



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, AUGUST 20, 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, Jouron, Skluzacek, and Hayden were present. Mr. Greenman was absent.

Elizabeth Maxwell, Planner, 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 August 6, 2014 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the August 6, 2014 Planning and Zoning Commission meeting as presented. Mr. Gavle seconded the motion. On roll call, members Batastini, Esposito, Gavle, Jouron, Skluzacek, and Hayden voted aye. Mr. Goss abstained. Motion passed.

2013-60 LAPETINA – 8611 Huntley Road – PUBLIC HEARING

The petitioner is requesting a continuation until the September 3, 2014 PZC meeting.

Mr. Esposito moved to continued 2013-60 Lapetina Annexation to the September 3, 2014 PZC meeting. Mr. Gavle seconded the motion. On voice vote, all members voted aye. Motion passed.

2014-36 AFFINITY FOR GAMING – 19 E. Berkshire Dr. – PUBLIC HEARING

UDO Text Amendment to allow a Hobby, Toy and Game Stores in the B-1 Neighborhood Commercial zoning district.

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners did not need to be notified of the hearing since it is an Amendment to the UDO. Mr. Purn said he did notify the surrounding property owners. Mr. Hayden said the Certificate of Publication was in the file and waived the reading of the legal notice without objection.

Michael Purn and Justin Maher were present to represent their petition. Mr. Purn said they would like to rent a 1,200 square foot space for their gaming store. He said there will be six tables to be used to demonstrate games – both board and card games. There will be a few displays of merchandise including specialty board games that are harder to find. He added that there are groups in the area that play certain board games and this could be a place where they can come. Mr. Purn said they have noticed that the

kids who play these games are more interactive with others and still get their “gaming” in. It’s not just computer games that they are interested in. They will hold small tournaments on the weekends where players can test their skills.

Mr. Hayden said he is concerned with the text amendment with this type of business being a permitted use. The concern he has is with the tournaments and what that entails. Typically the “B-1” zoning is a smaller retail parcel with limited parking. Mr. Purn said they have seating for 36 people. The property they are looking at is one building with approximately 40 parking spaces. They share the parking with the adjacent property which has approximately 100 spaces. He added that most of their clients would be younger and would be dropped off. Mr. Purn said he has spoken with 7-11, the laundromat and other stores in the two buildings and they did not have a problem with this use.

John Podgarny, owner of Prime Time Sports Collectables at 35 Berkshire, said he is concerned with the parking. When he hosts a tournament there is usually over 30 cars. He added that with the small portion of the building the business would be occupying, they would be entitled to only 4 spaces on that parcel.

Ms. Maxwell said Prime Time Sports Collectables was in business prior to the UDO which now breaks out this specific use.

Mr. Podgarny said there will be overflow parking for tournaments and that will take away from his parking.

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

Mr. Purn said he worked with Mr. Podgarny for a year. During the tournaments that were held at that business, there were not more than 10 to 12 cars – never 30. The majority of the parking in the summer is for the Dairy Queen which is next door to that business. Mr. Purn said Prime Time Sports is trying to be a gaming store, but it is primarily a sports collectable store. He added that if his business does take off like they hope will happen, they will be looking for a larger space to rent and closer to Route 14. Mr. Purn said that the former Lazer Tag that was in a portion of the space he wants to rent was a more intense use.

Mr. Goss asked if there will be spectators during the tournaments. Mr. Purn said there may be a mom waiting. Mr. Goss said he is concerned to make this a permitted use in this district. That would not allow the City to put any conditions on the use regarding the parking or tournaments. He believes this use should be a Special Use Permit in this zoning district. That would allow them to review the parking for the site, control the number of people for the tournaments, etc.

Mr. Skluzacek said he is also concerned with parking for tournaments. He asked if they could change the suggested amendment to a Special Use Permit instead of Permitted. Ms. Maxwell said they would need to republish since it specifically stated a Permitted use. She said staff didn’t feel there would be a

problem with this use since it is a permitted use in the “B-2” and “B-4” districts already. There have not been any complaints in the past about parking. Mr. Purn said they are looking to move to a larger location in the future, but not now. He said the larger stores in the area host large tournaments that draw people from out of state. The tournaments they would be hosting would be smaller with local players.

Mr. Jouron asked where the parking stops for this building. Mr. Purn said there are two rows of parking – one along the building and the other immediately behind it. Mr. Jouron asked if there is parking in the rear. Mr. Purn said no. He added that in the Lazer Tag report it states there is a cross parking agreement between the two properties. Mr. Jouron asked about the hours of operation. Mr. Purn said they will be open 7 days a week from probably noon to 11:30 p.m. but it depends on the customers. The hours may be shorter during the week.

