#2013-46
Crystal Court Shopping Center
Project Review for Planning and Zoning Commission

Meeting Date:	September 18, 2013
Request:	Final PUD Amendment to allow changes to the free-standing sign.
Location:	Northwest Highway and Liberty Road
Acreage:	Approximately 16 acres
Zoning:	B-2 PUD General Commercial Planned Unit Development
Surrounding Properties:	North B-2 PUD General Commercial South M Manufacturing East M Manufacturing West B-2 PUD General Commercial
Staff Contact:	Elizabeth Maxwell (815.356.3615)

Background:

- Existing Use: The site is currently the Crystal Court Shopping Center. There are existing in-line tenants and free-standing tenant buildings in the center. The free-standing sign was approved with 3 main tenant sign panels and a decorative diamond panel at the bottom.

Development Analysis:

General

- Request: Final PUD Amendment to allow changes to the free-standing sign.
- Land Use: The land use map shows the area as Commerce. This is an appropriate land use designation for a restaurant use.
- Zoning: The site is zoned B-2 PUD. This is an appropriate zoning district.

Signage

- The main free-standing sign was approved as part of the original PUD for this development. The petitioner is proposing on altering the design of the sign to remove the bottom decorative diamond panel and add a fourth tenant panel.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Plan designates the subject property as Commerce, which allows for existing and future commercial uses. The following goal is applicable to this request:

Land Use – Commerce

Goal: Maintain a dynamic and sustainable base of commercial uses that provides a solid tax base, goods, services and jobs to the City, as well as, the surrounding region through coordination in the Unified Development Ordinance, comprehensive Land Use Plan and Economic Development Strategic Plan.

This can be accomplished with the following supporting action:

Supporting Action: Promote, retain and attract businesses that provide a diverse tax base

Findings of fact:

Final Planned Unit Development Amendment

The petitioner is requesting approval of a Final Planned Unit Development Amendment to allow changes to the free-standing sign. The amendment shall be reviewed in terms of its affect on the character of the PUD for the Crystal Court Shopping Center. The fourth tenant panel will allow an additional tenant to be recognized on the sign and not alter the character of the PUD.

Recommended Conditions:

A motion to recommend approval of the Final Planned Unit Development Amendment with the following conditions:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
   A. Application (Crystal Lake Shopping Center L.P., received 08/30/13)
   B. Sign pictures (Crystal Lake Shopping Center L.P., received 08/30/13)

2. Modifications to the free-standing sign which alter the design, size or character of the sign shall be required to seek a PUD Amendment; this does not include the changing of tenant panels for new tenants.

2013 46

City of Crystal Lake
Development Application

Office Use Only
File # _____

Project Title: Modification to Free-Standing Pylon Sign

RECEIVED
SEP 04 2013
BY:

Action Requested

- ___ Annexation
- ___ Comprehensive Plan Amendment
- ___ Conceptual PUD Review
- ___ Final PUD
- X Final PUD Amendment
- ___ Final Plat of Subdivision
- ___ Preliminary PUD
- ___ Preliminary Plat of Subdivision
- ___ Rezoning
- ___ Special Use Permit
- ___ Variation
- ___ Other

Petitioner Information

Name: Crystal Lake Shopping Center, L.P.
Address: 225 W. Washington St.
INDIANAPOLIS, IN 46204-3438
Phone: 847.220.6712
Fax: 855.603.6185
E-mail: MDAVIDHIZAR@SIMON.COM

Owner Information (if different)

Name: _____
Address: _____
_____
Phone: _____
Fax: _____
E-mail: _____

Property Information

Project Description: The free-standing pylon sign at the main entrance to the Crystal Court Shopping Center currently allows for three (3) locations for tenants of the Shopping Center to advertise their Doing Business As name. Petitioner is requesting to add a fourth (4th) location as depicted on the attached pictures.

Project Address/Location: NW Hwy (Rt 14) & Main St.
Crystal Lake, IL 60014
AKA Crystal Court

PIN Number(s): 19-09-126-017

Development Team

Please include address, phone, fax and e-mail

Developer: Crystal Lake Shopping Center L.P., 225 W Washington St. Indianapolis, IN 46204-3438

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

_____

PETITIONER: Print and Sign name (*if different from owner*) **Date**

As owner of the property in question, I hereby authorize the seeking of the above requested action.

