



## #2012-81 Heartland Cabinet Supply Annexation Project Review for Planning and Zoning Commission

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<b><u>Meeting Date:</u></b>	January 6, 2016
<b><u>Request:</u></b>	1) Rezoning upon annexation to M-Manufacturing, and 2) Special Use Permit for outdoor storage of material and equipment.
<b><u>Location:</u></b>	5002 Rickert Road
<b><u>Acreage:</u></b>	Approximately 1.24 acres
<b><u>Existing Zoning:</u></b>	I- Industry (McHenry County)
<b><u>Surrounding Properties:</u></b>	North: M – Manufacturing South: M PUD– Manufacturing Planned Unit Development East: M PUD– Manufacturing Planned Unit Development West: M – Manufacturing
<b><u>Staff Contact:</u></b>	Kathryn Cowlin (815.356.3798)

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### **Background:**

- **Existing Use:** The property is currently improved with Heartland Cabinet Supply; a cabinetry and countertop business and its ancillary outdoor storage.
- The existing conditions of the property would be allowed to remain ‘as is’ upon annexation into the City and allowed to continue for the term of the annexation agreement.
- **History:** This property is a county island, meaning it is surrounded by the City. City staff contacted the property owner and encouraged them to file an application for annexation.

### **Development Analysis:**

#### **General**

- **Request:** To zone the property M-Manufacturing upon annexation and a Special Use Permit for the existing outdoor storage of material and equipment.
- **Land Use:** The land use map shows the property as Industry. No Comprehensive Land Use Plan Map Amendment is necessary.

- Zoning: The property is currently zoned I - Industry in McHenry County. The property will be rezoned to M-Manufacturing, which is appropriate for the existing manufacturing business.
- The outdoor storage is confined to the rear of the property and is screened with a chain link fence and landscaping.



**2030 Comprehensive Land Use Plan Summary Review:**

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

Land Use

**Goal: Support manufacturing uses within the community which contribute to the regional and local economy and Crystal Lake’s live, work, play philosophy.**

This can be accomplished with the following supporting action:

**Supporting Action:** Expand and attract manufacturing users which provide jobs, services, and products strengthening the City’s economy.

**Findings of Fact:**

**REZONING**

- The property is currently zoned I - Industry in McHenry County. Property annexed into the City of Crystal Lake comes in as E- Estate zoning.
- The property would be rezoned to the City's M-Manufacturing upon annexation.

Criteria for Rezoning

(a) The existing uses and zoning of nearby property.

*Meets*                       *Does not meet*

(b) The extent to which property values are diminished by a particular zoning classification or restriction.

*Meets*                       *Does not meet*

(c) The extent to which the destruction of property value of a petitioner property owner promotes the health, safety, morals or general welfare of the public.

*Meets*                       *Does not meet*

(d) The relative gain to the public as opposed to the hardship imposed on a petitioning property owner.

*Meets*                       *Does not meet*

(e) The suitability of the subject property for its zoned purposes.

*Meets*                       *Does not meet*

(f) The length of time the property has been vacant as zoned, considered in the context of land development in the area.

*Meets*                       *Does not meet*

(g) The Comprehensive Plan designation and the current applicability of that designation.

*Meets*                       *Does not meet*

(h) The evidence or lack of evidence, of community need for the use proposed.

*Meets*                       *Does not meet*

### **SPECIAL USE PERMIT**

Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City. Section 2-400 of the Unified Development Ordinance establishes standard for all Special Uses in Crystal Lake. The criteria are as follows:

1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.

*Meets*                       *Does not meet*

2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.

*Meets*                       *Does not meet*

3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and flood plain regulations, Building and Fire Codes and all other applicable City Ordinances.

*Meets*                       *Does not meet*

4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.

*Meets*                       *Does not meet*

5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.

*Meets*                       *Does not meet*

6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.

*Meets*                       *Does not meet*

7. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.

*Meets*                       *Does not meet*

8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.

*Meets*                       *Does not meet*

9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use.

*Meets*                       *Does not meet*

10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.

