CRYSTAL LAKE PLANNING AND ZONING COMMISSION
SPECIAL MEETING
WEDNESDAY, APRIL 22, 2015
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS

The meeting was called to order by Chairman Hayden at 6:30 p.m. On roll call, members Batastini, Esposito, Gavle, Goss, Skluzacek, and Hayden were present. Members Greenman and Jouron were absent.

James Richter II, Planning and Economic Development Manager, Elizabeth Maxwell, Planner, and Abigail Wilgreen, City Engineer, were present from Staff.

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

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

APPROVE MINUTES OF THE APRIL 15, 2015 PLANNING AND ZONING COMMISSION MEETING

Mr. Richter stated the minutes from the previous meeting were not ready for the Commission to review, but that they will be ready for the next meeting.

2015-20 OAK HOLLOW – S. Ken St.; N. RR Tracks; W. Thomas – PUBLIC HEARING

The petitioner is requesting to be continued to the May 6, 2015 PZC meeting.

Mr. Esposito moved to continue 2015-20 Oak Hollow to the May 6, 2015 PZC meeting. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion passed.

2015-15 BUCKY'S – Rakow and Pyott – PUBLIC HEARING

Rezoning, Preliminary and Final Planned Unit Development, Variations

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

Joe Gottemoller, attorney, and Richard McMahon, with Buchanan Energy, were present on behalf of the petition. Mr. Gottemoller said there are two items before the Commission. One of them is a house keeping matter. Both lots were zoned a few years ago, but it turns out that the southern-most lot was not annexed into the City. The parcel was annexed at the City Council meeting the previous night (4/21/15). He said the second request is for Preliminary and Final PUD approval and a Special Use Permit for service station. They are requesting Preliminary and Final together since this was through the Preliminary process previously. Mr. Gottemoller said the design is primarily the same reflecting the conditions of the original

PUD approval.

Mr. Gottemoller reviewed the conditions listed in the staff report. Mr. Hayden asked about the drawings. Mr. Gottemoller said the plans listed in conditions #1 are the current plans and should be in their packets. Mr. Goss said the City Council approved the elevations without illumination on the canopy blue band and the current plans show them illuminated. Mr. McMahon said it was an error and they will not be illuminated. Mr. Gottemoller said they don't have any concerns with the conditions. He understands there is a mistake on plans showing the illumination and added that there won't be any illumination.

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

Mr. Batastini said there are no photos of pumps or the signage on them. Mr. Gottemoller showed the plan they provided. Mr. Batastini said he had received it but wasn't sure what it was. Mr. McMahon said there is a stone portion on the bottom of the columns. He said they appreciate the City making that request and it looks nice. Mt. Gottemoller said with the scale that was provided of that plan he also has a problem with knowing what it was.

Mr. Esposito said he supports the request. Mr. Batastini said he looked at the PUD Findings of Fact listed in the staff report and he believes this project meets all of them. He reviewed the special conditions for gas stations and feels that those are met as well. Mr. Batastini asked about the design criteria. Ms. Maxwell said they meet all of the design criteria except for the building mass. Mr. Batastini said this will be one of the best looking facilities in town.

Mr. Gavle agreed with Mr. Batastini. He said this is a good looking project. Mr. McMahon said this design will be used in other communities. Mr. Goss said the knee walls finish it off.

Mr. Hayden said this is a very nice looking building and thanked the petitioner for working with staff. Mr. McMahon said staff was very helpful.

Ms. Maxwell showed the material samples the petitioner brought for the Commissioners to review. Mr. Hayden said the materials tie-in nicely with area.

