2013-29 DOHERTY – 5201, 5425, 4501, 4420 Route 176 - PUBLIC HEARING**

The petitioner is requesting to be continued to the July 17, 2013 PZC meeting.

Mr. Greenman moved to continue 2013-29 Doherty to the July 17, 2013 PZC meeting. Mr. Esposito seconded the motion. On voice vote, all members voted aye. Motion passed.

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

The petitioner is requesting to be continued to the July 17, 2013 PZC meeting.

Mr. Greenman moved to continue 2013-15 UDO Amendments to the July 17, 2013 PZC meeting. Mr. Jouron seconded the motion. On voice vote, all members voted aye. Motion passed.

**2013-27 DC LIQUIDATION – 6101 Factory Road** – PUBLIC HEARING

Use Variation to allow retail in the “M” Manufacturing district.

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.

David Carson was present to represent his petition. Mr. Carson said he started an internet business a few years ago selling certain liquidated merchandise from Amazon and now has also added selling home décor products. Some of the buyers wish to see the merchandise prior to purchase so he needs to have a place for them to come to. Mr. Carson said this will not be a Macy’s store but more of a warehouse area for the people to see the larger merchandise.

Mr. Hayden asked if the petitioner had any concerns with the conditions listed in the staff report. Mr. Carson said no. Mr. Hayden asked what the petitioner’s website is. Mr. Carson said it is DCliquidationinc.com.

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 he appreciates the petitioner bringing his business into the City limits. He asked about the store hours. Mr. Carson said he would like the store to be open when he is there which is typically Monday through Friday. Eventually he would like to get it down to just a few days a week. Mr. Greenman asked if this is more for people to see the merchandise available on-line and not to create a retail store. Mr. Carson said that is correct. He purchases mostly carton damaged goods. People who purchase for websites such as Amazon don’t want the carton of their merchandise damaged. They feel that the merchandise is also damaged. Amazon sells those carton damaged merchandise at a much reduced rate because it won’t sell or stores do not want to sell it. That allows him to be very aggressive with the pricing of the merchandise. Mr. Carson added that he recently starting carrying home décor merchandise such as furniture. That is mostly local sales since it is hard to ship. This way people can pick up their items. Mr. Carson said the business is primarily internet driven. Mr. Greenman asked if the days and hours of operation should be noted in the conditions of approval. Ms. Bhide said staff doesn’t see the need to restrict the operating hours.

Mr. Greenman said he is comfortable that the Findings of Fact have been met and he supports this request.

Mr. Jouron asked if there would be a sign. Mr. Carson said he was planning to have one on the building so people can find his location. He said it will meet all of the City’s requirements.

Mr. Hayden asked if the petitioner had a FFL (Federal Firearms License). Mr. Carson said he did not and didn’t have a desire to deal with firearms. He may add small kitchen appliances. The truck loads of

merchandise he purchases are categorized and he doesn't get involved with most of the categories that are available. Ms. Bhide said language can be added to the conditions of approval restricting firearms sales if the Commission wishes.

Mr. Greenman moved to approve the Use Variation to allow retail sales in the "M" Manufacturing district for DC Liquidation at 6101 Factory Road with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Carson, received 5-22-13)
  - B. Building Layout (Harrison, received 5-22-13)
  - C. Site Plan (On-file)
2. This Use Variation applies only to DC Liquidations Inc. A new use variation would be necessary; if the scope of this use, including products retailed is altered, or for another retail use.
3. Parking spaces shall be restriped within 3 months after final occupancy is granted, to provide clearly visible separation between spaces.
4. All signage must meet the provisions of the Unified Development Ordinance for Industrial Signs.
5. The petitioner shall address all of the review comments of Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

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

**2013-22 GOODWILL – LUTTER CENTER – 1000 Central Park Blvd. - PUBLIC MEETING**

This petition was continued from the June 5, 2013 PZC meeting.  
Preliminary and Final PUD with variations for a retail 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.