*Meets*                       *Does not meet*

Outdoor sales, service, storage or display. All outdoor sales, service, storage or display must comply with the following standards:

1. General: An on-site circulation pedestrian and vehicle plan, illustrating the location of the sales, service, storage or display area shall be provided.

*Meets*                       *Does not meet*

2. Site design: Outdoor service or storage areas shall be located at the rear of the property. Special attention must be given to locate outdoor service or storage areas away from adjacent residential properties and at the least obtrusive location for adjacent commercial uses.

*Meets*                       *Does not meet*

3. Screening: All outside service or storage areas shall be screened from view with solid wooden fencing or opaque landscaping, in accordance with the standards in Section 4-700, Fences, walls and screening. The height of the fencing shall be adequate to conceal the stock, equipment or materials from view of adjacent properties. In cases where the height of materials exceeds 15 feet in height making it difficult to screen with fencing and landscaping, consideration will be given to the type of materials being stored and the impact of the visibility on the adjacent and surrounding property owners.

*Meets*                       *Does not meet*

*Meets requirement, the outdoor storage area is screened with a chain link fence, landscaping and buildings.*

4. Other applicable regulations: Written evidence, that applicable standards and requirements for health and safety protection and licensing by jurisdictions other than the City, as well as those required by the City ordinances, have been met shall be provided.

*Meets*                       *Does not meet*

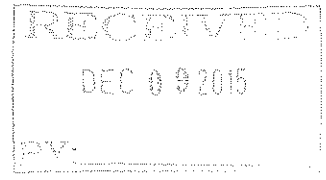
5. All outdoor sales, service, storage and display must meet the Guidelines for Outdoor Sales, Service, Storage and Display that are included in the Appendix.

*Meets*

*Does not meet*

**Recommended Conditions:**

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Gottmoller, received 12/09/15, dated 12/08/15)
  - B. Petition to Annex (Gottmoller, received 12/09/15, dated 12/08/15)
  - C. Petition to Zone (Gottmoller, received 12/09/15, dated 12/08/15)
  - D. Plat of Survey (received 12/09/15)
  - E. Proposed sign (received 12/09/15)
2. The outdoor storage shall be limited to the existing area.
3. The petitioner shall comply with the requirements of the Community Development Department, Public Works, Police and Fire Rescue Departments.



2012 81

# CITY OF CRYSTAL LAKE DEVELOPMENT APPLICATION

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OFFICE USE ONLY  
CASE #

**PROJECT TITLE:** Home State Bank NA Trust 5248

### ACTION REQUESTED:

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

**Petitioner Information:**  
 Home State Bank Trust  
 NAME: C/O Gary Reece  
 ADDRESS: 66 S Williams  
 Crystal Lake, IL 60014  
 PHONE: 815-790 4696  
 E-MAIL: Gary@heartlandcabinet.com

**Owner Information:(if different)**  
 NAME:  
 ADDRESS:  
 PHONE:  
 E-MAIL:

### Property Information:

Project Description: To annex and classify the existing parcel and building which is home to Heartland Cabinet. The Parties request the property be classified as M Manufacturing with a special use for outside storage of materials and equipment for the area that is fenced next to the building. The intention is to bring the property within the City's jurisdiction but allow the operation to continue in its present form.  
Project Address/Location 5002 Rickert Rd Crystal lake. The property is located on the North side of Rickert Road the second building from the intersection of Pingree and Rickert Road

PIN Number(s): 19 03 301 004 Page 1 of 2

**Development Team:**

Developer: \_\_\_\_\_

Architect: \_\_\_\_\_

Attorney: Joseph Gottemoller of Madsen, Sugden & Gottemoller, (815)459-5152, (FAX 815-459-0290)

Engineer: \_\_\_\_\_

Landscape Architect: \_\_\_\_\_

Planner: \_\_\_\_\_

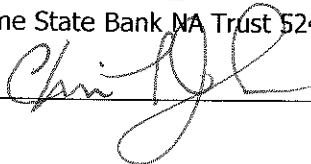
Surveyor: \_\_\_\_\_

Other: \_\_\_\_\_

**Signatures:**

Home State Bank NA Trust 5248

By



X

**Chris L. Johnson - Vice President  
and Senior Trust Officer**

Date **December 8, 2015**

As owner of the property in question, I hereby authorize the seeking of the above requested actions.  
Mary Rita Parrish Trust

\_\_\_\_\_  
Mary Rita Parrish Trustee  
Date

Petitioner: Print and Sign Name

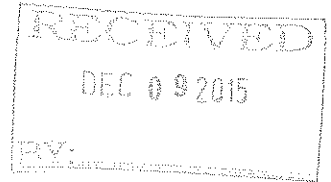
NOTE: If the subject property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter which names all beneficiaries of the trust.

