



#2016-41 6207 Commercial Road – Special Use Permit Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	September 21, 2016
<u>Requests:</u>	Special Use Permit to allow Outside Storage for vehicles and parts with a variation from Article 2-400 and 4-200 to allow outside storage and parking to occur on an unapproved surface.
<u>Location:</u>	6207 Commercial Road
<u>Acreage:</u>	Approximately 1.3 acres
<u>Existing Zoning:</u>	B-2 General Commercial
<u>Surrounding Properties:</u>	North: M Manufacturing South: M Manufacturing East: M Manufacturing West: M Manufacturing
<u>Staff Contact:</u>	Elizabeth Maxwell (815.356.3615)

Background:

- The site is currently occupied by a tenant, which stores and disassembles ambulances. There is vehicle and parts storage associated with the use.
- The property owner went through the City's process in 2006 for Stone Crafters, which requested a Special Use for material storage and variations.
- The property owner was granted the following:
 - Rezoning from E Estate to M Manufacturing
 - Outside storage of stone and masonry materials (for Stone Crafters only)
 - Variation from the setback adjacent to a residential use – no longer applies as all properties have been rezoned to M
 - Variation granting a deferral to pave the northeast portion of the lot for 12 months (expired April 2008) and the southern portion of the lot for 3 years (expired April 2010)
 - Variation from the maximum curb cut of 25 feet to allow 55 feet
 - Variation from the 20-foot parking lot setback to allow 5 feet along Commercial Rd
 - Variation from 15-foot parking lot perimeter landscape screening to allow 5 feet along Commercial Rd
 - Variation from the 8-foot parking lot setback along south and west property lines to allow 0 feet
 - Variation from the required interior and end parking lot islands
 - Variation from screening requirement of loading areas

Development Analysis:

Land Use/Zoning

- The site is currently zoned M Manufacturing. This is the appropriate zoning district for disassembly, repair, metal recycling and storage. The outside storage requires a Special Use Permit in this district.
- The land use map shows the area as Industry. This is an appropriate land use designation for the tenant's operation.

Site Layout

- The property is an existing manufacturing building, previously occupied by Stone Crafters. Currently, the site is occupied by a company that takes in old or damaged ambulances and disassembles them selling the scrap metal and other parts.
- The existing entrance is off Commercial Road and is a wide gravel driveway leading into a gravel area used for parking.
- The petitioner plans to install a fence at the edge of the building so the storage area is behind the building. Picture 4 shows the possible fence location as a red line from the building to the south property line.
- The parking lot and storage area was to be paved at the time of the previous request, but the petitioner asked for a deferral to pave after 5 years. The condition of approval granted a 12 month deferral for the northeast portion and a 3 year deferral for the southern portion with a requirement to land bank parking for a future more intense tenant requirement.
- Unfortunately, staff did not follow up on the paving deferrals and the business continued to operate. Now that a new tenant has located within the space, these previous requirements should be met.
- The property owner is requesting a variation from the paving requirements for the parking and outside storage areas.

Parking

- Parking for Industrial Uses is based on 1 per every 2 employees + 1 per vehicle used at the business.
- The parking lot should be striped to accommodate the required parking for the tenant.

Landscape

- No landscape plan has been provided. The petitioner verbally explained that year-round landscape screening exists around the south and west perimeter of the site.
- Pictures 2 and 3 depict a lack of appropriate landscape screening along the south property line.



Picture 1. Street View of the property at the Commercial Road entrance.



Picture 2. Bird's eye view of the site showing the parking and storage area with existing landscape to the south.



Picture 3. Bird's eye view of property illustrating the site and the existing landscape screening along the west property line.



Picture 4. Aerial view with dimension showing the current driveway width. Also illustrated is the possible fence location in red.

Findings of fact:

SPECIAL USE PERMIT

The petitioner is requesting approval of a Special Use Permit to allow Outside Storage. A Special Use requires separate review because of its potential to impact surrounding properties and the orderly development of the City.

Section 2-400 B General Standards for all special uses in the Unified Ordinance establishes standards for all special uses in Crystal Lake. Briefly, the criteria are as follows:

1. The use is necessary or desirable, at the proposed location, to provide a service or facility which will further the public convenience and general welfare.
 Meets *Does not meet*
2. The use will not be detrimental to area property values.
 Meets *Does not meet*
3. The use will comply with the zoning districts regulations.
 Meets *Does not meet*
4. The use will not negatively impact traffic circulation.
 Meets *Does not meet*
5. The use will not negatively impact public utilities or municipal service delivery systems. If required, the use will contribute financially to the upgrading of public utilities and municipal service delivery systems.
 Meets *Does not meet*
6. The use will not negatively impact the environment or be unsightly.
 Meets *Does not meet*
7. The use, where possible will preserve existing mature vegetation, and provide landscaping and architecture, which is aesthetically pleasing, compatible or complementary to surrounding properties and acceptable by community standards.
 Meets *Does not meet*
8. The use will meet requirements of all regulating governmental agencies.
 Meets *Does not meet*
9. The use will conform to any conditions approved as part of the issued Special Use Permit.
 Meets *Does not meet*
10. The use will conform to the regulations established for specific special uses, where applicable.
 Meets *Does not meet*

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from the requirement to pave the parking lot and the outside storage area. The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property. To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

- a. The plight of the property owner is due to unique circumstances, such as, unusual surroundings or conditions of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, or underground conditions.
 Meets *Does not meet*

- b. Also, that the variation, if granted, will not alter the essential character of the locality.
 Meets *Does not meet*

For the purposes of supplementing the above standards, the Commission may take into consideration the extent to which the following facts favorable to the application have been established by the evidence presented at the public hearing:

- a. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;
 Meets *Does not meet*

- b. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;
 Meets *Does not meet*

- c. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; or
 Meets *Does not meet*

- d. That the proposed variation will not impair an adequate supply of light or air to adjacent property, will not unreasonably diminish or impair the property values of adjacent property, will not unreasonably increase congestion in the public streets, substantially increase the danger of fire or otherwise endanger public safety.
 Meets *Does not meet*

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

Comprehensive Land Use Plan 2020 Vision Summary Review:

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

Land Use - Commerce

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: Encourage the redevelopment of "brownfield" sites, underused or abandoned manufacturing properties in the City, and reuse already existing structures or draw upon existing infrastructure.