Joe Gottemoller, attorney, Sam Schmitz, President, and Ben Bernsten, Director of Retail and General Council both with Goodwill Northern Illinois, Brian Blakemore with McClellan Blakemore Architects, and Ester Marquart with Sheflow Engineers were present to represent the petition.

Mr. Schmitz said they are eager to join Crystal Lake and they estimate the sales tax from this outlet to be about \$100,000 annually. He added that they are also one of the greenest companies in the country. If they receive unusable items they are recycled. Forbes has listed Goodwill nationally in the top 10 charity organizations and one of the top 25 most inspiring companies. They were also recently recognized by Special Olympics of Illinois with their Outstanding Organization award for this year. Mr. Schmitz said

they have received preliminary approval for the bonds to build this facility.

Mr. Bernsten said they keep a clean and orderly operation. They don't store donated goods outside and they do have security cameras at their facilities. He added that they do not use donation boxes that are in many parking lots. Mr. Bernsten added that their stores are clean and bright with wide aisles. They provide a fun shopping experience and it's a good place to work.

Mr. Blakemore said the proposed store is approximately 19,500 square feet with 11,380 square feet of sales, 5,900 square feet for stock, and the remaining area is for accessory spaces such as the community room. He showed color renderings of the building and samples of the materials to be used. The building will be full masonry except for the canopy and the windows will be aluminum. The building height is 23 feet 8 inches. Mr. Blakemore said the building will be energy efficient.

Ms. Marquart said this is a simple site plan and the utility hook ups are available. She added that the building will be sprinkled. They have provided for the 100 year event overflow which will be discharged into the detention area to the rear of the lot.

Mr. Gottemoller said this lot is sandwiched between Wal Mart and Pauly Toyota. He described the area and the uses. He said staff is concerned with the architecture for this PUD, but the designs for both existing buildings are as different as they can be. The architecture for this building is somewhere between the two. Mr. Gottemoller said prior to the meeting he handed out a revised landscape plan. The lot is less than 2 acres and it backs up to the large detention area. He reviewed the variation standards and said that this site fits especially since it backs up to permanent open space.

Mr. Gottemoller said they are requesting 16% more impervious coverage than allowed by ordinance. The parking lot will drain into the detention area in the rear and there is no outlet from that area. The water will go into the ground. It is important to look at what is surrounding this property for the parking lot setback. He said there is only 1 row of parking along the side facing the rear of Pauly Toyota. The parking is spread out around the site and there is a larger setback along Central Park Blvd.

Mr. Gottemoller said the property currently has street trees every 40 feet along the parkway and feels that adding more trees to the parking lot would eventually create a wall of trees, therefore blocking the building. He said the revised landscape plan shows an increase in landscaping along the perimeter. They hope the PZC incorporates this plan in their recommendation.

Mr. Gottemoller said this property and building would fit inside the Wal Mart and have about half of that building remain open. The narrowest part of the building faces the front of the lot and the loading docks are in the back. He added that staff has concerns with the architecture – that it doesn't meet the commercial design standards. The awning for the drive-through matches the bank's drive-through.

Mr. Gottemoller said they would prefer not to have a knee wall for windows. They use the front windows for viewing inside the building. They are also showing a flat roof and would like to keep it that

way. The peak roof doesn't work for this building and the one on WalMart is a fake façade. Mr. Gottemoller said they have awnings over the windows and it doesn't make sense to put steps in the building. The steps in the building won't be able to be seen unless you are close to the building. The opposite side that faces the rear of Pauly Toyota is more flat.

Mr. Gottemoller reviewed the conditions in the report. He asked that the date of the landscape plan be changed to reflect the plan shown at this meeting. They are required to amend the PUD to allow an additional ground sign in front of their building. The original sign is on Route 31 which is 600 feet away. They believe that the revised landscape plan meets the requirements 2a through c as listed in the report and they can work with staff to on any substitutions on the foundation plantings. As for the elevations of the building they would like to keep the roof line as shown, and they would prefer not to add a thicker top stone cap, faux columns or knee walls.