*This instrument is executed by Home State Bank/National Association, Crystal Lake, IL, not personally but solely as Trustee as aforesaid. All the covenants and conditions to be performed hereunder by Home State Bank/National Association are undertaken by it solely as Trustee as aforesaid and not individually, and no personal liability shall be asserted or be enforceable against Home State Bank/National Association by reason of any of the covenants, statements, representations or warranties contained in this instrument.*



BEFORE THE CORPORATE AUTHORITIES OF  
THE CITY OF CRYSTAL LAKE  
MCHENRY COUNTY, ILLINOIS

2017 81



IN THE MATTER OF THE APPLICATION OF )  
Home State Bank Trust number 5248 )  
for the Entry into Annexation Agreement )  
with the City subject to the Annexation )  
of the Properties by the City Pursuant to the )  
Ordinances of the City of Crystal Lake )

**PETITION FOR ANNEXATION**

Now comes the Petitioner, HOME STATE BANK N.A. TRUST 5248, and hereby respectfully petitions pursuant to an Annexation Agreement to annex to the City of Crystal Lake, McHenry County, Illinois, the territory herein described in Exhibit A attached hereto and made a part hereof, and to zone the territory upon annexation following the required process in accordance with the request set forth below and states as follows:

1. The Territory herein described in Exhibit A, hereafter "Territory", is not within the corporate limits of any municipality.
2. The Territory is contiguous to the City of Crystal Lake, McHenry County, Illinois at the time of annexation. The annexation will include to the far side of any roads which have not previously been annexed into the city.
3. The Petitioner Trust is the Owner of the Territory.
4. There are no electors residing on the property.
5. The Territory is located on the North side of Rickert Road the second building from the intersection of Pingree and Rickert Road and commonly known as 5002 Rickert Road Crystal Lake, Illinois
6. That the Territory contains approximately 1.95 acres.

7. That the name and address of the beneficial owners of the property are Gary and Theresa Reece whom may be reached at 66 South Williams, Crystal Lake Illinois 60014.

8. The permanent property index number of the property is 19 03 301 004.

WHEREFORE, the Petitioner respectfully requests the annexation of the Territory described in Exhibit A to said City subject to the proposed annexation agreement to be entered into between the Petitioners and the City mutually acceptable to the parties, in accordance with the law in such cases made and provided.

THE REST OF THIS PAGE IS INTENTIONALLY LEFT BLANK

Dated in Crystal Lake, Illinois this 8th day of December, 2015.

Home State Bank Trust 5248

By *Chris L. Johnson*  
**Chris L. Johnson**  
**Vice President & Senior Trust Officer**

This instrument is executed by Home State Bank/National Association, Crystal Lake, IL, not personally but solely as Trustee as aforesaid. All the covenants and conditions to be performed hereunder by Home State Bank/National Association are undertaken by it solely as Trustee as aforesaid and not individually, and no personal liability shall be asserted or be enforceable against Home State Bank/National Association by reason of any of the covenants, statements, representations or warranties contained in this instrument.

STATE OF ILLINOIS )

COUNTY OF McHENRY )

I, Barbara Burget, a Notary Public in and for said county, in the state aforesaid, do hereby certify that Chris L. Johnson personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as the free and voluntary act of Home State Bank Trust 5248 for the uses and purposes therein set forth.

Given under by hand and official seal, the 8th day of December, 2015.

