



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, DECEMBER 4, 2013  
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Vice Chairman Greenman at 7:30 p.m. On roll call, members Esposito, Gavle, Goss, Jouron, Skluzacek, and Greenman were present. Members Batastini and Hayden were absent.

Michelle Rentzsch, Director of Planning and Economic Development, and Rick Paulson, Building Commissioner, were present from Staff.

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

Mr. Greenman 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 NOVEMBER 12, 2013 SPECIAL PLANNING AND ZONING COMMISSION MEETING**

Mr. Jouron moved to approve the minutes from the November 12, 2013 Special Planning and Zoning Commission meeting as presented. Mr. Goss seconded the motion. On roll call, all members present voted aye. Motion passed.

Mr. Greenman stated that they will hear Curran Materials request before Doherty's request. There was no objection from the Commissioners.

**2012-80 MATHEWS CO – 500 Industrial Dr. – PUBLIC HEARING**

Rezoning upon annexation to "M" Manufacturing; Special Use Permit for outdoor storage; and Height Variation from 55 feet to allow existing 77 foot testing equipment.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Joe Gottemoller, attorney, and Deb Batterham, owner, were present to represent the petition. Mr. Gottemoller said Mathews has been in operation for over 50 years in this location. Also on the property is a shed that houses a train engine, coal car, and passenger car. This property is just north of the former Precision Twist facility and is tucked away on 37 acres. Most people don't know they are back there. He said the property is completely surrounded by the City. They are requesting annexation, rezoning, a special use permit for outdoor storage and a height variation. The outdoor storage that is currently being used is scattered on the property and is paved. The company manufactures grain dryers and they need a

height variation to allow for the testing of the dryers. Mr. Gottemoller said Mathews Company was going to drill a new well a few years ago and the City was concerned since it is in close proximity to the City's well.

Ms. Batterham said next year they will celebrate 60 years in business and they would like to accomplish this annexation.

Mr. Greenman asked if there were any issues with the staff report. Mr. Gottemoller said no. Ms. Rentzsch stated that Mathews and City Staff have been working on a water project that will benefit the entire area by looping the water main and bringing water to Mathews Company.

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

Mr. Jouron asked if the grain dryers are portable. Ms. Batterham said yes but there are also larger units that are permanent. Mr. Jouron asked why the height variation was necessary. Ms. Batterham said they need to test the dryers.

Mr. Skluzacek said he has no problem with the request. He asked if the property ever was sold and another company took over, could the 75 foot height be reduced. Ms. Rentzsch said the height variation is specifically for grain dryers.

Mr. Gavle asked if the business is on septic. Ms. Batterham said yes. Mr. Gavle asked if they would also be hooking into the sewer line. Mr. Gottemoller said sanitary sewer is not close and they have plenty of property to locate septic fields. He said the water line in that area needs to be looped.

Mr. Goss said this is a good opportunity to do something positive near a City's well head. He agreed that there is enough property to move a septic field if necessary. He added that the Findings of Fact are met.

Mr. Greenman said this is a win-win. He wished the petitioner the best of luck and continued success with the business.

Mr. Esposito moved to approve the Rezoning upon annexation to "M" Manufacturing district upon annexation, allowing the existing uses and improvements via the annexation agreement and recommending approval of the Special Use Permit for outdoor storage and Height Variation for the existing farm testing equipment for Mathews Company at 500 Industrial Drive. Mr. Jouron seconded the motion. On roll call, all members voted aye. Motion passed.

**2013-57 CURRAN MATERIALS VIRGINIA YARD – SW Virginia and Rakow Rds. – PUBLIC HEARING**

Special Use Permit for a clean construction and demolition debris fill facility.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Greg Preves, attorney, Bill Curran, Vice President of Curran Materials, and Marty Burk, engineer, were present to represent the petition. Mr. Preves said they are requesting a Special Use Permit to allow the filling in of their facility. He said they purchased the property from Meyer Materials three years ago when the mining operation ceased. This property is 20 to 30 feet below the adjacent properties and roadway. They would like to fill in the property for possible future redevelopment. Mr. Preves said filling in of any property is highly regulated and he explained the types of debris that would be acceptable. They believe it will take 10 to 15 years to raise the grading. Mr. Preves said this is a win-win for the City and Curran. The redevelopment of the property would increase the City's tax base. The materials to be used in the fill will be approved construction debris from projects that Curran is involved with. Materials from other companies will be allowed but only with the proper State approval and necessary forms.

