



#2016-35
ASR Properties, Inc. Annexation
Project Review for Planning and Zoning Commission

Meeting Date: August 17, 2016

Request:

- 1) Rezoning upon annexation to B-2 General Commercial,
- 2) Special Use Permit for major auto repair, and
- 3) Special Use Permit for outdoor storage of materials, equipment and vehicles.

Location: 5219 E. Terra Cotta Ave

Acreage: Approximately 1.52 acres

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

Requested Zoning: B-2 General Commercial

Surrounding Properties:

North:	M-L – Manufacturing Limited
South:	R-1 – Single-Family Residential
East:	B-2 – General Commercial
West:	B-2 PUD – General Commercial Planned Unit Development

Staff Contact: Kathryn Cowlin (815.356.3798)

Background:

- **Existing Use:** The property is currently occupied by multiple tenants, including a furniture store, an auto repair shop and 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:

- **Request:** To zone the property B-2 General Commercial upon annexation and Special Use Permits for A: the existing outdoor storage of materials, vehicles and equipment; and B: major auto repair.

- Land Use: 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 B-2 – General Commercial, which is appropriate for the existing businesses.

Findings of Fact:

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 B-2 – General Commercial 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*

Automotive repair, major. Major automotive repair facilities must comply with the following standards:

1. Location of repair: All repairs shall be performed within a completely enclosed building.

Meets *Does not meet*

2. Licensed vehicles: All vehicles parked or stored on-site shall display a current license plate with a current registration.

Meets *Does not meet*

3. Odors and fumes: The use shall safely and appropriately vent all odors, gas and fumes and shall comply with all applicable federal, state and local regulations. Such vents shall be located a minimum of 10 feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to preclude the escape of gas vapors from the fill pipes.

Meets *Does not meet*

4. Outdoor vehicle storage: Vehicles to be stored outdoors must be contained on-site on a paved area. The outside storage area shall be screened with a minimum six feet tall solid wooden fence. In selected cases, an eight feet tall solid wooden fence may be required.

Meets *Does not meet*

5. Parts or junk vehicle storage: Outdoor storage of automotive parts or junk vehicles is prohibited.

Meets *Does not meet*

6. Fuel dispensing: Unattended, automated dispensing of gasoline or other engine fuel is prohibited.

Meets *Does not meet*

7. Fluid/Oil collection mats: Fluid/Oil collection mats are required by facilities in wellhead protection areas and within the Crystal Lake Watershed.