Mitchell David Kizer Mitchell Davis 9/3/13

OWNER: Print and Sign name **Date**

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

13-46

PUBLIC NOTICE

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF
Mitch Davidhizar, on behalf of CRYSTAL LAKE SHOPPING CENTER LIMITED PARTNERSHIP, an Indiana limited partnership

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission upon the application by Mitch Davidhizar on behalf of CRYSTAL LAKE SHOPPING CENTER LIMITED PARTNERSHIP, an Indiana limited partnership, for a Final Planned Unit Development Amendment, relating to the property at Northwest Highway & Main Street in Crystal Lake, Illinois 60014 aka Crystal Court with PIN: 19-09-126-017.

This application is filed for the purpose of seeking a Final Planned Unit Development Amendment, to allow modifications to the free-standing sign as well as any other variations necessary to approve the plans as presented, pursuant to Article 4-500 Planned Unit Development Standards B. General Standards and C. Development Standards and Article 9-200 E. of the Unified Development Ordinance. Plans for this project can be viewed at the Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday September 18, 2013, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald September 3, 2013. #A1786)

CRYSTAL GLADE FINAL PUD

This petition was postponed by request of the petitioner.

CRYSTAL COURT SHOPPING CENTER FINAL PUD

The applicants were requesting Final PUD approval for Crystal Court Shopping Center. Crystal Court is proposed to be located approximately 500 feet east of the intersection of U.S. Route 14 and Crystal Point Drive and consists of 34 acres. The property is currently zoned B-3 PUD and is undeveloped.

Mr. Jim Militello, attorney, was present with John Meyer, an officer of Mel Simon. Mr. Militello stated the petitioner was in agreement with all the conditions recommended by Staff except items 7-10. Mr. Meyer stated the PUD plan has been updated since they last came before the Plan Commission. He stated he and Staff were in agreement with all the road networks. He stated the driveway location is supported by both the traffic analyses. He stated they had addressed all the landscaping issues.

Mr. Kevin Zack, architect, went over the design and talked about the materials to be used. He passed out photos and a material list. Mrs. Van Breda stated she felt the red border of the building stood out too much. Mr. Zack stated he felt it was appropriate and if they scaled it down, it would look out of proportion. Bill Ganek stated Staff suggested reducing the size of the red coping and more of a shingle type roof. He stated they also suggested some type of feature to connect the parking lot next to grocery store to the rest of the center. Mr. Zack stated the canopy will run from the end of the showroom to the end of the retail center. He stated the other stores will have whatever they usually use in front of their stores. Mr. Burnett stated it would be nice for people to be able to get out of the elements to get from one end of the center to the other. Mrs. Van Breda agreed they needed a canopy that ran along the whole shopping center.

Mr. Meyer stated the anchor tenant's building is 30' high so it would be too high to serve a purpose. He stated the anchor tenants are destination shops and they have some design of their own so they will be recognized. He stated they do not usually have a canopy.

Mr. Goss stated he wished the architecture was more like the Commons in earth tones. He stated he did not care for the red or the canopy. He stated he didn't feel the parking lot on the side of the grocery store would be used as it was too far from the door of the store. Mr. Burnett asked why the anchor store needed a 30' high store if it was not going to be two stories. Mr. Meyer stated these type of stores have pallet racking for storage. He stated they need the

30' by virtue of the structure itself. He stated they need a pitch for water runoff. Mr. Meyer stated the colors presented were discussed with Staff as they went along. He stated the developer didn't want the accent towers but Staff wanted to break down the excluded look that shopping centers have. Mr. Meyer stated he would be happy to take the towers down. Mr. Goss felt maybe elimination of some of the red would help him like the design more. Mrs. Van Breda stated she liked the red border but felt it is a little too wide. She stated she agreed with Mr. Ganek on the roof. Mr. Meyer stated if they go with too heavy of a roof like slate, it would not work structurally. Mr. Zack stated the problem they run into with slate is it would add more jointing and there would be more of a problem with water leakage. He stated they are looking for the most maintenance effective material. The members examined the proposed roof material.

Mr. Otto stated he liked the towers and felt they break up the center and he stated he liked the red. Mrs. Van Breda agreed with the use of towers. The steel entrance in front of the catalog showroom was discussed. Mr. Meyer stated it would be more of a free standing unit. He stated it was different than the one in Elgin. He pointed out that each store has a feature that sets them out. Mr. Meyer stated they would work with Staff on this. The Commission went over the four suggestions by Staff for changes in the architectural design. The Board felt in regard to #1 - the material for the roof that the proposed material for a dark gray metal roof was okay. In regard to the elimination of the red steel arch (#2), the developer agreed to work with Staff on that. For #3 in regard to the reduction of the size of the red eight inch metal coping, Mr. Meyer agreed to reduce it to 6". In discussing #4 to have some architectural feature to tie together the void created by the parking lot between the east side of the supermarket and the small shops, Mr. Zack stated he was concerned about putting columns in that a car might hit. He also felt this could block the view of cars. He felt low landscaping would be the way to handle this.