Mr. Hayden said since there was another new landscape plan presented at this meeting, would that change any of the conditions listed in the memo the Commissioners received. Ms. Maxwell said there was screening added along Central Park Blvd. and the petitioner is still requesting a variation from the landscape islands within the parking lot.

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 he would like the Arbor Vitae be extended to the end of the building since eventually there will be residences on the other side of the detention area. He said the amount of impervious surface is a problem because this site is over parked by 25%. He agrees that this is a very odd shaped lot and the building is extremely large for this site. Mr. Goss said they could remove 6 spaces, move the sign back and landscape the sign nicely which would help with the impervious surface. He asked about the sign on Route 31. Mr. Gottemoller said they could possibly have a small panel on the sign, but he was not certain.

Mr. Goss said Wal Mart and Pauly are two different uses. This use is retail which is similar to Wal Mart and therefore this building should be similar to that design. He would like elevations with columns and a larger stone cap on the top of the walls. The residences to the rear may be 2 or 3 stories and will see the rear of this building. Mr. Goss noted that the building in Carpentersville is very cramped on the lot. The lot may be large enough but the shape causes problems. He does support the request.

Mr. Greenman asked what "Plan B" is if the bonds they are requesting don't go through. Mr. Schmitz said they do have approval for a conventional loan at a much higher interest rate. Mr. Greenman said he was very excited when the petitioner came before them a few years ago with the conceptual plan. He feels this is a good fit in this area and he agrees with Mr. Goss' comments.

Mr. Skluzacek asked if the drop off is one way and exits out the back. Mr. Gottemoller said yes. Mr. Skluzacek said he doesn't want a traffic problem. He asked if someone was at the drop off or if a buzzer

needed to be pushed. Mr. Bernsten said the vehicle rolls over something that signals an employee that someone is waiting. Mr. Skluzacek asked if they used semi-trailers to move items in and out of the store. Mr. Bernsten said they mostly use smaller trucks, but from time to time there is a semi trailer that is used.

Mr. Jouron said he doesn't have a problem with the sign requested. As for the architecture – it doesn't match Wal Mart. The building is plain and flat and it could be changed up. He suggested moving the door to the corner. He would also prefer that the building be upgraded with columns, staggering the walls, etc.

Mr. Esposito agreed. He would prefer it match some elements of the shopping campus. He is ok with the landscaping and agrees that the arbor vitae should be extended. Mr. Esposito said he understands the need for the parking. He has another home in Florida and when the Goodwill there runs specials, there isn't enough parking. He does support the request, but would prefer the building to look like the shopping campus.

Mr. Gavle asked about the increase in impervious coverage. He asked who owns the retention pond. Ms. Marquart said the detention area will be used for the residential area as well as the current users – Wal Mart, the out buildings, Pauly, and this site. She had spoken with the Engineering staff and they were not concerned with the detention area.

Mr. Hayden said he can't support this only because it is both Preliminary and Final. He feels they are too far apart on architecture. They need to have elements of the center incorporated in this building. Mr. Hayden said the building is bland and a square box. This is the entry to the City from many directions and he wants better here. If this were Preliminary only, he would not have any problem with giving comments and seeing it again at Final.

Mr. Gottemoller said at time this site will be overparked but they will need the spaces and they don't want to share parking with Wal Mart. As for the building – this is the design they prefer. He said it isn't a box. It has awnings and other items for variety. This building is not out of place. He added that this building is better than any building on Lutter Drive. They are ok with adding the arbor vitae. Mr. Gottemoller said it doesn't make sense to add more trees when there are parkway trees every 40 feet and the pavement between the parkway and the building is only 50 feet. Also this building is set back 600 feet from Route 31 and won't be seen. Mr. Hayden said they don't want to redesign the building at this meeting. He said staff has given suggestions.

Ms. Maxwell suggested that any conditions be made very clear so there is no confusion in the future as to what was intended.

