



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, JULY 17, 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, 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 JUNE 19, 2013 PLANNING AND ZONING COMMISSION MEETING**

Mr. Jouron moved to approve the minutes from the June 19, 2013 Special Planning and Zoning Commission meeting as presented. Mr. Esposito seconded the motion. On roll call, all members present voted aye. Motion passed.

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

The petitioner is requesting to be continued to the August 7, 2013 PZC meeting.

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

The petitioner is requesting to be continued to the August 7, 2013 PZC meeting.

Mr. Esposito moved to continue 2013-29 Doherty and 2013-15 UDO Amendments to the August 7, 2013 PZC meeting. Mr. Skluzacek seconded the motion. On roll call, all members voted aye. Motion passed.

**2013-28 GAS DEPOT et al – 4410 Northwest Hwy. – PUBLIC HEARING**

Final PUD Amendment to allow changes to the freestanding sign, modifying the existing sign to be 15 feet tall and 112 square feet in area.

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.

Joyce Kusch, a representative for the owner, and Leo Palev with Excel Sign, were present to represent the petition. Ms. Kusch said they took down the old sign. They have 11 businesses on that site and they need a

larger sign to give each business space.

Mr. Hayden said the sign was part of the Annexation Agreement which lasts for 10 years and the owners were given an extension to keep the sign. Now it is time to comply with the Sign Ordinance. Ms. Kusch said yes and since the sign has been removed, business is down.

Mr. Palev said the original sign was 38 feet tall and the new sign is 15 feet tall. The gas station portion of the sign is large. Mr. Hayden said the message center portion of the sign is removed. Ms. Kusch said yes.

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

Mr. Jouron said he likes the sign and asked if the digital portion was ok. Ms. Bhide said yes. Mr. Jouron said this is a definite improvement and it's a monument sign.

Mr. Greenman asked about the timing between the extension and now. He said it appears that the approval ran out in 2007. Ms. Bhide said when it was noticed that the message center was changing more often than allowed by ordinance, the sign was investigated and staff discovered that it was to have been removed. Ms. Kusch said the new owner was not aware that the sign needed to be changed.

Mr. Greenman said the report states that the sign is closer to the allowable size. Either it meets the ordinance or it doesn't. Ms. Bhide said the petitioner did a good job to bring the sign closer into compliance due to the number of tenants on the site. Mr. Greenman asked if it is correct that there is no variation needed because it's a PUD Amendment. Ms. Bhide said that is correct.

Mr. Gavle said he supports the new sign. The sign is legible and there is more space available for other tenants.

Mr. Goss said he is ok with the sign. It meets the intent of the ordinance and meets the Findings of Fact. The sign does not block the sight line because of the setback.

Mr. Jouron said landscaping at the base of the sign is one of the recommendations. Ms. Kusch said that is acceptable. Mr. Hayden asked if there were any concerns with the conditions listed in the staff report. He read the conditions out loud. Ms. Kusch said they were ok.

Mr. Hayden said he supports the request and it is a vast improvement over the original sign.

Mr. Esposito moved to approve the Final PUD Amendment to allow changes to the freestanding sign, modifying the existing sign to be 15 feet tall and 112 square feet in area for Gas Depot located at 4410 Northwest Highway with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Development Application, received 06-07-2013
  - B. Sign Details, Signs by Tektronax, received 06-06-2013
2. Landscaping must be planted around the base of the sign. The landscaping shall be located in an area radiating from the base of the sign. Submit a landscape plan for staff approval.
3. The sign shall meet all of the other requirements in the UDO, as applicable.
4. The petitioner shall address all of the review comments and requirements of the Engineering & Building, Fire Rescue, Police, Public Works, and Planning & Economic Development Departments.

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

**2013-33 RUMFORD-BUELOW – 175 & 179 Edgewater** – PUBLIC HEARING

Variation to allow a 4-foot-high fence within the front yard (Lake side) setback.

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.

Robert Buelow and Lisa Rumford, both owners of the properties, were present to represent their petition. Mr. Buelow said they recently purchased the homes. They both have children and he has large dogs that they would like to keep out of the street. He stated that he also has a trampoline and wants to keep people out of his yard and away from it.

Ms. Rumford said a neighbor's dog was recently hit and killed. There is currently a chain link fence that they would like to replace. Mr. Buelow said his dogs can easily clear the current fence height.