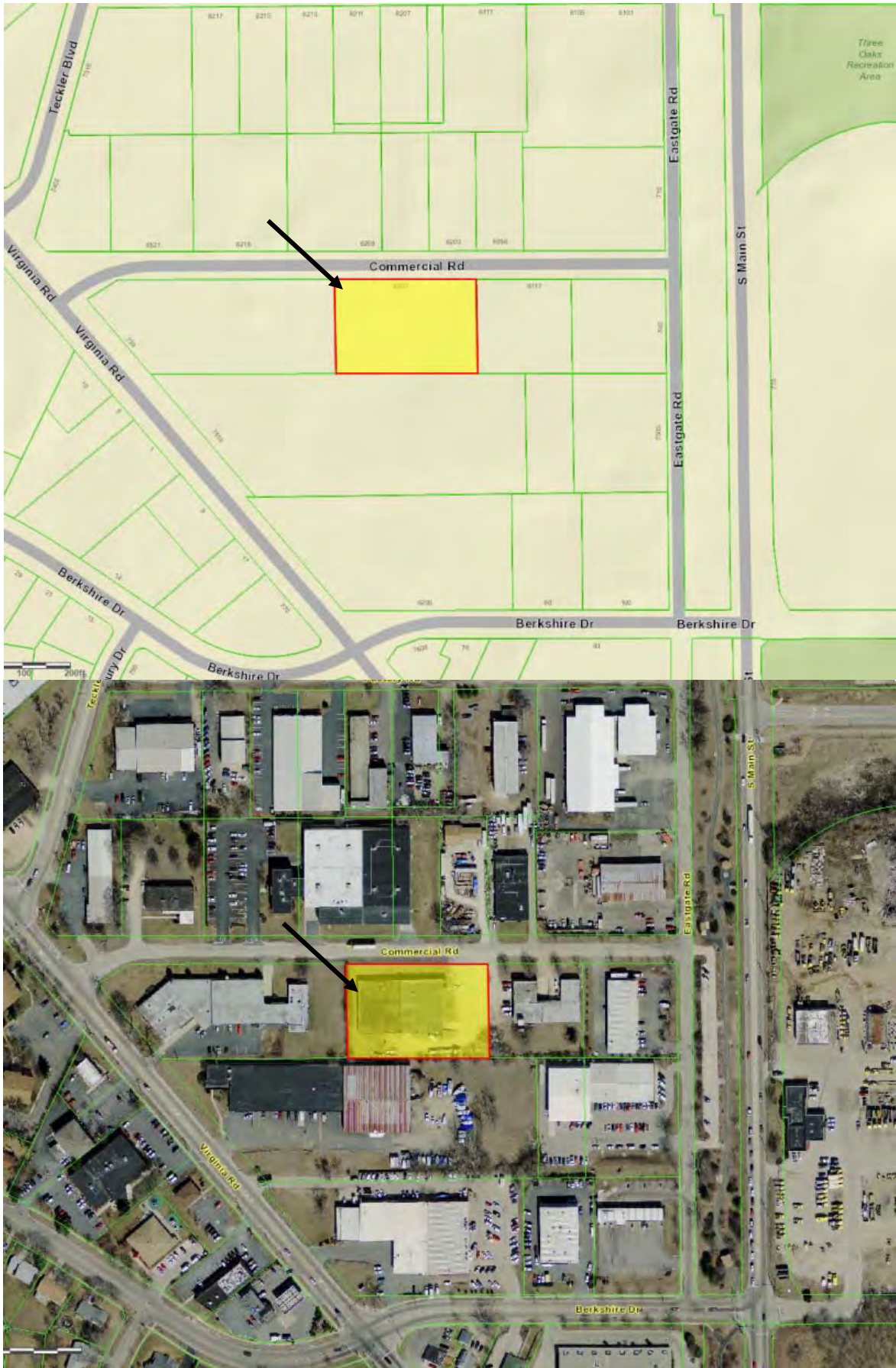
Success Indicator: The number of new tenant occupancies in existing buildings..

Recommended Conditions:

If a motion to recommend approval of the petitioner's request is made, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Hammerl, received 09/01/16)
 - B. Plat of Survey (VSEI, dated 08/15/16, received 08/22/06)
2. Site and Landscape Plan
 - A. Add trees and shrubs to the landscape islands to meet the UDO requirements.
 - B. Work with staff to provide proper cross-access and site circulation between this development and the future development to the west.
3. Ordinance No. 6180 shall remain applicable unless modified by this request.
4. The parking lot must be paved, curbed and striped by May 1, 2017. This area includes any portion required for customer and employee parking. The driveway must be narrowed to the maximum 55 feet as permitted by Ordinance No. 6180.
5. The outside storage area shall be paved by May 1, 2017.
6. A landscape plan shall be provided to staff illustrating year-round landscape screening for review by November 1, 2016. Once approved all required landscape must be planted by May 1, 2017.
7. A 6-foot solid wood fence shall be installed to screen the outside storage in all locations not screened by landscape materials.
8. 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.

