



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, DECEMBER 3, 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, Jouron, Skluzacek, and Hayden were present. Members Batastini and Greenman were absent.

James Richter II, Planning and Economic Development Manager, Kathryn Cowlin and Elizabeth Maxwell, both Planners, 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 NOVEMBER 5, 2014 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the November 5, 2014 Planning and Zoning Commission meeting as presented. Mr. Skluzacek seconded the motion. On roll call, all members present voted aye. Motion passed.

2013-60 LAPETINA – 8611 Huntley Rd – PUBLIC HEARING

This petition was continued from the October 15, 2014 PZC meeting.

Comprehensive Land Use Plan Amendment from Estate Residential to Commerce; Rezoning upon annexation to the "B-2" Highway Service.

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.

Thomas Zanck, attorney, Joseph and Elaine Lapetina, petitioners, were present to represent the petition.

Mr. Hayden asked staff to review the changes since the previous meeting. Mr. Richter stated the annexation request has been revised to include the entire 5 acre parcel including the cell towers. The Special Use Permit for outside storage has been eliminated with the continuation of the current uses being noted in the Annexation Agreement. Mr. Richter said the zoning requested is "B-2PUD" which requires any redevelopment to go through the City's hearing process. There is a plan for a third cell tower but the detailed information regarding the towers is not available at this time and the petitioner will need to come back through this process in the future to request a Special Use Permit for the tower. He added that a landscape plan was provided to staff this afternoon which has been given to the Commissioners in an attempt to provide additional screening and improve the aesthetics of the area. Mr.

Richter said the Building Division has also reviewed the site and information provided and they have no concerns with monitoring this property.

Mr. Zanck said when they originally came before the City many years ago to annex this property the City requested a 40 foot right of way dedication along Huntley Road. The City is also requesting a triangular piece at the intersection for a possible right turn lane.

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

Mr. Jouron said he is glad most of the issues had been resolved. He believes that most uses that are allowed in the “B-2” district won’t work for this location. Also, because of the location, the Commission will be picky about the architecture that will be approved for this site.

Mr. Esposito said he likes that most of the issues had been ironed out but he is still concerned with “B-2” for this parcel.

Mr. Skluzacek is glad the issues were resolved. Mr. Gavle said he agrees and stated that he had additional issues but will let those go.

Mr. Goss said “B-2” is too intense for this area. He feels that “B-1” is more appropriate. This is spot zoning. He also can’t accept the uses on this property for 10 years. Mr. Hayden asked how long the Annexation Agreement would be valid for. Mr. Richter said the petitioner is requesting the Agreement be valid for 20 years. Usually they are 10 years with a possible 10 year extension, but it is up to the City Council.

Mr. Hayden thanked the petitioners for including the cell tower property. He personally doesn’t have a problem with an additional tower. They can be disguised as many things now – like flag poles, trees, etc. Mr. Hayden recalled that when the property to the east was developed the petitioners wanted “B-2” on that corner which was denied. He asked if it would be possible to have less intense uses than the “B-2” district. Mr. Lapetina said they have no plans at this time. He would prefer it to be this way and any future developer would have to come before the City.

Mr. Richter said the differences in the uses in “B-1” and “B-2” are fairly significant. He said the “B-2PUD” gives the City control over the future development. Mr. Hayden said he doesn’t see many heavy users on this property. He thanked the petitioners for working with staff.

Mr. Esposito moved to approve the Rezoning upon annexation to the “B-2 PUD” Highway Service and the Comprehensive Land Use Plan Amendment from Estate Residential to Commerce for the property located at 8611 Huntley Road with the following conditions:

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

Council:

- A. Application (received 12/9/13, revised).
- B. First Amendment to the Development Application (received 11/14/14)
- C. PIQ (received 12/9/13).
- D. Draft annexation agreement Petition for Initial Zoning (received 12/9/13).
- E. Plat of Survey (exhibit) (received 12/9/13).
- F. Landscape plan (received 12/3/14).**

2. The petitioner shall meet all the conditions of the Community Development, Public Works, Fire Rescue and Police Departments.

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

2014-54 VIRGINIA ROAD MINI STORAGE – 201 S. Virginia Road – PUBLIC MEETING

A motion is requested to set a public hearing date of January 7, 2015.

Special Use Permit to allow a Preliminary PUD for multiple buildings on a zoning lot and for mini-warehousing/self-storage.

Tom Zanck, attorney, Steve Schwartz and Joe Misurelli, petitioners, were present to represent the petition. Mr. Zanck said this property is the former Alexander Lumber site and they are here to answer any questions the Commission may have.

Mr. Schwartz said the property is 6.3 acres and previously there were a number of buildings that were on the site which mostly have been removed. The main building remains on the lot and will be renovated for climate controlled storage. He said there is a one acre parcel on the corner that they currently have no plans for. Mr. Schwartz said they are requesting to set a public hearing date of January 7, 2015.

Mr. Zanck said the Comprehensive Plan designation for this property is Industry.