Ms. Rumford showed a photo of a neighbor's fence that is a full wood privacy fence on the lake side of the property. They do not want that type of fence.

Robert Skalany, 1369 Dolo Rosa, said the traffic does go very fast on that road. Also the water will not be blocked by the proposed fence.

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 asked if a 3-foot fence requirement is with this UDO or the previous ordinance. Ms. Maxwell said it was determined several years ago that the front yard is the lake-side of the property. Mr. Goss said the other wood privacy fence was there prior to when the front yard was determined. He said the problem he is

having with this request is the height of the fence. Mr. Goss said he doesn't see the hardship for the request. He understands about the kids and dogs.

Mr. Skluzacek asked if there will be a fence across the lake also. Mr. Buelow said no. Mr. Skluzacek said if they want the fence for safety they are not protecting the kids and dogs from the lake. Someone would still need to be present to keep an eye on the kids. He said an invisible fence would work well for the dogs.

Mr. Esposito said they have received many requests for 4-foot-tall fences in front yards all over the City and the answer has always been no. He lives on the corner of a much busier street than this and he has an invisible fence that works very well.

Mr. Gavle understands the dilemma. He said precedence has been set in other deliberations and he can't support the request.

Mr. Greenman said he understands the safety standpoint and believes that the application of the ordinance in this case is the hardship. He believes there is value in a 4-foot fence due to the layout of the property and it is an improvement to the existing chain link fence.

Mr. Jouron asked what type of dogs Mr. Buelow has. Mr. Buelow said they are very large. One is an Alaskan Malamute. Mr. Jouron said he understands where the petitioners are coming from. He can't support the request.

Mr. Hayden said this is unique circumstances but if it were granted it would set precedence and would apply to others who want to do the same thing. He said the standards have not been met.

Ms. Maxwell stated that an objection letter from Ann Hubler at 185 Edgewater was handed out to the members prior to the meeting. Mr. Hayden said they did receive it. They need to look at establishing a precedent, especially in this area.

Mr. Greenman believes that the Findings of Fact have been met and the fence will improve the property values and he would be comfortable with others along the lake having the same hardship. He said if the recommendation is to deny this request, the petitioners can go before Council for the final decision and they should think about addressing things like the Findings of Fact.

Mr. Esposito moved to deny the Variation from Article 4-700 Fences, Walls and Screening to allow a 4-foot-high fence within the front yard setback for 175 & 179 Edgewater. Mr. Goss seconded the motion. On roll call, members Esposito, Gavle, Goss, Jouron, Skluzacek, and Hayden voted aye. Members Greenman and Lembke voted no. Motion to deny passed.

**2013-30 HIRSHBERG - 877 North Shore Drive – PUBLIC HEARING**

Variations from side yard and height requirements and restrictions on accessory structures to allow a new residence with an attached and detached garage.

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.

Tom Hirschberg, owner, Robert (Bob) Flubacker, architect, and Russell King, engineer, were present to represent the petition. Mr. Flubacker said this site has unique soils and it is very saturated slightly under the surface. The original intent was to have a basement for the proposed house but since the soils are unsuitable, they have a revised house plan that shows no basement, meets the height requirement as well as the side setback. He said the third story of the house has been removed. Therefore, they are only requesting a variation to allow the detached garage along North Shore Drive.

Marie Smuda, 115 Baldwin, asked if the plans that were posted on the City's website are no longer what were being requested. Ms. Bhide said the petitioner is now at the meeting requesting only the variation to allow the detached garage. None of the other variations that were originally requested will be discussed. Ms. Smuda said the property has been one parcel including the property next door. She is concerned that the owner will build on both lots to make both lots non-conforming. Ms. Smuda said that the petitioners have not shown any hardship for having two full garages on the property. She handed out photos of the homes in the area.

Mr. Hayden said the plans submitted at this meeting are different than what were previously submitted and he asked staff if they had an opportunity to review them. Ms. Bhide said the petitioner's plans must comply with the ordinance or they would need to come back through the variation process again. Mr. Flubacker said the garage has not changed – only the house plans.

Mr. Hirschberg said his intent was to build the house that was submitted today. He spoke with his neighbors and reduced the height of the home. Mr. Hayden reviewed again that the petitioner was withdrawing his request for 3 of the 4 originally requested variations. Mr. Hirschberg said yes.

