

**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
SPECIAL MEETING
WEDNESDAY, DECEMBER 10, 2008
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chair Hayden at 7:30 p.m. On roll call, members Batastini, Esposito, Jouron, McDonough, Schofield, Skluzacek, and Hayden were present. Mr. Greenman was absent.

Michelle Rentzsch, Director of Planning and Economic Development, and Elizabeth Maxwell, Planner, were present from Staff.

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

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

APPROVE MINUTES OF THE OCTOBER 15, 2008 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the October 15, 2008 Planning and Zoning Commission meeting as presented. Mr. Skluzacek seconded the motion. On roll call, members Esposito, Greenman, Jouron, Schofield, Skluzacek, and Hayden voted aye. Members Batastini and McDonough abstained. Motion passed.

2008-68 T-MOBILE/CL PARK DISTRICT – KEN BIRD PARK – 1800 Thomasville Lane
– PUBLIC HEARING

At the request of the petitioner, this petition is being continued to the January 7, 2009 PZC meeting.

Mr. Esposito moved to continue 2008-68 T-Mobile/CL Park District – Ken Bird Park request to the January 7, 2009 PZC meeting. Mr. McDonough seconded the motion. On voice vote, all members voted aye. Motion passed.

2008-77 M'LADY NISSAN – 5656 Northwest Hwy. – PUBLIC HEARING

Special Use Permit Amendment for 11.3 square feet of wall signage.

Mr. Hayden stated that the fees have been paid, and the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice without objection.

Sam Obenchain, an employee of M'Lady Nissan, was present to represent the petition. Mr. Obenchain said there is a black canopy covering the stairwell and they are requesting to have "M'Lady" on the awning.

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

There were no questions from the Commission.

Mr. Batastini moved to approve the Special Use Permit Amendment to add 11.3 square feet of wall signage for M'Lady Nissan at 5656 Northwest Highway with the following condition:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (M'Lady Nissan, received 11/17/08).
 - B. Plat of Survey (Charles Mionski, dated 01/22/1998)
 - C. Sign Elevation exhibit (Hunzinger Williams, undated, received 11/12/08)

Mr. McDonough seconded the motion. On roll call, members Batastini, Jouron, McDonough, Skluzacek, and Hayden voted aye. Members Esposito and Schofield voted no. Motion passed.

Mrs. Schofield said she voted no for consistency and this would be adding signage. Mr. Esposito agreed. Mr. Hayden said he voted yes because he believes that this is an awning with a name on it and not signage which is how it is currently classified in the City's Sign Ordinance.

2008-70 TERRA COTTA TECH – 620 Dakota St. (lot behind) – PUBLIC HEARING
Rezoning upon annexation to the O-PUD Office PUD District.

Mr. Hayden stated that the fees have been paid, and the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice without objection.

Dave Hempel with Charles River Development was present to represent the petition. Mr. Hempel said they are requesting to annex and rezone a landlocked piece of property that is within the Terra Cotta Tech development. He said that McHenry County Mental Health Board which owns the property adjacent to this piece is discussing expansion.

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

There were no questions from the Commission.

Mr. McDonough moved to approve the Rezoning upon annexation to the "O-PUD" Office Planned Unit Development district for Terra Cotta Tech for the lot behind 620 Dakota Street. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

2008-75 CLBC LOT 2 UNIT 1 – 285 Memorial Dr. – PUBLIC MEETING

Final Plat of Resubdivision to create an additional lot.

Matt Worline, engineer for Centegra, and Joe Billitteri were present to represent the petition. Mr. Worline said Centegra owns the property and is requesting to subdivide the lot into 2. The new lots square footage is greater than the minimum required for a lot in this zoning district. He said they are requesting to eliminate conditions 2A and 2B. The original plat for the subdivision established a 30 foot front yard setback line along Memorial Drive and they will meet that setback. Ms. Maxwell said she has talked with the petitioner and either the north or west lot line could be the front yard setback, and in this case the petitioner chooses the west lot line and has shown the east side with the required 20-foot rear yard setback. She agrees that the conditions be removed.

