CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, JUNE 16, 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, Greenman, Goss, Jouron, Skluzacek, and Hayden were present. Mr. McDonough was absent.

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

Michelle Rentzsch, Director of Planning and Economic Development, Latika Bhide and Elizabeth Maxwell, both Planners, and Rick Paulson, Building Commissioner, 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 JUNE 2, 2010 PLANNING AND ZONING COMMISSION MEETING

Mr. Batastini moved to approve the minutes from the June 2, 2010 Planning and Zoning Commission meeting as presented. Mr. Skluzacek seconded the motion. On roll call, members present voted aye. Motion passed.

2010-42 BOURGEAU – 779 North Shore Drive – PUBLIC HEARING
Variations for a 6-foot fence in the North Shore Drive and Oak Court setbacks.

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.

Eric Anderson, attorney, and Oliver and Mari Bourgeau, owners were present to represent the petition. Mr. Anderson said the lot has North Shore Drive on the front and Oak Court in the rear. They are requesting a 6 foot privacy fence to extend 5 feet into the required setback on North Shore Drive and 23 feet into the required setback on Oak Court. He added that they will also be replacing the 4 foot chain link fence with a picket fence. Mr. Anderson said there are no additional sight line issues with this request. The garages in the area are up to the street.

Mr. Anderson said there is a significant amount of wetlands in the area which contributes to deer and coyotes in the area, which is a safety issue. He said the petitioners have pets and small nieces and nephews that come to visit often. This area has heavy traffic because there is only one way in and out of the neighborhood. Mr. Anderson added that in June of 2008 there was a speeding car that lost control and ended up in the petitioners' front yard.

Mr. Anderson said there are special circumstances for the privacy fence and it was suggested by the Crystal Lake Police Department and a Building Division inspector the variation should be sought. He said that about 75% of the homes in the area have fences. Even thought the area is zoned "R-2" the area is very old and the homes are packed into this area. Mr. Anderson said the home was built in 1924 and the wild life is being crowded out by development.

Mr. Anderson stated that the variations will not change the character of the neighborhood and will not be a detriment to the area. The proposed privacy fence is more attractive than the chain link fence that is currently there. The proposed fence will not affect the light or air to the neighbor's home since there are no windows on that side of the home. He added that the fence will enhance the livability of the area and serve as some protection from animals and speeding cars. Mr. Anderson said the City Code requires a fence for a day care and vet clinic for protection. Mr. Hayden asked for clarification. Mr. Anderson said the Code is there to protect those children and animals. They want this to be a safe, clean and attractive home.

Mrs. Bourgeau said the fence will not stop the neighbors from coming over but it will protect the pets and kids when they come over.

Mr. Hayden asked if there were any concerns with the conditions listed in the staff report. Mr. Anderson said no.

Joe Smith, 771 North Shore Drive, said he is concerned that this request will encroach on his property. He said the fence will not control the speed of the cars along North Shore Drive. Mr. Smith said he doesn't want to have a problem when he requests a building permit for his vacant property. Mr. Hayden asked if Mr. Smith objected to the request. Mr. Smith said yes.

Tylin LaRocea, 785 North Shore Drive, said there are three issues – security, privacy, and beautification. He said the chain link fence is old and unattractive. There are about 18 kids in the area and they spend a lot of time with the Bourgeaus and the fence would add to the security of the kids. Mr. LaRocea said the Bourgeaus also want to beautify the area. He added that Mr. Smith has spent a lot of time on his yard and this will make a separation. The sight lines are not changing and will allow the kids to be contained. Mr. LaRocea said he is sure the Bourgeau's contractor will keep the fence on their property.

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. Skluzacek asked why a 4 foot fence from the back of the house to the street is needed. Mrs. Bourgeau said it is to replace what is currently there. Mr. Skluzacek said he has no objections to the 6 foot fence but can't support the 4 foot fence. Mr. Goss agreed.

Mr. Batastini said he goes to that area a lot and prefers the 3 foot chain link fence because you can see

through it. Ms. Maxwell said even if the slats on a picket fence are separated there is still some blockage.