Mr. Jouron said many years ago, a petitioner asked to build a very large home in the North Shore area and if it were built, the eaves would have been 6 inches from the property line. Ms. Bhide said the ordinance allows for an overhang to encroach two feet into the setback. The Building Code requires the appropriate fire rating.

Mr. Goss asked if the petitioner was still going to raise the lot 4 feet. Mr. Flubacker said no. They would leave the lot as is. Mr. Goss asked if there were water and sewer stubs for the vacant lot and stated that the water runoff is required to be kept on-site and not flow to another lot. Mr. King said yes, there are stubs on the vacant lot and there was an easement that was created and submitted to the City for review.

Ms. Smuda said that just because someone wants more storage doesn't mean it's a hardship. The lots were created many years ago and the two lots were sold as 1 lot. She said the requirement for a minimum lot width in "R-2" is 70 feet. The prior owners used the lots as one lot. Ms. Smuda read from the UDO. She

said the petitioner is trying to make this lot into 2 non-conforming lots. That would create a burden on the area and she would prefer the area to remain as is.

Mr. Greenman said the petitioner is now requesting only to allow the detached garage. That is the only thing they can consider. He appreciates the comments that were made but can only look at the accessory use.

Ms. Bhide said that when the water and sewer lines were installed in the North Shore area the previous owner purchased a second water and sewer connection for the second lot. Since they were platted separately and not combined, they are considered buildable non-conforming lots.

Mr. Goss said if the owner put an addition on the house and that addition was over the lot line, then they would become one lot.

Scott Richardson, 115 Baldwin, said he understands that all of the variations are off of the table but feels that Article 7 of the UDO still applies. These two non-conforming lots are under 1 common ownership. He feels that they are missing the point.

Mr. Greenman asked whether the house was taken down. Ms. Bhide said a permit was issued to demolish the house.

Matt Siegers, 122 Crandall Ave., said he is concerned the traffic along North Shore is treacherous and any building on North Shore would add to the chaos. He is also concerned that with building and increasing the impervious surface, any major rainfall will increase the amount of water in their basements.

Anita Berg, 130 S. Crandall, presented the Commissioners with a petition against this request signed by other property owners.

John Fuhler, 887 North Shore Drive, said he appreciates the petitioner listening to his comments. He realizes the rights of property owners.

Wes Pucinski, 897 North Shore, asked about the size of the garage. Mr. King said it is a standard 2-car 1-story garage. Mr. Pucinski asked how far the garage will be from the right-of-way. Mr. King said the current garage is right on the right-of-way line and the proposed garage will be 5 feet back from the line. Mr. Pucinski suggested that the garage be moved close to the home. That would allow for a parked car on the driveway. Mr. Hayden asked if Mr. Pucinski still objected since the other variations were withdrawn. Mr. Pucinski said he does not object to the garage.

Dave Graham, 759 Oak Court, said he is concerned with the flooding. The drainage system in the area can't handle what is there now.

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

Mr. Jouron asked if the sewer lines are new. Mr. Pucinski said the storm sewers were new, not the sanitary sewer.

Mr. Greenman thanked the petitioner for listening to the neighbors and the significant changes that were made to the plans. He also thanked the neighbors for coming to the meeting. They appreciate the comments made. Mr. Greenman asked how many double garages are there in the North Shore area. Ms. Bhide said the property owned by Mr. Fuhler immediately to the west has an attached garage as well as a 2<sup>nd</sup> detached garage. Mr. Greenman said this area is a unique situation and the proposed garage is setback 5 feet from the right of way which is setback more than most.

Mr. Greenman stated that the Findings of Fact stated on Page 3 of the staff report are not met. The hardship is created by the petitioner. The lots were purchased and they have complete control of the plans for the house. He can't support this request.

Mr. Gavle said he is struggling with the request also. He has trouble as well with the statement that was made about putting a 2<sup>nd</sup> house in that area. This will create more flooding in an already flood prone area. He can't support the request.

Mr. Esposito said it remains to be seen if the engineering can satisfy the requirements for storm water. He also believes the garage could be moved back closer to the proposed house. There is a lot of engineering to be done here.

Mr. Hirschberg said they are not sure if they will be adding a second house on the other lot. The house that was taken down was uninhabitable.

Mr. Skluzacek said he doesn't see a problem with the accessory structure. He said that many homes in the North Shore area have a second garage.