Hammerl – 6207 Commercial Road - PIQ



2016 41

CITY OF CRYSTAL LAKE PLANNING APPLICATION

Please type or print legibly

OFFICE USE ONLY CASE #

PROJECT TITLE: Hammerl Special use

ACTION REQUESTED:

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Preliminary PUD |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Final PUD | <input checked="" type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Final PUD Amendment | <input checked="" type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other |

Petitioner Information:

NAME: David Hammerl

ADDRESS: 431 Wegner Rd

Lakemoor, IL 60051

PHONE: 815 363 8730

FAX: 815 363 5907

E-MAIL: dhammerl@stonecrafters.com

Owner Information:(if different)

NAME: _____

ADDRESS: _____

PHONE: _____

FAX: _____

E-MAIL: _____

Property Information:

Project Description: issue a special use permit to allow outdoor storage of autos for disassembly. On a gravel area within a fenced rear yard. The petitioner is seeking a variance to allow the storage yard to remain gravel. The storage is pursuant to Article 2-400 and Article 9-200 D with a variation from Articles 2-400 8 Outside Storage and 4-200C 3 Surfacing to allow outside storage and parking on a gravel area Along with any other variations needed to allow the proposed use

Project Address/Location: 6207 Commercial Road Crystal lake Il

PIN Number(s): 19-08-277-002 & 19-08-277-003 & 19-08-277- 004

RECEIVED
SEP 01 2016
BY: _____

Zoning: Current: M Manufacturing Proposed: Same

Land Use: Current: Older factory building in the teckler triangle Proposed: same _____

Comprehensive Plan Designation: Current: Commercial Proposed: same _____

Development Team:

Developer: _____

Architect: _____

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

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures:

David Hammer

8/31/2016

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.

David Hammer

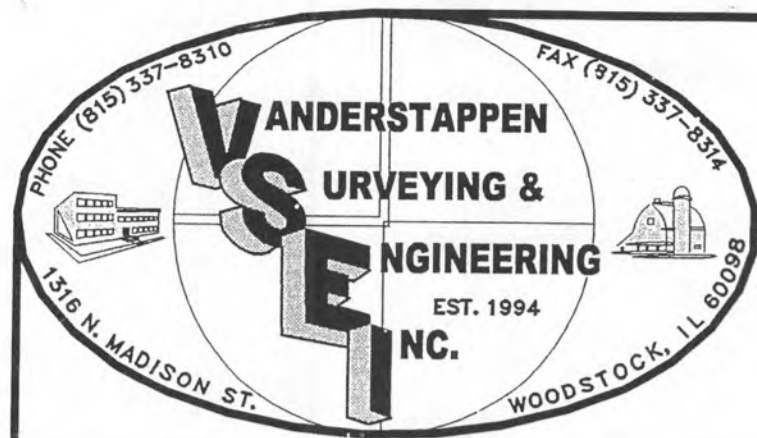
8/31/2016

OWNER: 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.

