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#2010-10 Sam's Club – 5670 Northwest Highway Project Review for Planning and Zoning Commission

Meeting Dates: May 5, 2010

Requests: Final PUD Amendment and a Final Plat of Re-subdivision to

create a one-acre lot within the parking lot.

Location: 5670 Northwest Highway

Acreage: Approximately 19.1 acres

Existing Zoning: B-2 PUD General Commercial

Surrounding Properties: North: B-2 PUD General Commercial

South: B-2 PUD General Commercial

East: B-2 PUD and B-2 General Commercial

West: B-2 PUD General Commercial

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

Sam's Club received their original PUD approval in April of 1991. Over the years, in order to make changes, Sam's Club has requested several PUD amendments. Most recently, they requested to construct a canopy area for loading of vehicles, alter the accessible parking spaces and make changes and additions to the signage. Sam's Club now desires to subdivide a portion of their parking lot along the south west side of their property adjacent to the access drive

Land Use Analysis:

Circulation

On-site circulation will remain the same until such time that the lot is sold and developed. At this time, there are easement provisions on the Final Plat which require cross-access between this lot and the Sam's Club lot. Also, there is an easement provision which requires construction of a building and parking to ensure safe, functional vehicular circulation and no dead-end drive aisles. There is currently an easement on a portion of this future lot that grants use of the parking to the Applebee's owners. Upon redevelopment of this lot during their PUD process, the continuation or renegotiation of this cross-parking and access easement shall occur.

Based on site circulation and cross access planning principles, a second access point from Sam's Club frontage road to the main drive aisle across the Sports Authority in the Crystal Point shopping center should be provided. This new access point would be in lieu of the continuation of the frontage road to Congress Parkway Sam's Club was required to construct.

Parking

Using the square footage of the building to calculate the parking requirement, Sam's Club is required to have 675 parking spaces. They currently have 773 parking spaces. This new lot will be located where 120 spaces currently exist. Until the lot is sold and developed, the parking and circulation will remain the same. After the development of this lot, Sam's will have 653 parking spaces, 22 less than what is required.

Findings of fact:

Final Planned Unit Development

The petitioner is requesting approval of an amendment to a Final Planned Unit Development to allow the subdivision of a 1 acre lot from a portion of the parking lot. A Planned Unit Development is a Special Use and Special Uses require separate review because of their potential to impact surrounding properties and the orderly development of the City. Article 4-500 in the Unified Development Ordinance lists the standards for a PUD, this request complies with those standards. In addition Article 2 Section 2-400 B of the Unified Development Ordinance establishes general standards for all Special Uses in Crystal Lake. Briefly, the criteria are as follows:

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:

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
2.	The use will not be detrimental to area property values.
3.	The use will comply with the zoning districts regulations.
4.	The use will not negatively impact traffic circulation.
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.
6.	The use will not negatively impact the environment or be unsightly.
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.

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.
10.	. The use will conform to the regulations established for specific special uses, where applicable
	☐ Meets ☐ Does not meet

Planned Unit Development Variations

The purpose of Planned Unit Developments is to encourage and allow more creative and imaginative design of land developments than is possible under district zoning regulations. Planned Unit Developments are, therefore, intended to allow substantial flexibility in planning and designing a proposal. This flexibility is often in the form of relief from compliance with conventional zoning ordinance site and design requirements.

Ideally, this flexibility results in a development that is better planned, contains more amenities, and is ultimately more desirable than one that would have been produced through compliance with typical zoning ordinance and subdivision controls.

Therefore more lenient site requirements may be granted where the Planned Unit Development contains features not normally required of traditional developments. If the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation request be lessened or denied.

The petitioner is asking for two variations in conjunction with the PUD Amendment request:

- 1) Variation from Article 3 Section 3-300 D Location of Building, to allow a building on a lot without frontage on a public street, and
- 2) Variation from Article 4 Section 4-200 E. Off-Street Parking Standards, to allow a reduction in the 675 required parking spaces for Sam's Club to allow 653 parking spaces.

