



#2010-03 Creekside Office Condo Final PUD Amendment Project Review for Planning and Zoning Commission

<u>Meeting Date:</u>	February 3, 2010
<u>Request:</u>	Final PUD Amendment to add an exterior trash enclosure.
<u>Location:</u>	850 McHenry Avenue
<u>Acreage:</u>	Approximately 1.4 acres
<u>Zoning:</u>	O PUD Office
<u>Surrounding Properties:</u>	North: "RE-1" (creek) South: "R-2" Single Family Residence East: "O PUD" Office West: "R-2" Single Family Residence
<u>Staff Contact:</u>	Elizabeth Maxwell (815.356.3615)

Background:

On August 3, 1999 the Final PUD for Creekside Office Condos was approved. The development was approved with the condition, "No external trash receptacles shall be allowed if the spaces are either leased or condos. The trash shall not be stored on the premises." The professional office tenants who occupy the units are requesting a location to place an external trash receptacle so trash may be disposed of on-site. The petitioner is requesting a Final Planned Unit Development Amendment to remove condition 2C.

Land Use Analysis:

The project was approved through the Planned Unit Development process. Due to concerns by neighbors over aesthetic issues and possible smells, the condition was included that prohibited the exterior trash receptacle. The Unified Development Ordinance does not prohibit exterior trash receptacles and requires that they be enclosed and screened. The petitioner is proposing a gated trash enclosure along the west side of their property which would eliminate two parking spaces. The two pictures below are a birds-eye aerial view of the property and the proposed location of the trash receptacle. The enclosure will be an 11-foot deep by 13-foot 4-inches wide and constructed of 1 x 6 cedar boards topped with 1 x 4 trim boards with an aluminum cap. The front gates will be steel. Staff is recommending that the trash enclosure match the design and materials of the office building.



Proposed trash enclosure location.



Findings of Fact:
Final Planned Unit Development Amendment

Section 2-400 B General Standards for all special uses in the Unified Ordinance establishes standards for all special uses in Crystal Lake. A PUD is a special use permit. 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*

Recommended Conditions:

If a motion is made to recommend approval of the petitioner's request, it shall be with the following conditions:

1. Approved plans, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Charles River Development, received 01/05/10).
 - B. Site Plan showing enclosure location (Plat of Survey, Vanderstappen, received 01/05/10).
 - C. Trash receptacle detail (Un-titled, received 01/05/10).
2. Conditions of Ordinance No. 5189 shall remain in effect, as applicable.
3. The trash enclosure shall be constructed of brick materials designed to match the exterior appearance of the office building.

4. Additional screening landscape shall be planted around the enclosure area in the landscape buffer area between this property and the residential properties.
5. Any landscape that has died or is dying shall be replaced with new landscape of the same type and species.
6. The petitioner shall comply with all of the requirements of the Planning and Economic Development, Engineering and Building, Public Works, Fire Rescue and Police Departments.

City of Crystal Lake Development Application

Office Use Only
File # 2010-03

Project Title: MODIFICATION TO PUD - 850 McHENRY AVE.

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 type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Final PUD Amendment | <input type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other |

Petitioner Information

BO STROM
Name: CHARLES RIVER DEVELOPMENT
Address: 600 DAKOTA ST. SUITE B
CRYSTAL LAKE IL 60012
Phone: 815.477.3123
Fax: 815.477.4923
E-mail: Bostrom@CHARRIVER.COM

Owner Information (if different)

Name: CREEKSIDE OFFICE CONDOMINIUM LLC
Address: 600 DAKOTA ST. SUITE B
CRYSTAL LAKE IL 60012
Phone: 815.477.3123
Fax: 815.477.4923
E-mail: jgoble@CHASRIVER.COM

Property Information

Project Description: ADD A DUMPSTER ENCLOSURE IN SOUTHWEST CORNER OF PARKING lot.

Project Address/Location: 850 McHENRY AVE. CRYSTAL LAKE IL 60014

PIN Number(s): 1907409002 , 1907409003 , 1907409004

Development Team

Please include address, phone, fax and e-mail

Developer: CHARLES RIVER DEVELOPMENT 815-477-3123 815-477-4523 F
600 DAKOTA ST. SUITE B CRYSTAL LAKE

Architect: N/A

Attorney: N/A

Engineer: N/A

Landscape Architect: N/A

Planner: N/A

Surveyor: VANDERSTAPPEN SURVEYING 815-337-8310 815-337-8314 F
1316 N. MADISON ST. WOODSTOCK IL 60098

Other: _____

Signatures

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 action.

OWNER: Print and Sign name Date

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

PUBLIC NOTICE

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

IN THE MATTER OF THE PETITION OF Charles River Development)

LEGAL NOTICE

Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application by Bo Strom, on behalf of Charles River Development, for a Special Use Permit Amendment for a Planned Unit Development Amendment relating to the following described real estate commonly known as: 850 McHenry Avenue, Crystal Lake, Illinois 60014, PIN: 19-07-409-001, 19-07-409-002, 19-07-409-003, 19-07-409-004.

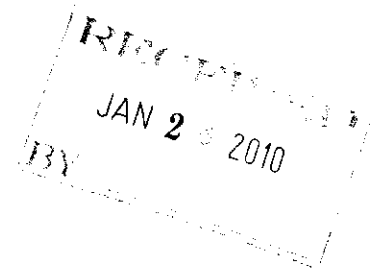
This application is filed for the purposes of seeking an amendment to a Special Use Permit, which granted a Planned Unit Development approval, to allow an exterior trash enclosure, pursuant to Article 4 Section 4-500 of the Unified Development Ordinance. Plans for this project can be viewed at the City 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 February 3, 2010, 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
(Published in the Northwest Herald
January 15, 2010)

JANUARY 28, 2010

TOM HAYDEN, CHAIRPERSON
PLANNING AND ZONING COMMISSION
CITY OF CRYSTAL LAKE



IN THE MATTER OF THE PETITION OF
CHARLES RIVER DEVELOPMENT

DEAR CHAIRPERSON HAYDEN:

THE PURPOSE OF MY LETTER IS TO STRONGLY
OPPOSE AN AMENDMENT THAT WOULD PERMIT
AN EXTERIOR TRASH ENCLOSURE AT THE
850 McHENRY AVENUE ADDRESS.

THE BACK YARD OF THE HOME MY WIFE AND
I OWN ABUTS WITH ^{THE} PARKING LOT OF THE ABOVE
MENTIONED PROPERTY. WE DO NOT WANT
SOMEONE'S GARBAGE PARKED AT-OR-NEAR OUR
BACK YARD (ANY MORE THAN BO STROM OF
CHARLES RIVER WOULD LIKE US TO PARK OUR
GARBAGE BY HIS BACK YARD). THE AREA AS
REQUESTED WOULD BECOME VERY UNSIGHTLY, AND
WOULD ATTRACT CRITTERS, INCLUDING RATS

THAT MAY DECIDE TO LIVE IN AND DAMAGE OUR HOMES, BECAUSE FOR SURE, FOOD WILL BE PUT INTO AND DROPPED AROUND THIS CONTAINER. ALSO, DON'T WANT TO SMELL THE STINK IN THE SUMMER OR HAVE VARIOUS PAPERS BLOWING INTO OUR YARD, OR OUTSIDE PEOPLE PLACING OLD FURNITURE, MATTRESSES, APPLIANCES AT THE SITE.

THERE ARE 12 "SINGLE FAMILY" HOMES THAT SURROUND THIS 4 UNIT DEVELOPMENT AND OF THE HOME OWNERS WHO LIVE HERE, I DON'T KNOW OF ONE WHO WOULD WANT THIS APPLICATION TO BE APPROVED.