Mr. Esposito said there have been many people asking for taller fences in the setback before and they have not been granted.

Mr. Greenman said he supports the 4 foot fence and can't support the 6 foot. Mr. Batastini said he agrees that going into the setback is excessive but in that area the lots are very narrow and tight. Mr. Greenman said he understands what the petitioner wants to accomplish but he feels this will box off the lot.

Mr. Skluzacek said he would prefer no fence at all from the back of the garage. Mr. Batastini said everything comes right up to the road. It fits the character of the neighborhood.

Mr. Hayden asked for an explanation of the diagram in the staff report. Mrs. Bourgeau explained the fence height locations.

Mr. Batastini moved to approve a Simplified Residential Variation (Article 4 Section 4-700 B Height Requirements for Fences) to allow a 6-foot high fence into the required front and yard abutting a street setbacks and a ~~4~~ **3-**foot high fence in a yard abutting a street at 779 North Shore Drive with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application (Bourgeau, received 5/28/10)
   B. Site Plan (Bourgeau, received 5/5/10)

2. The following is hereby granted:
   A. A simplified residential variation to allow a 6-foot high fence 6 feet into the required front yard setback and 23 feet into the yard abutting a street; and
   B. To allow a ~~4~~ **3-**foot high fence to encroach 23 feet into the yard abutting a street.

3. Through the Building Permit process, the petitioner shall work with the Fire Rescue Department to ensure the fence design, location and gates will allow them access to the property in case of an emergency.

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

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

Mr. Hayden said he doesn't see the difference between a 3 and 4 foot fence. He would prefer that no fence be in that area at all. Mr. Esposito and Mr. Skluzacek agreed.

2010-39 VERLO MATTRESS – 5150 Northwest Hwy. – PUBLIC HEARING
Special Use Permit for outside storage of trucks.

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.

Ray Westman, owner, was present to represent the petition. Mr. Westman said the City inspector stopped in the store to tell them they were not able to park their truck in front of the building. He said there is no parking behind the building since it is all a fire lane. He said there are only two parking spaces in the entire lot that don't have a tree overhang and an electric plug that they can use in the winter for the truck is located on the base of the freestanding sign near Route 14. Mr. Westman said four of the stalls shown in the staff report are blocked by trees and the other doesn't have an electric plug near it.

David Mitchell, owner of American Mattress, said he was recently granted a Special Use Permit to allow them to park their vehicles in the front of their store over night. He said there are three mattress stores in the immediate area that have the same situation. The problem he has with the conditions suggested by staff is that there is nothing concerning the condition of the truck. Also there is really no reason for a delivery truck to be at this location since the mattresses are not made or stored there. Mr. Mitchell said the older larger trucks are used as bill boards by businesses and that does not look very nice. He added that there is no condition listed that they can't hang banners from them.

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 said these trucks are going to be a problem. It is unsightly. Mr. Paulson said the problem with this location is there is no area in the back to park the truck. It is an enforcement problem. Mr. Batastini said he can see the merit in this since there is only one electric plug for them to use.

Mr. Westman said the size of the store doesn't have anything to do with the truck. Mr. Skluzacek asked how many deliveries are made in a week. Mr. Westman said 20-25 per day. He added that the truck here in Crystal Lake is only used if one of the other trucks breaks down. Mr. Skluzacek asked how many deliveries are made from the Crystal Lake store using this truck. Mr. Westman said 5 or 6 per week. He said they have had their truck in front of the store for more than 20 years.

Mr. Batastini said we have restricted work trucks in residential areas and asked if the truck could be parked off site that has a plug for them to use in the winter. He said he understands the situation but every retailer along Route 14 will want a truck to advertise. Mr. Paulson said the hardship is they can't park the truck in the rear of the building because of the fire lane.

Mr. Jouron said the truck is a sign. He said the truck could be painted white but the truck storage makes the City look unattractive. He can't support this request.