Mr. Burnett stated he did not feel the parking lot on the side of the grocery store would service anyone. Mr. Meyer felt the parking on the side would serve to get the people closer to the retail stores. Mr. Hayden felt this parking lot was inviting an accident. He was afraid because cars would be crossing the sidewalk where people are crossing. Mr. Meyer pointed out there is 69' between the stores and the view would not be hindered. It was suggested by the Commission that lot be used for employee parking. Mr. Meyer felt the employees would not use that lot. He stated there would be stop signs in front of the lot.

Mrs. Van Breda questioned the truck route for deliveries. Mr. Meyer showed three different paths the trucks could take. He stated the parking spaces on the side of the grocery store are very important because there is a parking ratio and the anchor stores need it and it also makes it convenient for the retail stores. Mr. Ganek stated he was asking for some type of architectural feature in front of the lot for the purpose of getting it to tie in with the rest of the center.

Mr. Fred Smoot stated with a span of 69' there would need to be some type of truss to support the weight and that would propose a safety hazard. He stated they could use a wing wall to tie this lot in. Mr. Hayden stated he would rather see more store space than the parking lot. Mr. Meyer stated he would like that too but they need the spaces to meet the parking requirement for the supermarket. Mr. Soot stated he felt that 69' was plenty of room to not have to worry about a vision problem for the cars coming out of the lot. Mr. Otto didn't see how they could ask for any type of tie in across the top of that large of an area. Mr. Burnett stated the Commission would like to see Mr. Meyer work with Staff on the architectural tie in of the lot and the use of the lot.

The Board discussed signage. Mr. Ganek stated in determining what he would recommend for sign size, he compared the signs allowed to be used at the Commons. He stated the signs at Handy Andy and Venture were 150' but they were closer to Route 14. He felt the request for 175' instead of 150' for the supermarket and the department store were acceptable. He stated the area of the ground signs were not to exceed 30 square feet and there would be 2 monument signs; one 25' high and one 20' high. Mr. Meyer stated the 25' sign would be at the main entrance and the 20' sign would be at the end of the center to show people there is an entrance there also. Mr. Ganek stated the catalog showroom would have a 150' sign in front of the store and a 75' sign on the side, the department store would have a 175' sign on the front and a 50' sign on the side which would give each of them 225 square feet of signage. Mr. Meyer stated the other anchor store, Cub Foods was asking for a 228' sign because that was the smallest standard sign that store uses. He stated they would have no side sign. He pointed out Jewel/Osco has a 250' sign and this would only be 3' more than the other two anchor stores in this center with their total signage. Mr. Hayden stated he didn't see the 228' sign as a major issue and Mr. Otto stated he would go along with it also. Mr. Goss asked if Cub Foods would give up their monument sign at the front of the center to get this 228' sign. Mr. Meyer stated he did not know. Mrs. Van Breda and Mr. Babington stated they were against the 228' sign for Cub Foods.

Mr. Meyer stated he would go along with Staff's condition that the wall signs for the small shops shall be individual letters not to exceed 24 inches in height.

Mr. Burnett asked that Bill check into doing something about the sign ordinance. Bill stated it is intended for controls on non-PUD development.

Mr. Militello stated in regard to condition #10 that all building, engineering and fire departments concerns shall be satisfied, the petitioner took exception to #2 on the engineering report.

Mr. Militello stated this is a more than 200,000 square foot development and that the petitioner was asking only for a 228' sign for one of their anchor stores and was agreeable to everything Staff suggested and would work with them on the items discussed.
Joann Wojek, North Avenue, stated she was in agreement with Mrs. Van Breda and Mr. Babington that they should not be given the 228' sign. She stated she felt Cub Foods has a large enough sign with the monument sign. She liked the idea of two low monument signs.