Mr. Hayden suggested that they take the comments given to them by the Commissioners and come back at the next meeting with the changes. He said this is their only chance to review the request. Ms. Maxwell believes the petitioners have deadlines that need to be met.

Mr. Blakemore said there are 2 inch projections in the building at the corners. There is also a change in the colors and textures used. Also there is a concern for the masonry wall with other materials on top. They don't want moisture to get in the wall. Mr. Goss asked how thick the top cap is. Mr. Blakemore said it's about a 6 inch cap. Ms. Maxwell suggested varying the thickness of the cap- possibly a different thickness over the entry and the remaining building another thickness.

Mr. Hayden said the petitioner seems willing to work with the City but asked why we are negotiating now. They have been working with staff for some time. Mr. Gottemoller said they only want to build this building. Mr. Hayden said he would prefer they work with staff and come back to another meeting so the Commission could see what the building would be like before they pass it to Council. He said there seems to be a lot on this property. He added that it is hard to agree to variations when there isn't anything currently on the site. This is a blank canvas to work with.

Mr. Jouron asked about the time frame. Mr. Schmitz said that is part of the issue. If this is delayed, it will be a problem for building this during this construction season. They would like to get the masonry up and sealed before the winter weather sets in.

Mr. Greenman said they all support the use but the request for a Preliminary and Final at the same time puts them in a box. This is the last time they can provide comments about this project. Mr. Greenman asked if continuing to the next meeting allows them enough time to revise their information. Mr. Gottemoller said they would need time to make changes and staff needs time to review the revisions.

Mr. Schmitz said they would like to work with staff on the columns etc. for the building and not lose 2 months of time. Mr. Goss said they will recommend what they would like to see and it is up to Council.

Mr. Gottemoller said he would like the requested variations listed in the motion as well.

Mr. Greenman asked where the employees will park. Mr. Bernsten said it will be the parking spaces at the far northwest along Lutter. There was a question asked about the landscape screening for the three parking spaces east of the drop-off canopy. Mr. Gottemoller said those spaces could be used for loading cars when they purchase furniture. Ms. Maxwell said they would still need a variation. Mr. Hayden said those spaces seem to conflict with the drop off area.

Mr. Goss moved to approve the Preliminary and Final PUD with Variations for a retail store, Special Use Permit for Used Merchandise Store, and an Amendment to the Lutter Center PUD Ord #5917 to remove condition 2F that requires there be one shared tenant sign for Wal Mart, the outlots and Lot 4 to allow Goodwill to have their own freestanding sign on this lot for Goodwill at 1016 Center Park Blvd. with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:

- A. Application (Goodwill, received 4/29/13)
- B. Architectural Plan Set [Site, Civil and Elevations] (McClellan Blakemore Architects, dated 4/29/13, received 4/29/13)
- C. Landscape Plan (~~A & T Lawn Care and Landscaping, Inc. dated 4/26/13, received 4/29/13~~) (The Barn Nursery, dated 05/31/13, received ~~06/13/13~~ **6/19/13**)
- D. Sign Plan (Doyle Signs, dated 4/24/13, received 5/22/13)

## 2. Site and Landscape Plan

- A. Provide a final landscape plan, which meets the requirements in Article 4-400 C.
- B. The landscape plan shall be revised to show the required landscape around the monument sign, around the building foundation and within the landscape islands.
- ~~C. Work with staff to add additional landscape along the northwest of the site to better screen the loading dock area.~~
- D. Work with staff to add ~~additional trees and taller plantings~~ **bushes and plantings** in the parking lot screening landscape areas **long Central Park to block headlights. Landscape screening shall be added around the perimeter of the parking area.**
- E. Provide a complete site plan that shows the site details including all dimensions, setbacks, and the building foundation outline. Also include a data table listing the lot area, building coverage, impervious surface coverage, and parking totals.
- F. The monument sign base shall match the style and color of the building's architecture and utilize a brick base.
- G. The sign shall be setback a minimum of 10 feet from all property lines.**
- H. Work with staff to ensure the foundation base landscape requirements are met and all of the selected landscape materials are illustrated appropriately.**
- I. The line of arbor vitae shall be extended along the back of the building.**