Mr. Batastini moved to approve the Rezoning from E to B-2 PUD, Preliminary and Final PUD and Special Use Permit to allow a Gasoline Service Station and Convenience Store with a Gasoline Electronic Pricing signs for Bucky's Convenience Store at 8108 Pyott Road with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
    A. Application (Buchanan Energy LLC, received 03/25/15)

B. ALTA and Topographic Survey (VSEI., dated 2/19/13, received 04/25/14)
C. Site and Landscape Plans (ARC Design, dated 03/25/15, received 03/25/15)
D. Architectural Plans (Building Elevations and Floor Plan) (Robert W. Engel and Associates, dated 01/26/15, received 03/09/15)
E. Sign Plans (Omaha Neon Sign Co., dated 01/29/15, 01/30/15 and 03/06/15, received 03/09/15)

2. Site and Landscape Plan
A. The petitioner shall provide the easement documents to dedicate a 30-foot easement for water and future sanitary sewer along Rakow Road. The free-standing sign is permitted within this easement in the location as shown on the final PUD plans. Work with staff on the easement and MUMA.

3. Signs
A. The petitioner is granted a variation for signs as presented in the Sign Plans for the building wall signage, free-standing signage and the gas canopy signage.
B. The blue banding on the canopy shall be non-illuminated.

4. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments and of the City's Stormwater Consultant.

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

2015-23 CRYSTAL LAKE FAMILY DENTAL – Carlemont Drive – PUBLIC MEETING
A motion is requested to set a public hearing date of May 6, 2015.
Preliminary Planned Unit Development for an office development.

Mr. Hayden stated that this is the public meeting for this petition and it is to set a public hearing date.

Brian Korte, architect, and Dr. Sandhu were present on behalf of the petition. Mr. Korte said the site is on Carlemont Drive just north of Dr. Sandhu's veterinary clinic. They are requesting approval for two buildings – a dental clinic and an office building. The office building is approximately 10,000 square feet with two brick colors with 3 elements to signified entry. Mr. Korte said they are requesting a hearing date be set.

Mr. Hayden said there will be a public hearing on May 6 and asked if there was anyone in the public who wished to speak on this petition. There was no one present who wished to speak.

Mr. Goss and Mr. Gavle didn't have any questions.

Mr. Esposito said he is concerned with the traffic pattern especially with the day care next door. Mr. Korte said the cross access will be with the veterinary clinic and not towards the day care center.

Mr. Skluzacek said the office building shows a veterinary center. Dr. Sandhu said it is a call center for the veterinary clinic and it wasn't illustrated correctly on the plans. They are out of space.

Mr. Batastini didn't have any questions.

Mr. Hayden stated that it is not often that they receive such a nicely designed project like this one on the first attempt. He thanked the petitioner.

Mr. Goss moved to set a public hearing date of May 6, 2015 for 2015-23 Crystal Lake Family Dental. Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Richter stated that the CVS petition had published for the meeting to start at 7:30 p.m. He asked if they could provide the Report from Planning and then take a short recess. The Commissioners agreed.

REPORT FROM PLANNING

- Cardinal Pack – 6740 Pingree Rd - Sign Variation
- Danca – Crystal Lake Chrysler Jeep – 330 Route 31 – temporary car storage for 1 year
- Plat/PUD extensions - Athans Co – 6710 Pingree Rd. – Annexation
- Bucky's – Rakow and Pyott – Annexation
- Eisenmann – 150 E. Dartmoor - PUD Amendment

Ms. Maxwell explained the triathlon that was approved at the City Council the evening before. It had been held last year and it will be held on Fathers' Day this year.

Mr. Richter reviewed the items that are scheduled for the May 6, 2015 PZC meeting.

Mr. Hayden called for a recess until 7:30p.m. The meeting resumed.