Mr. Goss moved to approve the Final PUD for the Crystal Court Shopping Center with the recommendations of Staff specifically #7 referring to page 6 of the Staff report with the developer to work with Staff for agreegment on items 2 and 4 and with condition #8 to allow the department store to have a 175' front sign, a 50' side sign; the catlog showroom to have a 150' front sign and a 75' side sign and Cub Food to have a 228' front sign with no side sign; 2 monument signs with one 20' at the western most entrance and one 25' at the main entrance; the red metal coping to be 6" wide and the metal roof material being acceptable. Mr. Otto seconded the motion. On roll call, members Otto, Goss, Burnett voted aye. Members Van Breda, Babington, and Hayden voted no. Motion tied 3-3.

It was decided rather than pass a negative vote along to the City Council, since the no votes were solely because of the 228' sign for Cub Foods, these issues would be voted on separately.

Mr. Otto moved to approve the Final PUD for the Crystal Court Shopping Center with the recommendations listed by Staff with the exception of condition #8 in regard to signage. Mr. Hayden seconded the motion. On roll call, all voted aye. Motion passed. The recommendations approved are as follows:

1. Execution of the previously approved Annexation Agreement.

2. The three outbuildings along Route 14 shall not exceed the total of 19,500 square feet and each building must receive approval of a Final PUD including any sepcial uses which may be required by the Zoning Ordinance.

3. Restaurants with carry out food service are permitted with the small retail shops.

4. The developer shall secure approval from adjoining property owners for the dedication of the public right-of-ways pursuant to the Annexation Agreement.

5. A revised landscape plan shall be submitted which is consistent with the approved Final PUD site plan with the exception that the landscape area on the north side of the catalog showroom shall remain. The landscape and site plan modifications shall be subject to Staff review and approval.

6. The "Schematic Site and Landscaping Plan" prepared by Teska Associates dated 12-15-88 shall be used as a general landscape guideline in the development of the outbuildings along Route 14.

7. The architectural plans shall be modified as recommended by the Plan Commission.

8. Voted under a separate motion.

9. The wall signs for the small shops shall be individual letters not to exceed 24 inches in height and not to exceed 70% of the storefront. Under canopy signs shall be subject to approval of the Planning Department.

10. All Building, Engineering and Fire Departments concerns shall be satisfied.

Mr. Goss moved that #8 of the staff report in regard to signage be approved with Cub Foods having a 228' sign. Mr. Otto seconded the motion. On roll call, members Goss, Otto and Burnett voted aye. Members Van Breda, Babington and Hayden voted no. Motion tied 3-3.

Mr. Babington moved to recommend all wall signs shall not exceed a maximum of 175'. Mrs. Van Breda seconded the motion. On roll call, members Babington, Van Breda, and Hayden voted aye. Members Otto, Goss and Burnett voted no. Motion tied 3-3.

Mr. Ganek gave the Staff report on:
- Villages 4 and 7 Final PUD
- B.C. General Partnership Annexation
- RDG Lots 90 and 61
- Indian Hill Trails, Unit - Annexation

Greenbrier Park - PUD Amendment
RDG Unit 13 - Final Plat
Steeple Run County Final Plat

The meeting was adjourned at 9:45 p.m.

20,000 square feet. The petitioner had requested the issuance of a Special Use Permit to allow the operation of an outdoor garden center in the "B-2" Highway Service zoning classification currently in effect for this property.

Mr. Barry Ash, attorney, was present to represent this request. Mr. Ash stated he had been before the Zoning Board and the Plan Commission and had approval with four conditions from the Plan Commission with which he agreed. He stated after that the Zoning Board placed a fifth condition on the request for egress onto Route 14 with a right turn only. Mr. Ash stated he would like the flexibility to go right or left. He stated if it proved to be a problem, the City could require a right turn only at that point.

Councilman Yerly stated he felt the recommendation for right turn only should stand. Councilman Dreher agreed. He stated it was very dangerous to make a left turn at that point. Councilman Yerly asked if there was a way to exit to the rear. Mr. Ash stated yes and the Zoning Board recommended a sign to be erected that traffic should exit to the rear. The City Engineer stated improvements would be made to the alley. Councilman Dillon stated he was not enamoured with the idea of directing traffic out the alley. He stated the alley was not built up to road standards. He was more amenable to running the traffic out Eastgate.

Councilman Herrick stated if the alley were improved out to Eastgate, he had no problem with exiting to the rear.

Councilman Dillon moved to accept the recommendations of the Plan Commisison, Zoning Board of Appeals and Staff. Councilman Yerly seconded the motion. On roll call, all voted aye. Motion passed.