There was no one in the public who wished to speak on this petition.

Mr. Batastini said the business park was original designed for light industrial and office. There is a lot of traffic there now because of the medical offices. These uses are more intense than originally envisioned. He feels that something will need to be done with the streets soon. Ms. Maxwell said there is a full right of way in that area. Mr. McDonough said Exchange Drive will eventually go through which will take some of the pressure off of Congress Parkway.

Mr. Batastini moved to approve the Final Plat of Resubdivision to Lot 2 of Crystal Lake Business Center Unit 1 to create a second lot at 285 Memorial Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Centegra Health Systems, received 11/12/08).
 - B. Plat of Survey (Cemcon, Ltd. dated 11/10/08, received 11/12/08)
 - C. Final Plat of Resubdivision (Cemcon, Ltd. dated 11/11/08, received 11/12/08).

2. The Final Plat shall be revised as follows:
 - ~~A. A 50-foot front yard setback shall be established along the northern most lot line for the newly created Lot 1 which shall taper into the 30-foot side yard setback.~~
 - ~~B. Indicate a 20-foot rear yard setback for both lots.~~
 - C. Remove City Engineer's Certificate from the plat.
 - D. Correct the spelling errors in the Planning and Zoning Commission signature block.

3. The petitioner shall address any review comments of the Engineering and Building, Fire Rescue, Police, Public Works and Planning and Economic Development Departments.

Mr. Esposito seconded the motion. On roll call, members Batastini, Esposito, Jouron, Schofield, Skluzacek, and Hayden voted aye. Mr. McDonough abstained. Motion passed.

Mr. McDonough said he abstained because his firm does work for Centegra.

2008-76 MONKEY JOE'S B-DAY PARTIES – 6250 Northwest Hwy. Unit B – PUBLIC HEARING

Special Use Permit for commercial recreation for an indoor facility.

Mr. Hayden stated that the fees have been paid, and the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice without objection.

Keith Mika was present to represent his petition. Mr. Mika said he did not have a presentation. Mr. Hayden asked if this location is the former Dinorex. Mr. Mika said a portion of that unit has been taken by Hobby Lobby. He said they will have inflatables for the kids to play on as well as party rooms. They will be open 7 days a week and will offer a safe fun play environment for kids from 2 to 12 years old. They are looking to open 8 of this business in the Chicago area.

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

Mr. Jouron asked about the hours of operation. Mr. Mika said they will be open from 10 a.m. to 8 p.m.

Mrs. Schofield asked about the food preparation. Mr. Mika said they will not have food preparation, he said they may heat up pretzels and customers can bring in pizzas from a local pizza restaurant for the birthday parties.

Mr. Hayden asked if there have been issues with damage/holes in the inflatables. Mr. Mika said this is a franchise and they have narrowed the number of possible vendors down to just a few. Mr. Hayden asked if there are any DCFS regulations they need to comply with. Mr. Mika said he didn't believe so.

Mr. Jouron asked if they will have an employee stationed at each inflatable. Mr. Mika said there will be 8 or 9 inflatables and there will be 3 to 4 employees on the floor supervising but the parents are required to remain with their children.

Mr. McDonough is concerned where the striping for the crossing from the building to the parking lot is located. With the children running around, he is concerned for their safety. He also suggested that a STOP sign be placed there. Mr. Mika said he will talk with the owners in the morning. Robert Bowman with Kimco Realty, owners of the shopping center, stated that they will be happy to add the striped area and stop signs.

Mrs. Schofield moved to approve the Special Use Permit to allow a commercial recreation use for Monkey Joe's, a kid's birthday and indoor inflatable playground facility, at 6250 Northwest Highway Unit B with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Keith Mika, received 11/12/08).
 - B. Alta Land Survey (Smith Engineering Consultants, dated 05/22/1998, received 11/12/08).
 - C. Floor Plan (Raving Brands, dated 10/23/08, received 11/12/08).
2. Modifications to the floor plan which may substantially increase the intensity of the use are not permitted without an amendment to this special use permit.
3. 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. McDonough seconded the motion. On roll call, all members voted aye. Motion passed.

