



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, JULY 2, 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 Batastini, Esposito, Gavle, Goss, Skluzacek, and Hayden were present. Members Greenman and Jouron were absent.

James Richter II, Planning and Economic Development Manager, was present from Staff.

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

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

APPROVE MINUTES OF THE JUNE 18, 2014 PLANNING AND ZONING COMMISSION MEETING

Mr. Goss moved to approve the minutes from the June 18, 2014 Planning and Zoning Commission meeting as presented. Mr. Batastini seconded the motion. On roll call, members Esposito, Gavle, Goss, Skluzacek, and Hayden voted aye. Mr. Batastini abstained. Motion passed.

2013-40 THREE OAKS RECREATION AREA – WAKE BOARD – PUBLIC HEARING

The petitioners have requested this petition to be continued to the July 16, 2014 PZC meeting.

2014-08 CRYSTAL LAKE RIB HOUSE – 540 E. Terra Cotta Ave. – PUBLIC HEARING

This petition is being continued to the July 16, 2014 PZC meeting.

Mr. Esposito moved to continue 2013-40 Three Oaks Recreation Area – Wake Board and 2014-08 Crystal Lake Rib House to the July 16, 2014 PZC meeting. Mr. Goss seconded the motion. On voice vote, all members voted aye. Motion passed.

2014-26 MAYFAIR CARPETS – 661 S. Main St. – PUBLIC HEARING

This petition was continued from the June 18, 2014 PZC meeting.

Special Use Permit to allow an electric message center in the “B-2” General Commercial district; and Variations from: Maximum sign area and height; Location of an EMC sign on Main Street; sign base; and minimum setback from property line.

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.

Penny Hughes, sign contractor, Redmond and Kelly Murphy, petitioners, were present to represent the petition. Ms. Hughes said this is a very unusual property and the building is significantly lower than the roadway. They are requesting variations for the sign height, size and an electronic message center since they are only allowed on Routes 14 and 31 in the UDO. They are also requesting a variation for the sign setback because of the taking of the property for the future road improvements. Ms. Hughes said they agree with all of the recommended 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. Murphy said the sign will be 8 feet from the double retaining wall and it will need to be higher than the street, which will be substantially below the street level.

Mr. Esposito said he is ok with all of the requests.

Mr. Batastini said he is ok with the EMC sign even through this property is not on Route 14 or 31 because there is no residential nearby. He also supports the variation for the height which speaks for itself. The variations do require a hardship, but the taking of the right of way for the road project as well as the grading of the property show that there is a significant hardship. Mr. Batastini said he doesn't have a problem with the square footage of the sign.

Mr. Gavle asked about the double retaining wall. Mr. Richter said this is an IDOT project being managed by the County, and the property taking had to be on the east side of Main Street. He added that due to the grade difference, a double retaining wall is required. Mr. Murphy added that there will be rail fencing for the sidewalk.

Mr. Goss asked if the retaining walls will impact the depth of the parking stalls. Mr. Richter said no. Mr. Goss asked if there would be two lanes in each direction and if there would be a turn lane. Mr. Richter said yes.

Mr. Skluzacek said he has no problem with the height requested but the square footage seems large. Ms. Hughes said visually it doesn't look that large because of the size of the property. Mr. Goss said he is ok with the variations for the sign except for the electronic message center. He feels they should be on Routes 14 and 31 only, per ordinance. He fears that more businesses south of this location will want an EMC sign. Mr. Batastini said the YMCA was granted one on Manor Road directly across from a residential area. Mr. Goss said this request is more deserving than the YMCA. Mr. Batastini said this is clearly a commercial zone. Mr. Richter listed the EMC signs that have been approved for locations other than Routes 14 and 31. Mr. Batastini said that business will be penalized because they are not located on those two roads. Mr. Hayden said this business is directly across from the bike / walking path and beyond that is industrial. He also feels that the ship has already sailed as far as allowing the EMC signs in other areas.

Ms. Murphy said she does not care for the paper signs they use in the windows of their store. She would prefer not to use them and the EMC will eliminate those signs. Mr. Esposito said this sign will help a business who has been located in Crystal Lake for some time.

Mr. Hayden said he was concerned about the EMC portion of the sign. He suggested a changeable letter sign in place of the EMC. Ms. Hughes said it would be difficult to change the letters with the grade. Mr. Murphy said this sign would always look fresh and the letters fall off of the changeable letter sign. He added that they don't want the message to change because it is hard to read it. Mr. Hayden said he has been convinced to support the EMC.