Mr. Greenman agrees this truck is a sign and added that it is not that they don't appreciate the business. He suggested some sort of cover over the truck. He understands this is unique but this truck is still a sign and they need to be fair to the other businesses. They will want more signs as well.

Mr. Batastini said even if the truck were painted it would still be unattractive. Mr. Hayden said the next step would be that the truck was broken into and they need flood lights on the truck over night.

Mr. Esposito agreed that this truck is a sign. Mr. Goss said the truck sat in front of the store for weeks blocked in by snow mounds. This truck also blocks the signs that are on the approved sign for the center. He suggested that the owner trim the tree branches, install an electrical plug on the building, and move it to one of the suggested parking spaces.

Mr. Batastini suggested that they move the truck to an off-site location, but nearby, possibly along Pingree Road or an industrial area. He would prefer the truck not be along Route 14.

Mr. Hayden reviewed the criteria listed in the staff report. He said this is not necessary or desirable and it is questionable to him if this will be detrimental to property values. He agrees this is a sign and it doesn't meet the Special Use Permit criteria.

Mr. Westman said he could possibly put in an outlet on the building and use one of the closer parking spaces. Mr. Batastini said he doesn't want the truck parked out in front of the building no matter where on the property.

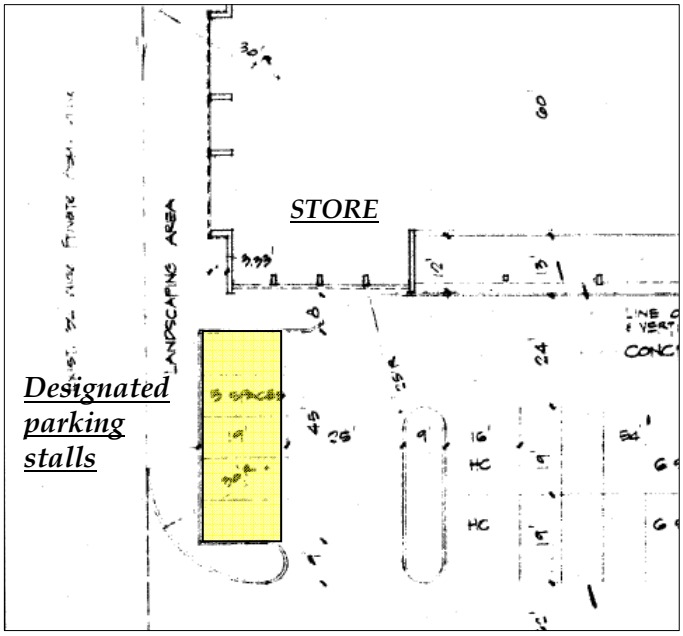
Mr. Greenman said there is a significant hardship since there is no option of parking the truck in the rear. He added that the truck is part of their business. Based on the hardship and not the findings of fact he supports the request. Mr. Greenman said he doesn't believe they are in a position to make the petitioner park the truck off-site.

Mr. Goss moved to approve a Special Use Permit for outside storage of trucks for Verlo Mattress at 5150 Northwest Highway with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (received 5-14-10)
   B. Site Plan (Geudtner & Associates, dated 12-13-88)

2. The outdoor storage is limited to Verlo Mattress for a maximum of one vehicle. No wrecked, inoperable or other vehicles not associated with the business are permitted to be stored overnight.

3. The delivery truck must be parked in a designated parking stall **~~(one of the 5 spaces~~** closest to the building**~~)~~** and not along a drive aisle.



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

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

Mr. Batastini said the City needs to address this issue in the next review of the UDO. People will need to have compelling reasons why they want to park on main roads.

2010-29 CARSS & SUNSET TREE SERVICE – 545 & 565 Dakota, 300 Millennium - PUBLIC HEARING
This petition was continued from the June 2, 2010 PZC meeting.
Special Use Permit for outdoor storage of vehicles and trailers.

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.