The first is to allow a building on a lot where the lot does not front a public street. The lot will receive access though a private access easement. This is how the existing outlots and Sam's Club receive access now. The second variation is to allow a reduction in the required parking for Sam's Club. This proposed lot will take 120 parking spaces. Until the lot is sold, the parking layout and circulation will remain the same as they exist currently. If the lot is developed, these 120 spaces will be converted to a building and parking for the new use. Sam's Club is required to provide 675 parking spaces. They would have only 653 spaces, a variation of 22 spaces. Sam's Club's parking lot is rarely full and there is often parking on the west side of the building behind the gas station.

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, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Sam's Club, received 2/4/10)
 - B. Preliminary Plat (B&G Surveying Company, dated 7/20/09, received 3/18/10)
 - C. Final Plat of Resubdivision (B&G Surveying Company, dated 7/20/09, received 3/18/10)
- 2. All conditions from the original PUD Ordinance #3394 and subsequent amendments Ordinances #5431, #5551, #5670 and #6516 shall remain valid, as applicable.
- 3. The following variations are approved as part of the PUD:
 - a. To allow the creation through subdivision of a lot without frontage on a public street, and
 - b. A reduction from the 675 required parking to allow 653 parking spaces, a variation of 22 spaces.
- 4. Condition #9 of Ordinance 3394 shall be amended by this Ordinance to read, "The cross-access road at the northwest corner of the site is not required to be constructed provided that a cross-access shall be provided to the west at such time as the neighboring property (Crystal Point Shopping Center) is required to provide cross-access to this property."
- 5. The new Lot 2 shall be required to submit for a Preliminary PUD and Final PUD approvals.
- 6. The petitioner shall address all of the review comments of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

City of Crystal Lake Development Application

Office Use Only								
File #	201	Ո -	ا سه	1 0	1			

Project Title: RESUBDIVISION OF LOT 101 IN WALKER - CRYSTAL SUBDIVISION

Action Requested	
Annexation	Preliminary PUD
Comprehensive Plan Amendment	Preliminary Plat of Subdivision
Conceptual PUD Review	Rezoning
Final PUD	Special Use Permit
✓ Final PUD Amendment	Variation
✓ Final Plat of Subdivision	Other
Petitioner Information	Owner Information (if different)
Name: JOSEPH PARSLEY	Name: SAM'S REAL ESTATE RUSINESS TRUST
Address: 7068 LEDGESTONE COMMONS	Address: 2001 SE. 10th 57
BARTLETT TN 38133	BENTONVILLE, AR 72716
Phone: 901 384-0404	Phone: (479) 273-4000
Fax: 901 384-0710	Fax: (479) 273-8820
E-mail: Jose ? H. PARSLEY @ CARLSON CONSULTA	CA E-mail: ANTHONY. DODSONCE WAL-MART. COM
Property Information	-
Project Description: CREATION OF AN OWT	PARCEL WITHIN THE EXISTING SAM'S
PARKING LOT. NO CONSTRUCT	IDN IS PLANNED AT THIS TIME.
Project Address/Location:	- 5670 NORTHWEST HWY
PIN Number(s):	

Development Team	Please include address, phone, fax and e-mail	
Developer:		
Architect:		
Attorney:		
Engineer: CARLSON CONSULTING ENGINE	EERS (SEE PETITUNER INFORMATION)	
Landscape Architect:		
Planner:		
B & & SURVEY COMPANY Surveyor: 2551 BERNICE ROAD LANSING,	p) 708 474-9360 . 16 60438 F) 703 474-9303 bendge48vix@ A	meritech. Ne
Other:		
Signatures		
JOSEPH PARSLEY ON ON	rely 1/12/10	
PETITIONER: Print and Sign name (if different		
As owner of the property in question, I hereby and	Thorize 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 provide a letter that names all bene	icer must sign this petition as owner. In addition, the efficiaries of the trust.	

