

#2012-90 Parrish Annexation Project Review for Planning and Zoning Commission

Meeting Date: July 6, 2016

Request: 1) Rezoning upon annexation to W- Watershed, and

2) Special Use Permit for outdoor storage of materials and

equipment.

Location: 650 ½ W. Terra Cotta Ave

Acreage: Approximately 0.5 acres

Existing Zoning: B-1 – Neighborhood Business (McHenry County)

Surrounding Properties: North: B-1 – Neighborhood Business (McHenry County)

South: B-2 – General Commercial

East: R-2 – Single-Family Residential

West: W – Watershed

Staff Contact: Kathryn Cowlin (815.356.3798)

Background:

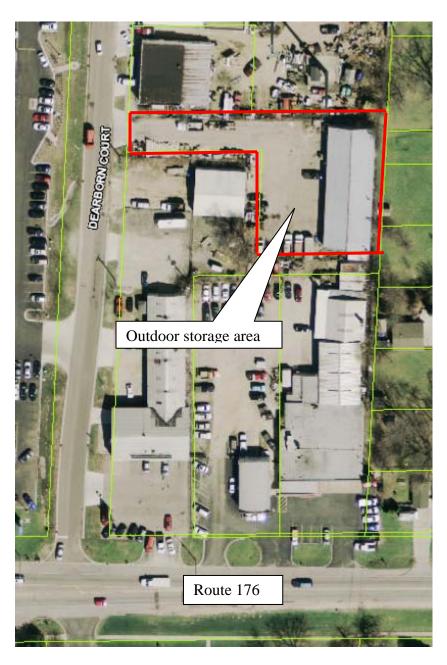
- Existing Use: The property is currently improved with a major auto and truck repair business and its ancillary outdoor storage of vehicles, equipment and materials.
- The existing conditions of the property would be allowed to remain 'as is' upon annexation into the City and allowed to continue for the term of the annexation agreement. After the expiration of the agreement any alterations or improvements to the property would need to comply with the ordinances in place at that time.
- <u>History</u>: 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 W-Watershed upon annexation and a Special Use Permit for the existing outdoor storage of vehicles, equipment and materials.
- <u>Land Use</u>: The land use map shows the property as Commerce. No Comprehensive Land Use Plan Map Amendment is necessary.

- Zoning: The property is currently zoned B-1 Neighborhood Business in McHenry County. The property will be rezoned to W-Watershed with M- Manufacturing standards and uses, which is appropriate for the existing auto repair business.
- The property is a flag lot and the outdoor storage is mainly screened by other properties and a chain link fence.



2030 Comprehensive Land Use Plan Summary Review:

The Comprehensive Plan designates the subject property as Commerce, 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:

Meets

REZONING

- The property is currently zoned B-1 Neighborhood Business 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 W- Watershed zoning district upon annexation.

	a for Rezoning	
(a)	The existing uses and	zoning of nearby property.
	☐ Meets	Does not meet
(b)	The extent to which jor restriction.	property values are diminished by a particular zoning classification
	☐ Meets	Does not meet
(c)		the destruction of property value of a petitioner property owner safety, morals or general welfare of the public.
	☐ Meets	Does not meet
(d)	The relative gain to property owner.	the public as opposed to the hardship imposed on a petitioning
	☐ Meets	Does not meet
(e)	The suitability of the s	subject property for its zoned purposes.
	☐ Meets	Does not meet
(f)	The length of time the land development in t	he property has been vacant as zoned, considered in the context of the area.
	☐ Meets	Does not meet
(g)	The Comprehensive F	Plan designation and the current applicability of that designation.