Andy Ludovissie, owner of Sunset Tree Service, and Christopher Branham, owner of CARSS, were present to represent the petition. Mr. Branham said he has been in this unit for over 5 years and he does many special promotions for the community. He said they are an auto repair business and not a storing car business. Sometimes there is overflow of vehicles and it is not feasible to keep them all inside.

They are allowed 9 parking spaces in the front of the building and the owners of the condos, Charles River Development, has no issues with them using the extra parking spaces because the units are not full. Mr. Branham said they want to use the area for overflow parking for a day or two but not to store them. He added that they are a U-Haul reservation site and they repair the units but they do not have the units there to rent. That location is at Routes 14 and 31. Mr. Branham said these two businesses are keeping this development afloat. There isn't even enough money to put up an entry sign.

Mr. Ludovissie said his business also has 9 parking spaces in the front and 9 in the rear of the building. He only wants to park his vehicles there. Mr. Branham asked if the Commissioners noticed they did not say they want to "store" vehicles but only to park them. He said he doesn't want to "store" anything. Mr. Branham added that if it weren't for them this would have been a failing industrial park.

Mr. Hayden asked if the petitioners have any concerns about the recommended conditions in the staff report. Mr. Branham said the wellhead issue is a concern. He said they were going to use offsite parking at the Millennium lot but would have had to put in protection for the wellhead so they scrapped the idea.

Mr. Hayden asked if they had any concerns with condition#2A regarding storage of wrecked cars outside. He said if this request receives approval including that condition would the petitioners agree to that. Mr. Branham said yes.

Mr. Branham said he knows that Mr. Ludovissie has blocked another unit's door a few times and he would like them to work it out.

Chris Jorge, 565 Dakota, said the rear door to his business has been blocked several times in three years and it was to the point that the door couldn't be used at all. Mr. Jorge said he doesn't use that unit full time and has had to contact the owner of the business condos to have the trucks removed. He also noted that there have been many U-Haul vehicles parked in the lot lately.

Dave Bures, employee of Sunset Tree, said the trucks rarely block the doorway to the other unit. Mr. Hayden said he didn't want to get into hearsay evidence. Mr. Bures said it is not hearsay and continued to reflect on the various incidents. Mr. Hayden asked if Sunset Tree has blocked the doors to other units. Mr. Bures said once it was blocked with a couple of buckets and a tarp. He added that they remove the snow by all of the units during the winter.

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. Ludovissie said if they park near the door of another unit, there is plenty of room to get in and out. He stated that they do remove all of the snow from the units in the winter and they don't park in front of the bay doors.

Mr. Jouron asked if the parking spaces are assigned to each unit. Mr. Branham said there are three parking spaces for each unit. He said they don't park in front of any unit without asking permission. Mr. Ludovissie said he has 5 spaces in front of his unit. Mr. Jouron asked if they always use their parking spaces. Mr. Branham said his employees park on a different lot and walk to this location. Mr. Jouron asked if anything was stored in the building. Mr. Ludovissie said no vehicles are stored inside for his business. Mr. Branham said he uses the spaces. Mr. Jouron asked about the employee parking. Mr. Branham said his employees park away from this lot and walk. Mr. Jouron asked how many vehicles are parked for the tree trimming company. Mr. Ludovissie said their vehicles are not in anyone's way. Mr. Jouron said staff needs to know where the vehicles are parked. Mr. Paulson said there needs to be a designated area for the parking of the vehicles and a list of what will be parked there overnight. He said there have been complaints of a 40 foot trailer being parked in front of the building, as well as observing a wrecked Comcast truck that was leaking fluids.

Mr. Batastini asked what staff needs regarding the parking. Ms. Bhide said they need a detailed plan showing the area where the vehicles will be stored. She explained what information was needed and added that if the vehicles are wrecked and leaking they would need to be parked inside.

Mr. Paulson said Sunset Tree vehicles don't leave the site everyday which constitutes storage. Mr. Branham said that means they need to drive the vehicles around the block every day. Mr. Batastini said this is making it harder than it has to be. Mr. Paulson said the parking was spread out. They just need to know the number of vehicles to be stored and the area they are to be stored in.