2015-13 CVS PHARMACY – SW Route 14 & Virginia Road – PUBLIC HEARING
This petition was continued from the April 15, 2015 PZC meeting
Preliminary and Final Plat of Subdivision, Zone, Special Use Permit, and Variations

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

Peter Bazos, attorney, introduced Mark Betenhousen, Vice President Real Estate Division, Jeremy Foss, engineer, Gary Overbay, City's Traffic Engineer, and Frank Fraga of Norris Architects. Mr. Bazos said the petitioner is a developer who finds sites, acquires the property, takes it through the municipal's process, and builds the building for CVS Pharmacy. This company is a spin-off of the company who built the CVS on Randall Road. The property is three acres, which currently has 2 vacant homes, an abandoned restaurant,

and the Auto Tech-Goodyear auto repair business located on them. If this project is approved, the buildings will be demolished and the property will be resubdivided into two lots. The north lot - Lot 1 will be at the corner of Virginia Road and Route 14 and will house the CVS. Lot 2 will be behind lot 1, and will continue to be owned by John Fuller. Mr. Bazos said they are requesting a map amendment to rezone the property to "B-2", a Final plat of subdivision to create the two lots, a Special Use Permit for a drive through and minor variations. Most of the property for the proposed Lot 1 is currently zoned "B-2." The proposed Lot 2 will remain undeveloped. There will be cross access created between the lots and adjacent properties, such as Country Donuts shop which will create good traffic circulation. Mr. Bazos said they had discussed this with staff, who encouraged it. He said this is a high traffic area and described the surrounding uses. They believe this is the most viable commercial corridor in Crystal Lake.

Mr. Bazos said there has been a lot of misinformation with what is being proposed. They sent a cover letter with the legal notice to the surrounding property owners to help explain their request. He said Circle Drive was approved in 1952 through the Sharp's Subdivision and there are lots on either sides of it, but it is still a private street. The City doesn't want ownership of Circle Drive, which will remain private. CVS will increase the paved area by approximately 100 square feet. Also CVS will prepare a cross easement agreement so it will be maintained in the future. Mr. Bazos said the church doesn't connect to Circle Drive and there is nothing that requires them to, so they won't need to contribute to the maintenance of Circle Drive.

Mr. Bazos said there are four minor variations for this project. They are requesting a second monument sign on Virginia Road to service Lot 2. Lot 2 has no visibility from the roadways and it doesn't abut a public street. Mr. Bazos said the project will have a 75% lot coverage. This is a uniquely shaped property. They are also asking for a variation from the allowed square footage of signage. They are requesting 360 sq. ft. They were reminded by staff not to ask for anything greater than what was allowed for Walgreens. The UDO has standards for map amendments, Special Use Permits, and Variations. Mr. Bazos handed out a copy of the standards with how they believe they meet each standard in red. The members took a few minutes to read the information provided.

Mr. Hayden stated that the UDO sets standards that the petitioner needs to meet for approval.

Mr. Bazos thanked staff for their help and guidance.

Mr. Betenhousen said they worked with several owners. He added that the CVS building presented is a fairly standard building. The store will be a 24 hour store and they believe it will have above average sales.

Mr. Foss showed the plans for the project using Power Point. The site plan shows the building fronting the Northwest Highway right-of-way. They wanted the building to be parallel with the right-of-way. Mr. Foss described the circulation of the site including the drive-through and truck deliveries and the receiving area. There are four points of access to the site and they have been working with IDOT on the Route 14 access. They plan to use the existing Auto Tech-Goodyear access onto Virginia Road and add dedicated right and left turn lanes to make it a full access. Mr. Foss said all of the access points will benefit Country Donuts and

Lot 2. There will be a sidewalk for this site that will connect with the existing sidewalk. The delivery trucks will come off Route 14 and exit out on Circle Drive. The existing grading of the property won't be changed and they are proposing underground detention that meets the City's requirements. Mr. Foss explained the underground system. They will also utilize the existing drywell that is on the Auto Tech-Goodyear site as a back-up. There is an existing storm sewer, but because of its age, they can't connect. They will use the existing sanitary service from the restaurant and it will be extended to the south for Lot 2. Mr. Foss said there will be a new water main connection from Virginia Road for Lot 2 to tie into when needed. They worked with staff on the landscape plan which meets the City's requirements. There will be plantings along Virginia Road and Route 14 and they are proposing the addition of 59 trees on site. He said there is no development for lot 2 at this time, but will be certain that it will be fully landscaped when developed.

