



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, MAY 7, 2014  
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, Skluzacek, and Hayden were present. Mr. Batastini was absent.

James Richter II, Planning and Economic Development Manager, Latika Bhide, Planner, 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 APRIL 2, 2014 SPECIAL PLANNING AND ZONING COMMISSION MEETING**

Mr. Skluzacek moved to approve the minutes from the April 2, 2014 Special Planning and Zoning Commission meeting as presented. Mr. Goss seconded the motion. On roll call, members Esposito, Goss, Jouron, Skluzacek, and Hayden voted aye. Members Gavle and Greenman abstained. Motion passed.

**2014-19 HERITAGE TITLE – THREE OAKS RD LLC – 4405 Three Oaks Rd. – PUBLIC HEARING**

PUD Amendment to remove interior islands in the parking lot to create 17 additional parking spaces and to use parking stops instead of perimeter curbing to maintain the mature oak trees surrounding the existing parking lot.

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, Fred Roediger, owner, and Dan Smola, engineer, were present to represent the petition. Mr. Roediger said he has owned Heritage Title for 17 years and they have grown into the building. The parking has remained the same. He said they hold property closings at their facility.

Mr. Gottemoller said if they comply with the City's requirements for parking lot landscaping they will need to remove mature oak trees. The proposed change will be a minor pavement addition and won't disturb the roots of the trees. This design will allow them to continue to use the existing drainage for the parking lot. He added that they will move a few of the existing light standards less than 10 feet. They

are requesting that a photometric plan not be required.

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

Mr. Skluzacek said he doesn't have a problem with the request. He asked about the accessible parking spaces being relocated. Mr. Smola said they will be relocating one of the spaces to the east side of the lot.

Mr. Greenman congratulated the petitioner on a successful business. He generally supports the request and asked what the hardship is for the variations requested. Mr. Gottemoller said this is a unique property with a grove of mature oak trees. It doesn't make sense to remove mature trees and replace them with landscape islands. If this were a wide open lot, it would make sense. Mr. Greenman said the Findings of Fact have been proven. He is concerned that the construction might impact the trees in the front of the property. Mr. Gottemoller said on the plan submitted the shaded areas are the pavement to be added. Mr. Greenman said he is concerned with granting variations based on the trees. There have been instances that variations were granted to save mature trees and the trees didn't make it through. He wants to be sure both the petitioner and the City get what they want. Mr. Gottemoller said they are asking not to be required to add landscaped islands and they have agreed to have an arborist look at their plan. Mr. Roediger said one of his concerns with the road to WalMart was put in, was the damage it would do to his trees. He will protect the trees on the property at any cost. He said there were plans drafted for the additional parking to be in other locations but it would be harmful or need to remove trees. This is a more expansive plan to execute because he wants to save the trees.

Mr. Esposito said the trees on this property mean a lot to him. He used to play on the property when he was a kid. He has no problems with the request.

Mr. Gavle said this is a nice facility. He is concerned with the spaces on the north being very close to the roadway. He asked what the distance between the roadway and the edge of pavement is. Mr. Smola said it is 20 feet from the right of way. Mr. Gavle asked about the depth of the parking spaces. Mr. Smola said it is 17 feet. He said he will be glad to put stakes out on the property to show where the area is.

Mr. Jouron asked if being 8 feet away from the trees is enough space. Mr. Roediger said it will be enough space and they won't be going that deep. The roadway and utility lines that were put in for WalMart were much deeper than they will be going.

Mr. Goss said the parking lot could go straight to the back. Mr. Roediger said his well and septic are in the rear as well as the detention area. Also trees would need to be removed. Mr. Goss said he is concerned that in doing this project it will impact the trees because of the compaction. Mr. Roediger said there is traffic there now. Mr. Goss said making a new excavation will almost certainly damage trees. He feels that the alternative by going to the east and south is a better area to expand. Mr.

Gottemoller said the septic and detention are in that area. Mr. Smola said there won't be a large area excavated and the trees will be protected by using very thick wood chips for the machines to drive over. Ms. Bhide said the Commissioners can ask an arborist check the measures that will be used to protect the trees prior to construction. She added that there have been a few developments in the City that have been successful in saving the trees that were on the property such as The Reserves and Kelly Woods.

Mr. Jouron asked if an arborist had looked at this plan. Ms. Bhide said we do have staff that are certified arborists and they have looked at the plan. She recommended that a consulting arborist could look at the plan before moving forward.

Mr. Hayden asked if the petitioner would need a variation if they were adding fewer spaces. Mr. Gottemoller said they are requesting to eliminate the barrier curb. Ms. Bhide said that requires a variation. Mr. Hayden said he is concerned about the trees and the property owner stated he would do everything within his power to protect the trees. He added that if fewer spaces were to be added that would take care of the problem. Mr. Roediger said the trees are the property and he will protect them. He added that they really do need the additional spaces. Mr. Hayden said he didn't recall the parking lot to be full. Mr. Gottemoller said he has parked on the grass on busy real estate closing days.

Ms. Bhide said the petitioner will not be doing much to the lighting of the lot. Staff would not object to not requiring a new photometric plan if the Commission determined that.

Mr. Esposito moved to approve the Final PUD Amendment to allow the expansion of the parking lot; and Variations from the requirement that: A. A landscaping island must be provided at both ends of parking rows; and B. Perimeters of all parking lots and interior parking lot islands shall be curbed for Heritage Title at 4405 Three Oaks Road with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application, submitted 4-17-2014
  - B. Plan Set, RST Engineering, dated 4-17-2014
2. The following variations are hereby granted:
  - A. From the requirement that landscaping islands must be provided at both ends of parking rows;
  - B. From the requirement that the perimeters of all parking lots and interior parking lot islands shall be curbed.
3. Trees shall be protected during construction by tree protection devices around the critical root zone of each tree to prevent compaction of soil and other damage to the tree by equipment or materials. Protective fencing or other physical barriers are required and must be in place prior to beginning construction. The fencing or other physical barrier must remain in place during the entire construction period.

4. Construction pruning and root pruning of trees in close proximity to the construction area and directly impacted by construction may be required for preservation of existing trees.

5. Other than the standard height, parking lot lighting must comply with the UDO. Furnish catalog cuts ~~and photometric details~~.

6. Accessible parking spaces are required to be located on the shortest route of travel to an accessible entrance. The proposed accessible parking space (farthest West) does not appear to be closest to the front entrance and will need to be relocated to be compliant with the Illinois Accessibility Code.