2008-78 RIGGSBY-HAHN PROJECT – 116 N. Virginia St. – PUBLIC MEETING
Final PUD for an office building including a bank with a drive-through.

Hugh Parker, attorney, Bill Lavernier, and Jay Montgomery were present to represent the petition. Mr. Parker said they are requesting a Final PUD for the property which is covered by a Court settlement. This plan complies with the Preliminary PUD plan which was covered by the Court settlement.

There was no one in the public who wished to speak on this petition.

Mr. Batastini asked about the materials of the building. Ms. Rentzsch said that in accordance with the Court settlement architecture cannot be discussed. Mr. Lavernier said the building will be precast concrete and EIFS trim.

Mr. McDonough asked if all of the parking will be built now. Mr. Parker said yes.

Mr. Jouron said he recalls many discussions regarding this property and asked if the Watershed could be discussed. Ms. Rentzsch said no. Mr. Jouron asked if they needed to comply with the current BMPs. Ms. Rentzsch said that is not applicable.

Mr. McDonough asked if this will improve the flooding issues in the area. Ms. Rentzsch said yes.

Mr. Batastini moved to approve the Final PUD for an office building including a bank with a drive through for Riggsby/Hahn at 116 N. Virginia St. with the following conditions:

1. Approved plans, reflecting PZC recommendations, as approved by the City Council:
 - A. Application (Mark Riggsby, received 11/20/08).

- B. Engineering/site plans (Land Technologies, dated 11/12/08)
- C. Landscape plan (William Ruth Landscape, dated 11/15/08)
- D. Building elevations (Levernier Architects, last revised 11/18/08)
- E. Lighting plan (Hubbel, dated 11/21/08)

2. A Final PUD approval is hereby granted for the development plan as depicted on the plans cited above.

3. The City agrees that the property owner shall construct at least 26,052 square feet of total parking area (62.7%) at the time of construction of the building on Lot 1. The remaining portion, 15,500 square feet (37.3%), will be land-banked, with construction of this parking area held in abeyance until such time in the future as the property owner, in its sole discretion, determines that it is necessary or useful to utilize some or all of the land banked parking area.

4. The petitioner shall address all of the review comments of the Building, Engineering, Utilities, and Planning Departments.

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

REPORT FROM PLANNING

- 2008-57 Wright – 296 McHenry Ave. – Rezoning
- 2008-60 Auto Save-WSHLLC – 650 W. Terra Cotta Ave. – Annexation, Rezone, Special Use Permit
- 2008-59 Crystal Lake Retail 2 - Inland Properties – 5006 Northwest Hwy. – Final PUD Amendment
- 2008-64 Andy's Restaurant – 474 & 480 Virginia Street – off-site parking
- 2008-62 Kentucky Fried Chicken – Commons SC – 6280 E. Northwest Hwy. – Final PUD Amendment
- 2008-66 Crystal Lake Park District – Kamijima Park – 1294 North Ave. – Special Use Permit
- 2008-67 Golden Eagle Community Bank – 6100 Northwest Hwy. – Special Use Permit, Variations
- 2008-63 Congress Station Resub 1 – SW Exchange & Congress – Final Plat of Resubdivision, Variations
- 2008-65 Sage Products - 4015 Three Oaks Rd. (Cary) – Disconnection from City
- 2008-69 Regal Theaters – Showplace 16 – 5000 Northwest Hwy. – Final PUD Amendment

Ms. Rentzsch reviewed the items that will be discussed at the next meeting.

COMMENTS FROM THE COMMISSION

Mrs. Schofield said she will not be attending the next meeting (January 7, 2009) but would like to receive a packet.

Mr. Hayden said he will be stepping down from the discussion for one of the petitions at the next meeting. He asked if he could remain Chair for that portion of the meeting but not vote. Ms. Rentzsch said no that he would need to step down.

Mr. McDonough thanked staff for putting together the meeting they had with the Police Chief prior to the meeting. It was very informative.

Mr. Hayden thanked staff and the commission for all of their hard work during this year. He wished everyone a Happy Holiday season.

The meeting was adjourned at 8:00 p.m.