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PUBLIC NOTICE

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

IN THE MATTER OF THE PETITION OF Sam's Real Estate Business Trust

LEGAL NOTICE

Notice is hereby given in complionce with the Unitied Development Ordinance of the City of Crystal Loke, Iffinois that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application by Carlson Consulting representing Sam's Club for a Final Plat of Resubdivision and Variations, relating to the following described real estate commonly known as 5670 Northwest Highway, Crystal Lake, Illinois 60014, PIN: 19-04-376-011.

This application is filed for the purposes of seeking a Final Plat of Resubdivision of Lot 101 in Walk-er-Crystal Subdivision to add an A additional lot, which needs a variation from Article 3 Section 3-300 D P-Location of Buildings to allow a Is building on a lot without frontage D along a public street, a variation in from Article 4 Section 4-200 E. Off-OStreet Parking Standards to allow a reflection in the required number of parking spaces for Sam's Club from 4-75 parking spaces to allow 653 – parking spaces, and any other variations necessary to allow the project can be viewed at the City of Crystal Lake Community Development Department at City Hall.

A public hearing before the Planning and Zaning Commission for this request will be held at 7:30 — p.m. on Wednesday April 7, 2010 C at the Crystal Lake City Holl, 100 E West Woodstock Street, at which bitme 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 March 23, 2010)



CRYSTAL LAKE PLANNING AND ZONING COMMISSION WEDNESDAY, APRIL 7, 2010 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, Goss, Jouron, McDonough, Skluzacek, and Hayden were present. Members Esposito and Greenman were absent.

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

Michelle Rentzsch, Director of Planning and Economic Development, Latika Bhide and Elizabeth Maxwell, both Planners, were present from Staff.

Mr. Hayden stated that this meeting is being televised now as well as being recorded for future playback on the City's cable station.

2010-10 SAM'S CLUB - 5670 Northwest Hwy – PUBLIC HEARING

Final PUD Amendment and a Final Plat of Re-subdivision to create a 1 acre lot within the parking lot; Variations to allow a building without frontage on a public street, and to allow a reduced number of required parking spaces

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 without objection.

Gretchen Westerkamp was present to represent the petition. Ms. Westerkamp said they are requesting a Final PUD Amendment, Plat of Resubdivision and variations. She said the only issue they have is condition #4 regarding the cross access road. Ms. Westerkamp said WalMart does not feel this is in their best interest and is requesting to be continued to a future meeting unless the Commission decides to remove the condition.

Ms. Maxwell said she met with the Engineering Division regarding the Camelot School site which needs an emergency access to the rear of their property towards Sam's Club and Crystal Pointe. There has been no discussion with the owners of Crystal Pointe Mall. Ms. Maxwell said WalMart does not want another access point because of the pedestrians crossing from the parking lot to the building. She said if the Commission wants to leave that condition in, this request should be continued to a future meeting.