9/22/06
12:15 AM

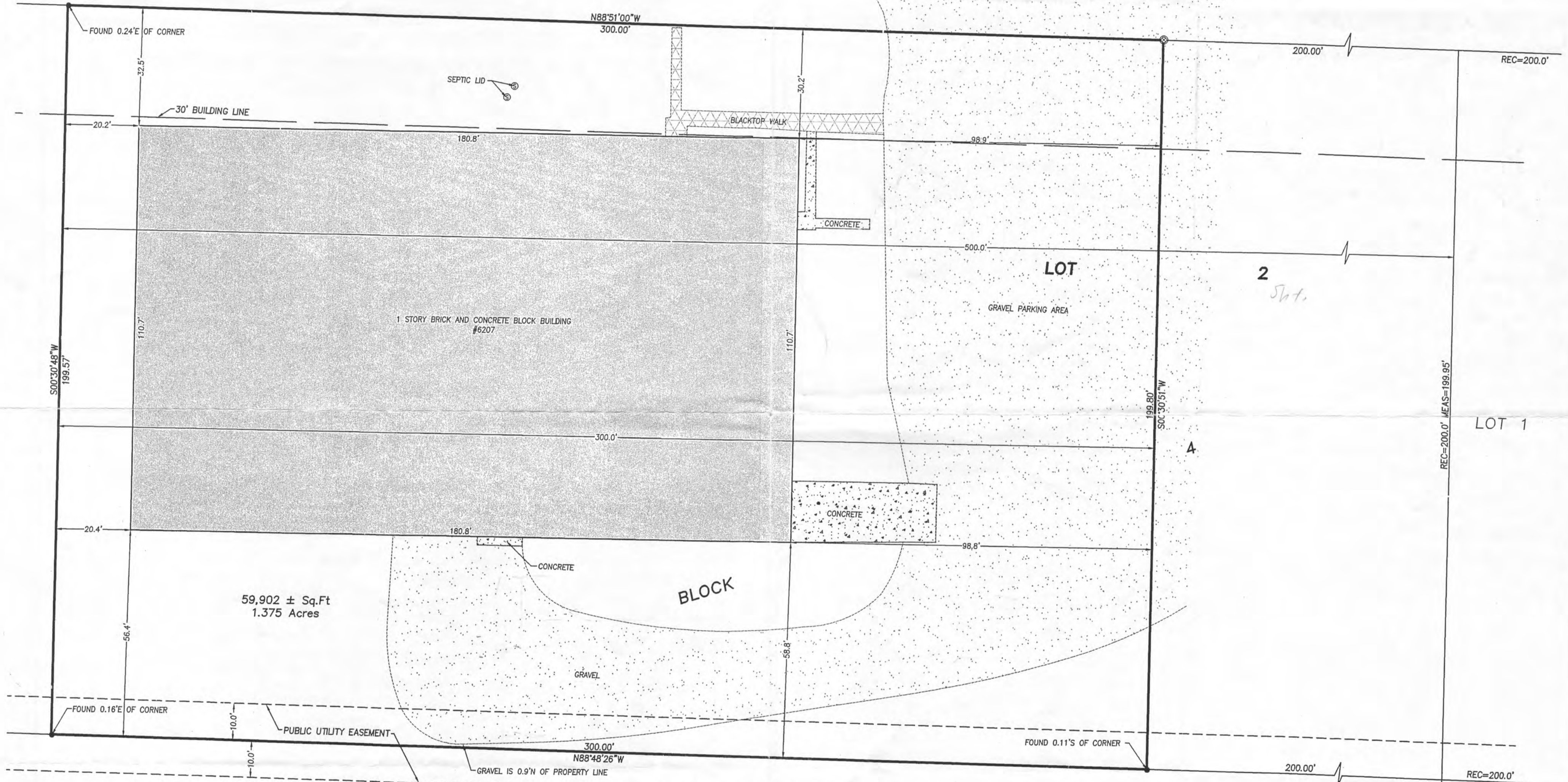


PLAT OF SURVEY

The West 300 feet of the East 500 feet of Lot 2 in Block 4 in Parker's Crystal Lake Industrial Center, a Subdivision of part of Section 8, Township 43 North, Range 8 East of the Third Principal Meridian, according to the Plat thereof recorded May 10, 1955 as Document No. 292393, in Book 12 of Plats, page 27, in McHenry County, Illinois.

COMMERCIAL

ROAD



LEGEND	
● FOUND IRON BAR	⊙ SET IRON BAR
⊗ FOUND SPIKE	⊗ SET SPIKE
○ FOUND IRON PIPE	⊠ FOUND MONUMENT

CLIENT: JACK DARBY
 DRAWN BY: DER CHECKED BY: WJV
 SCALE: 1"=20' SEC. 08 T. 43 R. 08 E.
 BASIS OF BEARING: ASSUMED
 P.I.N.: 19-08-277-002, 003, 004
 JOB NO.: 060749 I.D. LSS
 FIELDWORK COMP.: 8/15/06 BK. PG.
 ALL DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF CORRECTED TO 68° F.

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the description ordered to be surveyed contains a proper description of the required building lines or easements.

- * 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.
- * This Survey and Plat of Survey are void without original embossed or colored seal and signature affixed.

Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.



STATE OF ILLINOIS)
) S.S.
 COUNTY OF McHENRY) LOT 6

In my professional opinion, and based on my observations, I hereby certify that we have surveyed the premises above described, and that the plat hereon is a true representation of the said survey. This professional service conforms to the current Illinois minimum standards for a boundary survey.

Dated at Woodstock, McHenry County, Illinois 8/17 A.D., 20 06.

VANDERSTAPPEN SURVEYING, INC.
 Design Firm No. 184-002792

By: *William J. Vanderstappen*
 Illinois Professional Land Surveyor No. 2709

815-363-3730

**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, MARCH 21, 2007
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chair Hayden at 7:30 p.m. On roll call, members Esposito, Greenman, Hopkins, Schofield, Skluzacek, and Hayden were present. Members Batastini and Jouron were absent.

Latika Bhide and Elizabeth Zeller, both Planners, and James Richter, Senior Planner, were present from Staff.

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

Mr. Hayden stated that this meeting is being televised now as well as being recorded for future playback on the City's cable station. He stated that there are a number of items on the agenda and asked that those in attendance, who wished to speak on any of the petitions, please sign in on the sheets provided for each petition.

2006-97 6207 COMMERCIAL ROAD -PUBLIC HEARING

This petition was continued from the March 7, 2007 PZC meeting
Rezone, Special Use Permit, Variation

Mr. Hayden stated that the fees have been paid, and the sign has been posted. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice with no objection.

Joe Gottemoller, attorney, was present to represent the petition. Mr. Gottemoller said the petitioner is planning to open a Stone Crafters business on this site. He handed out photos of the site and the adjacent property. They are requesting a variation from screening the adjacent property that is currently zoned "RE-1" which was the highest district available at the time it was annexed into the City. Mr. Gottemoller described the items that are stored on that vacant property which has a chain link fence surrounding it. The other three sides are zoned Manufacturing, which is what they are requesting for this property.

Mr. Gottemoller said they are requesting several variations including the setback requirement from residentially zoned property. He said the parking lot is currently gravel and in disrepair. They would like to improve that over time. They are requesting for a 1-year extension for paving the general parking area. Phase 2 would be a 5-year extension for the rear portion of the property up to the garage door and Phase 3 would be the land-banked parking, which would be done only if needed. They will have only three employees. Mr. Gottemoller said they will be connecting to the water and sewer in Phase I because of the sizable tap on fees and would like to have that put in prior to paving the parking lot.

Mr. Gottemoller said they are requesting variations for the building so they can leave it where it currently is. The outside storage would be in the rear and they intent to put up a fence for security of their items. They will need a wider curb cut for the semis to get in and out.

Mr. Gottemoller showed photos of what the petitioner has done with similar buildings.