Mr. Hayden asked if a homeowners association will be created for the properties along Circle Drive. Mr. Bazos said it will be similar to an association that will collect fees from people who use the road for its upkeep. Lot 2 will remain a grassy area until developed.

Mr. Overbay said their services were retained by City of Crystal Lake to evaluate the traffic impact. They represent the City. He said they look at the existing traffic conditions, what happens with traffic growth, and the number of new traffic trips that will be generated by the proposed use to determine if roadway improvements are needed. He said they also determine how well an intersection works and delays vehicles. Mr. Overbay said the County requirements differ from the State requirements. There are three proposed entrances to the site and one is a full access onto Route 14. They evaluated the peak hours of traffic. The only problem they saw for traffic movement was during peak times and they determined that there will be approximately 100 new vehicle trips during the two peak hours from this site. Mr. Overbay showed a computer generated video of the traffic movement simulation. All traffic signals along Route 14 are interconnected and controlled by IDOT.

Mr. Fraga said they worked with staff to amend the building elevations to the one shown in the Power Point. The building proposed is about 13,000 sq. ft. which is an average size. They changed the material from split face concrete block building to a structural- type of brick. He showed samples of the brick types and colors.

Mr. Bazos said this project involves a redevelopment of an existing commercial property which is tired and run down. This is an improvement to the area and it will grant cross access to adjacent properties. He reminded the Commission that a pharmacy is a permitted use in the "B-2" zoning district.

Mr. Hayden asked about traffic. Mr. Overbay said they took the existing traffic from the current uses on the properties and took out the figures for the businesses that are closed and added the traffic that will be from this proposed use. The petitioner had contracted with another traffic consultant who is not one of the approved City consultants. They did use some of the information from that study. When the restaurant was open there was more traffic, but not a significant number. Also, the occupancy of the office complex is less than 50%. Mr. Overbay added that the uses in the Virginia Park office development are not typical of that type of building as there are churches and music studios. The current uses may have 20 trips an hour. He

said they investigated the accident history with site and for the past 5 years it is not a high accident level. The only way to keep the traffic level the same is to add a third lane on Route 14 which he is sure is not in IDOT's plan nor is it reasonable to ask of the petitioner. Mr. Overbay said they submitted the plans to both IDOT and the County at the same time and are still waiting to hear back from IDOT.

Mr. Hayden asked that people who wished to speak either for or against this request to sign in on the sheets provided in the rear of the Council Chambers. He said they are required to focus on the Findings of Fact that are in the UDO.

Mac McGrath, 238 Lincolnshire, asked that he be the first to speak. He represented many people. Mr. McGrath said he has reviewed many of the plans and had several major concerns. The letter that was received in February had a lot of information missing such as traffic. Also, there is no reference to Lincolnshire Drive on the plans. They have been ignored. They will be able to look between the homes and see this building. Mr. McGrath stated that the Commissioners have a responsibility to the people in the area. The streets currently have excessive traffic from people trying to avoid Route 14. The traffic study says the traffic from this site will turn right and go down to Berkshire. He said that is not correct. Mr. McGrath stated that are very upset about this request. There is no reason why CVS wants to build on this spot except for corporate greed and wanting to be directly across from Walgreens. Mr. McGrath is concerned with the trees that will be removed from the lot which is against the tree preservation ordinance. That will remove the only buffer they have. He will be glad to argue point by point with what has been presented here. He added that this is not the proper location for CVS. The intersection is already very busy. It doesn't matter how many cars are added. It's too busy now. Mr. McGrath said residents won't allow their kids to play in the front yard now because of the traffic. It's time we stop worrying about commercial development, which is wrong. There are mature trees here and this is wrong. He added that there is not one document presented that shows any consideration of the homes on Lincolnshire Drive or that area. We are the interests to be protected here. He said there are many places CVS can go in Crystal Lake that would be much better suited for their enterprise and it could be an anchor facility. Crystal Lake won't lose any revenue if this is not approved. You know they will come into another location. Mr. McGrath said it should not be located here. They are forcing themselves into a bad area and cutting down trees. We should not stand for that. There is no excuse. Mr. McGrath said he has a petition signed by 118 people in 2 or 3 days. The people who signed the petition live on Lincolnshire and Devonshire except for a few. There is no reason to have this approved. It is an ill-conceived venture and it should be stopped.