Mr. Preves said the State's process is very stringent to get the approval. They have submitted storm water plans, located nearby wells, provided a detailed operations manual that must be followed. They received EPA approval and are ready to proceed after they receive the City's approval.

Mr. Burk said the cubic yards of fill required for this property is over a million. The time it will take to fill the area depends on the construction activity. Mr. Preves said the surrounding area is manufacturing and industrial and they anticipate the future use of this property to be the same. Their idea is to get the property back into a useable form.

Mr. Greenman asked if the petitioners had any concerns with the conditions listed in the staff report. Mr. Preves said no and they also understand that the original ordinance will be complied with as well.

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 will be concentrating on one area at a time or fill in the entire site in layers. Mr. Curran said they will fill the site uniformly. Mr. Goss asked if the air port would have any say with what will go on the property other than the height of the buildings. Mr. Preves said earlier in the day they received correspondence from the airport authority and he did not have an opportunity to review the information. Mr. Goss said this will not impact their flight path. Mr. Curran said it would be beneficial to fill in the area because it will eliminate standing water which attracts birds.

Mr. Gavle said there is a lot of water shown on the property now and asked where the displaced water goes. Mr. Burk said they will be developing a plan for the City. The water pockets are between 3 inches to 1 foot deep. Mr. Gavle said this is a large amount of fill. He is hopeful that there won't be any

impact on the adjacent properties or raises the water levels in Three Oaks Recreation Area. Mr. Burk said the grading will be done from the east to the west. He said they will not be displacing 2 million cubic yards of water. There is only about 25% or less of the property where surface water will be.

Mr. Skluzacek said there really isn't much water on the property and it is very shallow. Mr. Preves said the fill will be used to fill "air space" and not displace water. Mr. Skluzacek asked if the debris will be ground up or in large chunks. He said it would take a long time for the areas to settle if large chunks would be used. Mr. Burk said the size is limited by the EPA. Mr. Skluzacek asked where the entrance will be. Mr. Curran said it would be off Pyott across from the airport. Mr. Skluzacek said he is concerned with the bike path right there. Mr. Preves said he doesn't believe there will be a steady stream of trucks bringing debris in. There should be little to no impact on the bike path. Also they could use the entrance off of Virginia as well.

Mr. Jouron asked if the oil in asphalt will be removed prior to being put in the fill area. Mr. Curran said asphalt is a solid and is considered suitable clean fill. In reality they reuse as much of the asphalt as they can in other projects. Mr. Jouron asked where the water will go from the small pocket areas that do contain water. Mr. Curran said there will be detention areas on the site.

Mr. Greenman said this is a win-win for the City and Curran. This will be creating a more usable space/property in the future. Ms. Rentzsch said the Special Use Permit references the information provided by the petitioner which was approved by the IEPA. They must adhere to the materials. Mr. Greenman asked if this approval will cover not only the filling in of the property but also to complete the filling project. Ms. Rentzsch said yes.

Mr. Goss moved to approve the Special Use Permit for a clean construction and demolition debris fill facility for Curran Materials Virginia Yard located southwest of Virginia and Rakow Roads with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application bind with narrative, IEPA approval and site improvement plans (Curran, received 11/07/13)
2. Ordinance No. 4020, including all approval conditions, remains valid as applicable.
3. The IEPA approval shall be maintained during the length of this Special Use Permit and the activities associated through its approval.
4. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works and Planning and Economic Development Departments.

Mr. Skluzacek seconded the motion. On roll call, members Esposito, Goss, Jouron, Skluzacek, and

Greenman voted aye. Mr. Gavle voted no. Motion passed.

**2013-29 DOHERTY – 4420, 4501, 5201 & 5425 Rt. 176** - PUBLIC HEARING

This petition was continued from the November 12, 2013 Special PZC meeting.

