CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 21, 2010
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS

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

Michelle Rentzsch, Director of Planning and Economic Development, Latika Bhide and Elizabeth Maxwell, both Planners, were present from Staff.

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

APPROVE MINUTES OF THE APRIL 7, 2010 PLANNING AND ZONING COMMISSION MEETING

Mr. McDonough moved to approve the minutes from the April 7, 2010 Planning and Zoning Commission meeting as presented. Mr. Skluzacek seconded the motion. On roll call, members Batastini, Jouron, McDonough, and Skluzacek voted aye. Members Esposito and Greenman abstained. Motion passed.

2010-21 TOPPS/GRAMME – 5 acres near MCC – PUBLIC HEARING
Continued for publication to the May 5, 2010 PZC Meeting.

Mr. Greenman asked if there was anyone in attendance regarding this petition. There was no one present.

Mr. Esposito moved to continue 2010-21 Topps/Gramme to the May 5, 2010 PZC meeting. Mr. McDonough seconded the motion. On roll call, all members voted aye. Motion passed.

2010-24 CRYSTAL LAKE SENIOR HOUSING PROJECT – SW Congress & Commonwealth – PUBLIC MEETING
A motion is requested to set a public hearing date of May 5, 2010.
Preliminary Planned Unit Development, Variations for a senior independent living development.

Mr. Greenman said the petitioners are present to give the Commissioners an overview of the project and to set a public hearing date.

Kelly Cahill, attorney, Tom Monico, developer, were present to represent the petition. Ms. Cahill said this project is for people age 55 and older and is located across from Health Bridge. The property has

been vacant for some time and they are proposing an affordable senior independent living facility. The building will be 4 stories with the first floor being used for parking. That will reduce the impervious surface of the property. Ms. Cahill showed the site plan for the proposed development as well as color renderings from various angles. She said the entry will be covered and there will be many amenities such as a gym, craft room, etc. Ms. Cahill stated that the developer has several in the area including one in Glenview and one under construction in Fox Lake.

Ms. Cahill said the property is zoned "B-2" and they are requesting a use variation to allow this development in the district. She said this residential use will bring customers in close proximity to businesses, medical facilities, and the downtown area. The density and high quality building materials will add to the property values in the area. She said if this development were to be put next to a residential area, there would be more of an impact on that residential use. Ms. Cahill said this will be a great engine for economic growth and it fits in with the surrounding uses.

There was no one in the public who wished to speak on this petition.

Mr. Batastini asked if these units will be rented or owned. Mr. Monico said the units will be rentals for the first 15 years. Then they will likely go condo. Mr. Batastini said the building is nice and has good features but it reminds him of a hotel. He is not asking that the building be all brick but it would be nice to have brick further up the building with some type of banding. Mr. Batastini asked if the age restriction is part of the PUD approval. Ms. Maxwell said that could be added as a condition.

Mr. Batastini said he has a concern with traffic. The area is loading up with uses and traffic in that business park is crazy. He asked if a traffic study is required. Ms. Maxwell said Congress Parkway is already designed to handle the traffic. Mr. Batastini said they are getting more non-traditional uses in this area. He asked if a rear access point was being considered. Ms. Maxwell explained that behind this building is the detention basin. There will be a frontage road between all three properties so people can get over to Commonwealth Drive. In addition, she stated the Fire Rescue Department is not requiring the access behind Camelot and their Final PUD request will request its removal. Mr. Monico said more senior drive today but during non-peak hours. That is what they have found at their other locations.

Mr. Jouron asked about the exterior storage. Mr. Monico said each unit has their own furnace and that area is not for storage.

Mr. McDonough said 20 units to the acre seems a bit high. He is 55 and drives during rush hour daily. Mr. Monico said the average age at their current locations is 70. Mr. McDonough asked about the classification of "continuing care facility" used in the staff report. Ms. Maxwell said the UDO doesn't have a designation of independent senior living and the classification used was the closest to this use.

Mr. Skluzacek said he is concerned with the parking spaces especially at the end. He is afraid that people will have a problem backing out. Mr. Monico said there won't be any parking in the corners and not all of the parking spaces will be filled. Each unit will have one parking space assigned to it.

Mr. Greenman reviewed the comments that were made by the Commissioners. He suggested that the petitioner review the conditions listed in the staff report and at the next meeting be ready to review them.

Mr. Monico said they have a project that is up and running in Glenview on Patriot Drive. It is located in The Glen and he would be happy to give anyone a tour if they would like to go through it.

Mr. Esposito moved to continue 2010-24 Crystal Lake Senior Housing Project and set the public hearing date to May 5, 2010. Mr. Batastini seconded the motion. On roll call, all members voted aye. Motion passed.