Mike Philpot, 246 Lincolnshire, said his home faces the church. He looks across to an open field. They currently have a sound barrier – the trees, homes, etc. from noise from Rt. 14. The traffic on Lincolnshire is heavy now and it will increase. They will also be looking into a brightly lit 24-hour store. Mr. Philpot said there is a tree ordinance in Crystal Lake and it speaks of wild life. There are over 60 mature trees there that are 50 to 60 feet tall. There are no bad trees there. They are all mature, healthy trees. He said he lets his dog run around in empty field and there are coyotes, birds, hawks, squirrels etc. there. We want to keep things looking nice in the City. Don't take down paradise to put up a parking lot. He said this is a nice area to enjoy. Mr. Philpot said he doesn't have a problem with CVS – only the location. This will be a detriment to the area and gave the Commissioners photos of the area.

Octavio Oramp, 598 Devonshire Lane, said he believes in free market. This is a case of corporatism and will only help the burricrates. He likes living in the suburbs. He said the petitioner wanted to come before the City in February, but hadn't thought it through enough. He doesn't believe this is a very well thought-out plan. Mr. Oramp doesn't feel that CVS will magically take care of the traffic issues and there will be more accidents in the future. Other locations would be much better and there are other stores to go to.

Maurice Elizardaraz, 206 Lincolnshire, said Rt. 14 and Virginia can be very congested. They won't be able to make a left turn onto Virginia and then left on Rt. 14. Traffic backs up past the former Maaco building the cars cut through their streets. Ever since he has moved into the house he has not allowed his children to play in the front yard because of the current traffic. Mr. Elizardaraz said he went with Mr. McGrath to the home to translate for people. They don't want them there. Traffic will increase and it will make a big difference in their area. This won't be beneficial.

Kristy White, 198 Lincolnshire, said she doesn't see a fence in the rear of the building. What would prevent people from cutting through the houses to get to CVS. Ms. White said she walks to Walgreens and goes around – not through yards. There won't be anything to keep people from cutting through her yard. She added that not everyone stops at three way stop sign in the area and there is a park there. Traffic will get worse.

Larry Swanson, one of the owners of Country Donuts, said he has to look at the abandoned building next to his business. It is not being taken care of. He is looking forward to having the CVS as a neighbor and the property will be maintained. Mr. Swanson said people see the run down building next door and it is hurting his business. When he is busy, there are about 100 cars going out onto Rt. 14 every hour. Some people turn right and go through the shopping center parking lot to turn left onto Rt. 14. This property is 200 to 300 feet from this property. Mr. Swanson said he wants this property to be developed instead of being neglected as it is now.

Jim Rausch, 229 Lincolnshire, said he has lived there for almost 30 years. He can attest to the traffic and people speed 40 mph or higher to avoid the traffic signal. He doesn't see how CVS will help the situation and feels that Auto Tech-Goodyear is jumping the gun by relocating. The CVS is going to be larger. Mr. Rausch feels that there should be a certain distance between the two similar businesses. Traffic will be horrendous either way and there are no plans they have developed that will change that. They will change landscaping and take down mature trees. The City tries to preserve our trees and landscaping and that what makes Crystal Lake more attractive than other towns around us. Route 14 is congested, but it is far better than some intersections in McHenry and Woodstock. This area is attractive and should be maintained. There are other places they could locate and not be across from their competitor.