## 3. Elevations

- A. To meet the UDO Design Standards the building shall have **a minimum of 3 listed below:**
  - 1. The roof design shall match the other buildings on the site and have peaked roofs over the main entrance and the donation canopy. These entries shall project a minimum of 2 feet from the main wall plane.
  - 2. ~~A thicker~~ **An 8 inch** top stone cap shall be added along the parapet roof line.
  - 3. The faux columns shall be real columns that project at least 2 feet along the street side elevations and incorporate the design elements in the Wal Mart and Central Park Retail columns.
  - 4. The windows shall be framed with a thicker darker frame to help them stand out. They should also have a knee wall and not go all the way to the ground.
- B. If the above comment A cannot be addressed, then at the very least, the entry way shall be projected a minimum of 2 feet, the faux columns shall be real columns that project at least 2 feet and the windows shall have a knee wall.
- C. All exterior metal doors shall be decorative raised 6-panel doors.

4. Amend Condition #2 F from Ordinance 5917, the original approval ordinance for the Lutter Center, to allow a free-standing sign on this lot for Goodwill.

5. Any ground or roof mounted mechanical equipment must be screened from view from adjacent properties or roadways, per the UDO requirements.

6. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Public Works, and Planning and Economic Development Departments.

**7. Post “ONE-WAY ONLY” and “NO ENTRY” signs at the east driveway aisle.**

**8. The three (3) parking spaces at the southeast corner of the property shall be striped and signed for loading area only.**

**9. The following variations are approved for this request:**

**A. Rear Yard Setback: From the required 50 feet to allow 5 feet.**

**B. Impervious Surface Coverage: From the maximum of 65% to allow 81%.**

**C. Parking Lot Setback: From the required 20 feet to 6 feet along Lutter Drive and 12 feet along Central Park Drive.**

**D. Parking Lot Landscape Screening along a Roadway: From the required 15 feet to allow 6.9 feet.**

**E. Parking Lot Landscape Screening along interior property lines: From the required 8 feet to allow 3 feet 6 inches in the southeast corner of the lot.**

**F. Parking Lot Landscape Islands: From the requirement to install a landscape island in the parking row along Central Park Drive.**

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

Mr. Esposito said he voted no because the entire plan would change and they would not be able to review it. Mr. Hayden agreed.

### **REPORT FROM PLANNING**

- Tonyan – 145 Erick St. – Annexation
- Ziccardi – 7808 Virginia Road – Use Variation
- Whitney – 91 S. Walkup – Variation

Ms. Maxwell handed out information about the 2040 County Transportation Plan. She said the County is looking for input on their potential road projects. The Council reviewed the information at their meeting the evening prior and will be sending their suggestions to the County. She asked if the

Commissioners were interested to check out the site and voice their opinions on the possible projects.

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

**COMMENTS FROM THE COMMISSION**

Mr. Goss said the City is paying a lot for the bike path along Walkup when the County should be paying for it. Ms. Maxwell said there are several projects that should be considering bike paths but we are told there are no funds for that and if the City would want to have them put into the project, we would need to pay for it. She said the City is checking into grants to put together a master bike/pedestrian path plan. They would also be working with other municipalities on bike/pedestrian path connections

Mr. Greenman said he appreciates the insight of Mr. Hayden during the last petition. He said the Commission has been consistently not in favor of having Preliminary and Final at the same time. Mr. Goss asked when we found out about the petitioner's time frame. Ms. Maxwell said last week when she asked the petitioner if they would like to go to a different meeting because of the long list of conditions. Mr. Goss asked when the City received the plans. Ms. Maxwell said it was April 29 and they were sent out to the departments for their comments and those were sent to the petitioner prior to the staff report being written.

The meeting was adjourned at 10:00 p.m.