CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, JULY 21, 2010
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, Goss, Jouron, Skluzacek, and Hayden were present. Mr. Greenman was absent.

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

Latika Bhide and Elizabeth Maxwell, both Planners, were present from Staff.

Mr. Hayden 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 JULY 7, 2010 PLANNING AND ZONING COMMISSION MEETING

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

2010-45 HALLOWEEN CITY – 5831 B Northwest Hwy. – PUBLIC HEARING
Land Use Variation (temporary store) for Halloween City.

Mr. Hayden 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. Hayden waived the reading of the legal notice without objection.

Tammy Perry with Halloween City was present to represent the petition. Ms. Perry said they are requesting again this year to have a temporary Halloween store. They have been very successful over the several years they have been located in the City. Ms. Perry said they will be out of the store and the temporary signs will be removed about a week after Halloween.

Mr. Hayden asked if this is the same as in the last several years. Ms. Perry said yes.

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

Mr. Goss said they received a memo adding another condition regarding the point of sale be listed as the City

of Crystal Lake which is for taxing purposes. Ms. Perry agreed. Mr. Skluzacek asked if there were any problems with the business last year. Ms. Bhide said no.

Mr. Batastini said there was an approval recently regarding this property. Ms. Bhide said there was a lounge that was approved for part of the building. This use would be in the other half and the shoe store will be leaving.

Mr. Hayden said this is a welcome addition to the City.

Mr. Esposito moved to approve the Land Use Variation from Article 2 of the UDO, to allow a Halloween Store, classified a Temporary Retail Use/Activity as a Permitted Use in the "B-2" district for Halloween City at 5831 B Northwest Highway with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application packet including sign information (received 7-2-10)

2. An occupancy/life safety inspection shall be completed through the Building Division prior to occupancy.

3. Sign permits are required for all exterior signage and all signage (including any window signage) must meet the requirements of the Unified Development Ordinance.

4. All signage shall be removed within one week after the space has been vacated, else sign penalties will apply. If the petitioner replaces the sign panel on the free-standing sign, that sign will also be replaced with a blank sign panel within one week after the space has been vacated.

5. Parking of a vehicle for the purpose of advertising is prohibited. Any vehicles with the Halloween City logo or lettering shall be parked in the rear of the building.

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

7. The point of sale shall be noted as the City of Crystal Lake for sales tax.

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

2010-27 PARK PLACE – W. Randall Rd.; N. Village Rd – PUBLIC HEARING
PUD Amendment and Variation to allow deck and patio extensions for this development.

Mr. Hayden 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. Hayden waived

the reading of the legal notice without objection.

Brian Schoepp, Vice President of the Homeowners' Association, was present to represent the petition. Mr. Schoepp said their Association has received many requests for additions to the existing decks and patios which are too small to use. This change to the PUD will benefit the property values and this is a beautiful area people want to enjoy.

Joan Schmidt, 640 Grand Canyon Circle, said she is concerned with this becoming a "picket fence" look. She said when they purchased their unit, everything was very uniform. Ms. Schmidt is concerned that these will have a "willy nilly" look to them.

Mike Marinyr, 670 Acadia Circle, said the decks and patios presented are to be the same size. He has a deck and only his grill can fit on it. There isn't even enough room for him to stand. Mr. Marinyr said when he purchased his unit he was told he would be able to extend the deck. This deck isn't anything more than a stair case to exit the unit. He wants to be able to enjoy outside.

Barb Hurmi, 1556 Brompton Lane, said she has grandchildren and their deck is too small. They can't enjoy it. Ms. Hurmi agreed that aesthetics are important but so is the quality of life. She would like a deck a little larger so she can sit on it.

James Schmidt, 1536 Glacier Circle, agreed that these decks are not more than emergency exits for the units. He is concerned with safety, so he removed his grill from the deck because it was too close to the wood railings.

Thomas Galli, 1497 Yosemite Circle, said the parameters presented are very narrow and everything will be uniform. He added that the quality of life will increase dramatically.

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

Mr. Batastini asked for a show of hands from those in attendance who were in favor of the request and who were opposed to the request. The majority was for the proposed change. He is comfortable that these decks and patios won't clutter the area. These proposed decks and patios will have a uniform look to them and he is in favor of it.

Mr. Skluzacek said he is in favor of it because they will be uniform.

Mr. Jouron asked how long the Association has been controlled by the residents and not the developer. Mr. Schoepp said about two years. He said when the builder had the Association he was told it would be okay to put an addition on the deck. They said they were not able to do it at that time. Then he was told by the City he wasn't able to when he came in for a permit. Mr. Schoepp added that Staff has been very helpful through this process.

Mr. Jouron asked if the developer knew there wasn't enough room for larger decks. Ms. Maxwell said she doesn't recall anything in the minutes that there wouldn't be enough room for larger decks/patios. Mr. Schoepp said they only want to go out a little bit so they won't look hodge podge. They will be required to be the same color, height, etc.

Mr. Esposito said he was surprised that it took this long for this request to come up. He said we are suburban people in a suburban area and we like sitting on a deck.

Mr. Goss is concerned with going into the setback. He doesn't have a problem with the interior units but is concerned with the units abutting single family lots in Crystal in the Park, and a portion of the Villages. Mr. Schoepp said there is a good buffer between where the lot ends and the residences. Mr. Goss agreed that it is good to have the design and size nailed down in the Covenants. He asked that the full set of Covenants be sent to the City Attorney for his review prior to the Council meeting.