IN THE ORIGINAL APPROVAL TO BUILD THESE 4 UNITS, BO STROM AND THE CHARLES RIVER DEVELOPMENT AGREED THAT THE INDIVIDUAL TENANT/OWNER WOULD HAVE TO COMPLY AND WOULD BE RESPONSIBLE FOR THEIR OWN PRIVATE TRASH DISPOSAL AND THAT THERE WOULD BE NO OUTSIDE GARBAGE. THIS CONDITION WAS PUT INTO THE PERMIT THAT GRANTED THEM THE RIGHT TO BUILD. IT APPEARS NOW, THAT THEY WANT TO GO BACK ON THEIR WORD AND DO NOT WANT TO HONOR THEIR COMMITMENT AS THEY HAVE TRIED BEFORE AND FAILED. IN THE MEAN TIME, OVER THE YEARS NOTHING HAS CHANGED THAT SHOULD ALTER THE ORIGINAL AGREEMENT.

THERE IS ONLY ONE ANSWER TO THIS REQUEST
FOR AN AMENDMENT — NO, NO, NO!

THANK YOU SO MUCH FROM MYSELF AND OUR
NEIGHBORS FOR YOUR CONSIDERATION OF THIS LETTER.

GEORGE DIEDRICHS

George Diedrichs

530 MONTEREY DRIVE

CRYSTAL LAKE, ILLINOIS

**CRYSTAL LAKE PLAN COMMISSION
WEDNESDAY, JULY 28, 1999**

The meeting was called to order by Chair McDonough at 7:30 p.m. On roll call, members Chrystal, Deemer, Greenman, Gustin, Morehead, Vause, and McDonough were present. Members Schofield and Subak were absent.

Michelle Rentzsch, Planning Director, and Patrick Dalseth, Planner, were present from Staff.

APPROVE MINUTES OF THE JULY 14, 1999 MEETING

Mr. Vause moved to approve the minutes from the July 14, 1999 Plan Commission meeting as presented. Mrs. Chrystal seconded the motion. On roll call, members Chrystal, Deemer, Gustin, Vause and McDonough voted aye. Members Greenman and Morehead abstained. Motion passed.

#98-38 PARK PLACE- W. RANDALL RD.; N. VILLAGE RD. - PUBLIC MEETING

This petition is continued to the August 11, 1999 Plan Commission meeting.

#99-42 HUNTERS WEST UNIT 2 - W. SWANSON RD.; N. MILLER RD. - PUBLIC HEARING

This petition is continued to the August 11, 1999 Plan Commission meeting.

#99-39 CREEKSIDE OFFICE CONDOS - 850 McHENRY AVE. - PUBLIC MEETING

This petition was continued from the July 14, 1999 Plan Commission meeting. Final PUD for 8,670 square foot office building.

Mark Saladin, attorney, and Bo Strom, representing Charles River Development, were present to represent the petition. Mr. Saladin said they are asking for approval of the Final PUD for this project. He showed the site plan and stated this is consistent with the surrounding zoning. The petitioner has met with some of the neighbors to discuss their concerns. Mr. Saladin said there have been a few changes to this plan since the originally approved PUD. They are proposing one building at 8,670 square feet instead of two 2-story buildings at 6,000 square feet each. They have also reduced the parking.

Mr. Strom showed the elevations of the proposed building which is a prairie style building that has a residential look to it. He described the surrounding property uses. They are asking for three parking spaces in the landscaped island. Mr. Strom said they would have enough parking without the three additional spaces but that would give them the flexibility to have some medical without requesting a variation. He showed the landscape plan. Mr. Strom stated they will be retaining the perimeter landscaping but adding a significant amount to what is already there. He showed photos of the rear yards of the homes abutting this property. They will have a retaining wall by the detention area and a fence will be added to the top of the wall for added

security.

Mr. Saladin said they would like to retain the three parking spaces in the landscaped island. They are also requesting a waiver from the Subdivision Ordinance regarding the burial of overhead utility lines along McHenry Avenue. He said the lines along McHenry Avenue are not buried and they feel it would be a burden to this petitioner.

Mr. Morehead asked if the three additional spaces would allow a medical use in this building. Mr. Strom said yes.

Mr. Vause asked about the trash enclosure. Mr. Strom said that is open for now. He said they are willing to put language in the covenants and/or lease agreements that will require the garbage to be taken away by a cleaning service. Mr. Vause asked about garbage from medical uses. Mr. Strom said they are bio-hazards and need to be removed in a different manner.

Mr. Vause asked about berming. Mr. Strom said that is an engineering issue and is not practical because of the existing conditions of the lot. He said a berm would most likely damage the vegetation that is already there and may also cause problems with the natural drainage of the lot. Mr. McDonough said he walked the lot earlier in the day and said that the vegetation is not very dense in the back along the 10 parking spaces. He feels it is better to have a berm there. Mr. Strom said there is a five-foot utility and drainage easement and the slope of the berm would need to be three to one for maintenance. That would mean the berm would come 12 feet out. Mrs. Chrystal asked if the berm is to screen headlights? Mr. McDonough feels it would be used to screen more than just headlights. Mr. Gustin said they might want to consider landscaping. Mr. McDonough suggested a continuous hedge. Mr. Vause feels that headlights may not necessarily be a problem for the neighbors. Mr. Gustin said he is concerned about headlights in the winter months. Dr. Deemer said they also may have a medical use that is there until 9:00 p.m.

Mr. McDonough said Staff had asked for a berm at Preliminary and it wasn't addressed. Also the Plan Commission felt the berm was a good idea. Mr. Strom said the topography wasn't studied at that time and wasn't submitted at Preliminary. He said they will put a berm there but he would like something in writing that they are not responsible for the possible water backing up. Mr. McDonough said there could be breaks in the berm to allow the water to go through. He said he is not convinced that a berm is what is needed there.

Mr. Vause asked about the signage. Mr. Strom said they haven't designed it yet. He said will be a simple sign that will meet the Sign Ordinance.

Mrs. Chrystal asked about the shifting of the building to the south. Mr. Strom said that is an engineering issue. He said they have room between the existing manhole and the building to have a 20-foot easement without shifting the building. Mrs. Chrystal asked if this has been noted by Staff. Ms. Rentzsch said the petitioner needs to provide more detailed information and they are aware the building cannot be placed over the sanitary sewer line 20 foot easement. Mr. Saladin said the easement was recorded in 1976 and since then the requirements for easement size requirement has changed. He said they can accommodate the easement without moving the building.

Mrs. Chrystal asked about the height of the parking lot lighting standards. Mr. Strom said the poles are shown at 19 feet high with a 150 watt high pressure sodium bulb. He said if the lighting standards are shorter, they will need a higher wattage bulb. Mr. Strom showed the location of the lighting standards and passed around the photometric plan. He said all of the lighting will be down lighting. Mr. Gustin asked if the lights will be left on all night. Mr. Strom said they will be on a timer but possibly the lighting on the building may be on until midnight.

Mrs. Chrystal asked about the number of tenants. Mr. Strom said four. Mrs. Chrystal said they are showing 45 parking spaces which are 10 more than needed for office uses. She asked if that would also be enough for medical uses. Mr. Greenman said it depends on the uses for the building. Mr. Strom said they don't want to start out short on parking. Mr. Vause said there is no place for the overflow parking to go. He said they can't park on McHenry Avenue and there is no other building close for them to park at. Mrs. Chrystal said it is important to have enough parking but it is also important to have landscaping.

Mr. McDonough asked if there is 8% interior landscaping. Ms. Rentzsch said they are over the 8% even if they added the three parking spaces.