Mr. Hayden asked if there was any one present who wished to speak on this matter. There will be another opportunity at the public hearing. There was no one present who wished to speak at this time.

Mr. Goss said if the one acre parcel is subdivided off, there will need to be a cross access agreement. He is also concerned with the rear wall mass of the buildings that can be seen from Pyott Road and Rakow Road. The current landscaping needs to be enhanced. Mr. Goss asked if the detention areas will be cleaned up. Mr. Schwartz said yes.

Mr. Gavle asked if the water from the property or the detention area travels to the Three Oaks Recreation Area. Mr. Schwartz said he doesn't believe so. He believes it perks into the ground but will

check on that. Mr. Zanck recalled that the detention water flows to the southeast of this property. Mr. Gavle knows that this request is for Preliminary, but he wanted to point it out.

Mr. Jouron said they will need architectural elements/details on the flat sides of the buildings. He asked about the project. Mr. Schwartz said the main building is well insulated except for the warehouse area which will be upgraded. The additional buildings will be primarily metal. Also, they do not intend to remove the existing landscaping, but enhance it so the buildings won't be seen from the roadways. Mr. Jouron asked if there will be a fence around it. Mr. Schwartz said yes. Also, there will be gates and security camera.

Mr. Esposito said they will need to see the architecture and the site will need to be landscaped. He feels this is a good use for this corner.

Mr. Hayden agreed. He believes the plan they received shows more parking spaces than necessary. He would suggest adding landscape islands in the parking lot. Also he asked that the petitioners be prepared to review the hardship for their request.

Mr. Goss moved to set a public hearing date of January 7, 2015 for 2014-54 Virginia Road Mini Storage at 201 S. Virginia Road. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

2014-31 CANYON CROSSING - SE East Street and Route 176 – PUBLIC MEETING

A motion is requested to set a public hearing date of January 7, 2015.

Preliminary Planned Unit Development for a 14-lot single-family subdivision.

Tom Zanck, attorney, was present to represent the petition. Mr. Zanck said a new submittal has been submitted to staff after taking into account the comments made by the Commission and staff. They have more work to do on the storm water and it should be ready prior to the January meeting.

Mr. Hayden asked if there was any one present who wished to speak on this matter. There will be another opportunity at the public hearing. There was no one present who wished to speak at this time.

Mr. Goss said the density requested needs to be addressed. He does like this plan better than the previously proposed plan. He added that the alley should not be used as a through way.

Mr. Skluzacek said he likes this plan much better.

Mr. Esposito said he would like to discuss at the next meeting the snow removal, traffic in and out of the site, and storm water. Mr. Hayden said the storm water is critical.

Mr. Esposito moved to set a public hearing date of January 7, 2015 for 2014-31 Canyon Crossing located southeast of East Street and Route 176. Mr. Jouron seconded the motion. On roll call, all

members voted aye. Motion passed.

2012-77 SMITH CARTAGE CO (Algonquin Tr 1086) – 7013 Sands Rd. – PUBLIC HEARING
Rezoning upon Annexation to “M” Manufacturing, Planned Unit Development; Special Use Permit for Outside Storage of Commercial Vehicles; and Zoning Variations from: A. Article 4-200 C, the requirement of off-street parking surfacing, to allow the existing gravel parking lot to remain; and B. Article 4-700 B(3) to allow the existing 7-foot barbed wire crowned fencing and gate in the front yard.

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, and Charles Smith, owner, were present to represent the petition. Mr. Gottemoller said the petitioner is requesting to annex this property into the City and are asking for the “M-PUD” district. This property has been used by a trucking company for many years and in the future. He said they are requesting that the gravel remain gravel and not be required to be paved for 20 years. With the truck traffic and parking on the site, the parking lot would be constructed more like a road and would be very expensive. Mr. Gottemoller said they currently have a fence topped with barbed wire that they would like to stay.

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 Fire Rescue has access to the site after hours. Mr. Smith said yes. Mr. Goss asked if the tankers are stored full overnight. Mr. Smith said no and they do have a hazmat plan in place.

Mr. Goss said this request meets the Findings of Fact for the Special Use Permit.

Mr. Gavle asked about the business. Mr. Smith said they are associated with BP and other companies that require high levels of criteria be met. He said they run a clean operation.

Mr. Skluzacek asked if all of the vehicles belong to the company. Mr. Smith said yes. Mr. Skluzacek asked how many trucks could be on the site at one time. Mr. Smith said there could be 50-60 trucks and they also have dry freight hauling. Mr. Skluzacek said the area looks good.

Mr. Esposito asked staff why they were suggesting the paving be complete in 10 years. Ms. Cowlin said with previous annexations, the Council has limited gravel in the past and 10 years is usually the time frame allowed.

Mr. Hayden asked if there will be an Annexation Agreement. Mr. Gottemoller said yes. Mr. Hayden asked if there are any conflicts between the proposed Agreement and the staff report. Mr. Gottemoller said the only thing is the paving be complete in 10 years. He added that the owners store their personal

RV on the site also.