2010-20 ASHTON POINTE – N. Railroad Tracks; W. Pingree Road - PUBLIC HEARING
This petition was continued from the April 7, 2010 PZC Meeting.
Final PUD Amendment to allow design criteria rather than approved model plans.

Mr. Greenman said the petitioner was sworn in at the previous meeting. He swore in Mr. Reinert.

Larry Vitous with Kenar and John Reinert, developer, were present to represent the petition. Mr. Vitous said they are requesting a modification of the Final PUD. They are trying to keep the sales activity going on this subdivision therefore they would like to allow other builders and other designs other than those approved with the Final PUD. They have created an Acknowledgement Statement which covers architectural minimums for the homes to be built. Mr. Vitous said this way they will not need additional PUD Amendments to allow other designs of homes.

Mr. Vitous reviewed the Acknowledgement Statement which covers the Engineering plans, Plat of Subdivision, Homeowners' Association, Declaration of Covenants, and Landscape Plan. He said within 3 years of this approval Kenar will be required to put in all public sidewalks, parkway trees, and sod the parkways if nothing is built on the lot. The agreement also covers exterior color packages, monotony code, and an architectural review committee. Mr. Vitous said there is a provision for minimum square footage of a range style home and 2-story home. There are also requirements for the number of additional homes required to have brick as well as the percentage of the brick required. Provisions are also given for soldiering of the brick over the garage door and entry way.

Mr. Vitous said there is an error in the Statement regarding the width of the homes. He said the Statement says a two-story is a minimum of 52 feet wide and it should be 40. A 52 foot wide two-story home won't fit on the lots. He said the homes are currently 40 to 46 feet wide with a 2 car garage. Mr. Vitous continued stating that the homes are required to have a minimum 2 car garage. Also shutters are required, and the roof pitch is stipulated as well as the type of shingles to be used. He said two meetings were held with the homeowners and they have come to an agreement.

Cathy Oehlerking, 456 Ashton Ln., thanked the PZC members for bringing up things that she hadn't

even thought of previously. She said things were changed because of the meetings. Ms. Oehlerking feels the petitioner wants to do away with the PUD and open it up to other builders. They have larger homes and haven't seen anything in writing with regards to the changes and she feels that more discussions are needed. There were some changes presented tonight that were not discussed at the meetings and not everyone is present now.

Jeff Ragan, 144 Ashton Ln., thanked the PZC members and Kenar for working with the current homeowners. He is not overly concerned with the changes that were presented but questioned the width of the homes. Mr. Vitous said the current homes are approximately 40 to 46 feet wide. Mr. Ragan feels Kenar has addressed their concerns for the most part.

Nicole Nowak, 140 Ashford Ln., said they have had communication since the last meeting. Ms. Nowak said Mr. Vitous has been a very good rep from Kenar. They want to protect the values of their homes. She said they were not told of the ranch style homes coming before the City for approval a few years ago and asked about the percentage of brick or stone being 50%. Mr. Vitous said the percentage will be approximately 50% not exactly 50%. Ms. Nowak said she would like to have the phrase added "or more" to the approximately 50% brick or stone. She also would like to review everything prior to this request going before City Council.

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

Mr. Vitous said the request for the ranch homes was a PUD Amendment and notification was mailed out to the homeowners. He said ranch homes are very expensive to build. They may be smaller in size but they are higher in value. The ranch homes are good for the community and this subdivision. Mr. Vitous said he will add verbiage to clarify the brick issue. He added that the Homeowners' Association will be turned over to the homeowners next month.

Mr. Reinert said the petitioner wanted to open the subdivision to new designs/plans which customized homes.

Mr. McDonough asked if after a certain number of units are built they would revert back to the models. Mr. Vitous said no. Mr. McDonough asked how would the lot improvements be enforced. Mr. Vitous said it is part of the documents when purchasing a lot. Ms. Maxwell said Kenar provided the City with letter of credit for the public improvements. That means they are liable to complete the public improvements. Mr. Vitous said the improvements are all in the public right of way.

Mr. McDonough said the width requirements restricts creativity and feels it is overly restrictive. He is not sure if that makes it better for the current residents. Mr. McDonough said they have come a long way and does support what they have done.

Mr. Batastini asked what the average size home is now in the development. Mr. Vitous said he believes

it is 2,700 square feet and said a 2,400 square foot ranch home is a good size home. Mr. Batastini said the development will not be overrun with ranch homes. He asked if the masonry fire places were going to remain. Mr. Vitous said that is very expensive. Mr. Batastini said he would like to have the masonry fireplaces on the homes that back up to Pingree Road. He does support this request.