Mr. Gustin asked if all of the parking lot lighting will be down lighting. Mr. Strom said yes.

Mr. Greenman said he agrees with Staff about the additional parking spaces. He said they are able to meet the parking requirements for medical with the 45 shown parking spaces. Mr. Greenman said he would prefer that the landscaped island be left as is. Mr. Strom said they will be able to use those spaces in the winter for the snow. Mr. Greenman said the snow can be put on the island anyway. Mr. Strom said the landscaping will be destroyed every year because of the plows.

Mr. Greenman said he would prefer that there be no fence to screen the use from the residential area, but he looks to the residents for their opinions.

Dr. Deemer asked if they could do the detention area without the retaining wall. Mr. Strom said no. Dr. Deemer asked if they could move the area to the north. Mr. Strom said no because of the new storm water maintenance ordinance which is very restrictive. He said the new-release rate is very slow. Dr. Deemer said that is a safety issue. Mr. Strom said that is why they will put a fence on top of the retaining wall. Mr. McDonough asked what type of fence. Mr. Strom said there are not many styles to choose from but it will block the area.

Mr. McDonough said they increased the foot print for the building. Mr. Strom said yes and no. He said they eliminated the second floor of the buildings and connected them into one building. He said the original plan did not show an elevator for handicap accessibility. Mr. McDonough said they increased the size of the building. Mr. Strom said the total square footage is smaller. Mr. McDonough asked if the creek is Park District property. Mr. Strom said yes. Mr. Saladin showed the original plat of the properties showing the creek, the existing office building and this parcel.

Mr. McDonough asked about the ponding in the parking lot. Mr. Strom said that has been modified and there will not be any more than 9" of water ponding on the parking lot

Mr. McDonough asked about the building elevations and the material of the exposed concrete on the north elevations. Mr. Strom said it will be stained concrete.

Mr. McDonough said they received a letter in the packets from Mr. Terry Easler.

Terry Easler, 843 Woodmar Drive, said they met with RDG when they first proposed the office building here instead of multi-family uses. He said RDG stated the reason they were walking away from the project was because of the City's requirements for improving the entrance on McHenry Avenue. Mr. Easler said RDG kept the neighbors updated. He is concerned with no buffer between the office use and residential homes as well as the property values going down. Mr. Easler said the creek came over its banks in June and some basements flooded. He is concerned that this may cause additional flooding problems. Mr. Easler said he would prefer that the lighting standards be 16 feet tall with a 15-foot pole and 1 foot pedestal. He is in the lighting business and ran a photometric report which shows that the foot candles at the perimeter of the property will not increase that much.

Mr. Easler said he is concerned with the headlights going into the yards and a buffer is needed. He is also concerned with the garbage. They have problems with raccoons and coyotes now and believe that if the outside garbage area is eliminated that would be great. They are concerned that the building fit into the neighborhood. He asked what type of material will be used. Mr. Easler said they are also concerned with the length of time the water will be retained.

Mr. Strom said they will work with Staff regarding the landscaping. Mr. McDonough asked Mr. Easler if they would prefer landscaping or a fence. Mr. Easler said they want the headlights screened. Mr. Strom said this lot is about three to four feet lower than the adjacent properties in one area. Mr. McDonough said they can't lower the land any more than it is but they can landscape it.

Mr. McDonough asked if the petitioner would agree to 16 feet tall lighting standards. Mr. Strom said yes but the wattage will have to go up. Mr. McDonough asked about the building materials. Mr. Strom said they will be brick with a shingle roof and Pella windows. Mr. Vause asked if they had done a similar building. Mr. Strom said across from the Post Office on Congress Parkway.

George Diedrichs, 530 Monterey Drive, said he was concerned with the trash bins but feels that the alternative method sounds good. He asked what would happen in a year from now and what if they decided there needs to be a trash bin. Mr. Strom said they can put that in the lease and part of the condo documents. Ms. Rentzsch said they can make it a condition of the PUD.

Mr. Diedrichs asked about the overhead wiring. Mr. Strom said the lines leading to the building will be buried. They are only asking for relief from burial of the main lines along McHenry Avenue.

Bob Brix, 867 Woodmar Drive, said there will not be a lot of vegetation screening the property in the winter. He asked what will happen if the landscaping dies. Who will replace it? He said if there is a berm there, they won't have to worry about it. Mr. Brix said he is also concerned with the lighting and agrees that the timer is an option. Ms. Rentzsch said there is a restriction on

the travel agency on the corner of McHenry and Barlina that the lights must be off at 10:00 p.m. Mr. Strom said they are agreeable to that also.

Rod Beck, from Woodmar Drive, said a berm was noted to them at the time of the Preliminary and he is concerned with the headlights. Mr. Beck said he is in real estate and it does affect the property values.

Charlotte Fermoye, 851 Woodmar Drive, is concerned that people will walk through the parking lot and between their homes. She asked how they can stop that. Mrs. Fermoye is also concerned with the potential of kids parking in the dark lot. Mr. McDonough said the neighbors would need to contact the Police Department.

There was no one else in the public who wished to speak in this matter.

Ms. Rentzsch said the intention of condition 4H is to require a 6-foot fence or landscaping to buffer the residential area. This will give them an option. Dr. Deemer read from the Zoning Ordinance regarding landscaping. He said he doesn't see that on the plan. Mr. Strom said they have not done a complete inventory of the trees on the property. They do not want to hurt any of the existing landscaping either on their property or the residents. Mr. Greenman said it can be worked out with Staff, the petitioner and the neighbors. Mr. Strom agreed. Dr. Deemer asked what would happen if the neighbors don't like what is proposed. Mr. McDonough said Staff will be there to be sure all interests are taken care of. Mr. Easler stated they do not want to see a fence. Mr. McDonough said the Commission needs to be concerned with the property rights of the owner of the property and safety is a concern with the retention area.

Dr. Deemer said he would like to see the lighting standards lowered.

Mr. McDonough said he would like to see the landscaping changed and asked about the three parking spaces. Mr. Morehead feels they should leave in the three spaces. He said the Commission usually is trying to get more spaces from a petitioner. Mr. Morehead agrees that the lights should go out at 10:00 p.m. in the parking area and use 16 foot standards. He said that it would be nice if the land was left vacant but that is not going to happen. Mr. Morehead said with the original zoning they could have had 16 multi-family units and this is much better than that. There probably won't be much night hours for the uses in this building. He said Doctors usually have only one night a week that they are open later.

Mr. Vause asked about land banking the spaces. Mr. Strom said that would be very expensive for only three spaces.

Mr. Vause asked about the burial of the utility lines. Mr. McDonough asked if they needed to do a legal notice. Ms. Rentzsch said no. Mr. McDonough said the burial of the lines probably won't happen at the creek.

Mr. Vause said they are trying to be sensitive to the surrounding properties and believe the petitioner's intent is to comply with the required landscaping. He feels that this building is more desirable than 2-two story office buildings and encourages the residents to look at the building similar to this one on Congress Parkway.

Mr. Gustin asked about the trash enclosure. Mr. Vause said they can put that as a condition of the PUD and eliminate the outdoor trash receptacle.

Dr. Deemer asked about the sign location. Mr. Strom showed the approximate location. He said they are not sure if they will do a sign with the tenants on it or just an address sign.

Dr. Deemer is concerned about allowing the neighbors input. Mr. Vause said the petitioners are willing to work with Staff and the neighbors.

Mr. McDonough prefers that the language for the overhead utility lines be for a deferral and not a waiver. He said if in the future someone decides to bury the lines, they will be covered.