7. The petitioner shall meet all the requirements of the Community Development Department, Fire Rescue, and Police Departments.

**8. The petitioner shall provide a tree preservation plan to be reviewed by a certified arborist and ensure that appropriate tree preservation measures are in place prior to construction starting.**

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

Mr. Goss said he voted no because he doesn't feel the need to modify the parking lot. There is ample room on the property for additional parking whether there is barrier curb used or not.

Mr. Hayden stated that he would like to amend the order of the agenda and discuss Gargiulo and Ims variations prior to Lapetina Annexation. There was no objection from the Commissioners or the attorney for Lapetina.

**2014-16 GARGIULO - 1112 Cedar Crest Dr** – PUBLIC HEARING

Variation to allow a 4 foot fence in the yard abutting a street along Barlina Road and a 6 foot fence along the side abutting a street along Huntley Road and within the berm easement.

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.

Gillian Gargiulo was present to represent her petition. Ms. Gargiulo said they currently have a split rail fence that is falling down. There is landscaping in the way of where she would like to put the fence and she is looking for a better screen between her property and Huntley Road. She wants the fence line to go out further and wants an open view. The proposed fence line is around 45 feet from Huntley Road. She has spoken with 6 neighbors and they do not object to the request.

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

Mr. Gavle asked what type of materials would be used in the fence. Ms. Gargiulo said it would be a cedar fence about 5 to 6 feet tall. She would like to place the fence in the utility easement.

Mr. Greenman asked which option the petitioner would prefer along Barlina. Ms. Gargiulo said she would prefer the fence along the sidewalk (Option 1) so the landscaping would be inside the fence but she would be ok with the landscaping on the outside of the fence.

Ms. Gargiulo showed photos of the area that were not included in the photos previously provided.

Mr. Skluzacek asked how far in would the fence be moved. Ms. Gargiulo said about 3 feet. Mr. Skluzacek asked if the shed would remain. Ms. Gargiulo said yes.

Mr. Greenman asked if there would be additional conditions with Option 1. Ms. Bhide said no. She reminded the petitioner and the Commission that the utilities have the right to remove the fence and not replace it.

Mr. Hayden asked if there are any fences along Huntley Road that encloses the utility easement. Ms. Bhide said she has seen some fences further south and there are fences along Huntley Road on the west side. Mr. Hayden asked about the utilities. Mr. Paulson said the City has a blanket letter from the utilities allowing fences in their easement.

Mr. Goss said the Findings of Fact has been met. The hardship was created by the triple frontage lot.

Mr. Goss moved to approve the Variation to allow: A. A 4-foot tall fence along Barlina Road, 3 feet from the property line; and B. A 6-foot tall fence along Huntley Road, 5 feet from the property line for Gargiulo at 1112 Cedar Crest Drive with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application, Gargiulo, 4/2/14
  - B. Location Plan, 4/2/14
  - C. Plat of Survey, Luco, dated 11/23/05, received 4/2/14
  - D. Site Plan, Gargiulo, 4/2/14
  - E. Quotes from fence contractors, 4/2/14
  - F. Photos, Gargiulo, 4/2/14
  
2. The fence along Huntley Road must be no taller than 5 6 feet and installed 10 feet east from the property line, between the Berm easement and the Utility easement and **no taller than 4 feet and installed 17 feet from the property line along Barlina Road.**

3. The proposed fence cannot obstruct the flow of water.
4. The petitioner shall address all comments of the Community Development, Public Works, Fire Rescue and Police Departments.

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

**2014-18 IMS - 154 Mayfield** – PUBLIC HEARING

Variation to allow: A. The existing principal structure to encroach into the required front yard setback of 33.59 feet to allow 22.88 feet; B. An accessory structure (deck and stairs) in the front yard; C. An accessory structure (deck and stairs) attached to the residence in the front yard and to encroach into the required front yard of 33.59 feet to allow 11 feet; D. The impervious surface coverage on the lot to exceed the maximum allowed 50%; and E. An existing nonconformity to expand.

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.

Chris and Stacy Ims were present to represent their petition. Mr. Ims said they currently have a concrete front stoop that is deteriorating quickly. Water is becoming trapped and leaking into their basement. They would like to replace it with a deck along the front of their home.

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

Mr. Greenman commended the petitioner for the marked up photos provided with their request. He has been on the Commission for many years and this is the first time he knows exactly what the petitioner wants to do. The Commissioners agreed. Mr. Greenman said the Findings of Fact have been met.

Mr. Ims asked about the watershed and the need for a trench drain. Ms. Bhide said there will likely only need to be a small trench drain to accommodate the run-off from the additional impervious surface.

Mr. Skluzacek asked if the walk will be removed. Mr. Ims said yes. He said the stairs will go toward the driveway. Mr. Goss said he is ok with the stairs going towards the driveway and asked about the stairs to the front. Mr. Ims said he would like the stairs to go out in front as well to get the mail, etc.

Mr. Jouron asked if the bottom of the deck to the grade will be open. Mr. Ims said he was going to cover the bottom but he wasn't sure what he would use – maybe lattice.

Mr. Greenman said it is not unusual in this neighborhood to have a deck out in front.

Mr. Hayden asked how much room there will be between the bay window and the deck railing. Mr. Ims believes it will be almost 4 feet.

Mr. Goss said the Findings of Fact have been met.

Mr. Greenman moved to approve the Variation to allow: A. The existing principal structure to encroach into the required front yard setback of 33.59 feet to allow 22.88 feet; B. An accessory structure (deck and stairs) in the front yard; C. An accessory structure (deck and stairs) attached to the residence in the front yard and to encroach into the required front yard of 33.59 feet to allow 11 feet; D. The impervious surface coverage on the lot to exceed the maximum allowed 50%; and E. An existing nonconformity to expand at 154 Mayfield with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application, Ims, 4/15/14
  - B. Plat of Survey, Luco, received 4/15/14
  - C. Site Plan, Ims, received 4/15/14
  - D. Pictures - current and proposed side and front views, current similar properties, received 4/2/14
2. The deck must remain unroofed. Roofs or screens are not permitted.
3. Because the parcel is located within the Crystal Lake Watershed, all additional storm water runoff from additional impervious areas must be infiltrated into the ground.
4. The petitioner shall address all comments of the Planning, Engineering and Building, Public Works, Fire Rescue and Police Departments.

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

**2013-60 LAPETINA – 8611 Huntley Rd** – PUBLIC HEARING

Annexation, Rezoning to “B-2” Business District, Special Use Permit to continue to allow the rental of buildings for cold storage; outside storage, rental of one residential house, and sale of landscape materials.