Mr. Skluzacek thanked the petitioner for working with the neighbors and taking care of most of their concerns. Mr. Vitous said they have addressed most of the issues.

Mr. Esposito said it took a lot of bickering when this development originally came before the City to get what we got. He said there were requests for smaller homes originally to allow for more green space between the homes which didn't happen. Now they are requesting smaller homes after the larger ones have been built. Mr. Esposito said he can't support this request.

Mr. Greenman said he wasn't at the last meeting but was on the Commission when this development originally came through. He said it is their duty to protect the neighbors and appreciates the petitioner's willingness to work with the neighbors. Mr. Greenman said it is hard to change the development after it is started. Mr. Vitous said they have compromised with the neighbors. He said they are trying to keep afloat in these tough times.

Mr. Greenman said the petitioner has gone above and beyond. He said his role is to base his vote on if this is in the best interests of the residents.

Mr. Batastini said he doesn't want the neighbors to have to keep watching their back with other changes. Mr. Vitous said their intention is not to come back. Their goal is to come back as little as possible.

Mr. Greenman suggested that the petitioners have a copy of the plat showing where homes are built and the square footage of them. Also note where the smaller homes could be placed. He is sure the Council would want to know the risk to the neighbors and that map would also benefit the neighbors.

Mr. Batastini moved to approve the Final PUD Amendment to allow design criteria for home construction rather than approved model plans for Ashton Pointe with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application (Ashton Pointe LLC, received 3/23/10).
   B. Acknowledgement Statement (Ashton Pointe LLC, dated 2-23-10, received 3/23/10)

2. Conditions of Ordinance No. 5845 shall remain in effect, as applicable.

~~3. The Acknowledgement Statement shall be adopted with the following changes:~~
   ~~A. Amend #8. To read, "There exists a Subdivision Bond for public improvements for the subdivision. The City of Crystal Lake has inspected and conditionally approved all street lights, storm sewer, sanitary sewer and water infrastructure streets and curbs within or adjacent to said lots.~~

~~All storm water detention ponds (north and south), public sidewalks, parkway landscape, curb repairs and street surfacing remain subject to final acceptance by the City of Crystal Lake. Ashton Pointe, LLC shall be responsible for installation and final acceptance of curb repairs, final surface on streets, and north and south detention ponds within three years of approval of this Ordinance. Upon request for final occupancy the buyer shall have the lot and adjacent parkway final graded, improved with sod, parkway trees, lot landscaping and public sidewalk. If final occupancy has not been requested within two years from the purchase date the buyer shall be required to improve the parkway contiguous to the lot. Parkway improvements shall include final grading, public sidewalk, parkway trees and sod. Proof of sale must be provided by Ashton Pointe LLC.~~ **(Removed by Staff. This condition has been addressed with the revised Acknowledgement Statement)**

B. Amend the signature Date to read Acknowledged this _ Day of 20_.

4. The Acknowledgement Statement shall only be for the single-family lots, Ashton Pointe LLC shall retain control and development rights of the multi-family lots.

5. The petitioner shall comply with all of the requirements of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.

6. In the Acknowledgement Statement, the minimum width of a 2-story home is 40 feet.

7. Masonry fireplaces are required on homes that are visible from Pingree Road.

Mr. Skluzacek seconded the motion. On roll call, members Batastini, McDonough, Skluzacek, and Greenman voted aye. Members Esposito and Jouron voted no. Motion passed.

Mr. Greenman stated that he has reservations. He said if there was significant risk to the neighbors he would have voted no.

2010-23 ALTERNATIVE GARDEN SUPPLY – 176 W. Terra Cotta – PUBLIC HEARING
Land Use Variation and Special Use Permit for a garden supply company.

Mr. Greenman stated that the fees have been paid, and the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Greenman waived the reading of the legal notice without objection.

David Ittel was present to represent his petition. Mr. Ittel said they have a facility in Cary but they have outgrown it. This building meets their needs and then some. He said they would need a small space – about 5% of the building - for retail. They are a very low traffic business and it is hobby oriented. Mr. Ittel said their stores do have demos for their brewing on Saturdays and they also give out 2 oz samples of what they are brewing. He said there are two issues – the Land Use Variation and the Special Use Permit. They do have a truck that makes deliveries and they could possibly add a second truck in the

future. Also the other business that would be using a portion of the building doesn't currently have a truck but they may need one in the future. If they decide to add a truck, they will seek a Special Use Permit at that time.

Mr. Greenman asked if the petitioner had any concerns with the conditions listed in the staff report. Mr. Ittel said no. Mr. Greenman asked what the hardship is for the variation. Mr. Ittel said they need to be able to show their customers how things look since they sell many things from around the world. In the past they haven't had the luxury of space and they want to increase their revenue. He said this is a tax generating business for the City.