Does not meet

(n)		ek of evidence, of community need for the use proposed.
	Meets	☐ Does not meet
Special proper	ties and the orderly	separate review because of their potential to impact surrounding development of the City. Section 2-400 of the Unified Development
Ordina	ance establishes stan	dard for all Special Uses in Crystal Lake. The criteria are as follows:
1.	service or facility v	use is necessary or desirable, at the location involved, to provide a which will further the public convenience and contribute to the general hborhood or community.
	☐ Meets	Does not meet
2.	That the proposed improvements in the	I use will not be detrimental to the value of other properties or ne vicinity.
	Meets	Does not meet
3.	is located and this and bulk regulation	use will comply with the regulations of the zoning district in which it Ordinance generally, including, but not limited to, all applicable yard ions, parking and loading regulations, sign control regulations, ls, and flood plain regulations, Building and Fire Codes and all other dinances.
	☐ Meets	Does not meet
4.	will adequately ade facilities; and, if	use will not negatively impact the existing off-site traffic circulation; dress on-site traffic circulation; will provide adequate on-site parking required, will contribute financially, in proportion to its impact, to and parking systems.
	Meets	Does not meet
5.	service delivery sy	use will not negatively impact existing public utilities and municipal stems and, if required, will contribute financially, in proportion to its ading of public utility systems and municipal service delivery systems.
	Meets	Does not meet
6.	noise, or water poll	use will not impact negatively on the environment by creating air, lution; ground contamination; or unsightly views.
	Meets	Does not meet
7.	adequate screening	use will maintain, where possible, existing mature vegetation; provide g to residential properties; provide landscaping in forms of ground shrubs; and provide architecture, which is aesthetically appealing,

		ementary to surrounding properties and acceptable by community letailed in Article 4, Development and Design Standards.
	Meets	Does not meet
8.	other than the City	e will meet standards and requirements established by jurisdictions such as Federal, State or County statutes requiring licensing safety inspections, and submit written evidence thereof.
	Meets	Does not meet
9.	That the proposed use a Special Use Permit	e shall conform to any stipulations or conditions approved as part of issued for such use.
	☐ Meets	Does not meet
10.	That the proposed use as provided in this see	e shall conform to the standards established for specific special uses etion.
	☐ Meets	Does not meet
	or sales, service, stora y with the following st	age or display. All outdoor sales, service, storage or display must andards:
1.		irculation pedestrian and vehicle plan, illustrating the location of the or display area shall be provided.
	Meets	Does not meet
2.	Special attention mu	service or storage areas shall be located at the rear of the property. st be given to locate outdoor service or storage areas away from roperties and at the least obtrusive location for adjacent commercial
	Meets	Does not meet
3.	wooden fencing or o 700, Fences, walls an the stock, equipment height of materials e and landscaping, cons	le service or storage areas shall be screened from view with solid paque landscaping, in accordance with the standards in Section 4-d screening. The height of the fencing shall be adequate to conceal or materials from view of adjacent properties. In cases where the sceeds 15 feet in height making it difficult to screen with fencing sideration will be given to the type of materials being stored and the y on the adjacent and surrounding property owners.
	Meets	Does not meet
	Meets requirement, the buildings.	he outdoor storage area is screened with a chain link fence and

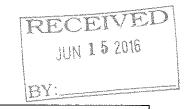
4.		11	regulations:		,		11		
	-		ealth and safet			_	• 0		
	City, a	s well as tho	se required by	the City of	ordinances, l	have b	een met shal	l be provide	ed.
	\square Me	ets	Does no	ot meet					
5.			service, stora	_				nes for Out	door
	\square Me	ets	Does no	ot meet					

Recommended Conditions:

- 1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Gottemoller, received 06/15/16)
 - B. Petition to Annex (Gottemoller, received 06/15/16)
 - C. Petition to Zone (Gottemoller, received 06/15/16)
- 2. The current address of 650 ½ W. Terra Cotta Ave does not conform to the City address ordinance and should be changed to a Dearborn Court address.
- 3. The petitioner shall comply with all the watershed requirements and would need to take precautions to ensure any outdoor storage would not contaminate the surface and ground water that flows to the lake, including, but not limited to, using mats under any leaking vehicles and not storing any hazardous materials on site.
- 4. The petitioner shall comply with the requirements of the Community Development Department, Public Works, Police and Fire Rescue Departments.