Mr. Vause moved to approve the Final PUD for 8,670 square foot office building for Creekside Office Condos at 850 McHenry Avenue with the following conditions:

1. Approved plans, with changes reflecting staff and advisory board recommendations, as approved by City Council:

- A. Site Plan (Architects, dated 5/31/99)
- B. Building Elevations (Architects, dated 5/31/99)
- C. Landscape Plan (received 6/28/99)
- D. Complete Plan Set (Architects, dated 5/31/99)

2. Site Plan

A. In order to provide the necessary easement and access to the sanitary sewer line, the building needs to be reduced in size or shifted to the south to be located outside of the required 20 foot Municipal Utility Easement (MUE).

B. Show the location of the light standards on the site plan. The height of the poles should not exceed 16 feet in height.

C. DELETED.

D. No external trash receptacles shall be allowed if the spaces are either leased or condos. The trash shall not be stored on the premises.

E. Show all setbacks on the plan.

F. Show the following easements: existing 5 foot utility and drainage easement; the 10-foot water main easement along McHenry Avenue; a permanent easement for the pump station and access; and ComEd easement for utility line along McHenry Avenue.

G. All external lighting standards shall be turned off at 10:00 p.m.

3. Building Elevations

A. Provide information on exterior colors for trim, shingles and brick on the elevation plans.

B. All proposed site lighting details should be provided, including parking lot and building exterior. Any exterior building lighting standards shall be 100%down lighting.

4. Landscape Plan

A. Indicate if any existing trees are to be saved on the landscape plan.

B. The water main along the front of the building should be shifted south, as stated in the Engineering and Fire Department comments, to also eliminate any utility

landscaping conflicts along the building.

C. There are two Austrian Pines, located west of the lift station, that would need to be shown outside of the 20-foot MUE.

D. Provide street trees along McHenry Avenue.

E. DELETED.

F. Verify that the three Austrian Pines shown along the west property lines are to be planted outside of the 5 foot drainage and utility easement.

G. Provide a fence and/or a solid evergreen hedge along the west edge of the detention area.

H. Provide as high as berm as possible with continuous plantings along the west and south property lines to the extent possible in order to provide an adequate screen for the single family homes from the parking lot area. The screening shall be a minimum of 6 feet high.

5. The petitioner is required to contribute their share to the improvement of McHenry Avenue.

6. The petitioner shall address all the review comments of the Building, Engineering, Fire/Rescue, Utilities and Planning Departments.

7. Grant deferral of the Subdivision Ordinance for the burial of overhead utility lines along McHenry Avenue until there is an area-wide program.

Mrs. Chrystal seconded the motion. On roll call, all members voted aye. Motion passed.

AUGUST 3, 1999

The Council considered the proposed Final Planned Unit Development for the Creekside Office Condos property at 850 McHenry Avenue. The property consists of approximately 2.05 acres, is currently zoned "O/PUD" Office Planned Unit Development and is currently vacant. The Final Planned Unit Development would provide for an 8,670 sq. ft. office building on the property. The petitioner also requested a variation from the Subdivision Ordinance to waive the requirement to bury existing overhead utility lines. Attorney Mark Saladin and Dave Hemphill, Project Manager for Charles River Development Company, were present to represent the matter.

**CREEKSIDE
OFFICE
CONDOS
850 MCHENRY
AVENUE**

Mr. Saladin stated that Mr. Strom, President of Charles River Development, had met with the neighbors to address their concerns and that the proposal had received unanimous Plan Commission approval. He stated that the petitioner would grant an easement for an

existing lift station, and they wished to relocate a portion of the sanitary sewer at their cost. He stated that they were also requesting a waiver of the requirement to extend the water main to their north boundary line, since it would dead end and would not be looped, and that the City's Utilities and Engineering Departments had no objection to that.

A resident of the area, Mr. Easler, stated that he was satisfied with the plan, although the residents still had concerns that there should be 6 feet of screening, and although they knew that the water in the retention pond would flow into the creek, they were concerned about the length of time that the water would remain in the retention pond. Mr. Saladin stated that the petitioner agreed with Mr. Easler's comment about the landscaping and would work that out with the staff. Councilwoman Ferguson stated that she was concerned about the safety of children regarding the retention pond. Mr. Saladin stated that the petitioner was willing to work that out with the residents and staff. Councilman Thorsen commended the petitioner and the residents for cooperating with each other and working out their concerns and differences.

Councilwoman Ferguson moved to approve the Plan Commission recommendations, approve the Final Planned Unit Development, approve the requested Subdivision Ordinance Variation and the request to waive the requirement to extend the water main to the north boundary of the property with the petitioner's agreement to relocate the sewer line, and to adopt an ordinance to be published in pamphlet form by the authority of the Mayor and City Council providing for the Final Planned Unit Development approval for the Creekside Office Condos. Councilman Goss seconded the motion. On roll call, all present voted aye. Motion passed.

AN ORDINANCE GRANTING A FINAL PLANNED UNIT DEVELOPMENT
FOR CREEKSIDE OFFICE CONDOMINIUMS

WHEREAS, pursuant to the terms of the Petition (File #99-39) before the Crystal Lake Plan Commission, the Petitioner has requested a Final Planned Unit Development for an 8,670 square foot office building; and

WHEREAS, the required hearings were held on the petition of the property owners in the manner and the form required by the Zoning Ordinance of the City of Crystal Lake and the statutes of the State of Illinois; and

WHEREAS, it is in the best interests of the City of Crystal Lake that the Final Planned Unit Development be granted as requested in said Petition,

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

SECTION I: That a Special Use Permit be granted to permit an 8,670 square foot office building for the property legally described as follows:

Lot "C" in Unit Four of Four Colonies, being a subdivision in the Southwest Quarter and the Southeast Quarter of Section 7, Township 43 North, Range 8 East of the Third Principal Meridian, according to the plat thereof recorded August 5, 1976 as Document No. 670842, in McHenry County, Illinois.

The property is located 850 McHenry Avenue, Crystal Lake, Illinois.

SECTION II: That the Special Use Permit be granted with the following conditions:

1. Approved plans, with changes reflecting staff and advisory board recommendations, as approved by City Council:
 - A. Site Plan (Architects, dated 5/31/99)
 - B. Building Elevations (Architects, dated 5/31/99)
 - C. Landscape Plan (received 6/28/99)
 - D. Complete Plan Set (Architects, dated 5/31/99)
2. Site Plan
 - A. In order to provide the necessary easement and access to the sanitary sewer line, the petitioner shall relocate the sanitary sewer line, provide a 20 foot MUE centered on the line and is required to extend the water main along McHenry Avenue from Monterey Drive to the location of their service line only, all according to the requirements of the Utility Department.
 - B. Show the location of the light standards on the site plan. The height of the poles should not exceed 16 feet in height.

- C. No external trash receptacles shall be allowed if the spaces are either leased or condos. The trash shall not be stored on the premises.
- D. Show all setbacks on the plan.
- E. Show the following easements: existing 5 foot utility and drainage easement; the 10-foot water main easement along McHenry Avenue; a permanent easement for the pump station and access; and ComEd easement for utility line along McHenry Avenue.
- F. All external lighting standards shall be turned off at 10:00 p.m.

3. Building Elevations

- A. Provide information on exterior colors for trim, shingles and brick on the elevation plans.
- B. All proposed site lighting details should be provided, including parking lot and building exterior. Any exterior building lighting standards shall be 100%down lighting.