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 Zanck, attorney, and Joe and Elaine Lapetina, owners, were present to represent the petition. Mr. Zanck said the property is located at the northwest corner of Huntley and Ackman Roads. The property is currently used primarily for cold and outside storage and it has a residence located there as well. This

property was before the City in 2005 for annexation but there were concerns with the dedication of the right-of-way. Mr. Zanck added that things have changed and they are again requesting annexation and to continue to manage the property as it has been managed. He handed out copies of the Lake in the Hills Comprehensive Plan as well as the zoning map. To the west of this property and south of Ackman Road is the property the Crystal Lake Park District is purchasing for their facility. Mr. Zanck said Lake in the Hills is actively seeking a gas station in that area. This property will be very important in the future and they are requesting the "B-2PUD General Commercial zoning district. They believe in the future this property will be a business parcel. He added that when that time comes, the developer would need to come back to the City for their PUD approval.

Mr. Zanck said they agree with the conditions listed in the staff report.

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

Mr. Hayden asked if the property had come before the City Council in the 1990's. Mr. Lapetina said no.

Mr. Goss asked where the gas station is proposed. Mr. Zanck explained. Mr. Goss said he doesn't see the urgency and it will take some time for them to get there. He is concerned with no concessions for paving in 5 years, etc. Only to have the property as it is currently. What benefit is there to annex the property? He doesn't see what has changed since 2005. Mr. Zanck said the character of the neighborhood has changed. Mr. Goss said there are properties that are currently agriculture and with this rational they should be zoned "B-2PUD" for the future. Mr. Zanck said that zoning shouts to the world that this property is available. Mr. Goss said the vision of the City is different than that of Lake in the Hills. There are mostly residential uses along Ackman Road.

Mr. Esposito said this seems to be a place for convenience stores. Zoning the property without a plan is like putting the cart before the horse. To bring in the property, zone it "B-2" and have it sit, will open Pandora's box. He would not have a problem if they had a plan before them.

Mr. Greenman said there is property at Ackman and Randall – Kaper's property – that was annexed and zoned "R-2" with the intention that it would be rezoned when a plan comes before the City. That has worked well. Ms. Bhide said that for the Kaper piece the Comprehensive Plan shows Commercial. Mr. Greenman said he would like the property to be within the City and there is a lot of opportunity in the future. He is not in a position to agree to "B-2PUD" and would prefer the zoning be determined when a plan comes before them. Mr. Greenman said he would like to have the Special Use Permit for the storage have a time frame to allow that use to be renewed if there are no problems. This will provide options for the City.

Mr. Skluzacek said the petitioner wants to keep things the way they are currently but for how long. He doesn't see any improvement to the property.



Mr. Lapetina said they need the “B-2” zoning because it saves a step for future developers. This is a very busy intersection. Mrs. Lapetina said the area has changed tremendously. Mr. Lapetina said he can’t put money into building a plaza on the property. Mr. Skluzacek said outside storage requires a screening so it can’t be seen. Mr. Lapetina said the storage can’t be seen in the summer because of the landscaping. Mr. Skluzacek said it can be seen now.

Mr. Zancck said the request is for a holding pattern. Mrs. Lapetina said this is an opportunity. It could be a future outpatient center because of the hospital coming nearby.

Mr. Goss asked why the property the cell tower is on (200 feet by 200 feet) is excluded from the annexation. Mr. Zancck said that has the appropriate entitlements in the County.

Mr. Hayden asked why annex the property now. Mr. Lapetina said it is the only choice they have. Someday the property will develop but he wants to keep it the way it is until then. Mr. Zancck said they could request a Special Use Permit in the County but that would only be a temporary measure. Mr. Hayden asked why parts of the parcel are excluded from the annexation. Mr. Zancck restated that the small parcel is already zoned appropriately in the County. Mr. Hayden said the remaining property is also currently zoned in the County. Every parcel is zoned. Mr. Zancck urged the PZC to recommend annexation and zoning the parcel as requested so the property is in a holding pattern. Now is the time to strike and the City will be in total control. Mr. Hayden said not exactly total control.

Mr. Goss said the property at Bard and Huntley Roads have exclusions as to what can go on the commercial portion of that property.

Mr. Greenman said he is not comfortable with “B-2PUD”. He would prefer it be zoned “R-2” with the ability to rezone it in the future with a development plan. He would prefer it be like the Kaper property which has worked well.

Mr. Hayden asked if there is an annexation agreement. Ms. Bhide said they are currently working on it. Mr. Hayden said that agreement dictates what goes on the property. There will be an agreement for how the property will develop without benefit of a plan being presented. Mr. Hayden said he is struggling with this parcel.

Mr. Goss asked if after the property is annexed the City can do a safety inspection and require things to be fixed up. Mr. Richter said a safety inspection is more for repairing lights and exits, or moving combustible materials.

Mr. Gavle asked how close water and sewer is to this property. Mr. Richter said it is approximately 1,400 feet.

Mr. Greenman asked about Council referring this back to them. Ms. Bhide said all annexations go to Council to be referred back to the PZC. Mr. Greenman said they need guidance. They don’t control the

annexation agreement but do make recommendations on Comprehensive Land Use Plan amendments.

Mr. Goss said an amendment to the Comprehensive Plan would need to take into account the other properties in the area. Both sides of Ackman Road are residential. Mr. Jouron said the best solution is to annex the property so we can control it. Mr. Esposito said they need to think outside the box. What could go here? Commercial is close to this property already. Mr. Skluzacek said he can't agree with the request until he knows what will be going there. He can't go for it.

Mr. Hayden feels that the zoning of the property should not make it a legal non-conforming lot when annexed. He agrees that it should be annexed so the City controls it but he isn't sure if "B-2PUD" is right. He is also concerned with leaving out the towers property. All parcels are zoned whether it is in the County or in a municipality. Mr. Hayden said he is not stating that business would be wrong on this property. The property at Bard and Huntley is surrounded by residential.

Mrs. Lapetina said they are looking to the future – the next 5 to 7 years. She understands they want the best for their community. They haven't done anything wrong on this property.

Mr. Esposito said the Comprehensive Plan shows what the City would like in an area without changing the zoning. It is hard to change the zoning without a plan or a vision for the property. Zoning is legal and is set while the Comprehensive Plan is visionary. He said potential developers look at the Comprehensive Plan first.

Mr. Goss said they can ask Council whether they would like the PZC to review the Comprehensive Plan for this area.