Peter Tousis, owner of Mama Rini's, said he had to remove some trees because they were infested. Inside the bark there are bugs inside. Many customers don't want the buildings taken down, but anything is possible. He said this is the right development for the corner and it will beautify the area.

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

Mr. Bazos said he will focus on Findings of Fact that Councils need to use when reviewing a project. There were comments made that this site is not appropriate for pharmacy. He said the UDO has a table of permitted uses and the building is located on the property that is currently zoned "B-2" and a pharmacy is a permitted use. He read from the table listing the various uses that could be on this property by right. Mr. Bazos said he has driven down this street many times and there are Sears, Walgreens, a few banks, tire/repair, etc. in this area. This property can' t be more commercial than it is. The homes on Lincolnshire are 320 to 400 ft away from rear property line to rear property line from CVS. The trees along Circle Drive are not going to be taken down right now. He said only when there is a proposed use for lot 2 will that be discussed. Mr. Foss said there will be 20 shade trees, 5 evergreens, and 21 other trees that will be planted on this site. Mr. Bazos believe this is a high quality development.

Mr. Batastini thanked the neighbors for coming to the meeting. He grew up in Coventry on Landcaster and remembers when Crystal Lake South was built and Coventry Lane became a raceway. Coventry subdivision covers a large expanse and has been used as a cut through but it is a maze. It's not easy to get through. He understands that local residents probably figured out way to get around. If they weren't requesting any variations or the drive through they would be allowed to build this. Crystal Lake Plaza to the north of this site is right on top of the neighbors to their north and those neighbors look directly at a white fence. Mr. Batastini feels that the p.m. rush hour on Route 14 is horrible, but it is wide open during the day. CVS is not the villain here. He travels a lot with his job and finds Walgreens and CVS across from each other just as many gas stations are. If people are speeding down their streets, the residents need to let the Police know. Mr. Batastini asked if the majority of the trees would remain. Ms. Maxwell said there is a tree survey and the trees that would be removed would have a replacement value on each tree. She added that any commercial development adjacent to residential would require buffering. Mr. Batastini said they are not here to discuss Lot 2. We have always gone out of our way to protect neighbors. Ms. Maxwell said most of the trees are remaining and the trees on Lot 2 won't be taken down for CVS.

Mr. Batastini asked about the signage of the CVS on Randall Road. Ms. Maxwell said they have 170 sq. ft. of wall signage. Mr. Batastini said he doesn't have a problem with the underground storage for water runoff. The City engineer is ok with it. He likes the nicer building for this area. Mr. Batastini said they are requesting two freestanding signs. Mr. Betenhousen said the second sign is for Lot 2. Mr. Batastini said he is not comfortable with more signage than on Randall Road. It needs to be reduced for this site. He agrees with the cross access for the sites. He thanked the petitioners for making the building look better. We are trying to make the City a better place and this is helping. Mr. Batastini believes the Findings of Fact for the Special Use Permit meets all 10 of the conditions. He said staff points out the color that the petitioner wants to use on the electronic message center is red. Mr. Bazos said red has been approved in other locations but they don't have a problem with using amber or white. Mr. Batastini said the general consensus in the past has been to avoid red. Mr. Batastini said this request meets all of the Findings of Fact for the architectural design criteria. He said Crystal Lake relies on its commercial base and wants any business to be successful.

Mr. Skluzacek agrees with most of what Mr. Batastini said. He has lived in Crystal Lake both on the south and north sides of town and traffic does get bad at times. He has seen many changes in town over the years.