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*

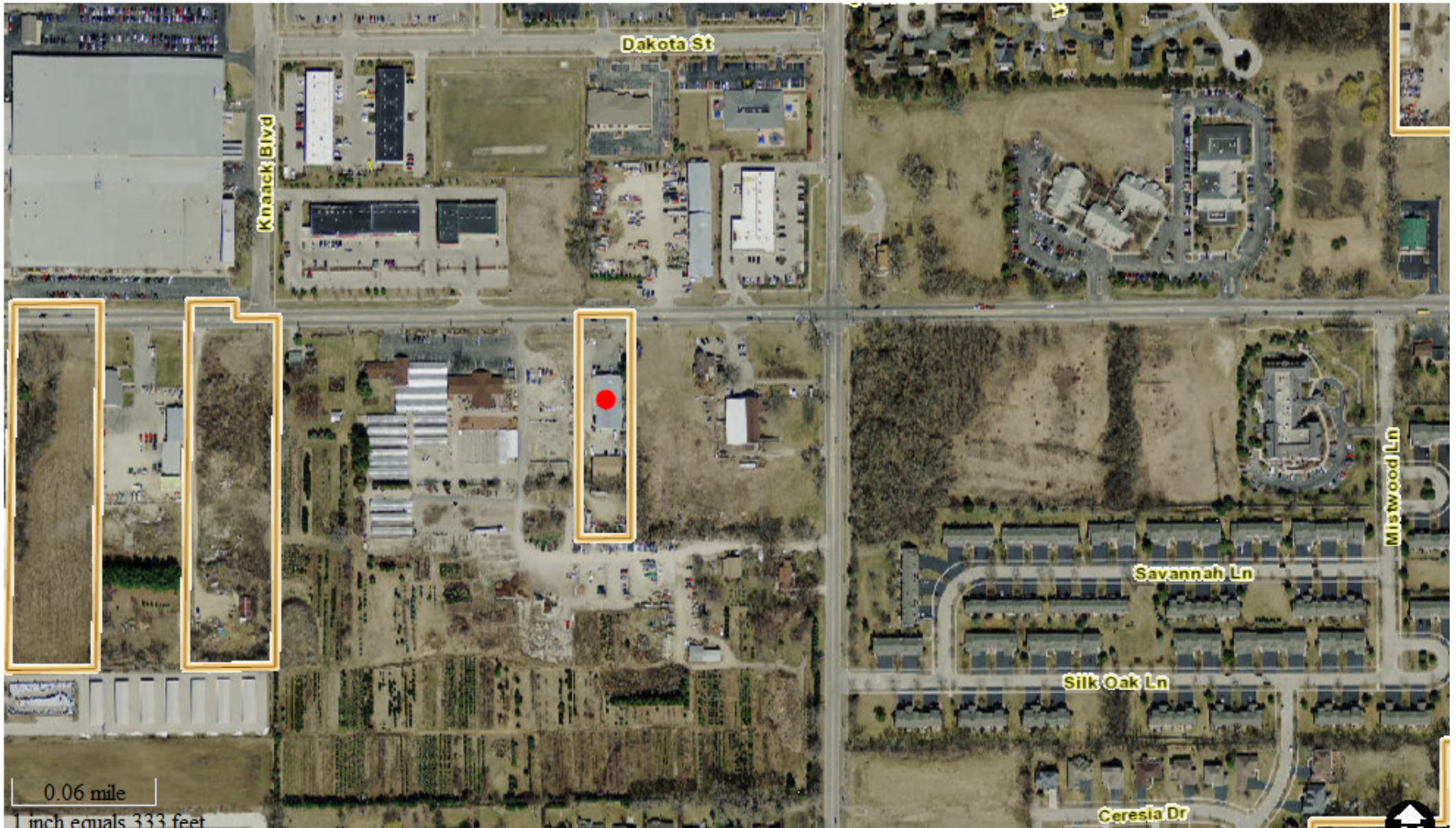
Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Petition to Annex (Randunne, received 07/11/16)
2. The outdoor storage should only be on an approved surface, the parking of vehicles on the grass is prohibited.
3. The petitioner shall comply with the requirements of the Community Development Department.

Exhibit A

The East half of that part of the following described property: That part of the Northeast Quarter of the Southeast Quarter of Section 33, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of the Southeast Quarter of said Section 33 and thence running West along the North line of the Southeast Quarter, 730 feet to the place of beginning; thence South parallel with the East line of said Southeast Quarter, 531.0 feet; thence East parallel with the North line of the Southeast Quarter, 250.0 feet; thence North parallel with the East line of said Southeast Quarter, 531.0 feet to a point on the North line of said Southeast Quarter, thence West 250 feet along the North line of said Southeast Quarter to the place of beginning, in McHenry County, Illinois.

Commonly known as 5219 E. Terra Cotta Avenue, Crystal Lake, Illinois 60014 (PIN 14-33-426-018)



Map created on August 5, 2016.

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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

PUBLIC NOTICE

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

IN THE MATTER OF THE
APPLICATION OF
ASR Properties, Inc.

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 the ASR Properties, Inc. for the following described real estate commonly known as 5219 E. Terra Cotta Ave, Crystal Lake, Illinois 60014, PIN: 14-33-426-018.

The petitioner seeks a classification of B-2 General Commercial zoning district upon annexation to allow the existing retail, auto repair and outdoor storage uses to continue, a Special Use Permit for major automotive repair 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 17, 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, Chairperson
Planning and Zoning Commission
City of Crystal Lake

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