Mr. Zanck said he would like action taken on the Special Use Permit portion of the request. Mr. Goss said they can't act on anything regarding property not within the City limits.

Mr. Greenman recalled several instances where the annexation agreement development requirements were not exactly what they would prefer there.

Mr. Zanck said he understands the Commissioners' position and asked that this request be tabled to give everyone sufficient time to review the Comprehensive Plan. Mr. Hayden suggested that this request be continued to a date certain.

Mr. Goss moved to continue 2013-60 Lapetina Annexation to August 20, 2014 PZC meeting and requesting City Council to refer back to the Planning and Zoning Commission to review a subarea of the Comprehensive Lane Use Plan to determine what changes need to be made if any. Mr. Jouron seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Hayden said he would love to see the property within the City but they want to be sure they are doing the right thing.



Service Use Continued																	
Massage (Therapeutic) <del>parlors</del> Establishments								PS		PS	PS						2-300C-63

Section 2-400 Limited and Special Use Criteria

11. Automotive Repair, Major

Major automotive repair facilities must comply with the following standards:

- a. Location of repair: All repairs shall be performed within a completely enclosed building.
- b. Licensed vehicles: All vehicles parked or stored on-site shall display a current license plate with a current registration.
- ~~c. Sale of vehicles: The sale of vehicles on site or the advertising for such sale is prohibited.~~
- a. c. Odors and fumes: The use shall safely and appropriately vent all odors, gas and fumes and shall comply with all applicable Federal, State and local regulations. Such vents shall be located a minimum of 10 feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to preclude the escape of gas vapors from the fill pipes.
- b. d. Outdoor vehicle storage: Vehicles to be stored outdoors must be contained on-site on a paved area. The outside storage area shall be screened with a minimum 6 feet tall solid wooden fence. In selected cases, an 8 feet tall solid wooden fence may be required.
- e. e. Parts or junk vehicle storage: Outdoor storage of automotive parts or junk vehicles is prohibited.
- d. f. Fuel dispensing: Unattended, automated dispensing of gasoline or other engine fuel is prohibited.
- e. g. Fluid/oil collection mats: Fluid/oil collection mats are required by facilities in wellhead protection areas and within the Crystal Lake watershed.

63. Massage Establishment

All massage establishments must comply with the following criteria:

- a. A floor plan, drawn to scale is required illustrating all the services/uses listed.
- b. A complete list of the names, residence addresses, with zip codes, and dates of birth of all licensed massage therapists engaged in massage at the massage establishment, as well as current copies of the licenses as issued by the State Department of Professional Regulation of all licensed massage therapists must be provided.
- c. Business records, including the names of clients and the services provided, must be readily available to inspect without prior notice.
- d. All massage establishments subject to this section are declared to be public places, and shall not, during business hours, have the doors to the exits and entrances of such establishment locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, that such doors may be closed.

- e. **Persons under 18 years of age are not permitted in a massage establishment, unless accompanied by his/her parent or legal guardian.**
- f. **At least 75% of the window area of the massage establishment shall be visible, installed with clear, non-reflective windows. Blocking of windows with drapes, blinds or shelving is prohibited.**
- g. **No massage establishment shall be kept open for any purpose between the hours of 9:00 p.m. and 11:00 a.m.**
- h. **No residential use is permitted within the massage establishment at any time.**
- i. **Alcohol is not permitted to be served in a massage establishment at any time.**
- j. **By applying for a special use, the applicant is authorizing the City, its agents or employees to seek information and conduct an investigation into the truth of the statements set forth in the application, including an investigation of the applicant’s character, qualification and criminal background check.**
- k. **By applying for a special use, the applicant is consenting to unannounced inspections by the City, its agents or employees for the purpose of determining of the provisions of this section are met.**
- l. **Upon sale, transfer or relocation of a massage establishment, the special use will be considered null and void.**

2. Temporary Use Permit requirements

Article 2-300 Permitted Uses Table

Categories & Sub-categories	Use		Use Criteria	NAICS
<b>Temporary</b>	<b>Mobile Vendors</b>	<b>Temporary Use - All Districts</b>	<b>2-500B7</b>	<b>-</b>

Section 2-500 Temporary Use Criteria  
B. Review Criteria for Temporary Uses

**7. Mobile Vendors must comply with the following standards:**

- a. **Mobile vendors shall be regulated by the issuance of a temporary use permit (TUP).**
- b. **The TUP will be issued for a period of 1 year with an effective date of May first and an expiration date of April 30.**
- c. **A total of six TUP’s will be issued for mobile vendors. Three will be for food vendors and three will be for non-food vendors**
- d. **A mobile vendor will be defined as anyone who “offers for sale and immediate delivery any food, goods or merchandise from any motorized vehicle or any trailer, cart or other container attached to or intended to be attached to any motorized vehicle (NOTE: Mobile**

**Vendor does not include those vendors licensed pursuant to Chapter 504 of the City of Crystal Lake Municipal Code)**

- e. Mobile vendors shall not be permitted to operate within the City of Crystal Lake without having first received a TUP issued by the Director of Community Development. The TUP will be issued by the Director of Community Development,**
- f. Any mobile vendor selling food items must provide evidence or a current permit issued by the McHenry County Health Department as a condition of the issuance of a TUP and such permit must be maintained as current during the term of the TUP.**
- g. Mobile Vendors may operate in any district other than residential districts.**
- h. The Fire Rescue Department must inspect any vehicle used by a Mobile Vendor for the sale of food.**
- i. The Mobile Vendor must dispose of all waste.**
- j. The Mobile Vendor must provide evidence of insurance.**
- k. Mobile Vendors must comply with all noise regulations of the City.**
- l. Mobile Vendors may not provide seating or tables for customers of the Mobile Vendor.**
- m. No signage other than such signage that is painted or permanently affixed to the vehicle.**
- n. No amplified sound or music may emanate from the Mobile Vendor's vehicle.**
- o. A Mobile Vendor can only operate upon private property with the permission of the owner.**
- p. Mobile Vendors cannot engage in sales upon any public streets or other public property.**
- q. Mobile Vendors cannot operate upon any single lot within the City for a period or more than eight hours during any 24 hour period.**

3. Article 4 Development and Design Standards, Street Standards

Article 4-100 D 2. Sidewalks

e. Accessibility

- (i) All sidewalks shall be constructed in such a manner so as to provide access to the sidewalk at the curblineline for handicapped persons by means of an inclined ramp. ~~the grade of which shall be determined and approved by the City Engineer.~~ **All grades must meet the latest guidelines and standards of the American with Disabilities Act.**