Rezoning upon annexation to “B-2” Commercial; Variations from lot, yard, setback and tree survey requirements to accommodate the existing lots and future redevelopment.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Joe Gottemoller, attorney, was present to represent the petition. Mr. Gottemoller said Mr. Doherty was planning on attending the meeting but was unable to attend at the last minute. He said Mr. Doherty decided to move forward with the request and not continue it.

Mr. Gottemoller said the annexation consists of 4 parcels on the north and south side of Route 176 east of Route 31. The annexation does not include the property which is improved with the bowling lanes. The zoning request is for “B-2” General Commercial with variations to allow the existing businesses to continue. Previous to the taking of land by IDOT for the road expansion, the properties met the required square footage for the zoning district. Mr. Gottemoller said the properties on the south side of Route 176 back up to a detention area for a residential development. They are requesting a variation from the required setback from residential because of the detention area. He added that they are also requesting a variation from the required tree survey for the vacant property. The trees are mostly scrub trees.

Mr. Greenman asked if the petitioner had any concerns with the conditions listed in the staff report. Mr. Gottemoller said no. Ms. Rentzsch said the City initiated the annexation of these properties and worked with the petitioner on the variations necessary. She added that when the properties redevelop in the future, they will need to meet the requirements. Mr. Goss said there is a variation for parking lot setbacks. Ms. Rentzsch said that gives the property owner a little more flexibility since they don't know how the property will redevelop.

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 lots 3 and 4 are one lot. Mr. Gottemoller said yes. Mr. Goss said there are no variations for the setbacks along Route 176. Mr. Gottemoller said when the properties redevelop, if needed, they will ask then. Also the City has water and sewer available at the Walgreens site. They could connect if needed. Mr. Goss said they will want a cross access between the properties when they redevelop. Mr. Gottemoller said that are certain that IDOT will not give them 4 curb cuts and a cross access would be beneficial for the petitioner.

Members Gavle, Esposito, Skluzacek, and Jouron did not have any questions regarding the request.

Mr. Greenman said the Commission is in favor of this annexation and this is a win-win for the City and petitioner. He added that the Findings of Fact have been met

Mr. Goss asked if the scrub trees will be removed before development. Mr. Gottemoller said he believed so.

Mr. Goss moved to approve Rezoning upon annexation to B-2 Commercial district allowing the existing uses and improvements via the annexation agreement and variations for the property located at 4420, 4501, 5201, and 5425 Route 176 with the following conditions:

1. The following variations are hereby granted:
  - A. Lot Area to allow 18,500; 18,900; 18,000; and 17,700 square feet, respectively, for Lots 1 – 4, due to the property taking for the roadway project;
  - B. Rear Yard Setback to allow up to 0 feet for Lots 1 – 4, given that parking and stormwater management requirements are satisfied;
  - C. Parking Lot Setback to allow up to 0 feet for Lots 1 – 4, given that parking and stormwater management requirements are satisfied; and
  - D. Tree preservation requirements to allow the removal of the trees on Lots 1 – 4 without providing the required tree survey and tree analysis.
2. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works and Planning and Economic Development Departments.
3. Variations from the lot, yard, setback and tree survey requirements to accommodate the existing lots and future redevelopment for the properties located at 4420, 4501, 5201 and 5425 Route 176

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

**2013-58 CRYSTAL LAKE BEER COMPANY – 150 N. Main St.** – PUBLIC HEARING  
Special Use Permits for a Drinking Place and a beer microbrewery in the B-4 Downtown District.

Mr. Greenman 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. Greenman waived the reading of the legal notice without objection.

Lisa Waggoner, attorney, John O’Fallon and Chuck Ross, owners, and Brian Korte, architect, were present to represent the petition. Ms. Waggoner said the petitioners are the contract purchasers of the property located at 150 N. Main Street which was previously part of Reichert’s Chevrolet and then most recently Grand Rental. The property is currently vacant and held by a bank. They are requesting two Special Use Permits – one to allow a beer production and use facility and the second is for a drinking place. Ms. Waggoner said the property is currently improved with a 13,000 square foot building. The

property has not received a lot of TLC in the last few years and it is on the fringe of the Downtown Area.