CITY OF CRYSTAL LAKE DEVELOPMENT APPLICATION

Please type or print legibly



OFFICE USE ONLY CASE #

PROJECT TITLE: Robert E. Parrish Trust dated August 20,2015						
Mary Rita T	Mary Rita Trust dated August 20, 2015					
ACTION REQUESTED:						
X Annexation	Preliminary PUD					
Comprehensive Plan Amendment	Preliminary Plat of Subdivision					
Conceptual PUD Review	<u>X</u> Rezoning					
Final PUD	Special Use Permit					
Final PUD Amendment	X Variation					
Final Plat of Subdivision	Other					
Petitioner Information:	Owner Information: (if different)					
NAME: Robert & Rita Parrish	NAME:					
ADDRESS: 485 Rockland Road	ADDRESS:					
Crystal Lake, IL 60014						
PHONE: 815-459-4727	PHONE:					
E-MAIL: ParrishPavingInc@att.net	E-MAIL:					
Property Information:						
Project Description: To annex and classify the existing	parcel and buildings which have made up the					
Parrish paving property for many years. The Parties request the property be classified as Watershed						
while allowing the property uses to be the same as manufacturing along with a special use for outside						
storage. 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 6501/2W Terra Cotta Ave Crystal Lake. The property is located North of route						
176 on the east side of Dearborn Court the third build						
PIN Number(s): 14-31-252-030	Page 1 of 2					

Development ream:
Developer:
Architect:
Attorney: Joseph Gottemoller of Madsen, Sugden & Gottemoller, (815)459-5152, (FAX 815-459-0290)
Engineer:
Landscape Architect:
Planner:
Surveyor:
Other:
Signatures:
Robert E Parrish Trust X Robert F PAROSH Ebert Council
Robert E Parrish Trustee 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 actions. Mary Rita Parrish Trust
MANY RITH PARASH Slaw Total
Mary Rita Parrish Trustee Petitioner: Print and Sign Name Date

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.

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

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BY:					AND THE STATE OF T	

IN THE MATTER OF THE APPLICATION OF)
Robert E. Parrish Trust dated August 20, 2015 and)
Mary Rita Trust dated August 20, 2015)
for the Entry into an 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 Petitioners, ROBERT E. PARRISH TRUST DATED AUGUST 20, 2015

AND MARY RITA TRUST DATED AUGUST 20, 2015, 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 East side of Dearborn Court and the North side of W. Terra Cotta Avenue at 650 ½ W. Terra Cotta Avenue, Crystal Lake, Illinois
 - 6. That the Territory contains approximately .56 acres.

- 7. That the name and address of the beneficial owners of the property are Roberty E. Parrish and Mary Rita Parrish. Both of whom may be reached at 485 Rockland Road, Crystal Lake Illinois 60014.
 - 8. That the permanent property index number of the property is 14 31 252 030.

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.

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Dated in Crystal Lake, Illinois this, day of, 2016.
Robert E Parrish Revocable Trust dated August 20, 2015
By Rabert Carus
Mary Rita Parrish Revocable trust dated August 20, 2015 By: Standard Fame Company Com
STATE OF ILLINOIS)
COUNTY OF McHENRY)
I, Joseph Gotte weller, a Notary Public in and for said county, in the state aforesaid, do hereby certify that Robert E Parrish 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 signed and delivered the said instrument as his free and voluntary act, and that he also signed as trustee and the free and voluntary act of the Trust and that he in fact did act for the land trust for the uses and purposes therein set forth.
Given under by hand and official seal, the 15 day of 7000, 2016.
(Notary Stamp) STATE OF ILLINOIS OFFICIAL SEAL Notary Public
COUNTY OF McHENRY)
I, <u>Joseph Cotted</u> , a Notary Public in and for said county, in the state aforesaid, do hereby certify that Mary Rita Parrish 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 she signed and delivered the said instrument as her free and voluntary act, and that she also signed as trustee and the free and voluntary act of the Trust and that she in fact did act for the land trust for the uses and purposes therein set forth.
Given under by hand and official seal, the 15 day of 100 e , 2016.
Notary Stamp Notary Public
OFFICIAL SEAL JOSEPH GOTTEMOLLER NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:09/05/16

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1993 TIA TOLLING OF PARTIES DESCRIBE

Exhibit "A"