Table 4-100 D3: Summary of Sidewalk Design Standards

<b>Table 4-100 D3: Summary of Sidewalk Design Standards</b>				
			Code Section	
Sidewalk Width	Standard:	Min. 5 feet		4-100 D-2 a (i)
	Matching Existing:	Min. 4 feet		4-100 D-2 a (ii)
	Carriage Walks:	Min. 6 feet		4-100 D-2 a (iii)
Sidewalk Thickness	In Public ROW:	Min. 4 inches		4-100 D-2 b (i)
	Thru Residential Drives:	Min. 6 inches		4-100 D-2 b (ii)
	Thru Non-Residential Drives:	Min. 8 inches		4-100 D-2 b (iii)
Sidewalk Pavement Design	Well compacted subgrade			Appendix
	Compacted CA-6 Gravel (Grade 8 or 9) – Min. 2 inches			Appendix
	Six-bag cement mix per cubic yard of concrete (Class SI Concrete)			Appendix
	A curing compound shall be applied to all finished surfaces.			Appendix
<del>Minimum Pitch</del>	<del>1/4 inch per foot of width</del>			<del>Appendix</del>
	<del>1/4 inch to 1/2 inch per foot of length (along curbline)</del>			
Tooled Joints	Contraction	5-foot centers	Shall not exceed 1/3 the thickness of the finished walk	Appendix
	Expansion	1/2 inch full-depth every 50	Where the walk abuts an existing walk, a curb, driveway, approach, building	

		feet.		
Cold Weather Pours	Air Temp: 35°F and rising			Appendix
Cold Weather Protection	A. 25° F. through 32° F	Two layers of polyethylene		Appendix
	B. Below 25° F	12 inches of straw covered with two layers of polyethylene		

4. Article 4 Development and Design Standards, Street Standards

Article 4-200 Off-street Parking and Loading

3. Surfacing

All off-street parking and loading areas shall meet the standards listed in Article III, Land Development, Chapter 570: PARKING LOT, DRIVEWAY AND SIDEWALK CONSTRUCTION of the City Code. **Parking shall occur only on off-street parking areas.** In certain areas, where permeable soils are present and allow proper drainage, the City Engineer or his/her assigned designee may permit the use of permeable paving materials, including, but not limited to porous concrete, permeable interlocking concrete pavers, concrete grid pavers, and porous asphalt. Compacted gravel will not be considered as permeable pavement and gravel parking lots shall be permitted only upon the approval of a variation.

5. Alternate Uses

Article 9-200 SPECIFIC STANDARDS AND OTHER REQUIREMENTS FOR APPLICATIONS FOR DEVELOPMENT APPROVAL

B. Amendments

C. Variations and Simplified Residential Variations

D. Special Use Permits

E. Planned Unit Development

F. Watershed Planned Unit Development

G. Sign Variations

**H. Alternate Uses**

~~I.~~ **I.** Appeals and Stays of Proceedings

~~J.~~ **J.** Withdrawal of Application and Repeated Application

~~K.~~ **K.** Notice

~~L.~~ **L.** Permits



- ~~≡~~ **M.** Fees
- ~~≡~~ **N.** Penalties
- ~~≡~~ **O.** Separability

## **H. Alternate Uses**

### **1. Alternate Uses are:**

- a. Intended to allow flexibility in the use of land or structures in the “M-L” or “M” districts in the City when such uses meet appropriate conditions and performance standards that protect public health, safety and welfare.;**
- b. Alternate uses that address a current need or demand but are intended for a limited time period of not more than three years, unless an extension of such time period is approved;**
- c. Judged to be presently acceptable by the City Council, but that with anticipated development or redevelopment will not be acceptable in the future or will be replaced in the future by a permitted or special use allowed within the district; or**
- d. Reflective of anticipated long range change to an area and which are in compliance with the Comprehensive Plan provided that said uses maintain harmony and compatibility with surrounding uses and are in keeping with the architectural character and design standards of existing uses and development.**

**2. Specific uses are not spelled out as Alternate Uses in Article 2, Land Use. The Zoning Administrator, upon the applicant’s request, can make the initial determination, based on the standards for Alternate Uses, whether a specific use, not permitted in the zoning district is eligible to seek an Alternate Use Permit.**

**3. Alternate uses may only be authorized pursuant to an Alternate Use Permit, the consideration of which shall be reviewed according to the standards and procedures for a special use permit as established by Article 9, Administration of this Ordinance, as well as the standards set forth in this Section. Depending upon the specific use requested, an Alternate Use Permit may contain specific conditions relating to such use, including provisions that limit the time during which an Alternate Use may continue to operate, the location or locations where the Alternate Use may be permitted, and such other limitations or conditions to carry out the purposes of this Ordinance.**

### **4. Standards for Alternate Uses**

**No Alternate Use Permit may be granted unless the City Council determines that the use will comply with the following:**

- a. The general performance standards in Article 2, Land Use will be met;**
- b. The use will not delay or otherwise inhibit anticipated development or redevelopment of the site;**

- c. The use will not be in conflict with any provisions of the UDO or City Code on an ongoing basis;
- d. The use will not adversely affect the adjacent property, the surrounding neighborhood, or other uses on the property where the use will be located;
- e. The property on which the use will be located is currently in compliance with all applicable Ordinance standards;
- f. The use will not impose additional unreasonable costs on the public; and
- g. The owner will provide an appropriate financial surety to cover the cost of removing the Alternate Use and any structures serving the Alternate Use upon the expiration of, and to the extent required under the terms of, the Alternate Use Permit.
- h. The use otherwise conforms to the comprehensive plans and zoning regulations as regards to performance standards and other requirements;
- i. The use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and,
- j. The applicant will agree in writing to any conditions City may attach to the approval of an Alternate Use Permit to mitigate anticipated adverse impacts associated with the use, to ensure compliance with the standards of the approval, to protect the value of the property, and to achieve the goals and objectives of the Comprehensive Plan.

#### **5. Effect of Permit**

- a. An Alternate Use will be authorized only for the location specified in the application and set forth in the Alternate Use Permit.
- b. The issuance of an Alternate Use Permit does not confer on the property any vested right.