Mr. Goss said the employees don't park there currently and the units are not all occupied. There will be a larger problem with parking when the units are full. Mr. Greenman suggested that the Special Use be tied to current conditions and if the occupancy changes, this SUP shall be revisited.

Mr. Batastini said staff needs to look at the parking requirements for this district for when we review the UDO in a few months.

Mr. Skluzacek said there are trucks parked as well as two trailers between buildings. Mr. Branham said they are trying to get parts.

Mr. Hayden said he is concerned with the wellhead protection area with the possibility of leaking vehicles. Mr. Branham said there are no leaking vehicles.

Mr. Paulson stated that he would ask that a condition be added that a detailed plan be submitted as to where the parking will be and the number of vehicles to be stored as well as completing an occupancy application for Sunset Tree. He said they were not aware that Sunset had moved into another unit and that unit is listed in the phone book.

Mr. Greenman stated that the findings of fact have been satisfied.

Mr. Goss asked if the owner of the condo units were partly at fault. Mr. Paulson said staff has stickered every unit which states that an occupancy permit must be completed prior to occupying this unit and that a life safety inspection is required.

Mr. Greenman moved to approve the Special Use Permit for outside storage of vehicles and trailers and a Variation from the requirement to store vehicles in a state of disrepair within a fenced area for CARSS and Sunset Tree Service at 545 & 565 Dakota and 300 Millennium with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (received 4-19-10)
   B. Site Plan, Dakota Industrial Condos II (Northwestern Engineering Consultants, P.C., dated 9/29/03, received 4-19-10)
   C. Plat of Survey, 545 Dakota Condominium (Vanderstappen Surveying, dated 3/5/03, received 4-19-10)
   D. Plat of Survey, 565 Dakota Condominium (Vanderstappen Surveying, dated 11/2/04, received 4-19-10)

2. Outside Storage
   A. Since this site is in the Crystal Lake wellhead protection area, no collision (wrecked) vehicles or vehicles that are or potentially could leak fluids shall be stored outside.
   B. Outside storage of vehicles shall be limited to repaired vehicles and shall be limited to the designated parking spots in the rear of the building.
   C. The petitioner shall work with Engineering and Public Works staff to provide satisfactory protective measures to prevent ground water contamination due to leaks.

3. A detailed plan indicating exactly where and how many vehicles (including stacking plan) will be parked must be provided for approval. A written verification that the condominium association has approved the plan is also necessary.

4. All repairs must be conducted inside an enclosed structure.

5. Information regarding the size and number of vehicles (for Sunset Tree Service) proposed to stored on-site must be provided. A diagram depicting actual vehicles parking in the proposed spaces and addressing vehicle turning movements must be submitted.

6. Provide a 20-foot access for emergency vehicles to gain access to the building, fire department connection, and any fire hydrants.

7. No vehicles or trailers can block any egress doors.

8. No vehicles or trailers can block any accessible spaces.

9. If upon inspection by the City, it is noticed that any of the conditions of approval are not adhered to, the SUP shall be revoked immediately.

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

11. A detailed plan shall be submitted as to where the parking will be located and the number of vehicles to be stored.

12. An occupancy application shall be completed for all units occupied by Sunset Tree Service.

13. Approval is based on the current occupancy of the building. If the occupancy of the building changes, the parking/storage situation shall be reviewed by staff and at Staff's discretion will be required to come back before the PZC and City Council for an amendment to the Special Use.

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

Mr. Hayden called for a 5-minute recess. The meeting resumed.

2010-41 PEP BOYS – 4423 Northwest Hwy – PUBLIC HEARING
Final PUD Amendment for changes to exterior elevations, wall signage and center signage.

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.