Mr. Esposito said 360 sq. ft. of signage is a lot and it is more like Home Depot. That's a lot. That is one thing he can't see. He is not sure how much Walgreens has. Ms. Maxwell said Walgreens has 117 sq. ft. and 121 sq. ft. for the Sherman Williams portion of the building. Mr. Esposito said there are a lot of ancillary signs here. Some ancillary signs were reduced in number and size for the CVS on Randall Road and business has not been hurt. Mr. Hayden asked if the square footage of the signs at Walgreens include the sign behind the window. Ms. Maxwell said previously it was not counted towards the square footage and now it does. Mr. Hayden asked what that would increase the square footage to. Ms. Maxwell said she would check on the building plans for Walgreens. Mr. Esposito preferred that the second monument sign be deterred until Lot 2 is being developed. He agreed with not using red on the electronic message center and Walgreens has it. He doesn't have a problem with red there. This request does meet the Findings of Fact and he does agree with the zoning.

Mr. Gavle walked around site earlier in the day. He is concerned with Walgreens and CVS being across from each other. Mr. Betenhousen said that happens in many companies. Mr. Bazos said McHenry has one going into across the street from each other. Mr. Hayden said car dealers encourage other dealers to come to the area to promote business.

Mr. Goss asked about the location of the trash enclosure. Mr. Fraga showed the location of the enclosure. Mr. Goss said he doesn't like it in front yard. There is also no bypass area for drive through with truck delivery in the same area. Mr. Foss must show number of cars for stacking in drive through but won't need that many. Mr. Goss said the site very cramped and asked why not take more of Lot 2. Mr. Betenhousen said the owner of Lot 2 is the owner of the Auto Tech-Goodyear site. Mr. Goss said the UDO doesn't allow off premise signs and Lot 2 doesn't have frontage on Route 14. He doesn't care for the traffic circulation and is concerned that traffic will back up on Route 14. He asked about the underground storage structure. Mr. Foss explained the system. It is a large area. Mr. Goss asked how it is cleaned out. Mr. Foss said it would be cleaned out with a vacuum truck. The vegetation will help filter out the sediment. Mr. Goss asked how it works in the winter. Mr. Foss said it won't freeze because of the thermal activity in the ground. Mr. Goss said this lot has 75% coverage. Mr. Foss even if had 50% coverage would have to do underground detention. Mr. Goss said he doesn't want CVS to have more signage than what Walgreens has and not count the sign behind the windows. It's grandfathered in. He is not convinced that this will not negatively impact traffic and doesn't feel that the west traffic pattern on the site is safe. His experience at night with the red lights for the electronic message center is hard to read. The only variation he can support is for the lot coverage. He believes that Lot 2 should not be rezoned until there is a plan brought back before them.

Mr. Hayden understands the traffic congestion, cross access, etc. Mr. Goss said he had talked with Mr. Overbay about this prior to the meeting. If CVS is coming to this site, there needs to be a fair playing field. He would be shocked if the County kept the entrances on Virginia Road the same. Mr. Overbay said it would be unfair to take access that is there now away from the office building and it is a shared

entrance/exit. Something will develop here.

Mr. Hayden asked why more property isn't taken from Lot 2. Mr. Betenhousen said to allow this project to happen, the property owner wants a certain amount of square footage so it can be developed in future. Mr. Hayden is concerned with Circle Drive. Mr. Betenhousen showed the aerial photo of area and where the building and parking would be located. Circle Drive will not be touched. From property line to property line it's about 242 feet and from Circle Drive to back lot line of resident it is about178 feet. Mr. Goss said if cars have to turn right, they will go through the residential streets. Mr. Hayden said that is the same as today. Mr. Overbay said even during peak hours the lion's share of the traffic will go right.

Mr. Goss said the reason why the businesses want to go across from each other is because they want the traffic signal.

Mr. Hayden said he is ok with the amount of signage that Walgreens was approved for but doesn't want them to have any more. He likes the building. It looks good and is a good fit. He asked the petitioner to work with staff on the cross access agreement that is a safe passage to get out onto Virginia Road. In his opinion the Findings of Fact have been met.