#### **6. Termination**

- a. An Alternate Use Permit expires and the Alternate Use must terminate at the earlier of:
  - i any expiration date in the Alternate Use Permit;
  - ii the occurrence of any event identified in the Alternate Use Permit for the termination of the use;
  - iii revocation of the Alternate Use Permit; or
  - iv an amendment of the UDO that no longer allows the Alternate Use.
- b. An Alternate Use Permit expires one year after approval if the proposed use has not commenced or a building permit for a structure to support the interim use has not been issued.
- c. An Alternate Use Permit expires if the alternate use ceases operation for a continuous period of at least three months, irrespective of intent.

#### **7. Revocation or Modification**

The City Council may direct staff to review an Alternate Use Permit periodically and may revoke a permit upon violation of any condition of the permit, any law of the United States or the State of Illinois, or any city ordinance. If it is discovered after approval of the

**Alternate Use Permit that the city's decision was based at least in part on false, misleading, or fraudulent information, the City Council may revoke the permit, modify the conditions or impose additional conditions to ensure compliance with this section.**

6. Separation requirements between principal and accessory structures

Section 4-600 Accessory Structures and Uses

B. General Standards

7. Are not located within 5 feet of a principal structure, unless the minimum fire-resistance rating requirements per the International Residential Code (IRC) (**which requires a fire rating of 20 minutes for that wall of the accessory structure parallel to the principal structure**) are complied with.

7. Trash Enclosures

Section 4-700 Fences, Walls and Screening

C. Required Fences

~~2. Refuse containers and Facilities~~

~~Residential Properties: Garbage disposal equipment for residential properties shall not be permitted to be stored in the front and corner side yard.~~

8. Definitions

ARTICLE 10, DEFINITIONS

**LAND USE, MOBILE VENDOR: A mobile vendor defined as anyone who offers for sale and immediate delivery any food, goods or merchandise from any motorized vehicle or any trailer, cart or other container attached to or intended to be attached to any motorized vehicle.**

**NOTE: Mobile Vendor does not include those vendors licensed pursuant to Chapter 504 of the City of Crystal Lake Municipal Code.**

**LAND USE, MASSAGE ESTABLISHMENT: Any establishment that provides massage as the primary means of business, employs at least one licensed massage therapist, and does not offer illicit sexual services under the guise of therapeutic massage. This shall include any establishment having a fixed place of business where any person, firm, association, partnership, or corporation engages in, carries on or permits to be engaged in, carried on any of the activities mentioned in the definition of massage, including but not limited to what are commonly known and referred to as spas, suntan spas, parlors, bathhouses and massage parlors. A massage business shall not include any accredited educational facility that teaches massage therapy or masseuse techniques, nor shall it include any licensed health care facilities, or establishment of duly licensed doctors. This will not apply to salons, recreational facilities, or physical therapy offices which may offer massages as an accessory use to more dominant uses on the premises. A massage establishment may employ only persons that have a State license issued by the Illinois Department of Professional Regulation pursuant to the Illinois**

**Massage Licensing Act, 225 Illinois Compiled Statues 57/1 et seq., as it may be amended from time to time, to engage in the practice of massage.**

**LAND USE, MASSAGE: Massage means any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating any external parts of the body with the hands or other parts of the human body or with the aid of any mechanical or electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or similar preparations commonly used in said practice.**

**LAND USE, MASSAGE THERAPIST: Massage Therapist means any person who, for consideration or gratuity whatsoever, engages in the practice of massage as defined herein.**

**LAND USE, SPA OR DAY SPA: A commercial establishment which offers patrons multiple services such as: personal hygiene, grooming, relaxation therapy, hydro therapy and licensed massage therapy. The establishment may also offer incidental light nourishment or refreshment for patrons. Establishments which offer massage therapy must conform to the other provisions governing the same in this Ordinance.**

9. Driveway Spacing

APPENDIX, Section A-400 Access Management Manual

C. Required Spacing

Where the application of this subsection would preclude a driveway on a lot which was platted as of the effective date of this Ordinance, one (1) driveway shall be permitted. Such driveways shall be spaced as far from an existing driveway or intersection as possible without creating turning conflicts or other traffic hazards. **The City Engineer at his/her discretion may waive the required spacing requirement for non-conforming lots.** Illinois Department of Transportation (IDOT) Strategic Regional Arterial (SRA) requirements for minimum spacing between full-access drives may supersede the drive spacing standards in the table above for major arterials.

10. Sidewalk Design

APPENDIX, Section A-800 Sidewalk Design and Construction

2. Sidewalk Design

The finish grade of the sidewalk shall ~~be established by the City Engineer~~ **meet the latest guidelines and standards of the American with Disabilities Act.** However, ~~g~~General criteria includes a minimum pitch to the street of 1/4 inch per foot of width, and the grade of the finished walk shall have sufficient fall from the edge of the walk to the curblineline to provide sufficient drainage which shall be 1/4 inch to 1/2 inch per foot.

11. Other changes

With the recent consolidation of the Planning and Economic Development and the Planning and Engineering Departments into the Community Development Department, references throughout the UDO to the Planning and Economic Development Director and the Director of Engineering and Building must be updated to reflect Director of Community Development. An itemed list of the changes will be available at the meeting.

**Article 1 Zoning Districts**

Section 1-400 Zoning Map

Commentary

The digital version of the Zoning Map is available on the City's website. To obtain a print version, please contact the City's ~~Planning and Economic~~ **Community** Development Department.

**Article 2 Land Use**

Section 2-400 Limited and Special Use Criteria

A. Review of limited and special uses

2. Refer to the "Development Application - Special Use Permits" handout, available through the ~~Planning and Economic~~ **Community** Development Department for specific explanations of submittal requirements, and for review procedures.

Section 2-400 Limited and Special Use Criteria

C. Review Criteria for specific uses

12. Car Washes

Please refer to the handout on Outdoor Sales, Service, Storage and Display available through the ~~Planning and Economic~~ **Community** Development Department for further clarification.

13. Gasoline Stations

f. Vending machines: One vacuum and one air compressors shall be permitted on-site. Vending machines are treated as outside sales and display. Refer to the handout on Outdoor Sales, Service, Storage and Display available through the ~~Planning and Economic~~ **Community** Development Department for further clarification.

g. Outside sales: Outside product display and sales of seasonal items are prohibited. Propane tanks stored in 1 locked metal cage are not treated as outside sales and permitted subject to the approval of the City's Fire Prevention Bureau. For any other outside display and sales, refer to the handout on Outdoor

Sales, Service, Storage and Display available through the ~~Planning and Economic~~ **Community Development** Department for further clarification.