4. Landscape Plan

- A. Indicate if any existing trees are to be saved on the landscape plan.
- B. The water main along the front of the building should be shifted south, as stated in the Engineering and Fire Department comments, to also eliminate any utility landscaping conflicts along the building.
- C. There are two Austrian Pines, located west of the lift station, that would need to be shown outside of the 20-foot MUE.
- D. Provide street trees along McHenry Avenue.
- E. Verify that the three Austrian Pines shown along the west property lines are to be planted outside of the 5 foot drainage and utility easement.
- F. Provide a fence and/or a solid evergreen hedge along the west edge of the detention area.
- G. Provide as high as berm as possible with continuous plantings along the west and south property lines to the extent possible in order to provide an adequate screen for the single family homes from the parking lot area. The screening shall be a minimum of 6 feet high.

5. The petitioner is required to contribute their share to the improvement of McHenry Avenue.

6. The petitioner shall address all the review comments of the Building, Engineering, Fire/Rescue, Utilities and Planning Departments.

7. Grant deferral of the Subdivision Ordinance for the burial of overhead utility lines along McHenry Avenue until there is an area-wide program.

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 of Variations 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.

AYES: 6

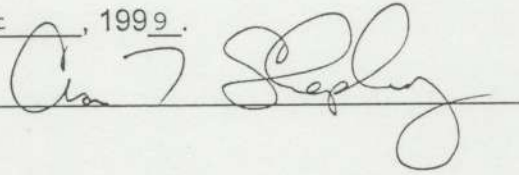
NAYS: 0

ABSTENTIONS: 0

ABSENT: 1

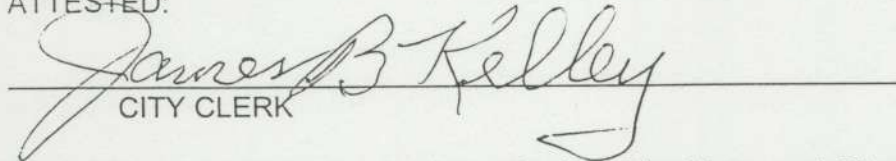
PASSED this 3rd day of August, 1999.

APPROVED by me this 3rd day of August, 1999.



MAYOR

ATTESTED:



CITY CLERK

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

**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, MARCH 5, 2008
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 Batastini, Esposito, Schofield, Skluzacek, and Hayden were present. Members Collins, Greenman, and Jouron were absent.

Michelle Rentzsch, Director of Planning and Economic Development, and Elizabeth Maxwell, Planner, were present from Staff.

Mr. Hayden asked the people in attendance to rise to say the Pledge of Allegiance. He led 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.

2008-13 CREEKSIDE OFFICE CONDO – 850 McHenry Ave. – PUBLIC HEARING
Final PUD Amendment for an exterior trash enclosure.

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.

Dave Hemple with Charles River Development was present to represent the petition. Mr. Hemple said they are requesting to amend the Final PUD to allow a dumpster area. It would be tucked back in the corner and blocked by trees. They would also prefer to have a cedar enclosure which would blend better with the landscaping and the building than a brick enclosure.

Terry Easler, 1635 Penny Lane, said he previously lived on Woodmar. He said the development has single family residences on two sides. Originally there was a committee formed with the City, developer and neighbors. It was determined that there was not enough room for a dumpster on the property because of the number of parking spaces that were required by the City. There was an agreement between everyone that there would be no dumpster. Mr. Easler said there have been dumpsters put there recently, the City was called and they were removed.

Jim McConnell, 850 McHenry Avenue, said he owns a unit in Creekside and was never made aware that there was a restriction about the dumpster. They want to be able to dispose of their trash on-site. Mr. McConnell said he had spoken with some of the neighbors to the south about the dumpster and they stated they did not want any animals or garbage blowing around the neighborhood. He said he had walked around the property and picked up a garbage bag full of trash that had blown onto this property from the neighbors. He also found a trail of carrots that started in their landscaping and ended in a back yard of a home on Woodmar. Mr. McConnell said there are dumpsters made to keep out all animals and they just want the opportunity to get rid of their trash which is mostly paper. They don't have the ability to recycle. Mr. Hayden stated that when he went to look at the site, Mr. McConnell came out and spoke with him.

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

Mr. Batastini said he has concerns since the residential property is so close to the parking lot. He said the owner agreed to no dumpster and he can't support this request.

Mr. Skluzacek asked what they do with their garbage now. Mr. Hemple said that until last year there was a vacant unit where they put their garbage. They have a cleaning service to come by on Friday evenings and pick up the bags. He said storage is an issue.

Mr. Esposito said it's a matter of business to put the garbage somewhere. Most people do store their garbage inside their garage until garbage day. He feels there should be a back room for the garbage. He can't see changing the PUD.

Mr. Hayden said a promise is a promise and it needs to be kept. He read from the previous meeting minutes that this would be included in the covenants. This would set a precedent that a developer could agree to anything and then in a few years could come back to the City and ask that the restriction be removed. Mr. Hayden said there are currently canisters on wheels similar to what he has at his home that are outside the building. He asked if that was something the neighbors would accept.

Mr. Easler said there wasn't enough room for a dumpster and there were no other options at the time this was originally approved. He said if the canisters are placed outside the building, neighbors would still be able to see them. Mr. Hayden said it seems to be well maintained. Mr. Easler said the PUD said no outside storage. Mr. Hayden said he is looking for a solution.

Lynne Palka, 843 Woodmar Drive, said the cans can be seen from her home. She just noticed that they were there. If it is well kept she doesn't have a problem with it but she would not want to see a dumpster there.

Bob Brix, 807 Woodmar Drive, said he was involved originally with the decision and they worked together to reach an agreement. He would prefer that the neighbors discuss this option and not put the one neighbor under pressure tonight to decide if this solution is good.

Mr. Batastini said they want to protect the neighbors. A deal was made to make this development work for this location. It was intended to make this a low impact development on the neighbors.

Mrs. Schofield said she would like more communication with the neighbors.

Mr. Hayden said he would like the petitioner to meet with the neighbors to work this out. He asked the petitioner if they wanted to be continued or to move forward. Mr. Hemple asked that this request be continued.

Ms. Maxwell said that the legal notice is correct and they would not have to republish. Also if there were to be the canisters in the rear of the building there would need to be sidewalks around the building as well as a concrete pad to place the canisters on.

Mr. Batastini moved to continue 2008-13 Creekside Office Condos at 850 McHenry Avenue to the April 2, 2008 PZC meeting. Mrs. Schofield seconded the motion. On roll call, all members voted aye. Motion passed.

**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 2, 2008
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 Batastini, Esposito, Jouron, Schofield, and Hayden were present. Members Greenman and Skluzacek were absent.

Michelle Rentzsch, Director of Planning and Economic Development, Elizabeth Maxwell, Planner, were present from Staff.

Mr. Hayden asked the people in attendance to rise to say the Pledge of Allegiance. He led 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.

2008-13 CREEKSIDE OFFICE CONDO – 850 McHenry Ave. – PUBLIC HEARING

This petition is being continued to the April 16, 2008 PZC meeting.

Mr. Jouron moved to continue 2008-13 Creekside Office Condo to the April 16, 2008 PZC meeting. Mr. Batastini seconded the motion. On roll call, all members voted aye.

**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, APRIL 16, 2008
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 Batastini, Esposito, Greenman, Jouron, Schofield, Skluzacek, and Hayden were present.

Michelle Rentzsch, Director of Planning and Economic Development, Elizabeth Maxwell, Planner, were present from Staff.

Mr. Hayden asked the people in attendance to rise to say the Pledge of Allegiance. He led 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.