Mr. Ross and Mr. O'Fallon said they have both living in the area for many years and currently are brewing beer at home. They both have other business experience. Mr. O'Fallon said every home brewer dreams of opening their own brewery and 10,000 square feet of the building is perfect for their needs. He said originally they were not planning on purchasing property but this building is perfect. This will be a low impact – light use.

Ms. Waggoner said the petitioners are showing a long term commitment to the community by purchasing the building. She said that along with the required legal notice to be mailed to the surrounding property owners they included a letter explaining their request and giving them a little background of the petitioners. Ms. Waggoner said they will comply with all City ordinances, County Health Department and State and Federal licensing. She added that the petitioners are working with consultants for their licensing, etc.

Mr. Korte showed the site plan for the property. He said they are not increasing the building footprint and will be repairing the parking lot. There will be no new access points to the property. Mr. Korte showed the conceptual floor plan for the project. He said the layout may change and there is plenty of room for expansion. Mr. Korte added that the signs shown on the plans are only to show the size of the sign and not the content. The sign over the entrance will be about 100 square feet. They are also requesting a sign that projects from the building on the east elevation along Main Street so people coming from Route 176 can find them. The building will be spruced up but no major changes are anticipated.

Ms. Waggoner said the standards were reviewed during the presentation. They have no objections to the conditions listed in the staff report. She said they will be working with the current property owner about the fence and they will work with staff on the landscape screening and general landscaping of the property. Ms. Waggoner said they respectfully request a favorable recommendation for this request.

Mr. Greenman thanked those in attendance for coming to the meeting.

Dave Hanson, 2903 Killarney, Cary, said he is the owner of the property across the street from this request. He said it looks great. Mr. Hanson owns other properties in the City and has watched the City grow and businesses come to this town over the years. This will enhance the neighborhood. It gives people a reason to come to Crystal Lake. He supports the request.

Brian Casebolt, 140 Beardsley, said he doesn't live in Crystal Lake but owns the property on Beardsley. He asked what type of impact this use will have on the environment especially the sewer system. Mr. O'Fallon said the water that is used in the process for making the beer only washed over the grains that are used in the beer and they plan to give the grain to local farmers for feed since there is nothing wrong with the grain after they use it. They will not be any impact on the sewer system than there already is. Mr. Casebolt said he is in favor of the project. The City's downtown area is already dynamite and this

will make it even better.

Andy McNalis, 181 First Street, said he lives behind the property in question. He likes the idea and asked about the fence. Mr. Ross said the bank will retain the ownership of the green space and they will be putting up a fence from the building to First Street. Mr. McNalis asked who will maintain that property. Mr. Ross said the bank will. Mr. McNalis said the bank has not done a good job of maintaining the property such as cutting the grass. Ms. Waggoner said she will mention it to the bank.

Kristine McNalis, 181 First Street, said in the northwest corner of the parking lot there is a storm drain that was covered up by the owner of Grand Rental and was made to uncover it by the City. The storm drain is clogged now and the rain water runs down the street. Ms. McNalis added that this looks like a great project. Ms. Rentzsch said the private storm sewer was covered at one time. She said the situation will be better with regular maintenance.

John Daniels said he has known the petitioners for over 20 years and this use will be a good addition to Crystal Lake.

Ivan Lawson, 217 N. Main Street, said he lives just north of the property. He asked if there will be outdoor seating or music in the summer months. Mr. Lawson said they can hear the music from The Cottage. He added that there are several bars in the area. Mr. O'Fallon said they don't intend to have anything outside initially. There is an area that would be good for outdoor seating/beer garden during the summer but there will not be any loud music.

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 what type of beer they will be serving. Mr. O'Fallon said there will be 2 to 4 different beers that they will sell to other bars and this location they can be more creative. Mr. Jouron asked if there will be tours and tastings. Mr. Ross said yes and there will also be private parties. They have not discussed when they would be holding tours. Mr. Jouron asked how long it takes to make beer. Mr. Ross said about 3 to 4 weeks. Mr. Jouron said this use will do well.