ORDINANCE AUTHORIZING A SPECIAL USE PERMIT FOR 6111 U.S. ROUTE 14 - AMALGAMATED TRUST AND SAVINGS BANK TRUST NO. 5399

Councilman Dillon moved to adopt an ordinance to be published in pamphlet form authorizing the issuance of a Special Use Permit for 6111 U.S. Route 14 - Amalgamated Trust and Savings Bank Trust No. 5399 to allow the operation of an outdoor garden center in the "B-2" Highway Service zoning classification. Councilman Dreher seconded the motion. On roll call, all voted aye. Motion passed.

FINAL PLANNED UNIT DEVELOPMENT/CRYSTAL COURT SHOPPING CENTER - HOME STATE BANK OF CRYSTAL LAKE TRUST NOS. 101, 1367

The Council had received a request for Final Planned Unit Development for property located approximately 500 feet east of the intersection of U.S. Route 14 and Crystal Point Drive on the north side of Crystal Point Drive, north and west

AND 3283; ROBERT P. ROSENTHAL; AND MALL DEVELOPMENT CORPORATION

of the Farmstead Subdivision. The vacant property was zoned "B-3" Shopping Center with development required under a Planned Unit Development. The Crystal Court Preliminary PUD was previously approved at the December 20, 1988 regular City Council meeting. The Crystal Court Final PUD provides for a 286,591 square foot shopping center and three outbuildings consisting of a total additional square footage of 19,750 square feet.

Mr. Militello, attorney, and Mr. John Meyer, were present to represent this request. The Planning Director stated the result of numerous meetings was the Final PUD Plan before the Council members subject to the conditions recommended by the Plan Commission. He stated he felt it was an acceptable plan. He stated he would suggest that additional engineering plans be submitted to address the engineering department's concerns. The Planning Director stated the ordinance should be amended to include the engineering drawings dated 3/6/89. He stated the three outbuildings were not before the Council as a PUD and would be addressed at another time. He stated he felt the outbuildings were critical to the plan and Staff would be taking a close look at them. He stated there was one item that the Plan Commission could not come to a consensus with and that was the size of the sign for the supermarket. He stated the sign ordinance calls for a maximum of 150' on a wall sign but due to the distance from Route 14 to the store, Staff had suggested that guide be increased to a maximum of 175' for the two anchor stores on the southern end of the property. He stated the petitioner had agreed the department store would be within that 175' maximum and would like to discuss the sign for the supermarket. He stated the catalog merchandise store would stay within the 150' maximum.

Mr. Militello stated the petitioner agreed with all recommendations but for four items. He stated item e from the engineering memo that no building permit be issued until IDOT approved everything was a concern. He stated it could take 3-6 months before IDOT approves everything and the petitioner was requesting that they be allowed to start the buildings and that IDOT approval be required prior to occupancy permits rather than building permits. The City Engineer stated he doubted it would take that long for IDOT to give approval because IDOT had approved the plan in concept. The City Engineer stated the risk with allowing construction of buildings prior to IDOT approval was that something might have to be changed after it was already started. Mr.

Militello stated they were asking for the ability to start construction of the buildings because what IDOT does will not affect where the buildings are. He stated they were not asking to start anything where IDOT was involved. Mr. Meyer stated if he delayed the start of construction, the stores would not be able to open until after the Christmas holidays and that would be when they want to open. Councilman Herrick stated he had no problem if occupancy permits were not granted until things were settled with IDOT. Councilman Dillon stated he wanted to know where the risk was. The City Engineer stated the problem would be utilities location but he agreed the risk would rest with the petitioner. Mr. Meyer stated they would not go beyond the area where IDOT would be involved. He stated he would agree that no occupancy permits would be issued until August or until total approval had been given from IDOT and all installations were made. Mr. Militello stated another point of contention was item h of the engineering memo that the catalog showroom be moved 20' to the south. Mr. Militello asked that item h have the following statement added - can be modified as City Staff directs as a result of advice from an independent traffic study paid for by the owner and selected by the City. Mr. Meyer stated he accepted City Engineer's memo and will work with those items of disagreement with Staff. Mr. Militello stated the Plan Commission voted seperately about whether the supermarket should be allowed a larger size sign. He stated the vote was 3-3. He stated the petitioner was asking the Council to grant a variation to allow Cub Foods to maintain a 228' sign.

Mr. Bell, owner of Cub Foods stores, was present to discuss this matter. Mr. Meyer stated they are requesting a 228' sign because that was Cub Food's standard sign. He stated that Jewel/Osco had a 250' front sign and a 75' side sign. Mr. Meyer stated Cub Foods was 860' off the road and was a lot further from Route 14 than Jewel/Osco.