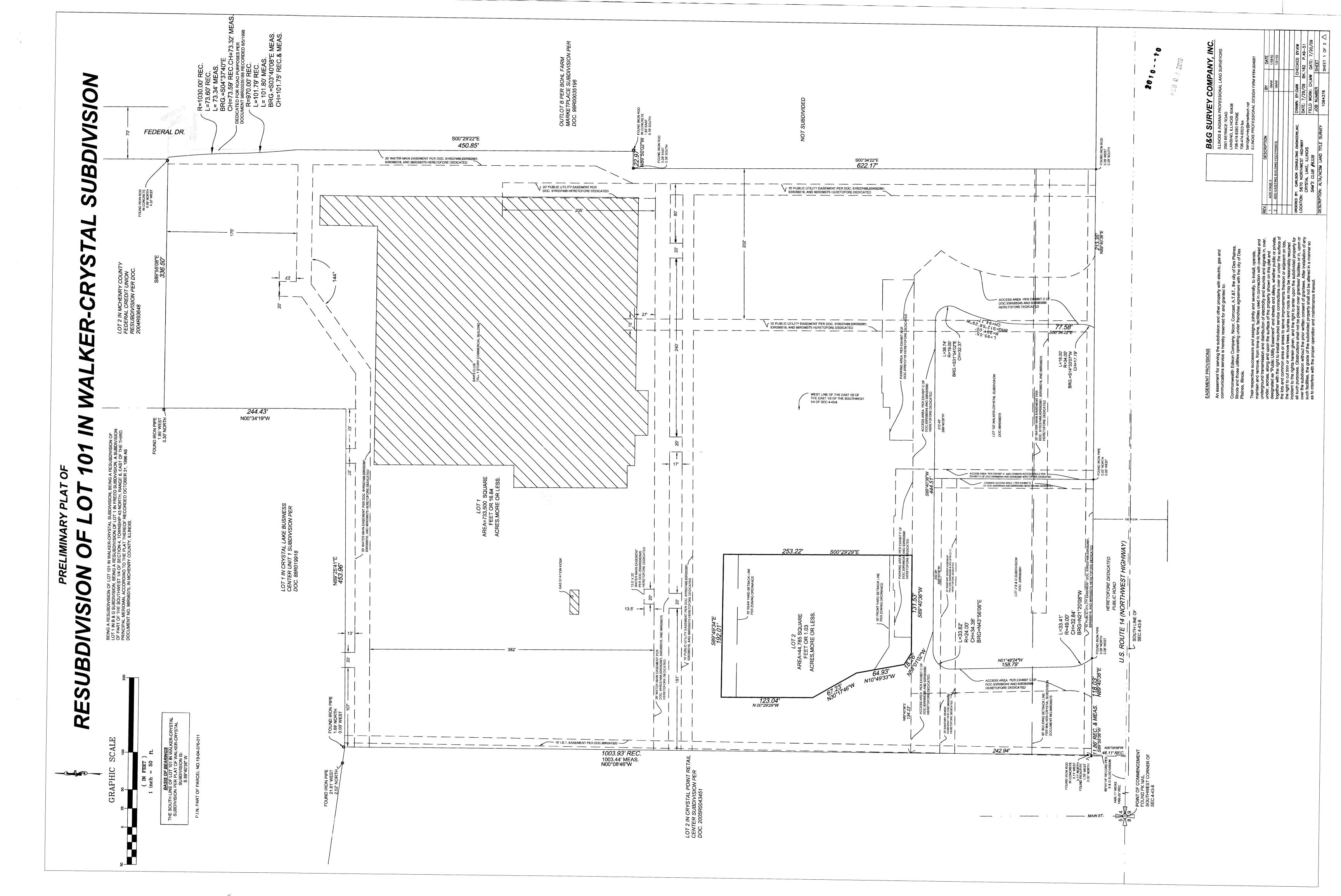
Mr. Hayden said the Police and Fire Departments have not had an opportunity to comment on that condition.

PLANNING AND ZONING COMMISSION APRIL 7, 2010 PAGE 2

Mr. Jouron said when Sam's was going in and a cross access was required by the City, it was Crystal Pointe Mall who didn't want the access point where the stop sign is currently on the Sam's Club property.

Mr. Hayden asked how much time does the petitioner want. Ms. Maxwell said she will try to contact the owners by the end of the week. Ms. Westerkamp asked to be continued for a month.

Mr. Jouron moved to continue 2010-10 Sam's Club to the May 5, 2010 PZC meeting. Mr. Batastini seconded the motion. On roll call, all members voted aye. Motion passed.