Mr. Bazos said while they will need a second sign, they don't need it now and it won't be installed until Lot 2 is being developed. They would like the location to be approved. Mr. Hayden said he would prefer the zoning to be "B-2 PUD" which affords the City more protection for us and the neighbors. Mr. Goss feels lot 2 should not be rezoned until they see a plan. Mr. Batastini feels that PUD is a good way to go and it protects the neighbors. Mr. Bazos said the owner of Lot 2 is present and has agreed to the PUD designation.

Mr. Batastini asked if the petitioner had any concerns with the conditions listed in the staff report. Mr. Bazos said they are good with the conditions.

Ms. Maxwell asked how the Commission wants the signage to be compared to Walgreens. Mr. Goss said not to count paint store. Mr. Hayden said the total signage should include the sign behind the glass. That is what is fair. He knows that it is not favorable with some members. Most of the Commissioners agreed.

Mr. Batastini moved to approve the Rezoning to B-2 General Commercial; Final Plat of Subdivision to create 2 lots; Special Use Permits for Lot 1 to allow a drive-through and electronic message center sign; and Variations from: A. Article 3-200 to allow 75% lot coverage, a variation of 10% over the 65% permitted; B. Article 4-1000 to allow 360 square feet of signage, 210 square feet over the 150 square feet permitted; C. Article 4-1000 to allow 2 free-standing signs on the property, allowing the off-premise sign, 1 free-standing sign is permitted; and D. Article 5 to allow Lot2 a lot that does not abut a publicly dedicated roadway for CVS Pharmacy located at the southwest corner of Route 14 and Virginia Road with the following conditions:

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

A. Application (TMC Illinois 2, LLC, received 02/17/15)
B. ALTA / ASCM Land Title Survey (Manhard Consulting, dated 10/28/14, received 04/25/14)
C. Final Plat of Subdivision (Manhard Consulting, dated 03/27/15, received 03/30/15)
D. Site Plan (Manhard Consulting, dated 03/20/15, received 03/30/15)
E. Landscape Plan (Manhard Consulting, dated 03/20/15, received 03/30/15)
F. Tree Survey (Manhard Consulting, dated 02/12/15)
G. Elevations (Norr, dated 3/20/15, received 03/30/15)
H. Sign Plans (icon, dated 03/20/15, received 03/30/15)

2. Final Plat of Subdivision
A. Provide an easement over the portion of the former Lot 3 to accommodate the existing storm water facilities.
B. CVS shall be responsible for the maintenance of Circle Lane unless a separate easement document is prepared establishing shared or another type of maintenance among all adjacent parties.

3. Site and Landscape Plan
A. Review fire hydrant spacing, access to the fire department connection and location of the fire equipment room to ensure fire department comments have been addressed.
B. Illustrate the 2-foot projection of the columns on the site plan and any floor plans.
C. Any tree removal must meet the requirements of Article 4-300.
D. The median adjacent to the drive-through shall be increased to provide only a right-out towards Circle Lane. This portion of the median shall be mountable for trucks.

4. Traffic Study
A. Petitioner shall follow all the recommendation of the traffic study dated April 17, 2015.
B. The petitioner shall work with IDOT and McDOT to secure any permits for work in the right-of-way.
C. Any changes to the site plan required by the traffic study, IDOT or McDOT shall be reviewed and approved by the Community Development Department.

5. The petitioner shall address all of the review comments and requirements of the Community Development, Fire Rescue, Police, and Public Works Departments, and those of the City's Stormwater Consultant.

6. Lot 2 shall be zoned B-2 PUD.

7. The petitioner shall work with staff to get signage equivalent to Walgreens.

8. The free-standing sign for Lot 2 shall not be erected until that lot develops.

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

Mr. Goss stated his reasons for voting no were the site is too crowded. He can't approve an off-premise sign; Lot 2 doesn't have access to a public right of way and would prefer the zoning remain residential until a plan is presented. He feels the bypass lane is very congested and is not convinced that there won't be traffic issues.

The meeting was adjourned at 10:10 p.m.