



#2016-31 Geske & Sons Asphalt Paving Annexation Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	August 3, 2016
<u>Request:</u>	1) Rezoning upon annexation to M- Manufacturing Planned Unit Development, and 2) Special Use Permit for outdoor storage of materials, equipment and vehicles.
<u>Location:</u>	400 E. Terra Cotta Ave
<u>Acreage:</u>	Approximately 5.23 acres
<u>Existing Zoning:</u>	A-1 Agriculture (McHenry County)
<u>Surrounding Properties:</u>	North: M – Manufacturing South: B-2 – General Commercial Planned Unit Development East: M – Manufacturing West: M – Manufacturing
<u>Staff Contact:</u>	Kathryn Cowlin (815.356.3798)

Background:

- **Existing Use:** The property is currently occupied by Geske & Sons Asphalt Paving and its ancillary outdoor storage of materials, vehicles and equipment. The primary use of this property is the office for the paving businesses and outdoor storage of the vehicles. Asphalt processes is not conducted at this property.
- 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:

- **Request:** To zone the property M-Manufacturing PUD upon annexation and a Special Use Permit for the existing outdoor storage of materials, vehicles 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 A-1 – Agriculture in McHenry County. The property will be rezoned to M- Manufacturing PUD, which is appropriate for the existing paving businesses.

Findings of Fact:

REZONING

- The property is currently zoned A-1 Agriculture in McHenry County. Property annexed into the City of Crystal Lake comes in as E- Estate zoning unless rezoned to the appropriate zoning district.
- The property would be rezoned to the City's M- Manufacturing PUD zoning district 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*

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. Petition to Annex (Gottmoller, received 07/13/16)
2. The outdoor storage of vehicles should only be on an approved surface, the parking of vehicles on grass is prohibited.
3. The petitioner shall comply with the requirements of the Community Development Department.

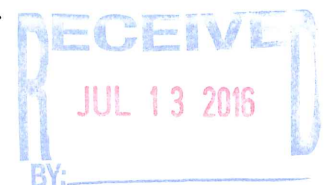
BEFORE THE CORPORATE AUTHORITIES OF
THE CITY OF CRYSTAL LAKE
MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE APPLICATION OF)
Home State Bank as Trustee under)
Trust Agreement Dated March 15, 2000 and known)
as Trust No. 4905 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 Petitioners, HOME STATE BANK as Trustee under Trust Agreement dated March 15, 2000 and known as Trust Number 4905, 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.
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 Terra Cotta Avenue at 400 E. Terra Cotta Avenue, Crystal Lake, Illinois. The annexation will include to the far side of any road not previously annexed into a municipality.
6. That the combined Territory contains approximately 5.23 acres.



7. That the name and address of the beneficial owners of the property are: Leroy Geske and Larry Geske All of whom may be reached at 400 E. Terra Cotta Avenue, Crystal Lake Illinois 60014.

8. That the permanent property index numbers are set forth in Exhibit A.

WHEREFORE, the Petitioner respectfully requests the annexation of the Territory described in Exhibit A to said City subject to annexation agreements 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 13th day of July, 2016.

Home State Bank as Trustee under Trust Agreement
Dated March 15, 2000 and known as Trust No. 4905

By Mark C. Weber

MARK WEBER
VICE PRESIDENT

Attest: Barbara Burget

BARBARA BURGET
ASST. TRUST OFFICER



STATE OF ILLINOIS)

COUNTY OF McHENRY)

I, Jill Heffron, a Notary Public in and for said county, in the state aforesaid, do hereby certify that Mark Weber VP & TO and Barbara Burget ASST personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act, and that they are authorized to act for the Land Trust and that they in fact did act for the land trust for the uses and purposes therein set forth.

Given under by hand and official seal, the 13 day of July, 2016.

Jill Heffron
Notary Public



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

THAT PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER OF SAID SECTION 33; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, 93.7 FEET TO THE POINT OF BEGINNING; THENCE NORTH 1 DEGREE 13 MINUTES 58 SECONDS EAST ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER, 756.35 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 32 SECONDS EAST, 234.76 FEET; THENCE SOUTH 1 DEGREE 13 MINUTES 58 SECONDS EAST, 20.00 FEE; THENCE SOUTH 89 DEGREES 32 MINUTES 32 SECONDS EAST, 71.91 FEET; THENCE SOUTH 1 DEGREE 13 MINUTES 58 SECONDS WEST, 734.00 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE WESTERLY ALONG SAID SOUTH LINE, 306.71 FEET TO THE POINT OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

Commonly known as: 400 E. Terra Cotta, Crystal Lake, Illinois

PIN: 14-33-251-009

PUBLIC NOTICE

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

IN THE MATTER OF THE
APPLICATION OF
Home State Bank Trust 4905

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission upon the application of Home State Bank Trust 4905 for the following described real estate commonly known as 400 E. Terra Cotta Ave, Crystal Lake, Illinois 60014, PIN: 14-33-251-009.

The petitioner seeks a classification of M- Manufacturing zoning district upon annexation to allow the existing asphalt paving company use and a Special Use Permit for outdoor storage pursuant to Article 2-400 and any variations as necessary to approve the plans as presented. This request will allow the existing facility and operations to continue upon the annexation of the property into the City of Crystal Lake. Plans 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 for this request will be held at 7:30 p.m. on Wednesday August 3, 2016 at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person desiring to be heard may be present.

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

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