Mr. Goss asked about the hardship for the second garage. Mr. Flubacker said it is not practical to build a basement for this home. The hardship is they can't put in an accessory structure. They are not requesting variations for the home. Mr. Goss asked why not make the attached garage larger.

Mr. Flubacker reviewed the Findings of Fact. He said the way the UDO treats lots in this area makes it unique. Their request is maintaining the character of the neighborhood with the way the other garages are situated. The hardship is not created by the property owner. They have no intent to create a public safety issue. Also this garage will not impair light or air to adjacent properties.

Mr. Goss agreed that the majority of the houses have either detached or attached garages but not both. Mr. Flubacker said he has not done an analysis of the area. He added that no one prevented the other lots in the City from having both an attached and detached garage.

Mr. Hayden said he can support the request based on the character of the neighborhood. Mr. Goss said with the photos that were presented by Ms. Smuda that very few lots have both a detached and attached garage.

Mr. Skluzacek asked which conditions would be removed because of the elimination of three of the variations. Ms. Bhide explained which should remain.

Mr. Greenman moved to deny the Variations from: A. Required minimum interior side setback of 4.9 feet to allow 4.83 feet; B. Required minimum combined interior side setback of 12.6 feet to allow 12.58 feet; C. The maximum allowable height of 2 stories and 28 feet to allow 3 stories and 33 feet; and D. The permitted location of accessory structures to allow an accessory structure in the street-side yard along North Shore Drive for 877 North Shore Drive. Mr. Goss seconded the motion. On roll call, members Esposito, Gavle, Goss, Greenman, and Jouron voted aye. Members Lembke, Skluzacek, and Hayden voted no. Motion to deny passed.

Mr. Hayden called for a 5-minute recess. The meeting resumed.

**2013-34 SIGNATURE AUTO – 970 Pyott Road** – PUBLIC HEARING

Special Use Permit and Use Variation Amendment, Special Use Permit for temporary uses and variations from parking lot standards to allow additional vehicle types, more display area, an auto shop open to the public and variations to the curbing 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.

Brent Pennington was present to represent his petition. Mr. Pennington said he has returned to ask for clarification of his previous approval. He stated that his State license allows him to sell fire trucks, box trucks, cherry pickers, ambulances, buses, RVs, motor cycles, ATVs, etc. and gave the members copies of his license. He doesn't want to keep coming back for further clarification. Mr. Pennington said he has added to this request temporary signs until his permanent signs are installed, special events such as car shows and fund raisers to be held in the rear of the property, to extend the crushed asphalt area from 20 feet to 50 feet, to allow for two concrete pads in front to display vehicles, and modify the customer parking area.

Mr. Pennington said he intends to asphalt the entire front of the building after the water and sewer connection is made.

Mr. Hayden said it was his understanding at the previous meeting that the used cars that would be displayed on this site would be high end quality cars. He asked where this misconception came in. Mr. Pennington stated he had specialty vehicles.

Mr. Hayden again asked where he went wrong with the description of the cars that were to be displayed. There was no mention of fire trucks, ambulances, box trucks, etc. Mr. Hayden also noted that at the previous



meeting that there were several neighbors who voice their opinions and no one is at this meeting. Mr. Paulson said he had received several complaints from neighbors. Ms. Maxwell said in the UDO there are two classifications for car sales. One is for "Automobile Dealer" which is cars, motorcycles, etc. and the other is "other motor vehicles dealer" which is for larger vehicles such as trucks, buses, etc. Mr. Greenman said he would have no idea that "other motor vehicles" would include buses, trucks, etc.

Mr. Hayden said if he had known what would have been displayed on this property he would not have voted for it originally. He said this property is adjacent to residential and it is not zoned for motor sales of any type. Mr. Pennington believes the complaints were from the business next door who wanted to purchase the property and didn't.

Mr. Greenman asked why the petitioner was increasing his request. Mr. Pennington said he is being forced to be at this meeting so he decided he would ask for more.

Mr. Greenman said their approval was based on the information that was shared at the last meeting. Mr. Pennington said he presented everything he could. He added that he needs to be able to sell the larger trucks.