33. Commercial Stables, including riding arenas

b. Parking: All parking must occur on-site on an approved surface (Approved surface shall mean asphalt/bituminous, concrete/P.C.C. and any surface that is approved by the City's ~~Engineering and Building~~ **Community Development** Department) in accordance with the provisions of Article 4-200, Off-Street Parking & Loading.

36. Bed and Breakfast Inn

h. Signs: One 16 sq. ft. free standing sign (maximum 4 feet high) and one 4 sq. ft. wall sign are permitted. A sign permit through the ~~Building Division~~ **Community Development Department** is required.

37. Hostels

d. Signs: One 9 sq. ft. free standing sign (maximum 6 feet high), one 4 sq. ft. wall sign and one 6 sq. ft. temporary sign (maximum 6 feet high) are permitted. A sign permit through the ~~Building Division~~ **Community Development Department** is required.

#### Section 2-500 Temporary Use Criteria

##### B. Review Criteria for Temporary Uses

1. Real Estate Sales Office

f. Parking: An 8-space, temporary, paved parking lot for the sales staff and customers that will use the sales office must be provided. Parking can be located on the subject property or on an adjacent lot within 200 feet of the office. The parking lot shall provide landscaping as required by the ~~Zoning Administrator~~ **Planning & Economic Development Department**.

#### SECTION 3-400 OVERLAY DISTRICT STANDARDS

##### C. Neighborhood Conservation (NC) Overlay District

5. Establishing or Expanding a NC Overlay District

a. Authority to initiate application: Applications for a NC Overlay District designation must be filed with the Department of Planning and Economic Development. An application may be initiated either:

(i) By an application (provided by the Department of ~~Community Development~~ **Planning and Economic Development**) signed by property owner(s) representing at least 51% of the lots within the proposed district;

b. Application Requirements: When an application and proposed boundary map are filed to establish a NC Overlay District, the Director of ~~Planning and Economic Development~~ **Community Development**

must determine the eligibility of the area for NCOD Designation in accordance with this subsection. An area is determined as eligible for a NC overlay designation if it satisfies all of the following application criterion:

c. Determination of Eligibility for NCO Designation

(i) If, based on the criteria in Section 3-400C 5(b) above, the Director of ~~Planning and Economic~~ **Community** Development determines that the area is not eligible for a NC Overlay District designation, the applicant(s) shall be notified of this fact in writing, including stated reasons for the decision. The decision of the Director of ~~Planning and Economic~~ **Community** Development may be appealed to the City Council.

(ii) If the Director of ~~Planning and Economic~~ **Community** Development determines that the area is eligible for designation as a NC Overlay District, the applicant(s) shall be notified of this decision and a public informational meeting will be scheduled.

d. Public Informational Meeting Required: If the area is determined to be eligible for a NCOD designation, the Director of ~~Planning and Economic~~ **Community** Development shall schedule a public meeting for the purpose of informing property owners in the proposed district of the nature of the pending request. The Director of ~~Planning and Economic~~ **Community** Development must send notice of the date, time and place of the meeting by first-class mail to all property owners with the proposed district. The City must initiate the preparation of a Neighborhood Conservation Plan within sixty (60) days of the Public Informational Meeting.

f. Upon completion of the proposed Neighborhood Conservation Plan, the Director of ~~Planning and Economic~~ **Community** Development must schedule a public meeting for the purpose of informing property owners of the proposed draft. The Director of ~~Planning and Economic~~ **Community** Development must send notice as indicated in Section 3-400C 5(d) above.

## **Article 4 Development and Design Standards**

### Section 4-100 Street Standards

#### D. Design Standards

##### 2. Sidewalks

f. Permits: A permit issued by the Engineering and Building ~~Division~~ **Department** shall be required for all sidewalk installations.

### Section 4-800 Exterior Lighting Standards

#### H. Procedures

##### 1. Plan Submission

For subdivision and land-development applications where outdoor lighting is required or proposed, all lighting plans, lighting installations or other requests for approval of lighting fixtures pursuant to this Section shall be submitted in duplicate, in writing to, and a permit shall be obtained from, the Director of ~~Engineering and Building~~ **Community Development** or his/her designative representative prior to installation.

## **Article 5 Subdivision Standards**

### **Section 5-200 D Subdivision Types**

#### 1. Administrative Subdivisions

##### e. Deferral of underground placement of Public Utilities

An administrative deferral from immediate underground placement of Public Utilities, as required by these regulations, may be requested. The decision to grant the waiver shall be made by the Director of ~~Planning and Economic~~ **Community** Development and City Engineer based on the following criteria:

- (i) The subdivision is an in-fill project within an existing neighborhood where utility service is provided aerially rather than underground;
- (ii) It would not be practicable to serve the new subdivision underground without also serving the neighboring uses.

##### f. Procedure for Approval

The procedures and requirements for submission and review of an application are established in the handout for Administrative Subdivisions available through the ~~Planning and Economic~~ **Community** Development Department.

#### 2. Minor Subdivisions

##### d. Procedure for Approval

The procedures and requirements for submission and review of an application are established in the handout for Minor Subdivisions available through the ~~Planning and Economic~~ **Community** Development Department.

#### 3. Major Subdivisions

##### a. Procedure for Approval

The procedures and requirements for submission and review of an application are established in the handout for Major Subdivisions available through the ~~Planning and Economic~~ **Community** Development Department.



#### 4. Condominium Plat

##### d. Procedure for Approval

The procedures and requirements for submission and review of an application are established in the handout for Condominium Plats, available through the ~~Planning and Economic~~ **Community** Development Department. Additional requirements for condominium conversion are established in the handout, as may be amended from time to time.

#### G. Procedures and Requirements

##### 1. Conceptual Plat

Any owner of land which is within the corporate limits of the City of Crystal Lake wishing to divide the same into building lots for the purpose of sale or assessment, or both, which will require following the Major Subdivision process can apply for a Conceptual Plat review by the Planning and Zoning Commission. Conceptual Plats shall not be reviewed by the City Council. Neither the Planning and Zoning Commission nor the applicant shall be required to provide a formal position statement on the proposal, and any position statements offered are not binding on either body. Submittal requirements are available in the handout outlining procedures and requirements for submission and review of conceptual subdivision plats, with the Director of ~~Planning and Economic~~ **Community** Development.

##### 2. Approval of Preliminary Plat

(i) The Director of ~~Planning and Economic~~ **Community** Development shall initiate a review of the Preliminary Plat by City staff and forward recommendations to the Planning and Zoning Commission prior to their consideration of the Preliminary Plat.