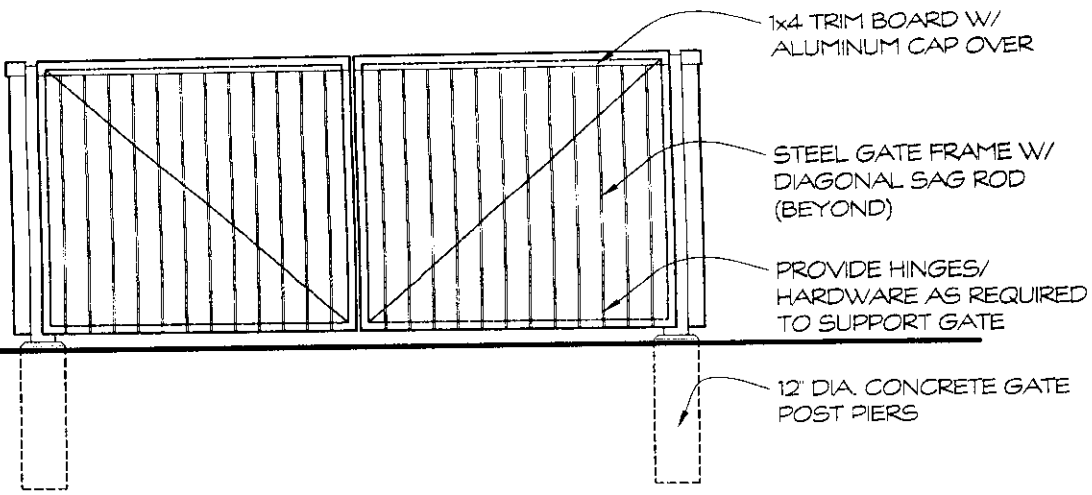
2008-13 CREEKSIDE OFFICE CONDO – 850 McHenry Ave. – PUBLIC HEARING

This petition is being tabled to a future PZC meeting.

Mr. Hayden stated that the petitioner was not ready to move forward with this request and the Commission could either table the request or continue it to a date certain. He said if the request was tabled the petitioner would need to republish their legal notice and notify the surrounding property owners. This request has been continued a while.

Mrs. Schofield asked if the petitioner has been working with the neighbors. Mr. Batastini said he heard from a neighbor and the petitioner has not contacted her. Also he was told that garbage bags are placed outside the building on Friday.

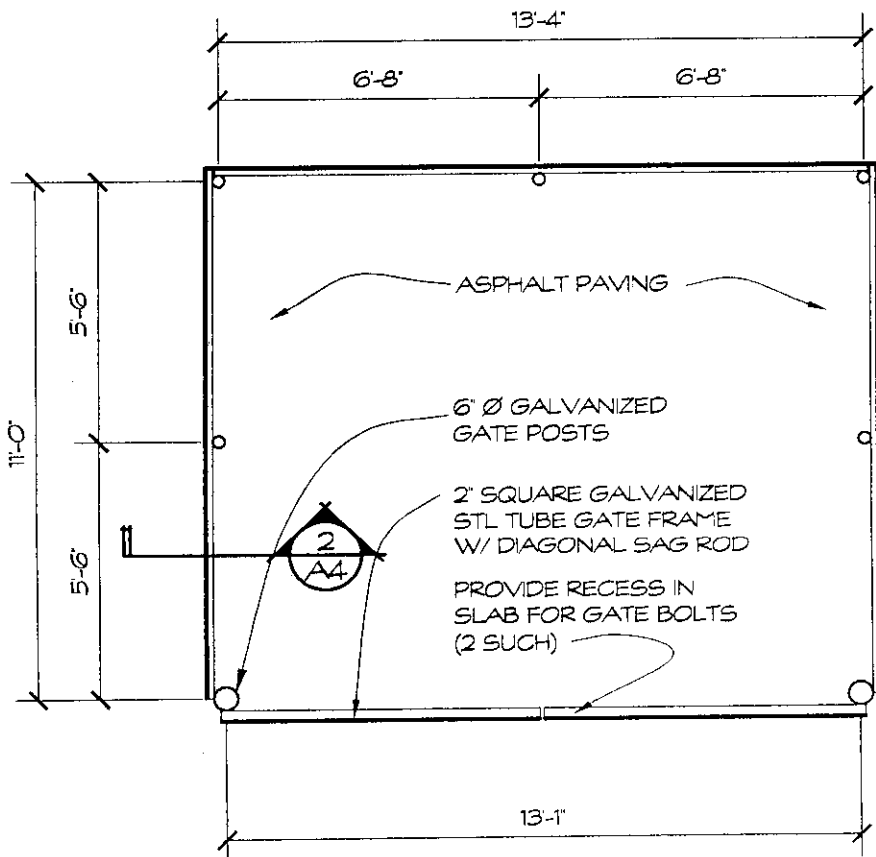
Mr. Batastini moved to table 2008-13 Creekside Office Condo. Mr. Skluzacek seconded the motion. On roll call, all members voted aye. Motion passed.