Mr. Hayden agreed with Mr. Goss. Both he and Mr. Goss had been on the City Council previously. He said over the years many developers had "shoe horned" in as many units as possible and insisted they would tell perspective purchasers about the restrictions on the lots. He said the setbacks were designed to keep as much open space as possible. He is very torn with this request.

Mr. Schoepp said he understands a deck can encroach into the setback 4 feet. He said they just want to enjoy their back yards. Mr. Goss added that the owners of the single family residences adjacent to this property do too.

Ms. Maxwell said if the owners of the units wanted to make the decks larger than approved, they would need to amend the PUD like they are doing now. She doesn't feel that would happen too soon.

Mr. Batastini moved to approve the Final PUD Amendment to allow the extension of decks and patios to extend beyond the previously approved limits, which would require variations to allow encroachment into the rear yard setback and to the maximum permitted impervious coverage for Park Place Units 2 and 3 located west of Woodscreek on the north and south side of Alexandra Blvd.with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application (Brian Schoepp, received 4/12/10).
   B. Park Place HOA Patio and Deck Guidelines (Park Place HOA, received 4/12/10)
   C. Patio and Deck extension exhibit (Schoepp, received 4/12/10)

2. All previous approvals, restrictions and approved plans shall remain in effect, unless specifically modified by this request.

3. No patio or deck extension shall be permitted closer than 5 feet from the rear property line and shall not be permitted within a Municipal Utility Easement, Drainage Easement, Restricted Public Utility Easement, Access Easement or Public Utility Easement (unless permission is granted from that utility).

4. Each homeowner is required to complete a Building Permit application and provide complete plans with dimensions, materials, colors and other details. The homeowner shall also show any landscape to be removed and its relocation. The homeowner shall also calculate the impervious surface coverage.

5. Each permit shall be reviewed by the Engineering Division to ensure grading patterns remain intact.

6. 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.

7. Each patio or deck request shall adhere to the following criteria:

A. Patio extensions
All patios must be made of uncolored concrete or uncolored stamped concrete using either Fieldstone, Ashlar Slate, Majestic Ashlar, or 36" x 36" Slate patterns and using a black or dark grey release color. The patio must also be professionally installed by a licensed and bonded contractor. Homeowner's patios that disturb the existing landscaping (other than grass) must replant the bushes and shrubs in an approved area on their owner lot. Patios must also be permitted and approved by the City of Crystal Lake. For more information, visit http://www.crystallake.org/Modules/ShowDocument.aspx?documentid=132 . Be aware that lots with dramatic sloping backyards may require additional attention and paperwork.

Look-Out Basement or Walk-Out Basement Models West of the Creek:
Patios must start near the footpad of the stairs and extend a width of 12 feet. From here the patio will extend 10 feet out towards the rear of the property.

Slab or Standard Basement Models West of the Creek:
Patios can be extended 6 feet out and 8 feet over from the original patio. This will double the existing patio. If the homeowner chooses to use stamped concrete the whole patio (existing and new) must be done.

Homeowners will be responsible for any impact their installation may have to the building or grounds. Homeowners are also responsible for the removal of any dirt, grass, and other materials. Materials must be removed from the association grounds.

All owners who wish to install patios will be responsible for the upkeep and maintenance of their patio. Any necessary relocation of landscape material due to the installation of a patio will be done by the Association's hired landscape contractor at the homeowner's expense.

B. Deck Extensions

PART TWO - DECKS

All decks must be made of wood and follow the same style of the existing deck. No stains or painted wood will be allowed. Decks must also be permitted and approved by the City of Crystal Lake. For more information, visit http://www.crystallake.org/Modules/ShowDocument.aspx?documentid=131. Be aware that lots with dramatic sloping backyards may require additional attention and paperwork.

Look-Out Basement or Walk-Out Basement Models West of the Creek:
Deck extension of 6 feet 6 inches by 7 feet will be permitted. All railings must follow the same style as the preexisting deck. Ground underneath the deck must be mulched and relandscaped. Any bushes or shrubs under the new deck extension must be relocated to an approved area.

Homeowners will be responsible for any impact their installation may have to the building or grounds. Homeowners are also responsible for the removal of any dirt, grass, and other materials. Materials must be removed from the association grounds.

All owners who wish to install a deck will be responsible for the upkeep and maintenance of their deck. Any necessary relocation of landscape material due to the installation of a deck will be done by the Association's hired landscape contractor at the homeowner's expense.

8. The City Attorney shall review the current Covenants, Conditions and Restrictions prior to City Council review and approval.

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

Mr. Goss said his vote was based on the setbacks.

REPORT FROM PLANNING

- Topps – 8307 Ridgefield Road - cont to August 17, 2010
- Charlie's Dog House - 140 W. Terra Cotta Ave Suite B – Variation
- Greenway Infrastructure Plan

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

COMMENTS FROM THE COMMISSION

Mr. Hayden said he will recuse himself from the discussion of the T-Mobile tower because of a conflict of interest. Mr. Goss said he doesn't believe Mr. Hayden would need to recuse himself. Mr. Hayden said he will check on that prior to the next meeting.

Mr. Batastini said there were several large trees taken down on Congress Parkway in front of the Metra station. Ms. Maxwell said she would check into it.

Mr. Jouron asked about the location of the Verlo Mattress truck. Ms. Bhide said it was approved to be near the building. Mr. Jouron said it is not where it should be. Ms. Bhide said she will contact the Building Division.

Mr. Esposito asked about the Hobby Lobby sign. Ms. Maxwell said the owners and tents are working on a possible new location of the sign.

The meeting was adjourned at 8:30 p.m.