Mr. Goss moved to approve the Rezoning upon annexation to M Manufacturing PUD, Special Use Permit for outdoor storage of commercial vehicles; and Zoning Variations from: A. Article 4-200 C, the requirement of off-street parking surfacing, to allow the existing gravel parking lot to remain; and B. Article 4-700 B(3) to allow the existing 7-foot barbed wire crowned fencing and gate in the front yard at 7013 Sands Road with the following conditions:

1. A motion to recommend approval of the petitioner's request to rezone the subject property from to "M" Manufacturing district with a PUD upon annexation, allowing the existing uses and improvements via the annexation agreement.
2. The Special Use Permit for outdoor storage is hereby granted with the condition that all vehicles and equipment shall be adequately screened with fencing or other acceptable landscaping.
3. The Variation from Article 4-200 C for the gravel parking lot is hereby granted for a term not to exceed 10 years.
4. The Variation from Article 4-700 B(3) for the existing 7-foot fence is hereby granted.
5. Any other improvements that are made to the property shall comply with the Unified Development Ordinance standards.
6. The petitioner shall comply with the requirements of the Community Development Department.

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

2014-51 MY HAPPY PLACE COMICS - 19 B Berkshire Dr – PUBLIC HEARING

UDO Text Amendment to allow Gift, Novelty, and Souvenir Stores as a Special Use in the B-1 Neighborhood Commercial zoning district; and a Special Use Permit for a Gift, Novelty, and Souvenir Store.

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.

Deneen Perron, William Hocks, and Cory Stolberg were present to represent the petition. Ms. Perron said she wants to open a comic book store and is requesting to amend the UDO to allow here store in the "B-1" zoning district. She said the store will have comics, t-shirts, novelties, etc. as well as special events such as signings.

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 about condition #2 regarding the parking. He said there is currently sufficient parking, but it should be worked out with the other tenants for special events. Ms. Cowlin said staff wants to be sure the customers are not parking in the gas station or day care. Mr. Hayden asked how that would be enforced. Mr. Goss said the business could register a compliant.

Mr. Skluzacek asked about special events and how many people would the petitioner expect. Ms. Perron said that is hard to determine. It truly depends on who would be coming and how popular they are. She said it could be 100 people. Mr. Skluzacek said there are other businesses that need the parking too. Ms. Perron said an event would be just a few hours for a day on the weekend. She added that they would notify the neighbors. Mr. Skluzacek asked about the hours of operation. Ms. Perron said the hours will be Monday to Saturday 11 a.m. to 9 p.m. and Sunday from 11 a.m. to 6 p.m.

Mr. Jouron asked if they would purchase comics as well. Ms. Perron said they will only be selling. There has been some discussion about getting into consignment on vintage toys but it has not been decided. She stated they could also work something out with their neighbor – the game store that has tournaments – to use her large room if their tournaments reach capacity.

Mr. Esposito said he is concerned with the parking. The events for both this business and the game store could be concentrated on the weekends. They need to be mindful of their neighboring uses.

Mr. Jouron asked if they would carry sports memorabilia. Ms. Perron said no. There is another store in the adjacent center that does that.

Mr. Hayden said as the business grows, portions of the business will be added and others deleted. He too is concerned with the parking. Mr. Hocks said they will post signs to inform their customers where to park. Mr. Hayden said if there is a parking problem that is a good thing for this business but not for the neighboring businesses.

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

Mr. Goss moved to approve the UDO Text Amendment to allow Gift, Novelty, and Souvenir Stores as a Special Use in the B-1 Neighborhood Commercial zoning district, and a Special Use Permit to allow a Gift, Novelty, and Souvenir Store for My Happy Place Comics at 19 E. Berkshire Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Deneen Perron, received 11/10/14)
 - B. Floor Plan (Deneen Perron, received 11/10/14)

2. ~~The applicant shall be responsible to have adequate parking in the shopping center for this use. No vehicles shall be parked on the street or in the gas station or daycare lots.~~ **None of the petitioners, customers or employees shall park on the street or in the nearby gas station or day care lots.**

3. The petitioner shall address all of the review comments and requirements of the Community Development and Fire Rescue Departments.

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

REPORT FROM PLANNING

- Doherty – 4420, 4501, 5201, & 5425 Rt. 176 - Annexation cont to December 6 or January 2
- Auto Tech – 350 Virginia St. – Special Use Permit
- Martin Chevrolet – 5220 Northwest Hwy. – Sign Variation
- E-cigarettes – Clean Air
- Temporary Use Permit Gun Shows 2015 – Holiday Inn – 800 S. Route 31
- Business Anniversaries (Gulgren Appliance)
- Mattress Firm - 5501 Northwest Hwy. – Conceptual Review
- Temporary Use Permit McHenry Co Human Race – 5 k walk/run & Four Colonies POA storage unit

Mr. Richter reviewed the items for the next meeting on January 7, 2015.

COMMENTS FROM THE COMMISSION

The members wished everyone a Happy Holiday, Merry Christmas, and Happy New Year.

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