*Barbara Burget*  
Notary Public

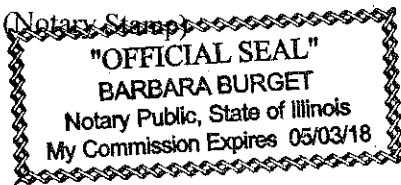


Exhibit "A"

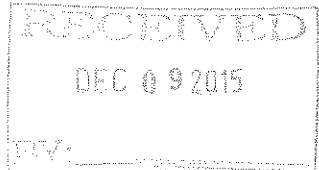
**Legal Description of Property**

PIN: 19 03 301 004

Commonly known as: 5002 Rickert Rd, Crystal Lake, Illinois

2017 81

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF MCHENRY )



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

IN THE MATTER OF THE PETITION OF )  
HOME STATE BANK NA TRUST 5248 FOR )  
APPROVAL OF AN INITIAL ZONING )  
CLASSIFICATION PURSUANT TO THE )  
TERMS OF THE PROPOSED ANNEXATION )  
AGREEMENT FOR A PARCEL OF LAND TO )  
BE ANNEXED TO THE CITY OF )  
CRYSTAL LAKE, ILLINOIS )

**PETITION FOR INITIAL ZONING**

Now comes the petitioner, Home State Bank NA Trust 5248 Owner of the property, by and through its attorneys, MADSEN, SUGDEN & GOTTEMOLLER, to request the Planning and Zoning Commission of the City of Crystal Lake to recommend an initial zoning classification of M Manufacturing with a special use permit for outside storage in order to allow the continued use of the property in its current configuration for manufacturing, subject to a pending Petition to Annex the property, and in support thereof, petitioner states:

1. HOME STATE BANK N.A. TRUST 5248, is the Record Title Holder of the territory described in Exhibit A.
2. Said property is currently used for manufacturing and outdoor storage of materials and equipment.
3. Said property has not been classified under the Zoning Ordinance of the City of Crystal Lake because it has yet to be annexed to the City of Crystal Lake.
4. The property is zoned under the County of McHenry Zoning as I Industrial. Petitioner is requesting the zoning classification of M Manufacturing with a special use for outside storage of material and equipment and any other variations necessary to allow the

property to continue with its current uses. Said property is subject to a petition to annex which is pending before the City Council.

5. At present the property contains a factory building and is currently used for the business of Heartland Cabinet and includes a fenced storage yard. The property has an approximate total acreage of 1.95 acres.

6. The property is between lands zoned: M Manufacturing under the city of Crystal lake on all sides. All of the surrounding properties contain manufacturing and warehouse buildings

7. The requested zoning of M- Manufacturing district and a special use for outdoor storage is consistent with the surrounding areas and the general purpose in the creation of such districts in the City of Crystal Lake under the Crystal Lake Unified Development Ordinance. The City Comprehensive Plan calls for commerce on the property. Furthermore this classification will allow the existing uses of the property to continue.

8. The initial zoning of this parcel described above, will not materially impair an adequate supply of light or air to the surrounding properties, increase the hazards of fire or other dangers, diminish the taxable value of land and buildings of the City and throughout the City, increase the congestion of public streets, or impair the public health, safety, comfort, morals and general welfare of the City.

9. The property's current use is for the operation of a cabinet business

WHEREFORE, the petitioners respectfully request the Crystal Lake Planning and Zoning Commission entertain this petition, set a date, time and place for a hearing on this matter. Further, petitioners pray that after such hearing and as a result thereof, the Board

recommend to the City Council of Crystal Lake that the parcel be classified Watershed Improved Commercial with allowed uses including those in the M- Manufacturing district and a special use for outdoor storage to allow the continued use of a portion of this property for a business under the terms and conditions of the City of Crystal Lake Unified Development Ordinance.

Dated in Crystal Lake, Illinois this 8th day of December, 2015.

Home State Bank Trust 5248

By   
**Chris L. Johnson**  
Vice President & Senior Trust Officer

STATE OF ILLINOIS )

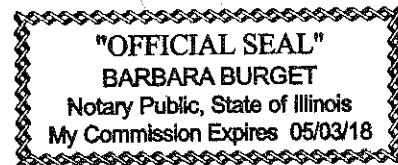
COUNTY OF McHENRY )

I, Barbara Burget, a Notary Public in and for said county, in the state aforesaid, do hereby certify that Chris L. Johnson personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as the free and voluntary act of Home State Bank Trust 5248 for the uses and purposes therein set forth.