(iv) The fee for filing preliminary plats shall be as specified in this Ordinance. Such fee shall be paid by the subdivider to the City of Crystal Lake at the time of filing the Preliminary Plat with the Director of ~~Planning and Economic~~ **Community** Development.

##### 3. Approval of Final Plat

(i) The Director of ~~Planning and Economic~~ **Community** Development shall initiate a review of the Final Plat by City staff and forward recommendations to the Planning and Zoning Commission prior to their consideration of the Final Plat.

(vi) 4 prints and 1 reproducible (Mylar copy) of the Final Plat, after the plat is recorded, must be submitted prior to the issuance of any building permit within the subdivision and will be filed and retained in the offices of the City of Crystal Lake. Final plan, as-built plans and plat shall be submitted in electronic format compatible with City networks as specified in the handout available through the ~~Planning and Economic~~ **Community** Development Department.

## **ARTICLE 7 Nonconformities**

### **Section 7-400 Nonconformities upon Annexation**

Upon submittal of all the information required above, or refusal to do the same by the owner/operator, the City shall schedule a public hearing on the matter before the Planning and Zoning Commission on the next open agenda. Notice for the hearing shall be as provided for in Article 9. The ~~Planning and Economic~~ **Community** Development Director shall cause to have prepared a staff report which shall be presented to the Planning and Zoning Commission. In making a recommendation on an amortization period, the Commission shall consider the staff report and recommendation

## **Article 9 Administration**

### Section 9-200 Specific Standards and Other Requirements for Applications for Development Approval

#### A. Required Submittals

6. Additional information and/or materials as determined to be necessary by the City of Crystal Lake to meet the goals and objectives of this Ordinance, as detailed in the relevant Development Application handouts available through the ~~Planning & Economic~~ **Community** Development Department

#### B. Amendments

##### 1. Application

Refer to the "Development Application - Map Amendments (Rezoning)" handout, available through the ~~Planning & Economic~~ **Community** Development Department for specific explanations of submittal requirements and for review procedures.

#### C. Variations and Simplified Residential Variations

##### 1. Application

Any property owner in the City of Crystal Lake may submit an application along with the appropriate filing fee to the Zoning Administrator for a variation from the requirements of this Ordinance as it applies to his/her property. Refer to the "Development Application - Variations," or the "Simplified Residential Variation Application" handout, available through the ~~Planning & Economic~~ **Community** Development Department, for specific explanations of submittal requirements and review procedures.

#### D. Special Use Permits

Refer to the "Development Application - Special Use Permits" handout, available through the ~~Planning & Economic~~ **Community** Development Department for specific explanations of submittal requirements, and for review procedures

#### E. Planned Unit Development

### 1. Pre-application Conference

Before submitting required materials for a preliminary Planned Unit Development review, a pre-application meeting with the Director of ~~Planning and Economic~~ **Community** Development or his/her assigned designee is recommended. The purpose of the meeting is to informally discuss the general concept of the proposed development, its effects on the surrounding area and the City as a whole, and the feasibility of utilizing City services. The meeting is advisory and is intended to allow both parties to express their concerns and reach mutual conclusions.

### 2. Conceptual PUD

Following the pre-application meeting, the petitioner has the option to appear before the Planning and Zoning Commission to informally discuss the initial concept for the proposal. Neither party shall be required to provide a formal position statement on the proposal, and the developer shall not be required to comply with any position statement offered by either party. Refer to the "Development Application - Planned Unit Developments" handout, available through the ~~Planning & Economic~~ **Community** Development Department for specific explanations of submittal requirements, and for review procedures.

### 3. Application

Refer to the "Development Application - Planned Unit Developments" handout, available through the ~~Planning & Economic~~ **Community** Development Department for specific explanations of submittal requirements, and for review procedures.

### 6. Report

Within 45 days, or as soon as agenda schedule permits, after all pertinent information has been received from the petitioner, and as necessary from the City Staff, the petition shall be placed on the Planning and Zoning Commission agenda. The Director of ~~Planning & Economic~~ **Community** Development may require an earlier submittal date, if the proposed PUD is expected to require additional staff review time. Hearing/meeting dates shall not be established until all required submittals are received by the Director of ~~Planning & Economic~~ **Community** Development. The Planning and Zoning Commission shall review the proposed petition and report its findings to the City Council as provided in this section.

## F. Watershed Planned Unit Development

### 1. Application

Refer to the "Development Application - Watershed Planned Unit Developments" handout, available through the ~~Planning & Economic~~ **Community** Development Department for specific explanations of submittal requirements, and for review procedures.

### 6. Report

Within 45 days, or as soon as agenda schedule permits, after all pertinent information has been received from the petitioner, and as necessary from the City Staff, the petition shall be placed on the Planning and

Zoning Commission agenda. The Director of ~~Planning & Economic~~ **Community** Development may require an earlier submittal date, if the proposed PUD is expected to require additional staff review time. Hearing/meeting dates shall not be established until all required submittals are received by the Director of ~~Planning & Economic~~ **Community** Development. The Planning and Zoning Commission shall review the proposed petition and report its findings to the City Council as provided in this section.

#### G. Sign Variations

##### 1. Application

Any sign owner in the City of Crystal Lake and/or their authorized representative may submit an application along with the appropriate filing fee to the Zoning Administrator for a variation from the requirements of this Ordinance, as it applies to the proposed sign. Refer to the "Sign Variation Application" handout, available through the ~~Planning & Economic~~ **Community** Development Department, for specific explanations of submittal requirements and review procedures.

#### Article 10, Definitions

INCLUSIONARY ZONING, INCOME ELIGIBLE FAMILIES: A family whose annual income qualifies the family to rent or purchase an inclusionary dwelling unit. For the purposes of this Ordinance, the Director of ~~Planning and Economic~~ **Community** Development may designate a non-profit entity that provides housing as an income eligible family.

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

#### **REPORT FROM PLANNING**

- Cress Creek – Gedzyk – 580 Cress Creek Terrace – PUD Amendment (screen porch)
- Anderson VW - 5213 Northwest Hwy. - Special Use Permit
- Crystal Lake Plaza – Banquet Puebla – 22 Crystal Lake Plaza – Special Use Permit
- R. Helm – 7402 Teckler Blvd. – Sign Variation
- Rumford-Buelow – 175 & 179 Edgewater – Variation
- Teckler Blvd Self Storage - SE corner Teckler and Official Rd - Preliminary PUD, Variation

Mr. Richter reviewed the items for the next meeting on May 21, 2014.

#### **COMMENTS FROM THE COMMISSION**

There were no comments from the Commissioners.

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