Mr. Skluzacek asked if they will be serving food. Mr. O'Fallon said the state prohibits it. Mr. Ross said they will be contacting local restaurants about having their menus available. Also people can bring in food, have it delivered there or they may even be able to pick it up for the clients.

Mr. Gavle said this is an interesting approach and is a good thing for Crystal Lake.

Mr. Goss asked about delivery trucks. Mr. Ross said they will probably be using smaller delivery trucks and not large 18 wheelers. They will probably have deliveries about once a week and will consider limiting the deliveries to mornings only. Mr. O'Fallon said one delivery of grain will last more than a month.



Mr. Goss asked about the projecting sign. Mr. O’Fallon said it will be externally illuminated. Ms. Rentzsch said it will need to be turned off at 11 p.m. Mr. Goss suggested that a landscape plan be submitted to staff for review and approval. He said the Findings of Fact are met.

Mr. Greenman welcomed the petitioners to the City. He thanked them for reaching out to the neighbors. He said that a portion of the building will not be used by the brewery and asked if it will be rented out. Mr. Ross said they will have control over what goes into that space. They will need access to that area since the electrical, etc. is located there. He added that the use will need to be a good neighbor to the brewery as well as the area.

Mr. Greenman said they are not approving the floor plan or the sign – only the size and location of the sign. Ms. Rentzsch said usually we know what the sign will look like. She said the petitioners can change the sign face and all other aspects will need to meet the Sign Ordinance.

Mr. Greenman asked what the difference between a bar and a brewery is. Mr. O’Fallon said they will not be serving mixed drinks, wine or other beers. They are also debating if they will have servers. A brewery is a different experience and there won’t be loud music. Mr. Greenman asked if their real purpose is to produce beer. Mr. O’Fallon said yes and they will be able to self distribute their beer to local bars in McHenry County.

Mr. Greenman said the consensus of the Commission is to support the request. Ms. Waggoner said they are very excited to move this forward and are looking forward to upgrading the building.

Mr. Goss moved to approve Special Use Permits for a Drinking Place and a beer microbrewery in the B-4 Downtown District for Crystal Lake Beer Company at 150 N. Main Street with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (CL Beer Company, received 11/13/13)
  - B. Plat of Survey (Vanderstappen, 11/22/2013)
  - C. Site Plan (Korte, dated 11/25/13)
  - D. Floor Plan (Korte, dated 11/25/13)
  - E. Signage (Korte, dated 11/25/13)
2. Site Plan:
  - A. Verify ownership of the existing fence located at the northwest corner of the building. Extend this fence screening to First Street.
  - B. Provide screening details that meet the UDO for the trash dumpster and the outdoor storage of the spent grain containers.

- C. With the curb stops provided, the parking spaces can be shown as 17.5 feet in length. This additional room might allow for another single row of parking to be striped within the center of the main parking area.
- D. Provide some landscape screening south of the 5 parking spaces at the SEC of the site.

3. Signage:

- A. As additional wall signage is being granted for this building, no freestanding sign is permitted for this property.
- B. Via the Special Use Permit approval, the main building wall sign may exceed 75 square feet in area to allow 100 square feet; and the projecting sign may exceed the 9 square feet in area requirement to allow 24 square feet, as shown on the sign plan.
- C. The signage for this building shall meet the UDO in every other requirement.

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

**5. Submit a landscaping plan for staff's review and approval.**

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

**REPORT FROM PLANNING**

- Lumber Liquidators – 4500 Northwest Hwy. – PUD Amendment - Sign
- UDO Amendment – lake lots and used merchandise stores

Ms. Rentzsch said the next PZC meeting will be January 15, 2014.

**COMMENTS FROM THE COMMISSION**

Mr. Goss said this has been a very good year. Mr. Greenman gave kudos to staff for moving in the right direction and bringing in businesses to the City.

Mr. Paulson gave an update on the commercial building permits within the City.

Mr. Greenman asked if the City was aware of the businesses closing in the City. Ms. Rentzsch said some of the businesses are looking for new locations within the City. There were issues with leases/pricing, etc. As for the Dominick's location – that is one of the few locations that is owned by the corporation. There are several grocers looking at that site but the company needs to determine what they want to do with it.

The meeting was adjourned at 9:10 p.m.