Mr. Hayden asked about conditions listed in the staff report. Mr. Gottemoller said they do not have a problem with the conditions but #2a regarding concrete parking bumpers might be a problem for the neighbor. He said that Staff has recommended 3 years to pave the lot but they would prefer to do it in phases and pave the rear portion in 5 years.

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

Mr. Greenman said he appreciates what the petitioner is proposing to do and he asked where the phased areas are located. Mr. Gottemoller said the dark area on the site plan would be the first area paved. He said the reason for the delay is due to still having to close on the property, finalize the engineering plans, and have the work done. Mr. Greenman asked about the parking bumpers. Mr. Richter stated that staff is concerned that cars would park too far forward and partially block the entrance for the semis to get in and out. He said they felt the concrete bumpers were reasonable.

Mr. Hopkins asked about the building. Mr. Gottemoller said they will have a showroom in the front of the building and they will make the countertops in the rear. He said the petitioner has not decided what they will do to the outside of the building. Mr. Hopkins asked about the ventilation in the rear of the building. Mr. Gottemoller said they will meet the OSHA standards for ventilation. He said the grinding would be done inside the building. Only the slabs will be stored outside.

Mr. Skluzacek asked about the size of the outdoor storage in the rear. Mr. Gottemoller said it would be approximately 4 parking spaces in size.

Mr. Hopkins asked why the petitioner wanted to phase the parking area paving. Mr. Gottemoller said it's a cost situation. He said they don't have the resources to do it all in the beginning and their best argument is to look at what is there currently.

Mr. Hopkins asked about the anticipated traffic for this site. Mr. Gottemoller said the semi delivering the materials would pull straight in and back out. They receive one delivery a week and the deliveries of the finished countertops are with smaller trucks. Mr. Richter said Staff doesn't have any issues with the traffic.

Mr. Richter asked that the size of the outdoor storage area be added to the conditions of approval. Mr. Gottemoller said it wouldn't be seen from the street. Mrs. Schofield asked about the size of the opening for the storage area. Mr. Gottemoller said a forklift needs to be able to get to the stone. Mr. Hayden said he is confused about the fenced area. Mr. Gottemoller said there would be fencing on all sides. Mr. Hayden asked why there is to be a fenced area inside a fenced area. Mr. Richter said it was not clear on the site plan. After further review, Mr. Richter indicated that the fencing shown on the site plan was acceptable.

Mr. Greenman moved to approve the Rezoning from "RE-1" Estate Residential to "M" Manufacturing; Special Use Permit for outside storage of stone and masonry materials; and Zoning Variations from: A. Section 4.4-7 for the yard abutting a residential zone setback of 50 feet to allow a 30-foot building setback from the north property line, a Variation of 20 feet; B. Sections 5.3-2.1, 5.3-2.2, and 5.3-3.8 for the

requirements to provide a parking lot for vehicle and outside storage that does not meet the approved surface paving requirements, to seek a deferral from this requirement to allow a gravel parking/storage areas for a period of ~~5~~ 3 years; C. Section 5.3-3.4 for the maximum curb-cut width of 25 feet to allow the Commercial Road curb-cuts to measure less than or equal to 55 feet; D. Section 5.3-3.5 for the requirement to provide a 20-foot parking lot setback to allow 5-foot parking lot setbacks from Commercial Road, Variations of 15 feet; E. Section 5.3-3.6 (B) for the requirement to provide a 15-foot wide parking lot perimeter landscape area for parking lot perimeters abutting a right of way to allow a 5-foot landscape areas along Commercial Road, Variations of 10 feet; F. Section 5.3-3.6 (C) for the requirement to provide an 8-foot wide parking lot perimeter landscape area for parking lot perimeters not abutting a right-of-way, to allow a 0-foot perimeter areas along the south east and west perimeters, Variations of 8 feet; G. Section 5.3-3.6 (D) for the requirement to provide 6 end row and interior parking lot landscaping islands measuring 8-feet in width within the parking areas, Variations of 6 end row interior parking lot landscaping islands; and H. Section 5.3-4.5 for the requirement to screen all loading areas by landscaping or visual barriers from adjacent properties and public streets to allow no screening of the loading areas at 6207 Commercial Road with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (received 12/6/06).
 - B. Floor Plan (received 12/6/06).
 - C. Survey (Vanderstappen, dated 08/17/06, received 12/8/06).
 - D. Engineering Plan Set (Vanderstappen, dated 1/30/07).
 - E. Storm Water Calculations / Drainage Report (Vanderstappen, dated 11/21/06, received 3/15/07).
 - F. Soil Borings (SMC, dated 3/5/07).
 - G. Landscaping Plan (Flamingo, dated 2/2/07).
2. Site Plan
 - A. Provide a solid concrete barrier or concrete bumpers along the east side row of the parking area at the northeast corner of the property.
 - B. The southeastern parking space in the front parking lot at the northeast corner of the property shall be converted into a curbed landscape island, due to its proximity to the detention area.
 - C. The outside storage area shall be screened with a chain-link, fence that contains vinyl slats and that measures up to 8 feet in height. The additional height in the fencing is allowed only if it is needed to screen the materials behind it.
 - D. The outside storage area is to be defined.**
3. Landscaping
 - A. Unless the area is needed for Stormwater BMP's, work with staff to finalize and plan for the landscaping area along the front of the building.
 - B. Provide evergreen and deciduous landscaping along the east perimeter of the parking lot.
4. Staff shall review the phasing of the building to determine that adequate parking is provided. The landbanked parking in proposed phase III can be required to be installed at any time by City Staff, should the need for additional parking arise.