Mr. Bell stated he realized this was a controversial issue. He stated this was a family owned business. He stated his son would move to Crystal Lake and operate this store. He stated they would like to be a part of the community but they would like to be able to compete on an equal basis with everyone else in the community. Councilman Dillon stated he

didn't have a problem with the sign but he would like to be equitable. He stated he did ask Staff to review the sign ordinance. Councilman Dillon stated he did not feel Cub Foods would need a large sign as most people already knew they were coming to Crystal Lake.

The Planning Director stated Jewel/Osco was considered as two stores when their signage was considered. He stated rather than give each a 150' sign, they gave them one 250' sign. He stated both Venture and Handy Andy are within the 150'. The Planning Director stated he recognized the Cub Food property was deeper so he recommended 15% more on the signage.

Mr. Meyer stated Jewel/Osco was given a 250' front sign plus a 75' side sign which was 325' and they are only 200' off the road. Councilman Dillon stated the City had to draw the line somewhere. Councilman Herrick agreed. Councilman Yerly stated they were given 15% because of the greater distance. Mayor Whede stated the petitioner should meet the ordinance.

Mayor Wehde stated he did have some question about the aesthetic look of the shopping center. He didn't feel the metal roof was the right thing to put on top of these buildings. He was also concerned with the red border. He felt it was too much. Councilman Yerly stated he didn't have a problem with shape but he felt the same about the metal roof and the red as he did about the Venture stripes. He felt they were gaudy and flashy.

Councilman Herrick stated he did not like the six towers on the top of the buildings. He stated he would not object if they were not as high. He felt they didn't blend.

Mayor Wehde stated he didn't mind the towers if they were taken down a little. Councilman Yerly stated he felt the overall look of the building needed to be toned down. Mr. Meyer stated the roof materials and red stripe had been talked about in great deal. He stated they came up with the design by taking comments from Staff and the Plan Commission. He stated he didn't have a problem with changing some things to make the Council happy. He didn't feel it would be a problem to tone it down and tie in the red. He stated the roof material doesn't have to be glossy. Mr. Meyer stated the only big problem he had was with the Cub Foods sign. He stated he would put a slate roof on if the Council wanted and that was not cheap. He stated he didn't have a problem

working with Council and Staff on whatever changes they wanted to make but he stated he needed his anchor tenant to make this project viable.

Councilman Yerly stated he understood the situation the petitioner was in and he would be willing to continue the matter until he could get the sign issue resolved with his tenant.

After a brief recess to discuss the sign matter with Mr. Bell, Mr. Militello stated the petitioners would deal with the Council's concerns with the roof material, the red banner and the six towers but would still request a variation for the Cub Foods sign.

Councilman Dreher stated he was in agreement on equitably enforcing the ordinance and he felt this development was further off the road. He pointed out the WalMart has 225' of signage between the front and side signs and the Service Merchandise also has 225' of signage between the front and side signs. He stated Cub Foods only needs one sign of 228'.

The Planning Director stated Dominick's and Eagle Foods did not follow the current sign ordinance and Jewel/ Osco was considered as two stores.

Councilman Yerly stated he would like to have Staff compare the signage at Dominick's, Jewel and Eagle and give Cub Foods equal signage based on those three stores. Mr. Meyer stated he would certainly agree to that and he would also be willing to have it be a maximum of 228'. Mayor Wehde agreed with this idea. Councilman Dillon stated obviously the sign ordinance had to be reviewed. Councilman Dreher stated he would go along with Councilman Yerly's recommendation to allow Cub Foods the same square footage for signage as the others with a review of the sign ordinance.

Councilman Yerly moved that with respect to the sign on Cub Foods, Staff review Domonick's, Eagle and Jewel/ Osco signs and determine the average sign and square footage and Cub Foods be offered that with a maximum of 228'. Councilman Dreher seconded the motion. On roll call, all voted aye. Motion passed.

Councilman Dillon moved to accept the recommendations of Plan Commission and Staff subject to the changes previously discussed including IDOT approval of the curb cut on Route 14 being obtained by August 1, 1989 or with no occupancy permit to be issued until all IDOT items have been met and installed, the revision on the roof material and coping color

with such revisions to come back to the Council for review. Councilman Yerly seconded the motion. On roll call, all voted aye. Motion passed.