Legal Description of Property

Parcel 2: That part of the Northeast Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the North-South Quarter Section line of said Section 31 and the Northerly right of way line of State Route No. 176; thence North 89 degrees, 22 minutes, 40 seconds East along said Northerly right of way line, 443.57 feet, (399.07 feet according to said Quarter Section line, as re-established pursuant to Monument Record recorded as Document No. 863507); thence North 0 degrees, 24 minutes, 52 seconds West, 249.65 feet; thence North 89 degrees, 22 minutes, 40 seconds East, 61.25 feet to the place of beginning; thence continue North 89 degrees, 22 minutes, 40 seconds East, 120.00 feet to the Westerly line of Leonard Heights, according to the Plat thereof recorded March 15, 1928 as Document no. 82565 in Book 6 of Plats, page 42; thence North 2 degrees, 51 minutes, 00 seconds East along the West line of said Leonard Heights, 20.00 feet; thence South 89 degrees, 22 minutes, 40 seconds West, 120.00 feet, thence South 2 degrees, 51 minutes, 00 seconds West, 20.00 feet to the place of beginning in McHenry County, Illinois.

PIN: 14 31 252 030

Commonly known as: 650 1/2 W. Terra Cotta Avenue, Crystal Lake, Illinois

STATE OF ILLINOIS)
)SS
COUNTY OF MCHENRY)

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

IN THE MATTER OF THE PETITION OF)
ROBERT E. PARRISH REVOCABLE)
TRUST DATED AUGUST 20, 2015 AND)
MARY RITA PARRISH REVOCABLE TRUST)
DATED AUGUST 20, 2015, 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, ROBERT E. PARRISH REVOCABLE TRUST DATED AUGUST 20, 2015 AND MARY RITA PARRISH REVOCABLE TRUST DATED AUGUST 20, 2015, Owners of the property, by and through their attorneys, MADSEN, SUGDEN & GOTTEMOLLER, to request the Planning and Zoning Commission of the City of Crystal Lake to recommend an initial zoning classification of Developed Watershed and 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:

- ROBERT E. PARRISH REVOCABLE TRUST DATED AUGUST 20,
 AND MARY RITA PARRISH REVOCABLE TRUST DATED AUGUST 20, 2015,
 is the Record Title Holder of the territory described in Exhibit A.
- 2. Said property is currently used for manufacturing, a construction yard 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 Watershed while being allowed to continue to use the property for the general uses allowed in an M manufacturing district along with a special use permit to allow the outdoor storage of vehicles and equipment without a transition yard 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 was used for years as the staging and storage yard for Parrish paving. The property has an approximate total acreage of .56 acres.
- 6. The property is between land classified for zoning and use as follows: North-County industrial with a pending petition to annex; East- R-2 residential improved lots; South- B-2 Highway commercial; West Watershed Car Dealership.
- 7. The requested zoning of Watershed with allowed uses including those in the 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 and past 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 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 with allowed uses including those in the M- Manufacturing district and a special use for outdoor storage the removal of a transition yard and any other variations needed 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.

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Dated in Crystal Lake, Illinois this, 2016.
Robert E Parrish Revocable Trust dated August 20, 2015
By Palit Carrel
Mary Rita Parrish Revocable trust dated August 20, 2015
By: Muy out fach
STATE OF ILLINOIS)
COUNTY OF McHENRY)
I,
(Notary Stamp) STATE OF ILLINOIS OFFICIAL SEAL Notary Public
COUNTY OF McHENRY I, Joseph Goffendler, a Notary Public in and for said county, in the state aforesaid, do hereby certify that Mary Rita Parrish 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 she signed and delivered the said instrument as her free and voluntary act, and that she also signed as trustee and the free and voluntary act of the Trust and that she in fact did act for the land trust for the uses and purposes therein set forth.
Given under by hand and official seal, the 15 day of Free 2,2016
Notary Stamp Notary Public
OFFICIAL SEAL JOSEPH GOTTEMOLLER NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:09/05/16

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Exhibit "A" Legal Description of Property

That part of the Northeast Quarter of Section 31, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the North-South Quarter Section line of said Section 31 and the Northerly right of way line of State Route No. 176; thence North 89 degrees, 22 minutes, 40 seconds East along said Northerly right of way line, 443.57 feet, (399.07 feet according to said Quarter Section line, as re-established pursuant to Monument Record recorded as Document No. 863507); thence North 0 degrees, 24 minutes, 52 seconds West, 249.65 feet; thence North 89 degrees, 22 minutes, 40 seconds East, 61.25 feet to the place of beginning; thence continue North 89 degrees, 22 minutes, 40 seconds East, 120.00 feet to the Westerly line of Leonard Heights, according to the Plat thereof recorded March 15, 1928 as Document no. 82565 in Book 6 of Plats, page 42; thence North 2 degrees, 51 minutes, 00 seconds East along the West line of said Leonard Heights, 20.00 feet; thence South 89 degrees, 22 minutes, 40 seconds West, 120.00 feet, thence South 2 degrees, 51 minutes, 00 seconds West, 20.00 feet to the place of beginning in McHenry County, Illinois.