Kelly Cahill, attorney, Allison Mathern and Glen Fink, both with Pep Boys, and Angela Surico, with Harlem Irving – owners of the shopping center, were present to represent the petition. Ms. Cahill said they are proposing to open a Pep Boys in the former La-Z Boy unit at Twin Ponds Marketplace. They need to amend the Final PUD for the façade changes which include overhead doors. She showed photos of the current building as well as the proposed changes. Ms. Cahill said they have submitted revised sign information and have reduced their square footage significantly. She said they have also eliminated their panel on the Twin Ponds sign on Route 14 but have kept the panel on the Route 31 sign. This store will be a Pep Boys super center.

Ms. Mathern said Pep Boys was founded in 1921 in Philadelphia and has stores all over the country. The stores are owned by the company and not franchisees. They offer light repair services for vehicles such as oil changes but no body work or transmission repairs. Ms. Mathern said sometimes people drop off their cars overnight but they are taken into the work area immediately in the morning. Also if a car needs to be kept overnight, it is kept inside the service area and not outside.

Ms. Cahill reviewed the Special Use criteria. They hope that by opening this store it will revitalize the shopping center. They are filling a vacant store which is a benefit to everyone. She reviewed the PUD criteria. They agree with the updated conditions listed in the Staff memo which was handed out prior to the meeting.

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. Batastini asked about the overnight storage. Ms. Mathern said people may drop off their car after the store is closed. Mr. Batastini said the signs requested make sense but is far outside of the ordinance. He would prefer smaller square footage. He doesn't believe the sign over the bay door is necessary since people along Route 14 are traveling at a good rate of speed.

Ms. Mathern said they will be using different bay doors than most locations. She said they are very sensitive to traffic in that area. Mr. Batastini appreciates the use of nicer bay doors. He asked if there will be any lighting from inside the building when the business is closed. Mr. Fink said it will only be security lighting.

Mr. Jouron said he believes the sign on the rear of the space facing Sands Road is not needed and it would be shining into the mobile homes across the street. He would prefer to eliminate that sign and add the panel back onto the larger shopping center sign on Route 14.

Mr. Esposito said the only problem he has is with the sign facing Sands Road. Ms. Mathern said the sign on Sands Road help to identify the business for people traveling west on Route 14. Mr. Greenman suggested a directional sign on Sands Road. He is looking forward to Pep Boys coming to Crystal Lake. He also is suggesting that a portion of the sign including "service – tires – parts" be removed since it will be very small and not easily seen. Mr. Greenman said he would like to add the panel on the Route 14 shopping center sign. Mr. Goss agreed with the additional panel. Mr. Skluzacek said he would like the wall sign facing Sands Road eliminated.

Mr. Hayden suggested the sign "C" along Sands Road either be eliminated or not illuminated. He also would like to add that there is no signage showing through the bay doors.

Ms. Cahill said they want to keep the "service-tires-parts" portion of the sign because they are a super center and not just the regular store. They want people to know it is retail too. Mr. Fink said it is critical that the front and side signs have "service-tires-parts." Mr. Hayden asked if it was ok with the petitioner to eliminate the sign facing Sands Road. Mr. Fink said yes.

Mr. Hayden asked if there is anything that needs to be addressed with this PUD since it is open for review. Mr. Paulson said there have been recent issues with Home Depot but they have replaced their entire management team in the past 6 days. He said he has been in contact with them.

Mr. Greenman said he understands why the petitioner would want the "service-tires-parts" portion of the

sign but the PZC has been consistent with other businesses. The 16 inch letters won't be able to be read at that speed.

Mr. Batastini moved to approve the Final PUD Amendment to make modifications to the approved exterior elevations, wall signage and center signage for Pep Boys at 4423 Northwest Highway with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Pep Boys Auto, received 6/1/10)
   B. Sign Package (CimaNetwork, dated 6/15/10, received 6/15/10)
   C. Elevations (Unnamed, undated, received 6/1/10)
   D. Site Plan, Floor Plan and Elevation sheets (Pep Boys, undated, received 6/1/10)

2. All conditions from the original PUD Ordinance and subsequent Ordinances shall remain valid, as applicable, unless specifically modified by this request.

3. The petitioner shall comply with the Tenant Sign Criteria, as modified by this request.

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

5. The sign on the east side of the building facing Sands Road shall be removed and a panel be added to the monument sign on Route 14.