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

2010--03

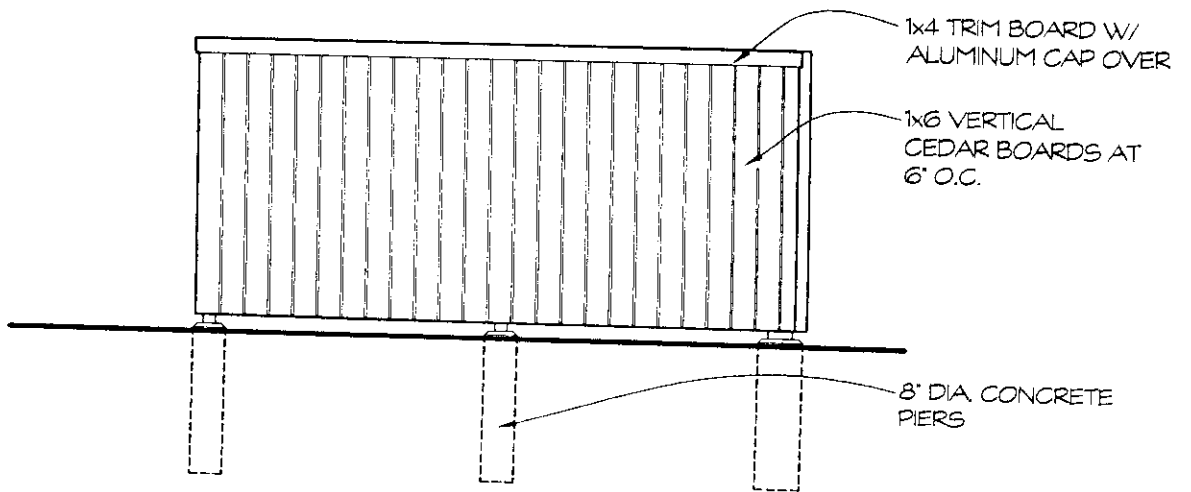


BOARD W/
M CAP OVER

ATE FRAME W/
L SAG ROD

HINGES/
RE AS REQUIRED
ORT GATE

NCRETE GATE
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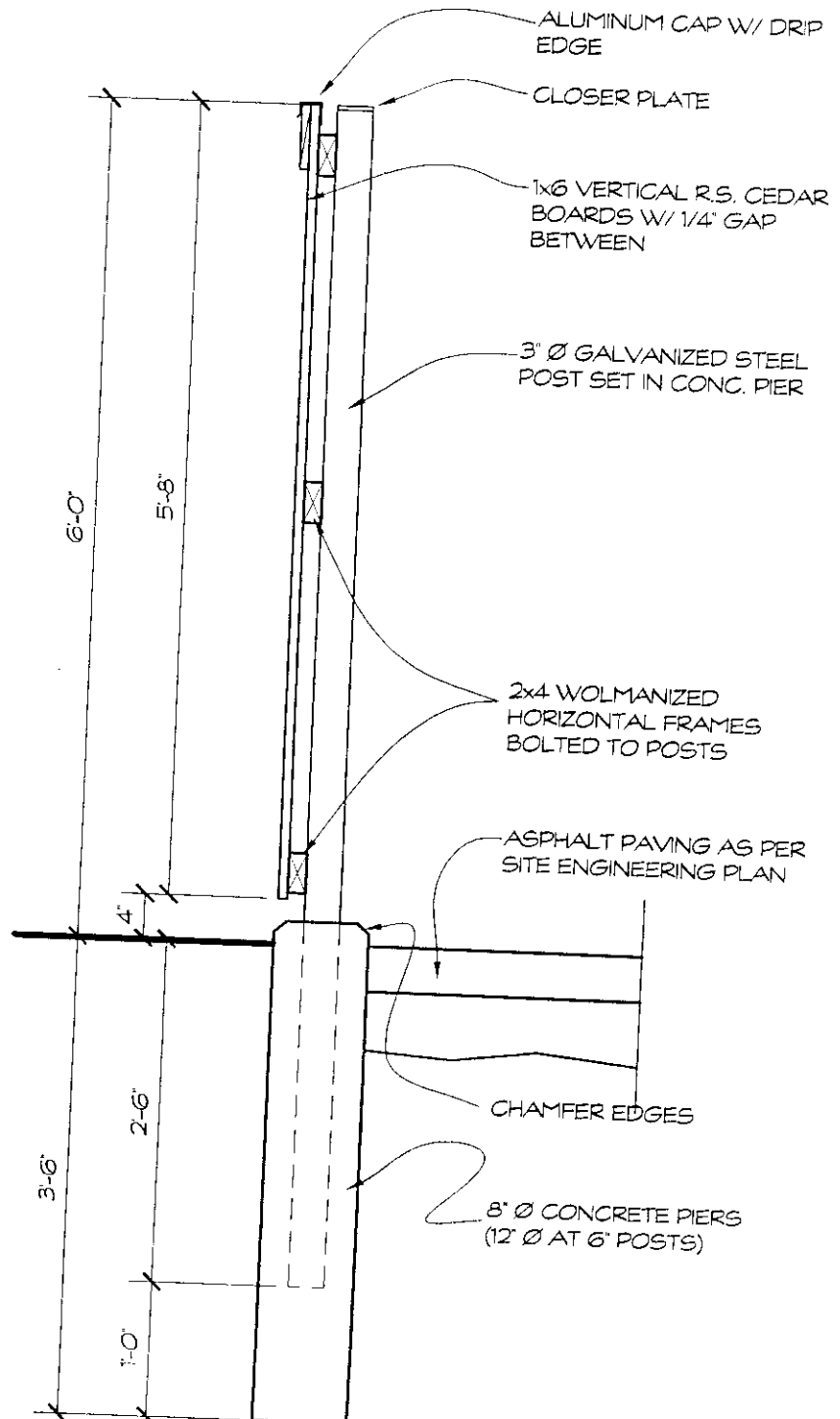


LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

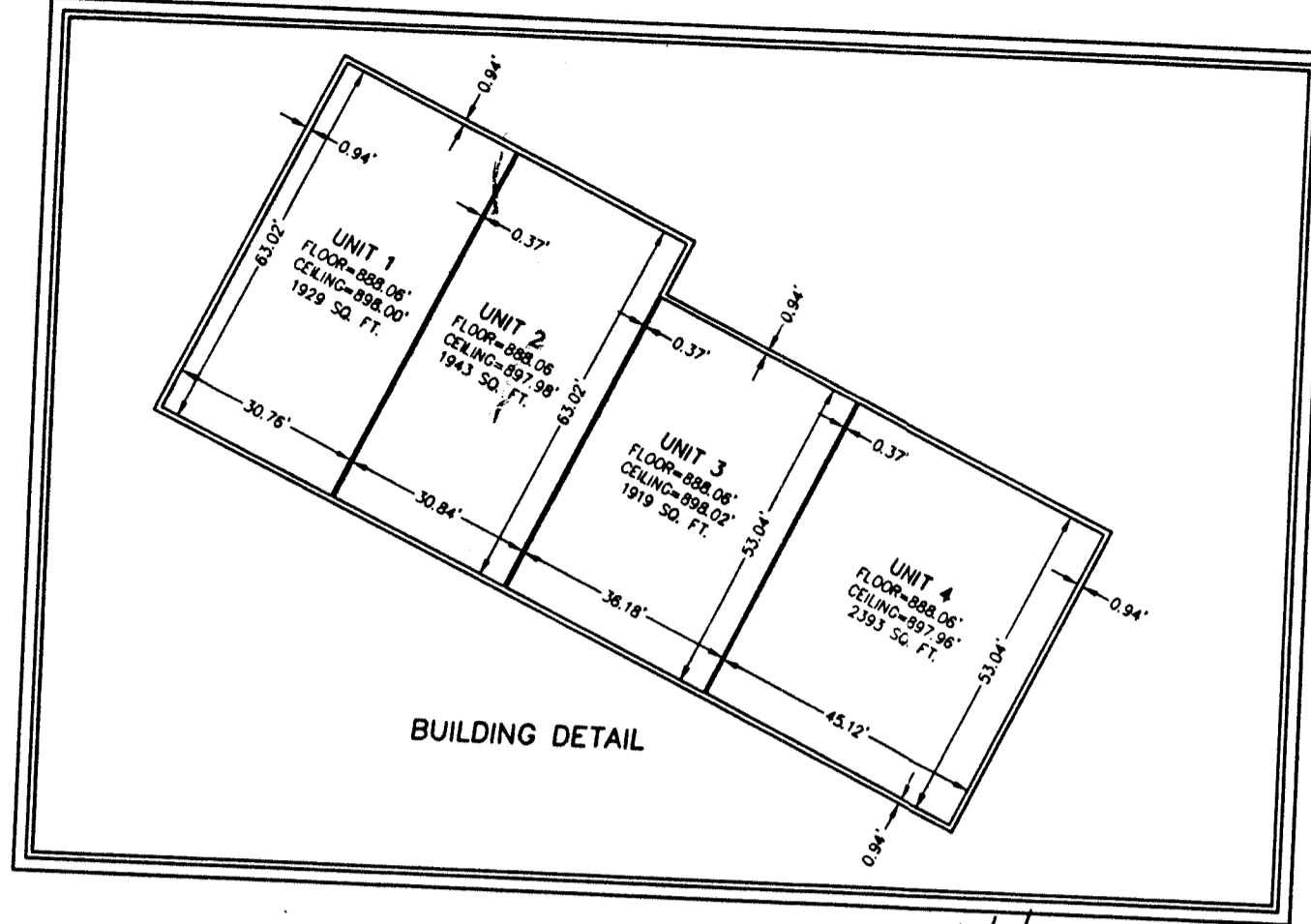
(RIGHT SIDE OPPOSITE)

2010--03



VANDERSTAPPEN SURVEYING, INC.
217 W. Judd Street
Woodstock, Illinois 60098
(815) 337-8310