5. Work with staff to provide a wall, fence, and or landscaping to partially screen the loading berth from view. The Variation to fully screen the loading berth would still be required.
6. All signage shall comply with the requirements of the Sign Ordinance. All outside storage items, including but not limited to vehicles, machinery, stock in trade, and raw materials, must be stored within the fenced outside storage area.
7. The Special Use Permit for Outside Storage applies to the current petitioner only.
8. The following Zoning Ordinance Variation is hereby granted:
 - A. Section 4.4-7 for the yard abutting a residential zone setback of 50 feet to allow a 30-foot building setback from the north property line, a Variation of 20 feet;
 - B. Sections 5.3-2.1, 5.3-2.2, and 5.3-3.8 for the requirements to provide a parking lot for vehicle and outside storage that does not meet the approved surface paving requirements, to seek a deferral from this requirement to allow a gravel parking/storage areas for a period of ~~5-3~~ years; **in the northeast corner for 6 months; 3 years for the southern portion and land banking of additional parking spaces shall be allowed;**
 - C. Section 5.3-3.4 for the maximum curb-cut width of 25 feet to allow the Commercial Road curb-cuts to measure less than or equal to 55 feet;
 - D. Section 5.3-3.5 for the requirement to provide a 20-foot parking lot setback to allow 5-foot parking lot setbacks from Commercial Road, Variations of 15 feet;
 - E. Section 5.3-3.6 (B) for the requirement to provide a 15-foot wide parking lot perimeter landscape area for parking lot perimeters abutting a right of way to allow a 5-foot landscape areas along Commercial Road, Variations of 10 feet; Section
 - F. 5.3-3.6 (C) for the requirement to provide an 8-foot wide parking lot perimeter landscape area for parking lot perimeters not abutting a right-of-way, to allow a 0-foot perimeter areas along the southeast and west perimeters, Variations of 8 feet;
 - G. Section 5.3-3.6 (D) for the requirement to provide 6 end row and interior parking lot landscaping islands measuring 8-feet in width within the parking areas, Variations of 6 end row interior parking lot landscaping islands;
 - H. Section 5.3-4.5 for the requirement to screen all loading areas by landscaping or visual barriers from adjacent properties and public streets to allow no screening of the loading areas.
9. The petitioner shall address all of the full review comments by the City's Storm Water Consultant, the Engineering & Building, Public Works, Fire Rescue, Police and the Planning & Economic Development Departments within the plan re-submittal for building permit.

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

Williams Street Public House, 83 N. Williams Street - Zoning Ordinance variation to allow 0 parking spaces for a restaurant.

Attorney Lisa Waggoner and petitioners Clancy Green, John Jacobs, and Brian Lopprino were present for the matter. Ms. Waggoner described the property and noted that this was a familiar request for restaurants in the downtown area. Mr. Lopprino stated that the restaurant would be similar to the Woodstock Public House with affordable, upscale food in a casual atmosphere. Mr. Jacobs noted that they intended to restore the building to its original state as much as possible. Ms. Waggoner noted that the Downtown Main Street organization had submitted a letter of support.

Mayor Shepley asked if anyone in the audience wished to speak on the matter.

Diana Kenney, Executive Director of Historic Downtown Crystal Lake, the Main Street organization, confirmed that she had provided photographs of the original building to the petitioners, noting that she was very happy that they were willing to restore it.

Councilwoman Brady Mueller noted the Planning and Zoning Commission's concerns about traffic, but stated that she had never been unable to find a parking space to shop or go to a restaurant in the downtown area.

The consensus of the Council was that they were in favor of the petition. Mayor Shepley requested, in consideration of the other businesses in the area, that the petitioners advise their employees to utilize offsite parking provided for downtown employees, and Mr. Jacobs stated that would be included in their employment agreement with a penalty of discharge if disregarded.

Councilwoman Ferguson moved to approve the Planning and Zoning Commission recommendations and to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council approving the Zoning Variation for a restaurant at 83 North Williams Street. Councilman Goss seconded the motion. On roll call, all present voted yes. Motion passed.

Stonecrafters, 6207 Commercial Road - Rezoning from "RE-1" Estate Residential to "M" Manufacturing; Special Use Permit for outside storage of stone and masonry materials; and Zoning Variations for yard abutting a residential zone setback, parking lot for vehicle and outside storage, maximum curb cut width, parking lot setback, parking lot perimeter landscape area for parking lot perimeters abutting a right-of-way, parking lot perimeter landscape area for parking lot perimeters not abutting a right-of-way, end row and interior parking lot landscaping islands, and screening of all loading areas.

Attorney Joseph Gottemoller and owner David Hammerl were present for the matter. Mr. Gottemoller asked that they be allowed one year instead of 6 months to pave the front parking lot, and asked for five years before being required to pave the back parking lot, rather than three years as the Planning and Zoning Commission had recommended. He stated that the building would be remodeled, and the tenant on the other side would be staying.

Mayor Shepley asked if anyone in the audience wished to speak on the matter. No one wished to speak.

Councilwoman Brady Mueller stated that she did not have a problem with the 12 month request, noting that there are many parking lots in the area that were still gravel and as long as there was a set time for paving the back parking lot, she would not have a problem with delaying it.

Councilman Dawson asked for assurance that the front parking lot would be paved within 12 months, noting other businesses that had disregarded that requirement. Mr. Gottemoller agreed, and noted that the petitioner needed the extra time to get it done, since he was remodeling the building as well as paying \$50,000 to \$60,000 for water and sewer recapture fees.

Councilwoman Brady Mueller moved to approve the Planning and Zoning Commission recommendation and to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council rezoning 6207 Commercial Road to the "M" Manufacturing District. Councilwoman Ferguson seconded the motion. On roll call, all present voted yes. Motion passed.