Given under by hand and official seal, the 8th day of December, 2015.

  
Notary Public

(Notary Stamp)



This instrument is executed by Home State Bank/National Association, Crystal Lake, IL, not personally but solely as Trustee as aforesaid. All the covenants and conditions to be performed hereunder by Home State Bank/National Association are undertaken by it solely as Trustee as aforesaid and not individually, and no personal liability shall be asserted or be enforceable against Home State Bank/National Association by reason of any of the covenants, statements, representations or warranties contained in this instrument.

**Exhibit "A"**  
**Legal Description of Property**

PIN: 19 03 301 004

Commonly known as: 5002 Rickert Rd, Crystal Lake, Illinois

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

IN THE MATTER OF THE PETITION OF HOME STATE BANK NA TRUST 5248 FOR APPROVAL OF AN INITIAL ZONING CLASSIFICATION PURSUANT TO THE TERMS OF THE PROPOSED ANNEXATION AGREEMENT FOR A PARCEL OF LAND TO BE ANNEXED TO THE CITY OF CRYSTAL LAKE, ILLINOIS

**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 of the abovementioned petitioners for rezoning and variations relating to the following described real estate commonly known as: 5002 Rickert Rd, Crystal Lake, Illinois; Property Identification number: 19 03 301 004.

This application is filed for the purposes of seeking Rezoning from McHenry County I Industrial to City of Crystal Lake M-Manufacturing District and a Special Use Permit for outdoor storage in conjunction with Annexation and an Annexation Agreement, pursuant to Article 9-200 B and Article 2 of the Crystal Lake Unified Development Ordinance. Plans for this project can be viewed at the City of Crystal Lake Community Development Department at City Hall.

Home State Bank Trust # 5248 is the legal title holder for the property. In the event there are any questions the beneficial owner is Mr. Gary Reece and he may be reached in care of his attorney Joseph Gattemoller 815.459.5152.