Mr. Esposito said this is not the only “B-1” parcel in town and the others may not have the parking that is needed for this type of use.

Mr. Batastini said the question is does this use belong in a “B-1” district. Mr. Goss said there is already one store in the “B-1” district. Mr. Batastini prefers that a Special Use Permit be required, but he doesn’t feel that this will be a problem on this property. Mr. Goss said there is a “B-1” parcel that is much smaller just north of Crystal Lake South High School and that parcel would not be able to handle a use such as this.

Mr. Hayden said he does see a problem with this. With the text amendment for the UDO there can’t be any conditions put on the use. He added that a parking agreement between two properties doesn’t have any bearing on the text amendment. Mr. Hayden said if there is a parking problem in the future, this amendment has no teeth for the City. He asked what the Fire Rescue Department said about the occupancy load. Ms. Maxwell said with the layout provided, it would be about 67. Mr. Hayden said there aren’t 67 spaces available and that would be a problem. Ms. Maxwell said each use in a building or on a property has a specific number of parking spaces determined by the uses. If there is a parking problem, staff talks with the tenants to see which business or businesses seem to be causing the issue. She said there is recourse by the City if there is a parking issue. There have been things done about parking issues in the past. Mr. Hayden said that would be an enforcement nightmare. Ms. Maxwell said when Lazer Tag was open, they would hold birthday parties and still be open for their regular business and that caused parking issues.

Mr. Hayden said this is planning an enforcement issue on the City with little teeth to it. Mr. Goss said this is possibly the largest “B-1” property within the City limits. Mr. Hayden said he likes the idea of requiring a Special Use Permit so each request can be reviewed separately. Ms. Maxwell asked if there were to be a Special Use Permit in the UDO, what conditions/items the Commissioners would like to have looked at in the criteria. Mr. Hayden suggested the days and hours of operation and parking for tournaments. Mr. Goss suggested occupancy limits. He feels there will be people milling around outside waiting for their next turn. He would like staff to look into this further.

Mr. Jouron said it gets down to parking. Mr. Esposito said the City would have more control if it were a Special Use Permit. He said it is not just this property but all “B-1” zoned properties. Mr. Hayden said this also could include expanding into video games like Nintendo. There is nothing here that says a business owner couldn’t do that.

Mr. Purn said the way the business is structured is you come in, play, and leave. There is not enough space with the tables to have 60 people play at one time. Once the seats are filled, we can tell them to come earlier next time. He has 36 seats for tournament play but not more than that.

Mr. Hayden said he believes everything the petitioner is telling them, but once the amendment is approved there are no teeth in it for the City’s enforcement people. He said they want him to open his business in the City and wants him to be successful. They don’t want any business in either center to have a parking issue. Mr. Hayden said the only problem is the petitioner has to go through the process again unless they opt for moving forward to City Council with this request.

Mr. Purn said he doesn’t want to make this difficult for the City with other properties that are zoned “B-1.” Ms. Maxwell said either way it would be hard to enforce because staff leaves at 4 p.m. and it would be based on complaints received. She said she will work with the Building Division on possible conditions for a Special Use Permit.

Mr. Goss asked about the tournaments. Mr. Purn said they are usually on the weekends after 7 p.m. which is when most of the businesses are closed. Mr. Hayden asked how often the tournaments are run. Mr. Purn said usually every weekend.

Mr. Purn said he will withdraw this request and reapply for the amendment to state a Special Use Permit is required for this use.

Mr. Goss moved to accept the withdrawal of the UDO Text Amendment to allow Hobby, Toy and Game Stores in the B-1 Neighborhood Commercial zoning district for Affinity for Gaming; to reapply for the UDO Text Amendment with the use requiring a Special Use Permit without paying an additional application fee; and the petitioners are to work with staff on the language regarding issues such as but not limited to parking, occupancy, tournament restrictions, etc. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

REPORT FROM PLANNING

- Mooya Burger – Grant (Crystal Lake Plaza)
- PZC In-service Meeting - scheduling

Ms. Maxwell reviewed the items for the next meeting on September 3, 2014.

Ms. Maxwell stated a date for the workshop needs to be nailed down. Mr. Hayden asked which dates were agreeable to the Commission. There were a few responses. After a short discussion, it was

decided to hold the workshop on Wednesday, August 27, 2014, to start at 7:00 p.m., and dinner will be served.

COMMENTS FROM THE COMMISSION

There were no comments from the Commissioners.

The meeting was adjourned at 8:40 p.m.