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

Mr. Jouron said there would be people here if they knew what "other motor sales" meant. He doesn't want the bucket trucks in the air. He also doesn't want to give blanket approval for special events to be held at this location. He is sure the neighbors wouldn't like it. Mr. Pennington said the neighbors would have to sign off on the special events. Mr. Jouron stated that he is not sure what they could have approved to block these types of trucks from the neighbors view - possibly a 20 foot tall mountain.

Mr. Greenman said he didn't support the previous request and is not in favor of the additional crushed asphalt. Mr. Pennington said one option is to leave everything the way it is now and add crushed asphalt. Option 2 is to expand the display area and move the customer parking area. They also want to use landscape bricks instead of curbs in the parking lot.

Mr. Greenman said he can support the landscape bricks but only for that portion of the lot and nothing else. He is not comfortable with allowing special events without knowing more about them. He is certain that there would be neighbors here if they understood what was being requested. Mr. Greenman asked if the petitioner had reached out to the neighbors and told them exactly what he was requesting. Mr. Pennington said the neighbors said they are happy with how it is now.

Mr. Pennington said he has options for other properties but needs something from the City to get him out of this lease.

Mr. Gavle wondered why the neighbors weren't present at this meeting. There is no green area on this property and that is a concern to him. Mr. Gavle said the vehicles currently on the property are significantly

more substantial than what was discussed at the last meeting.

Mr. Esposito agreed. He would not have been in favor of this type of use in that location had he known. His vote was based on what he saw and was told at the last meeting.

Mr. Skluzacek said he voted no previously because he wanted the portion of the lot to be paved. As for the special events – where will the people who come park? The lot is taken up by very large trucks and there are already parking issues. Ms. Maxwell said the parking requirement has increased between the original request and the display/paved/employees for this current request. There are more employees working in the repair shop. Mr. Pennington said currently he is in compliance with the parking as it stands now. As the additional areas are added the parking will then be increased. He doesn't want to do this all at one time.

Mr. Skluzacek said he recalls that when they talked about the auto repair it was going to be for the cars that would be for sale and not any outside work. Mr. Pennington said it is staying the same.

Mr. Goss said a month after approval there are not 30 box trucks on the site. There was no mention of that at the previous meeting and he watched the DVD of the meeting. He said that before a petition is heard the people representing the request are sworn in to tell the truth the whole truth and nothing but the truth and that didn't happen. He is not in favor of anything without it being very well defined. At the previous meeting it was stated that the car repair would be for the auto sale customers. Mr. Pennington said everyone is his customer.

Mr. Goss said this is not what they anticipated would be on this site. He objects to the crushed asphalt due to the location of this property within the well head protection area. This request is to expand the business half again as much. Mr. Pennington said they are scaling up. Mr. Goss said that was not disclosed. Mr. Pennington said everything is on his website and it should have been checked out.

Mr. Hayden said he knows James Richter and he does an excellent job helping businesses. Mr. Pennington thought that Mr. Richter would give the Commissioners information.

Mr. Jouron said he didn't know how the petitioner got from luxury cars to this in such a short span of time. Mr. Pennington said he does high end vehicles but also trucks. Mr. Jouron said nothing like this was mentioned at the previous meeting.

Mr. Hayden accepted the responsibility. They need to spend more time and send a complete package to Council. He said they want this business in the City and there is a service that is provided. When they looked at the original request, the neighbors were concerned about noise, etc. This is not an ideal location for these types of vehicles. This use would have been better suited in a different location. If the trucks will be worked on, then he has even more concern for the well head protection. Mr. Pennington said there are 50 trucks parked at the property next to his. All of the water from the recent storm came across this property. Mr. Hayden understands but he is not sure what would be the impact on the City's well head. Mr. Paulson said the Public Works Director would be concerned about the well head.

Mr. Pennington said he currently doesn't sell RVs but with the State license he has, it is possible. Mr. Hayden stated again that he is not certain that with this intense of a use that this is the right location for this business – next to residential. Ms. Maxwell said this is a very complicated request and staff was also under the same impression as the Commission was from the first meeting. Mr. Paulson said he is also concerned with the hydraulics from the trucks in the well head area.

Mr. Goss asked what the petitioner can currently sell. Ms. Maxwell said only passenger vehicles, ATVs, and motorcycles. She added that minor auto repair is also allowed. It was going to be for the vehicles that were going to be sold there or had been sold there but not for the general public.