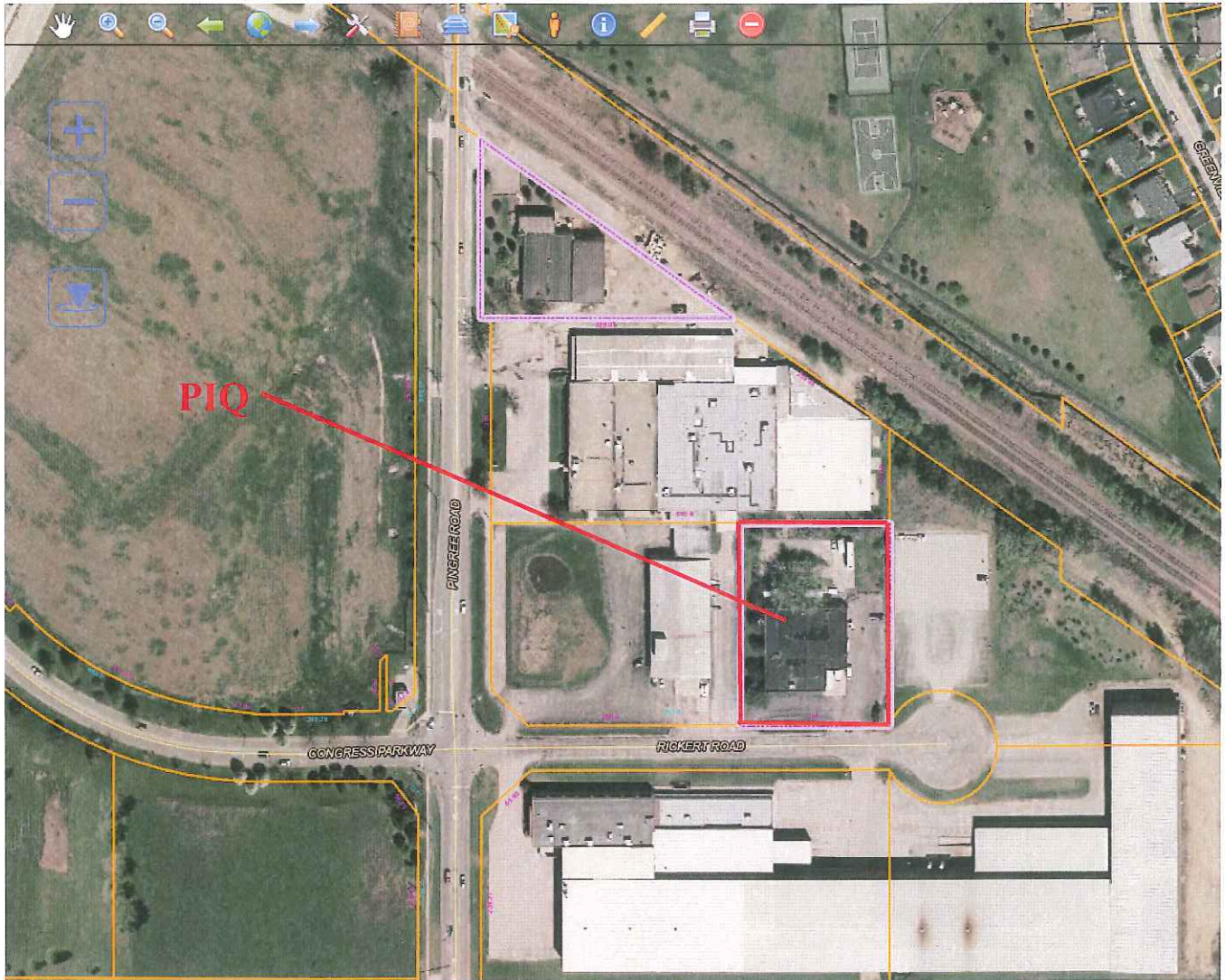
A public hearing before the Planning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday, January 6, 2016, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