Mr. Batastini moved to approve the a Special Use Permit to allow an electronic message center in the "B-2" General Commercial district; and Variations from: A. the Special Use Criteria for electronic message center signs for the requirement that electronic message center signs must be located on Routes 14 or 31, to allow an EMC sign on a property located on Main Street; B. Article 4-1000 Signs, for the maximum sign area of 50 square feet, to allow a total area of 71.6 square feet; C. Article 4-1000 Signs, for the maximum sign height of 8 feet, to allow a 16-foot tall freestanding sign; D. Article 4-1000 Signs, to allow the sign base to be less than 80% of the sign width; and E. Article 4-1000 Signs, from minimum 10-foot sign setback, to allow a 1.5-foot setback from the front the property line for Mayfair Carpets at 661 S. Main Street with the following conditions:

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

- A. Application, Mayfair Carpet & Furniture, received 5/19/14
- B. Site/ Sign Plans, Hughes Signs, received 5/19/14 and 5/22/14

2. A Special Use Permit to allow an electronic message center sign at this location is hereby granted.

3. Variations

- A. A variation from the Special Use Criteria for electronic message center signs for the requirement that electronic message center signs must be located on Routes 14 or 31 to allow an EMC sign on a property located on Main Street, is hereby granted.
- B. A variation Article 4-1000 Signs, for the maximum sign area requirement of 50 square feet to allow a total area of 71.6 square feet, is hereby granted.
- C. A variation Article 4-1000 Signs, for the maximum sign height requirement of 8 feet to allow a 16-foot tall freestanding sign, is hereby granted.
- D. A variation from Article 4-1000 Signs to allow the base of the sign to be less than 80% of the sign width, is hereby granted.
- E. A variation from Article 4-1000 Signs, for minimum 10-foot sign setback to allow a 1.5-foot setback from the front the property line, is hereby granted.

4. Landscaping meeting the provisions of the Ordinance shall be provided at the base of the freestanding sign.

5. Electronic Message Center Sign

A. The sign structure must use materials or architectural elements from the principal structure on site.

B. The EMC unit must be equipped with both a programmed dimming sequence as well as an additional overriding mechanical photocell that adjusts the brightness of the display to the ambient light at all times of day. Such programming and mechanical equipment shall be set so that the EMC, at night or in overcast conditions, will be no more than 40% of the daytime brightness level;

C. The EMC unit must have the “flash” feature disabled and messages shall have a 5-minute “hold” time.

D. The messages displayed on the EMC can transition from one message to another only by fading or dissolving to black with another message appearing immediately thereafter, without movement or other transition effects between messages

E. All messages displayed on the EMC must be static and cannot reflect movement, flashing, scrolling or changes in shape or size of messages or portions of messages. Streaming and/or live-time video may not be permitted and this function of the EMC must be disabled.

F. The EMC unit must be equipped to override commercial messages for emergency situations such as an “Amber Alert” or other such acute public emergencies.

G. The EMC sign must be set in a manner that the display will turn dark in case of a malfunction.

6. The petitioner shall address all of the review comments and requirements of the Community Development Departments.

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

REPORT FROM PLANNING

- St. Thomas the Apostle Pre-School - 454 Lake St. – Special Use Permit, Variation

- SMK Center - School for Dogs – 824 S. Main St. – Special Use Permit

Mr. Richter thanked the members for taking the packets through Dropbox. He reminded the members that if they would like a paper copy of plans, etc. to let staff know and one will be available.

Mr. Richter reviewed the items for the next meeting on July 16, 2014.

Mr. Richter said they are planning to hold an in-service training session that will be hosted by legal council who has a great deal of experience with review bodies and the legal requirements for public hearings. The tentative date is August 6th prior to the regularly scheduled meeting. The possible starting

time would be 6:30 p.m. and dinner would be provided. He asked that the members check their schedules and let staff know if that date is possible.

COMMENTS FROM THE COMMISSION

Mr. Batastini asked about the barn at the southwest corner of Terra Cotta and Route 176. Mr. Richter said the bank has ownership of the property and they are cleaning out the barn and it will be taken down.

Mr. Batastini asked about the property at the southeast corner with the sign that states it is under contract. Mr. Richter said the contract purchaser is another assisted living/nursing home which requires approval by the State prior to coming before the City for approval.

The meeting was adjourned at 8:15 p.m.