Mr. Jouron said there is another car dealership in town that is selling box trucks. Ms. Rentzsch said under the old zoning ordinance it was allowed. Since the dealership was approved under the previous ordinance and the use has been continued, it is grandfathered in. Any new dealership would need to request to be an "other motor vehicle dealer" to be able to sell box trucks, etc.

Mr. Greenman said the definitions of some of the uses have changed since the last meeting. Mr. Pennington asked the Commissioners if they knew what was previously on this property. It was an auto body business with cars dripping fluids, etc. This use is less evasive to the neighbors. Mr. Pennington said he is not getting funding from the City or anyone else.

Mrs. Lembke asked if they were allowed to sell a certain number of vehicles. Mr. Paulson said that would be an enforcement nightmare.

Mr. Hayden asked the petitioner to prioritize the requests. Mr. Pennington said if they do not get approval for the "other motor vehicle dealer" that would shut them down. He also wants to use the crushed asphalt. Mr. Pennington said the owner will be planting the trees in the back. Mr. Goss asked how many trees will be planted. Mr. Pennington said it will be done by November of this year.

Mr. Jouron asked if they want the business here, what do we want the petitioner to do to make this better for everyone. Mr. Hayden said it needs to move to another location so the neighbors won't be residential. Mr. Pennington said he looked at other locations including former dealerships on Route 14 and nothing panned out. He has invested a lot here. He said he looked at property in West Dundee on Route 25.

Mr. Gavle said the berm has not been put in and it could be increased. The question is how big would it need to be. Mr. Pennington said he thinks they should ask the neighbors what they would like. Mr. Gavle said a member of staff would need to be at the meeting. Mr. Goss said they need to protect the neighbors. Also with the number of vehicles on this site, there should be lighting there. That would be even more reason to screen the neighbors.

Mr. Esposito moved to deny the Special Use Permit and Use Variation Amendment for an "Automobile Dealer" and "Other Motor Vehicle Dealer" in the M Manufacturing zoning district; Special Use Permit

for certain temporary uses which may include grand opening, cruise nights and charitable events; and Variations from: A. 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 that is 50 feet wide and parking on the grass for special events and B. Variation from Article 4-200 Off-Street Parking and Loading from the requirement to provide curbing around parking and landscape areas for Signature Auto Group at 970 Pyott Road. Mr. Greenman seconded the motion. On roll call, all members voted aye. Motion to deny passed.

The members of the Commission reviewed their reasoning for denying this request. Mr. Goss said the screening of the neighbors needed to be increased and lighting would be needed for the number of vehicles on the site; not comfortable with giving a blanket approval for special events; parking lot needs to be paved because of the location of the well head; with the increase in the number and size of vehicles there is an increase of hazardous fluids; landscaping – need to be very specific on what is wanted; and define exactly what is meant by being open to the public for car repairs.

Mrs. Lembke agreed with Mr. Goss's comments. Mr. Skluzacek agreed and added that asphalt paving needs to be done. Mr. Esposito agreed. Mr. Gavle agreed with the comments previously made except that he is ok with the crushed asphalt area. Mr. Greenman agreed as well with Mr. Goss's comments and added that the variation for what they want to do regarding the parking but not anywhere else on the property. Mr. Jouron agreed.

Mr. Hayden said this use increased significantly which presents an added burden to the neighbors. He would prefer to limit the number of vehicles to minimize the impact of this use. Screening should be added to both the neighbors as well as to Pyott Road; special events need to be articulated by event through staff and not given a blanket approval.

Mr. Goss added that the display area in the front of the building needs to be discussed when the petitioner comes in for water and sewer connection. He said there are a limited number of events in a calendar year which goes through staff.

### **REPORT FROM PLANNING**

- Goodwill - Lutter Center - 1000 Central Park Blvd – Prelim-Final PUD
- DC Liquidation – 6101 Factory Road – Use Variation
- Tonyan – 145 Eric Street - Annexation

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

### **COMMENTS FROM THE COMMISSION**

Mr. Hayden suggested that they look into motor vehicle and other motor sales in the UDO. Ms. Rentzsch said they will look into making it clearer.

Mr. Hayden asked about Title Max. Mr. Paulson said they will be meeting with other departments regarding the requirements in the UDO.

Mr. Hayden stated that there is another problem with the property on Shadowood regarding the sump pump hose. Mr. Paulson said he will bring it up again at the morning meeting.

The meeting was adjourned at 11:00 p.m.