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

(Published in the Northwest Herald December 21, 2015.) 1143839



CITY OF  
*Crystal Lake* Illinois



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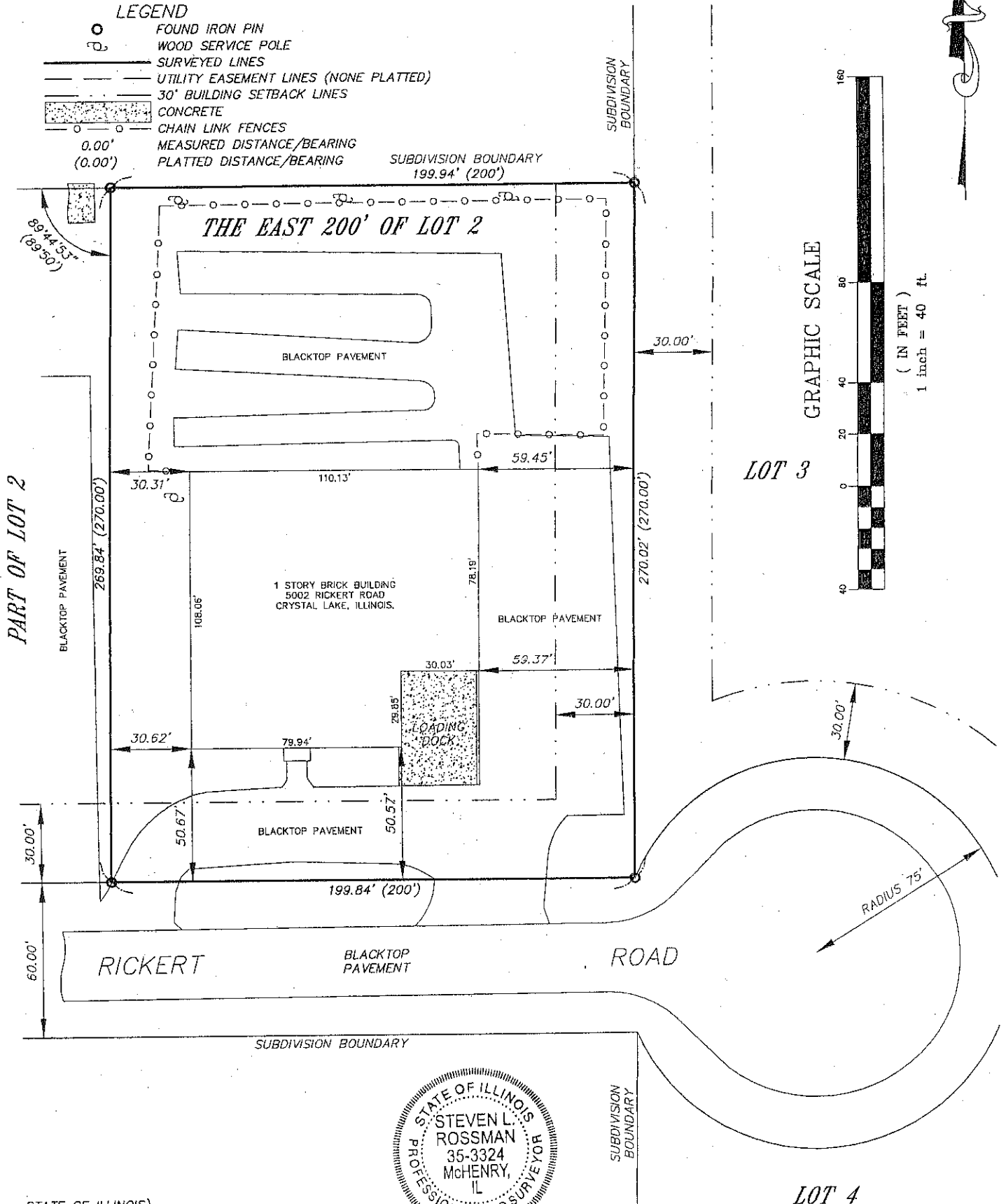
# PLAT OF SURVEY

## OF PROPERTY DESCRIBED AS

THE EAST 200 FEET OF LOT 2 IN RICKERT'S INDUSTRIAL SUBDIVISION, UNIT 1, BEING A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 7, 1971 AS DOCUMENT 540416, IN MCHENRY COUNTY, ILLINOIS.

### LEGEND

- FOUND IRON PIN
- WOOD SERVICE POLE
- SURVEYED LINES
- UTILITY EASEMENT LINES (NONE PLATTED)
- 30' BUILDING SETBACK LINES
- CONCRETE
- CHAIN LINK FENCES
- MEASURED DISTANCE/BEARING
- PLATTED DISTANCE/BEARING



STATE OF ILLINOIS )  
 COUNTY OF MCHENRY )SS

I, STEVEN L. ROSSMAN, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3324, HEREBY CERTIFY THAT UNDER MY DIRECTION I HAVE CAUSED THE ABOVE DESCRIBED PROPERTY TO BE SURVEYED AND THAT ACCORDING TO THE FOUND ARTIFICIAL MONUMENTATION AND THAT THE PLAT DRAWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

*[Signature]* EXPIRES 11/30/02

NOTE: COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE. NO DISTANCE SHOULD BE ASSUMED BY SCALING. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS SHOWN AND NOTED. NO REPRESENTATION AS TO OWNERSHIP, USE, OR POSSESSION SHOULD BE HEREON IMPLIED. REFER TO ABSTRACT, TITLE OR LOCAL ORDINANCES FOR ANY ADDITIONAL RESTRICTIONS, EASEMENTS OR BUILDING LINES. NO ABSTRACT, NOR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED THE SURVEYOR. THERE MAY EXIST DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PARCEL.

JOB #	023990	DATE:	10/10/02	SCALE:	1"=40'	SHEET:	1/1	PREPARED FOR:	Guertin
DRAWN BY:	S.L.R.	CHECKED BY:	S.L.R.						
BASELINE LAND SURVEYING, INC.			2400 W. JOHNSBURG ROAD			815			
			MCHENRY, ILLINOIS, 60050			385-2217			

2012 81