PIN: 14 31 252 030

Commonly known as: 650 ½ W. Terra Cotta Avenue, Crystal Lake, Illinois

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF Robert E. Parrish Trust dated August 20, 2015 and Mary Rita Trust dated August 20, 2015 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

Legal Notice Legal Natice

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 of the City of Crystal Lake upon the application of upon the application of Robert E. Parrish Trust dated August 20, 2015 (hereinatter referred to as "Owner") to annex the land Commonly known as: 650 ½ W. Terra Cotta Avenue, Crystal Lake, Illinois Illinois

PIN 14-31-252-030

PIN 14-31-252-030
The pelitioner seeks a the initial zoning classification of Wolershed with the allowance of the uses of the M Manufacturing district and a special use permit for outside storage per Article 2-400 to allow the continued use of existing facilities on the property. These requests will allow the existing facilities and manufacturing operations to continue upon the annexation of the property into the City of Crystat Lake. This request includes any additional variations or permits necessary to allow the existing congrations to continue. The necessary to allow the existing operations to continue. The petition for this project can be viewed at the City of Crystal Lake Community Development Department at City Hall.

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

Thomas Hayden, ChairPlanning and Zoning Commission, City of

MADSEN, SUGDEN & GOTTEMOLLER Attorney for Petitioner One North Virginia Street Crystal Lake, IL 60014 (815)459-5152

(Published in the Northwest Herold June 21, 2016) 1199304

Athena - Public Property Search Vieweirch By: Parcel | Subdivision | Address

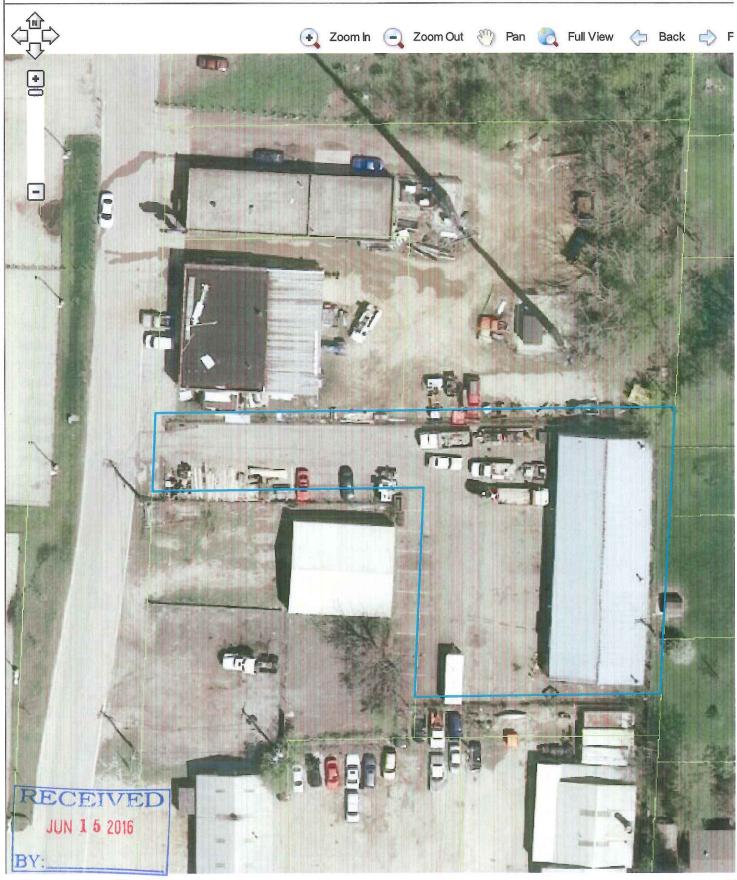
McHenry County, Illinois

1431252030

Search Map

Layers Results City-Zoom Print

Questions or Comment:







Map created on June 14, 2016.

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