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

Mr. McDonough asked if a liquor license is required. Ms. Bhide said no, since they are giving away small samples and not charging for them. Mr. McDonough asked if there would be any outdoor sales at this location. Mr. Ittel said no but there is plenty of room for them to have a garden. The other business may need to store soil on the north side of the property. Ms. Bhide said that was not part of the notification and would need to be requested at another time. Mr. McDonough said this is a great use and has no issues.

Mr. Batastini reviewed the findings of fact. This use will fit in the area and is a low impact use. The Special Use request for the truck storage is necessary to provide service to their customers. He believes it meets all 10 criteria.

Mr. Batastini moved to approve the Land Use Variation to allow retail sales in the "M" Manufacturing district; and a Special Use Permit to allow delivery vehicles to be parked in the parking lot for Alternative Garden Supply and Brew and Grow store at 176 W. Terra Cotta Avenue with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application, received 4-2-10
   B. ALTA/ACSM Land Title Survey, Condon, received 4-2-10
   C. Floor Plan Sketch, Ittel, received 4-2-10

2. The use variation is granted only to this applicant at this specified location. An increase in the intensity of the use beyond what is indicated in the application is not permitted.

3. The outdoor storage is limited to Alternative Garden Supply for a maximum of 2 delivery vehicles. No wrecked, inoperable or other vehicles that are not used for delivery in the day-to-day operation of the business are permitted to be stored overnight. Vehicle storage must occur within the existing striped parking spaces.

4. All signage shall meet the requirements of the Unified Development Ordinance for Industrial

Signs (Article 4-1000 H).

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

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

Comprehensive Plan - First 3 Sections – PUBLIC MEETING
General Discussion

Ms. Maxwell said they are looking for the Commission's feedback content, on formatting, etc. Ms. Rentzsch showed a Power Point presentation. She said the Commission received the first 3 sections, which contain primarily updated information, and asked the Commissioners to take a close look at the vision statement.

Mr. McDonough said the future population distribution looks a lot like the present distribution. Ms. Maxwell said she got that information from CMAP and doesn't know their methodology but staff would follow up and look at this more closely.

Ms. Rentzsch said the last section defines land uses and mining has been eliminated as a land use as this activity no longer occurs within the city. These sections cover the very basic stuff. Ms. Maxwell stated that each section has goals, objectives and policies and staff is seeking input on these details.

Mr. Batastini asked about the Northwest Area Sub-Plan. Ms. Rentzsch said that is a sub-plan that was created in the interim and various elements from this Sub Plan will be incorporated into this updated Comprehensive Plan. Mr. Batastini asked if an open space area is currently planned and approved, is that amount included in the totals shown. He added that the developments that are approved should be added into the population projection, such as 700 townhouses with 2 people living in them would bring 1,400 additional people to the total population. Staff will look further into the population projections that have been provided.

Ms. Rentzsch said one of the new sections will be Economic Development. And as it is entirely new, it will be the only section discussed at the next Comprehensive Plan meeting .

Mr. Greenman suggested that when the sections are e-mailed to them that staff includes what the Commissioners should be focusing on or if specific feedback is wanted on a certain area.

Mr. McDonough said when he reads a staff report that notes information from the Comprehensive Plan that the information is so broad that it would be taken several ways. He feels goals are a good idea. Mr. Greenman said the Comprehensive Plan is broad for a reason.

Mr. Greenman suggested that the members look at the sections again and send staff any feedback.

Mr. Batastini said if a zoning district is put on the map such as Industrial, we should be doing things to bring that type of business to the City. Mr. Esposito said there is a problem with bringing Industry to this area because of the road network and we don't have control over a good number of major roads.

REPORT FROM PLANNING

- 2010-16 Black Ink Tattoo – 540 E Terra Cotta Suite F – Special Use Permit
- 2010-18 American Mattress – 7109 Pingree Road – Special Use Permit
- 2005-29 Fairfield Inn – COG & Chalet – PUD extension

Ms. Rentzsch reviewed the items to be discussed at the next PZC meeting.

COMMENTS FROM THE COMMISSION

Mr. Greenman asked about the sidewalk on Randall Road. Ms. Rentzsch said she believes it won't be put in that exact location. She said there is a plan to have a walkway but off of Randall Road because of safety.

Mr. Greenman said he understands that Fire Bar and Grill is looking to move from the City. Ms. Rentzsch said she understood that they wanted more room, especially for an outdoor seating area, and they are looking for alternative locations when their lease is up.

The meeting was adjourned at 9:50 p.m.