Councilwoman Brady Mueller moved to approve the Planning and Zoning Commission recommendations, amending #8 to reflect 12 months instead of 6 months, and to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council granting a Special Use Permit for outside storage of stone and masonry materials and zoning variations for 6207 Commercial Road. Councilman Goss seconded the motion. On roll call, all present voted yes. Motion passed.

1-800-Got-Junk, 457 Coventry Lane – Special Use Permit to allow outside storage of vehicles.

Mark Bischoff, the petitioner, was present for the matter. Mr. Bischoff stated that his business removed unwanted items from homes, but he did not sell or store the items, noting that they were donated, recycled or disposed of. He stated that he was currently parking the vehicles behind 457 Coventry Lane. He noted that he was aware of the condominium owners' concerns, but stated that he did not believe that the requested screening would be adequate because of the angle the vehicles were parked at. He noted that the area was otherwise surrounded by commercial and office uses, and it was one block off of Route 14.

Mayor Shepley noted that the Planning and Zoning Commission had recommended denial, and stated that a super major vote of the Council would be required to overturn that recommendation.

Mayor Shepley asked if anyone in the audience wished to speak on the matter.

Don Gaul, 511 Coventry Lane, and President of the Coventry Club Condo Association, and Pat Ciethaml, 540 Devonshire Lane, Vice President of the Coventry Club Condominium Association, read prepared statements in objection to the request, stating that the trucks were unsightly and hazardous, they were concerned about property values, and they wished to retain the buffer zone between commercial and residential.

Councilwoman Brady Mueller stated that she believes the business provided a valuable service to residents, but noted that she did not feel the location was appropriate and suggested moving to an industrially zoned area. Mr. Bischoff stated that he understood and would abide by the Council's decision. In response to Councilwoman Ferguson's question, he stated that his lease would be up in September.

The consensus of the Council was that they were not in favor of the Special Use Permit request for this location. Mr. Bischoff stated that he already had a new location picked out, and would return to the Council for a Special Use Permit for that new location. He stated that he could move the vehicles right away, but needed time to go through the City's approval process for the new location.



AN ORDINANCE GRANTING REZONING, SPECIAL USE PERMIT,
AND VARIATIONS
AT 6207 COMMERCIAL ROAD

WHEREAS, pursuant to the terms of a Application (File #2006-97) before the Crystal Lake Planning and Zoning Commission, the Applicant has requested Rezoning from "RE-1" Estate Residential to "M" Manufacturing; Special Use Permit for outside storage of stone and masonry materials; and Zoning Variations from: A. Section 4.4-7 for the yard abutting a residential zone setback of 50 feet to allow a 30-foot building setback from the north property line, a Variation of 20 feet; B. Sections 5.3-2.1, 5.3-2.2, and 5.3-3.8 for the requirements to provide a parking lot for vehicle and outside storage that does not meet the approved surface paving requirements, to seek a deferral from this requirement to allow a gravel parking/storage areas for a period of 5 years; C. Section 5.3-3.4 for the maximum curb-cut width of 25 feet to allow the Commercial Road curb-cuts to measure less than or equal to 55 feet; D. Section 5.3-3.5 for the requirement to provide a 20-foot parking lot setback to allow 5-foot parking lot setbacks from Commercial Road, Variations of 15 feet; E. Section 5.3-3.6 (B) for the requirement to provide a 15-foot wide parking lot perimeter landscape area for parking lot perimeters abutting a right of way to allow a 5-foot landscape areas along Commercial Road, Variations of 10 feet; F. Section 5.3-3.6 (C) for the requirement to provide an 8-foot wide parking lot perimeter landscape area for parking lot perimeters not abutting a right-of-way, to allow a 0-foot perimeter areas along the south east and west perimeters, Variations of 8 feet; G. Section 5.3-3.6 (D) for the requirement to provide 6 end row and interior parking lot landscaping islands measuring 8-feet in width within the parking areas, Variations of 6 end row interior parking lot landscaping islands; and H. Section 5.3-4.5 for the requirement to screen all loading areas by landscaping or visual barriers from adjacent properties and public streets to allow no screening of the loading areas; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Rezoning, Special Use Permit, and Variations be granted as requested in said Application.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

Section I: That the following described property be and same is Rezoning from "RE-1" Estate Residential to "M" Manufacturing; Special Use Permit for outside storage of stone and masonry

materials; and Zoning Variations from: A. Section 4.4-7 for the yard abutting a residential zone setback of 50 feet to allow a 30-foot building setback from the north property line, a Variation of 20 feet; B. Sections 5.3-2.1, 5.3-2.2, and 5.3-3.8 for the requirements to provide a parking lot for vehicle and outside storage that does not meet the approved surface paving requirements, to seek a deferral from this requirement to allow a gravel parking/storage areas for a period of 5 years; C. Section 5.3-3.4 for the maximum curb-cut width of 25 feet to allow the Commercial Road curb-cuts to measure less than or equal to 55 feet; D. Section 5.3-3.5 for the requirement to provide a 20-foot parking lot setback to allow 5-foot parking lot setbacks from Commercial Road, Variations of 15 feet; E. Section 5.3-3.6 (B) for the requirement to provide a 15-foot wide parking lot perimeter landscape area for parking lot perimeters abutting a right of way to allow a 5-foot landscape areas along Commercial Road, Variations of 10 feet; F. Section 5.3-3.6 (C) for the requirement to provide an 8-foot wide parking lot perimeter landscape area for parking lot perimeters not abutting a right-of-way, to allow a 0-foot perimeter areas along the south east and west perimeters, Variations of 8 feet; G. Section 5.3-3.6 (D) for the requirement to provide 6 end row and interior parking lot landscaping islands measuring 8-feet in width within the parking areas, Variations of 6 end row interior parking lot landscaping islands; and H. Section 5.3-4.5 for the requirement to screen all loading areas by landscaping or visual barriers from adjacent properties and public streets to allow no screening of the loading areas

at the property legally described as follows:

The West 300 feet of the East 500 feet of Lot 2 in Block 4 in Parker's Crystal Lake Industrial Center, a Subdivision of part of Section 8, Township 43 North, Range 8 East of the Third Principal Meridian, according to the Plat thereof recorded May 10, 1955 as Document No. 292393, in Book 12 of Plats, page 27, in McHenry County, Illinois.

commonly known as 6207 Commercial Road in Crystal Lake, McHenry County, Illinois.

Section II: Said Special Use and Variations are issued with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:

- A. Application (received 12/6/06).
- B. Floor Plan (received 12/6/06).
- C. Survey (Vanderstappen, dated 08/17/06, received 12/8/06).
- D. Engineering Plan Set (Vanderstappen, dated 1/30/07).
- E. Storm Water Calculations / Drainage Report (Vanderstappen, dated 11/21/06, received 3/15/07).
- F. Soil Borings (SMC, dated 3/5/07).
- G. Landscaping Plan (Flamingo, dated 2/2/07).

2. Site Plan

- A. Provide a solid concrete barrier or concrete bumpers along the east side row of the parking

area at the northeast corner of the property.

B. The southeastern parking space in the front parking lot at the northeast corner of the property shall be converted into a curbed landscape island, due to its proximity to the detention area.

C. The outside storage area shall be screened with a chain-link fence that contains vinyl slats and that measures up to 8 feet in height. The additional height in the fencing is allowed only if it is needed to screen the materials behind it.

D. The outside storage area is to be defined.

3. Landscaping

A. Unless the area is needed for Stormwater BMP's, work with staff to finalize and plan for the landscaping area along the front of the building.

B. Provide evergreen and deciduous landscaping along the east perimeter of the parking lot.

4. Staff shall review the phasing of the building to determine that adequate parking is provided. The landbanked parking in proposed phase III can be required to be installed at any time by City Staff, should the need for additional parking arise.

5. Work with staff to provide a wall, fence, and or landscaping to partially screen the loading berth from view. The Variation to fully screen the loading berth would still be required.

6. All signage shall comply with the requirements of the Sign Ordinance. All outside storage items, including but not limited to vehicles, machinery, stock in trade, and raw materials, must be stored within the fenced outside storage area.

7. The Special Use Permit for Outside Storage applies to the current petitioner only.

8. The following Zoning Ordinance Variation is hereby granted:

A. Section 4.4-7 for the yard abutting a residential zone setback of 50 feet to allow a 30-foot building setback from the north property line, a Variation of 20 feet;

B. Sections 5.3-2.1, 5.3-2.2, and 5.3-3.8 for the requirements to provide a parking lot for vehicle and outside storage that does not meet the approved surface paving requirements, to approve a deferral from this requirement to allow a gravel parking in: A. The northeast corner for 12 months; and B. For 3 years for the southern portion and land banking of additional parking spaces;

C. Section 5.3-3.4 for the maximum curb-cut width of 25 feet to allow the Commercial Road curb-cuts to measure less than or equal to 55 feet;

D. Section 5.3-3.5 for the requirement to provide a 20-foot parking lot setback to allow 5-foot parking lot setbacks from Commercial Road, Variations of 15 feet;

E. Section 5.3-3.6 (B) for the requirement to provide a 15-foot wide parking lot perimeter landscape area for parking lot perimeters abutting a right of way to allow a 5-foot landscape areas along Commercial Road, Variations of 10 feet; Section

F. 5.3-3.6 (C) for the requirement to provide an 8-foot wide parking lot perimeter landscape

area for parking lot perimeters not abutting a right-of-way, to allow a 0-foot perimeter areas along the southeast and west perimeters, Variations of 8 feet;

G. Section 5.3-3.6 (D) for the requirement to provide 6 end row and interior parking lot landscaping islands measuring 8-feet in width within the parking areas, Variations of 6 end row interior parking lot landscaping islands;

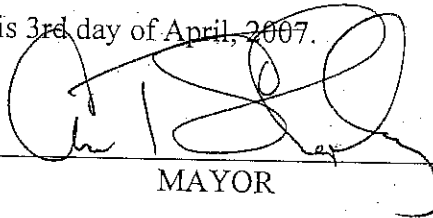
H. Section 5.3-4.5 for the requirement to screen all loading areas by landscaping or visual barriers from adjacent properties and public streets to allow no screening of the loading areas.

9. The petitioner shall address all of the full review comments by the City's Storm Water Consultant, the Engineering & Building, Public Works, Fire Rescue, Police and the Planning & Economic Development Departments within the plan re-submittal for building permit.

Section III: That the City Clerk be and is hereby directed to amend the official zoning map of the City of Crystal Lake and all pertinent records of the City of Crystal Lake to show the granting Rezoning in accordance with the provisions of this Ordinance, as provided by law.

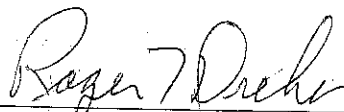
Section IV: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

DATED at Crystal Lake, Illinois, this 3rd day of April, 2007.



MAYOR

ATTEST:



CITY CLERK

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.