ORDINANCE AUTHORIZING FINAL PLANNED UNIT DEVELOPMENT FOR CRYSTAL COURT SHOPPIN CENTER

Councilman Yerly moved to adopt an ordinance to be published in pamphlet form authorizing the Final Planned Unit Development for Crystal Court Shopping Center - Home State Bank of Crystal Lake Trust Nos. 101, 1367 and 3283; Robert P. Rosenthal; and Mall Development Corporation subject to the revisions discussed. Councilman Dreher seconded the motion. On roll call, all voted aye. Motion passed.

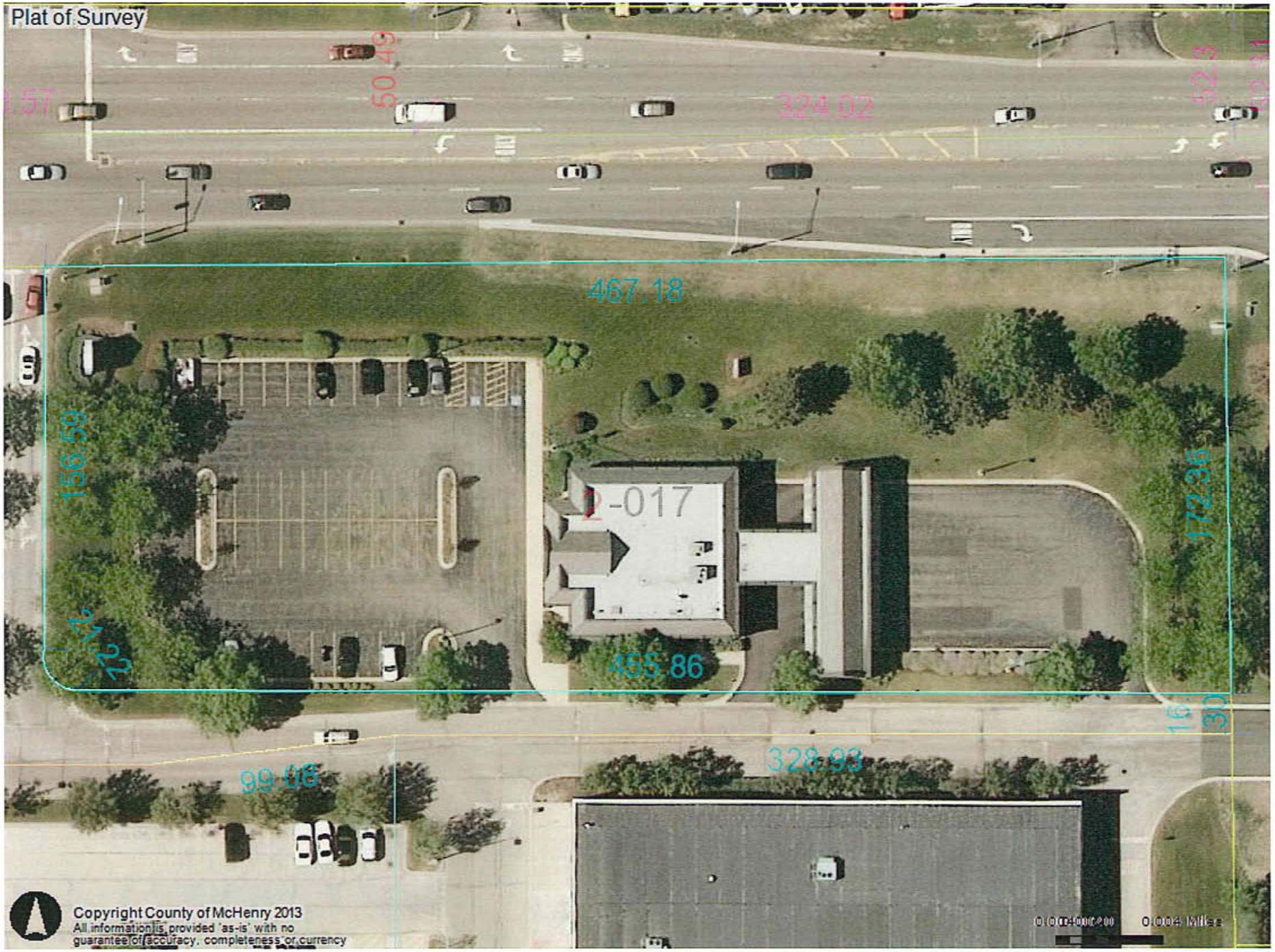
ZONING ORDINANCE TEXT AMENDMENT/"O" DISTRICT USE TABLE - PERMITTED USES

The Council had received a request for an amendment to the text of the Zoning Ordinance which would allow a real estate office as a permitted use, rather than a special use in an "O" Office zoning district. Section 5, Table 2, "Uses Permitted in Zoning Districts", of the Zoning Ordinance allows a real estate office as a permitted use in the "B-2", "B-3", and "B-4" zoning districts. Real estate offices are currently allowed only by a Special Use Permit in the "O" zoning district.