6. No illuminated signs, whether inside or outside, shall be seen outside from the bay doors.

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

2010-40 FAIR OAKS HEALTH CARE CENTER – 471 W. Terra Cotta Ave. – PUBLIC HEARING Special Use Permit Amendment & variations for expansion of the senior nursing home.

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.

Lisa Waggoner, attorney, Joyce Surdick, facility administrator, Duane Helwig, architect, and John Taft, engineer, were present to represent the petition. Ms. Waggoner said they are requesting a Special Use Permit Amendment and Variation to allow an addition to Fair Oaks. She said the parking area in the rear is used by St. Thomas and there is an agreement for that area.

Ms. Surdick said the proposed addition would almost double their space and increases their employees. There will be private rooms, kitchens, a private dining room for residents to have private parties, etc. Currently there are 47 residents and this addition would increase it to 50.

Mr. Helwig said they will be adding natural grasses and possibly a gazebo in the front of the existing building to make the area more welcoming. The parking proposed is more than what is required but with the increase in employees and the therapy area they will need the additional parking. Mr. Helwig reviewed the elevations and floor plan. They are also proposing a garage for their vehicle they have to transport residents.

Mr. Hayden asked if there will be access to the building from the rear for the Fire Department. Ms. Waggoner said St. Thomas will not close off that area.

Mr. Helwig explained the roof features which will allow natural light into the building. They tried to break up the elevation by stepping the building as well as adding gables. He showed samples of the materials and colors to be used.

Ms. Waggoner said they don't need the variation for the front yard setback.

Mr. Goss said most of the variation to exceed the lot coverage is due to the parking lot for the church.

Mr. Hayden asked if there were any conditions that the petitioner was concerned with. Ms. Waggoner said there is an agreement with St. Thomas regarding the path at the northeast corner. That will not be closed. They are also concerned with the landscape requirements. They would like to use more ornamental trees so they would like to use trees that are of a smaller caliper than 2 1/2 inches.

Ms. Waggoner reviewed the criteria for the Special Use Permit. She said the property is land locked and they need to meet new standards in the industry. They will also meet the requirements of the State regarding licensing, etc. Ms. Waggoner said the Comprehensive Plan also encourages expansion of this type of facility.

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

Mr. Batastini said he likes the design and asked if they would consider using hardy board in place of the vinyl siding. Mr. Helwig said they prefer the low maintenance of vinyl siding. Mr. Batastini said he has no problem with the requested variations. Mr. Goss said he also has no problem with the conditions and supports this expansion. He likes the architecture. Mr. Greenman agreed and added he is not a fan of the vinyl siding. He feels it cheapens the building and asked that elements be added to make a statement such as a banding. Mr. Greenman agrees with adding a gazebo to the front of the building. That would let people know that there is something special here. Ms. Surdick said they are trying to save money on the building by using vinyl siding so they can use that money in other areas.

Mr. Hayden said architecture is subjective and agrees with staff's comment regarding carrying the red brick through the addition. He said he would like the addition if the building stood alone. He applauds what they are doing.

Mr. Batastini moved to approve a Special Use Permit Amendment (Article 2 Section 2-300) to allow the expansion of a nursing home; and Variations from: A. the maximum building coverage (Article 3 Section 3-200 Table 3-200 A) from the required 20% building coverage to allow 22.5% coverage; B. the maximum lot coverage (Article 3 Section 3-200 Table 3-200 A) from the required 40% building coverage to allow 49% coverage; C. the requirement to have parking lot islands at the ends of the parking rows (Article 4 Section 4-400 F.) to eliminate the required end islands; ~~D. A variation from the front yard setback (Article 3 Section 3-300) to allow the encroachment of the covered front porch 4 feet into the required 40-foot front yard setback,~~ and E. the required rear yard (Article 3 Section 3-200 Table 3-200 A) to allow the building to encroach 11 feet into the required 50-foot rear yard setback abutting a residential district for Fair Oaks Health Care Center at 471 W. Terra Cotta Avenue with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Wisconsin Illinois Senior Housing Inc., received 5/28/10)
   B. Site Plan (Community Living Solutions, dated 5-21-10, received 5/25/10)
   C. Landscape Plan (Countryside Nursery, dated 4/2010, received 5/25/10)
   D. Tree Removal Plan (Countryside Nursery, dated 4/2010, received 5/25/10)
   E. Floor Plan (Community Living Solutions, dated 5-21-10, received 5/25/10)
   F. Elevations (Community Living Solutions, dated 5-21-10, received 5/25/10)