PLAT OF SURVEY



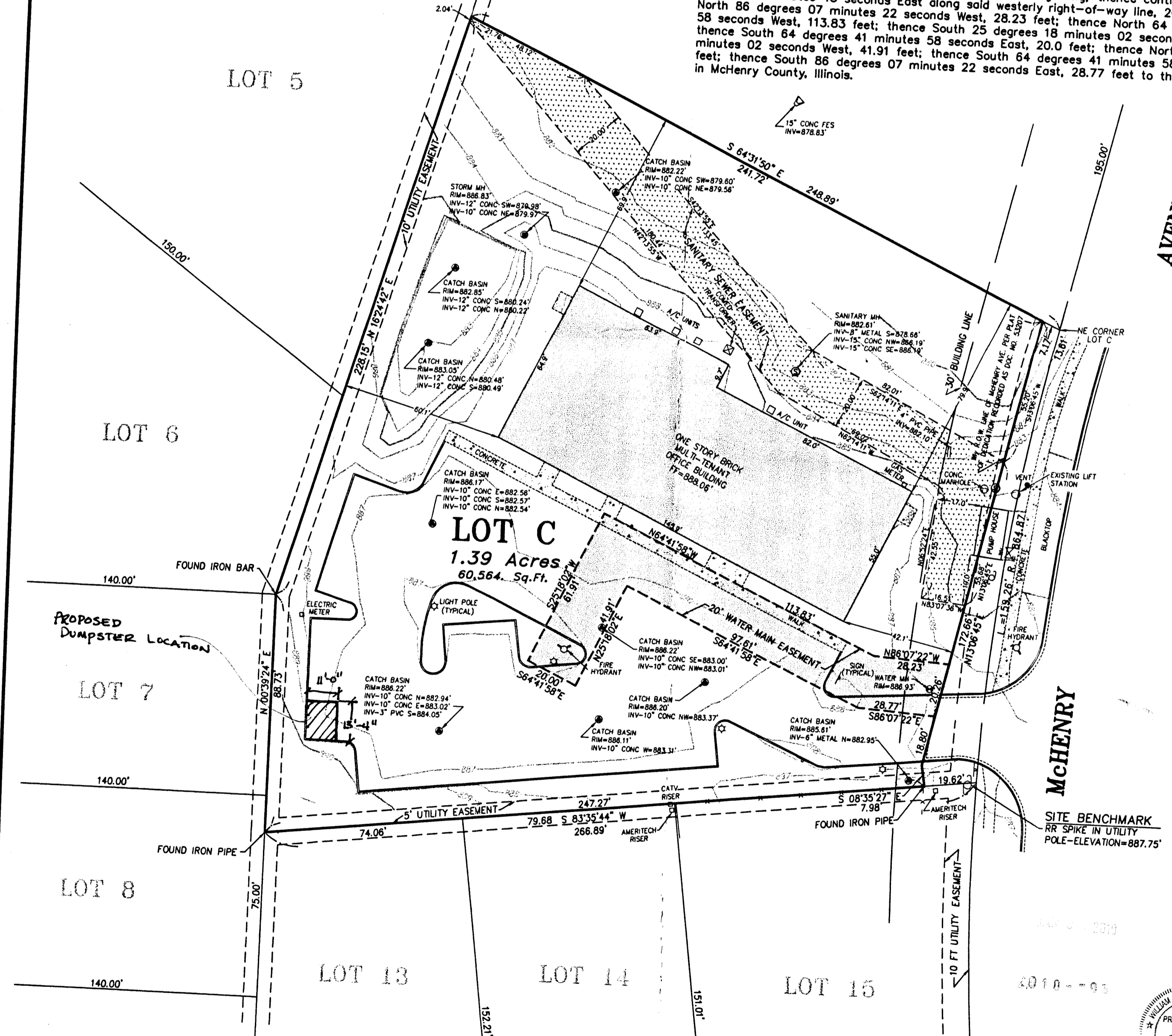
Lot C in Four Colonies Unit 4, being a Subdivision in the Southwest Quarter and the Southeast Quarter of Section 7, Township 43 North, Range 8, East of the Third Principal Meridian, according to the Plat thereof recorded August 5, 1976 as Document No. 670842, (excepting that part lying within the right-of-way of McHenry Avenue as per Plat of Dedication recorded October 27, 1920 as Document No. 532307), in McHenry County, Illinois.

SANITARY SEWER EASEMENT

Part of Lot C in Four Colonies Unit 4, being a subdivision of part of the Southwest Quarter and the Southeast Quarter of Section 7, Township 43 North, Range 8, East of the Third Principal Meridian, according to the Plat thereof, recorded August 5, 1976 as Document No. 670842, described as follows: Commencing at the Northeast corner of said Lot C; thence North 64 degrees 31 minutes 50 seconds West along the north line thereof, 7.17 feet to the westerly right-of-way line of McHenry Avenue as dedicated on October 27, 1970 by Document No. 532307; thence South 13 degrees 06 minutes 45 seconds West along said westerly right-of-way line, 55.20 feet to the place of beginning; thence continuing Southwesterly along said westerly right-of-way line 55.68 feet; thence North 83 degrees 07 minutes 36 seconds West, 16.51 feet; thence North 06 degrees 52 minutes 24 seconds East, 42.55 feet; thence North 62 degrees 14 minutes 11 seconds West, 69.02 feet; thence North 42 degrees 13 minutes 55 seconds East, 2.04 feet to the Northwest corner of said Lot C; thence North 16 degrees 24 minutes 42 seconds West, 180.44 feet to the west line of corner of said Lot C; thence South 64 degrees 31 minutes 50 seconds East along the Northernly line of said Lot C, 48.12 feet; thence South 42 degrees 13 minutes 55 seconds East 133.45 feet; thence South 62 degrees 14 minutes 11 seconds East 82.01 feet to the place of beginning, in McHenry County, Illinois.

20 FOOT WATERMAIN EASEMENT

20 foot Watermain Easement across part of Lot C in Four Colonies Unit 4, being a Subdivision of part of the Southwest Quarter and the Southeast Quarter of Section 7, Township 43 North, Range 8, East of the Third Principal Meridian, according to the plat thereof, recorded August 5, 1976 as Document No. 670842, described as follows: Commencing at the Southeast corner of said Lot C; thence South 83 degrees 35 minutes 44 seconds West along the south line thereof, 19.62 feet to No. 532307; thence North 08 degrees 35 minutes 27 seconds West along said westerly right-of-way line, 7.98 feet; thence North 13 degrees 06 minutes 45 seconds East along said westerly right-of-way line, 18.80 feet to the place of beginning; thence continuing North 13 degrees 06 minutes 45 seconds East along said westerly right-of-way line, 20.26 feet; thence North 86 degrees 07 minutes 22 seconds West, 28.23 feet; thence North 64 degrees 41 minutes 58 seconds West, 113.83 feet; thence South 25 degrees 18 minutes 02 seconds West, 61.91 feet; thence South 64 degrees 41 minutes 58 seconds East, 20.0 feet; thence North 25 degrees 18 minutes 02 seconds West, 41.91 feet; thence South 64 degrees 41 minutes 58 seconds East, 97.61 feet; thence South 86 degrees 07 minutes 22 seconds East, 28.77 feet to the place of beginning, in McHenry County, Illinois.



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.

WATERMAIN EASE. REVISED 11/09/00
REVISE WATERMAIN EASE. FROM 15' TO 20' EASE.

CLIENT: CHARLES RIVER DEVELOPMENT GROUP, INC.

DRAWN BY: ST CHK'ED BY: WJV

SCALE: 1"=30' SEC. 7 T. 43 R. 8 E.

P.I.N.: 19-07-408-102

JOB NO.: 000754 I.D. LSS BK. PG.

ALL DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF CORRECTED TO 68° F.

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

I hereby certify that we have surveyed the premises above described, and that the plat hereon is a true representation of the said survey.

Dated at Woodstock, McHenry County, Illinois 9/28 A.D., 20 00
VANDERSTAPPEN SURVEYING, INC..

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