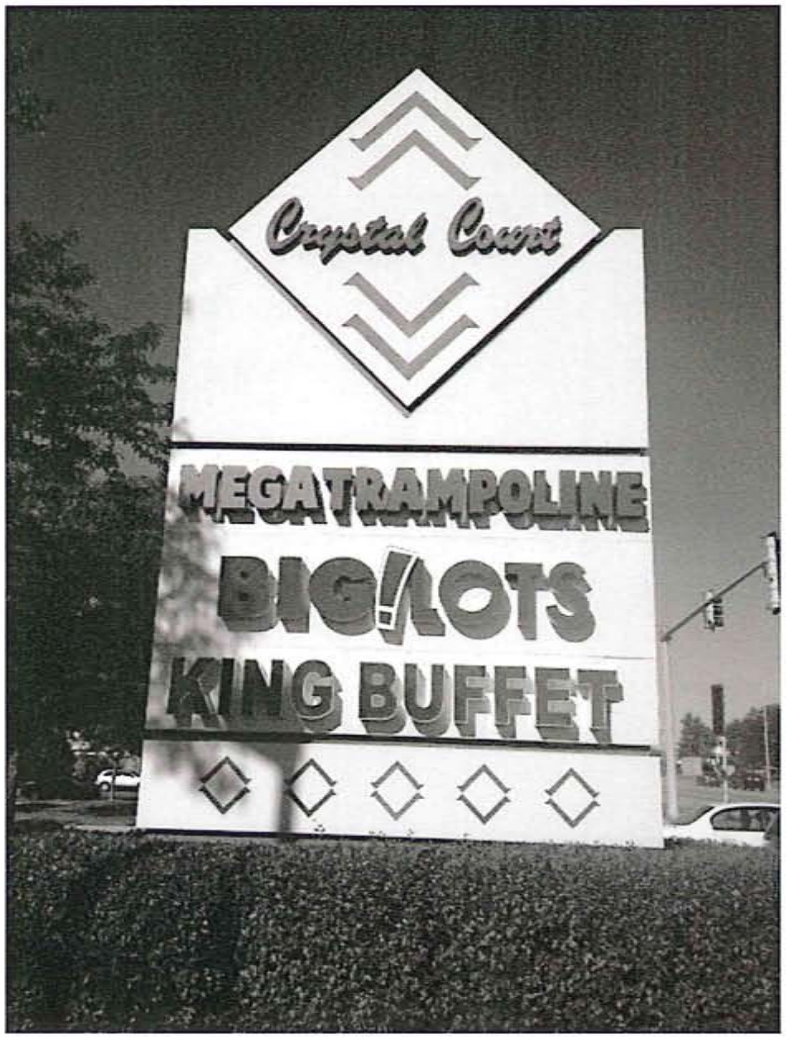
Mr. Hartwig was present to represent this request. Mayor Whede stepped down while this matter was being discussed to avoid any potential conflict of interest. Councilman Dillon chaired the meeting for this matter.

Councilman Yerly moved to adopt an ordinance to be published in pamphlet form authorizing the zoning ordinance text amendment to allow a real estate office as a permitted use rather than a special use in an "O" Office zoning district. Councilman Herrick seconded the motion. On roll call, Councilmen Dillon, Yerly, Herrick and Dreher voted aye. Mayor Wehde did not vote. Motion passed.

Councilman Dillon stated he was trying to figure out why the ordinance was set up this way. He felt it may have been misdirected as a permitted use. He stated he had a problem with a real estate office in the "B-4" district because of the downtown parking situation. He stated at most real estate offices, there are at least 1 full-time employee, 1 receptionist and 2 people on floor time. He felt if an office gets of a decent size, there could be 6-8 people on at one time and they would need that many parking spots. He stated he would like to request that Staff take this before the zoning board to review the


Plat of Survey
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99.86
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Existing


Crystal Court
MEGATRAMPOLINE
BIG LOTS
KING BUFFET


Crystal Court
MEGATRAMPOLINE
BIG LOTS
KING BUFFET

Proposed Modification