2. The following variations are approved:
   A. A variation from the maximum building coverage (Article 3 Section 3-200 Table 3-200 A) from the required 20% building coverage to allow 22.5% coverage, and
   B. A variation from the maximum lot coverage (Article 3 Section 3-200 Table 3-200 A) from the required 40% building coverage to allow 49% coverage.
   C. A variation from the requirement to have parking lot islands at the ends of the parking rows (Article 4 Section 4-400 F.) to eliminate the required end islands.
   ~~D. A variation from the front yard setback (Article 3 Section 3-300) to allow the encroachment of the covered front porch 4-feet into the required 40-foot front yard setback.~~
   E. A variation from the required rear yard (Article 3 Section 3-200 Table 3-200 A) to allow the building to encroach 11 feet into the required 50-foot rear yard setback abutting a residential district.

3. Site Plan
   A. This site has a 40-foot front yard setback because it is along Route 176. Please label the correct dimension on the site plan.

B. Several high quality trees (oaks and hickories) are grouped and situated whereby adjustments to the parking and building features can preserve these trees. The petitioner shall work with staff to adjust the location of the parking lot and building addition to try to preserve certain trees.
C. Indicate on the site plan where the freestanding sign would be relocated.
~~D. The walking path and fence shall be relocated to be within this property's limits.~~

4. Architecture
~~A. The petitioner shall work with staff to better coordinate the existing architecture with the proposed architecture; e.g.:~~
~~i. Carry the red brick through the addition, at least half way up the wall plane and eliminate the brown fieldstone.~~
~~ii. The proposed addition should have similar Colonial features, such as, shutters, rooflines and window style to the existing building.~~
B. The accessory bus storage building shall be designed to match the principal building architecture.
C. Material samples and colors shall be presented to the Planning and Zoning Commission and the City Council. The materials shall be listed on the architectural elevation plans.
D. Utilize Hardie Fiber Cement siding in place of the vinyl siding.
E. Work with staff to enhance the elevations to include a stone element and better complement the existing building color.

5. The petitioner shall prepare a revised tree removal and protection plan which illustrates the following:
A. Final list of trees to be removed per final site plan and engineering.
B. Tree protection methods must be illustrated on the plan.
C. Trees with tag numbers 366, 367, and 369 shall not be removed.
D. Trees with tag numbers 392, 434, 447 and 448 are not shown on the plan.
E. The petitioner shall reimburse the City for any expense related to the consulting arborist's fees associated with plan review.
F. Since all the replacement trees will not fit on this site, the petitioner must provide the calculated monetary contribution to the City's tree banking fund.

6. Landscape Plan
A. All trees shown on the landscape plan should be Species A tree and at a minimum 2 ½ inches to help meet the required tree replacement ratio for this site.
B. Submit a final landscape plan after the final tree removal and site design has been determined.
C. Work with staff regarding ornamental trees. City Council should determine a fair exchange on the size and number of trees to be planted.

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

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

REPORT FROM PLANNING

- 2010-15 Metra Ridgefield Station – Ridgefield Road - Preliminary PUD
- 2010-36 Coleman's – 7608 S. Virginia Rd. – Minor Subdivision
- 2010-37 Eibisch – 520 Lake St. – Variation
- 2010-38 Duggins – 340 Poplar St. – Variation

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

COMMENTS FROM THE COMMISSION

There were no comments from the Commissioners

The meeting was adjourned at 11:45 p.m.