SUBDIVISION RESUBDIVISION

				B&G SURVEY COMPANY, INC. ILLINOIS & INDIANA PROFESSIONAL LAND SURVEYORS 2551 BERNICE ROAD LANSING, ILLINOIS 60438 708-474-9360 PHONE 708-474-9303 fax bandgsurvey@ameritech.net ILLINOIS PROFESSIONAL DESIGN FIRM #184.004981 ILLINOIS PROFESSIONAL DESIGN FIRM #184.004981
STATE OF ILLINOIS S.S. S.S. APPROVED BY THE CITY OF CRYSTAL LAKE, ILLINOIS, DATED THIS DAY OFAD.,	STATE OF LUNOIS STATE OF LUNOIS S.S. COUNTY OF MCHENRY THIS INSTRUMENT FILED FOR RECORD IN THE RECORDERS OFFICE OF MCHENRY COUNTY, ILLINOIS ON THIS DAY OF RECORDED AS DOCUMENT NO. RECORDER.	DRAIMAGE CERTIFICATE WE DO HEREBY CERTIFY THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF THAT THE DRAIMAGE OF SURFACE WATERS WILL NOT BE CHANGED BY CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATERS INTO PUBLIC AREAS ON PRASIN BEEN MADE OF SOUCH SURFACE WATERS INTO PUBLIC AREAS ON DRAINS WHICH THE SUBDIVIDER HAS THE RIGHT TO SUBJANDING LAND OWNERS IN SUCH CONCENTRATIONS AS MAY CAUSE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF CONSTRUCTION OF THE SUBDIVISION. ENGINEER	SURVEYORS CERTIFICATE STATE OF ILLINOIS) COUNTY OF COOK, THIS IS TO STATE THAT I, KEVIN M, WESTERKAMP, PROFESSIONAL LAND SURVEYOR NO. 2643 HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY. LOT 101 IN WALKER-CRYSTAL SUBDIVISION, BEING A RESUBDIVISION OF LOT 1 IN B & G. SUBDIVISION, BEING A RESUBDIVISION OF LOT 1 IN FREED SUBDIVISION, A SUBDIVISION OF PART OF THE SOUTHWEST 14 OF SECTION 4, TOWNSHIP 43 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 31, 1986 AS DOCUMENT NO. 98758675, IN MCHENRY COUNTY, ILLINOIS. AS SHOWN ON THE PLAT HEREON DRAWN WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION, ALL DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF, ANGULAR BEARINGS ARE SHOWN IN DEGREES, MINUTES AND SECONDS. WE FURTHER STATE THAT SUD PROPERTY FALLS WITHIN THE CORPORATE LIMITS OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS AND THAT PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY PAREL NUMBER 1711C0335, JEFFECTIVE DATE NOVEMBER 16, 2006, THE PROPERTY DEPICTED HEREON APPEARS TO LIE IN ZONE "Y" OR AREAS DETERMINED TO BE OUTSIDE THE 0.2 % ANNUAL CHANCE GIVEN UNDER MY HAND AND SEAL AT	KEVIN M. WESTERKAMP ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2643 MY LICENSE EXPIRES: 11/30/2010 REV.
STATE OF S.S. COUNTY OF TO THE BEST OF OUR KNOWLEDGE, THE LOT HEREBY CREATED BY THE SUBDIVISION PLAT IS WITHIN THE SCHOOL DISTRICT(S) AND NUMBER(S) AS SHOWN: CRYSTAL LAKE COMMUNITY CONSOLIDATED SCHOOL DISTRICT NO. 47 COMMUNITY HIGH SCHOOL DISTRICT NO. 155 DATED THIS DAY OFAD OWNER:	STATE OF STATE OF S.S. COUNTY OF S.S. A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE AFORESON AND STATE AFORESON AND ACKNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) ARE SUBSCRIBED IN THE FORECONIC INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE FORECOING INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES GIVEN UNDER MY HAND SEAL THIS DAY OF NOTARY PUBLIC MY COMMISSION EXPIRES.	STATE OF STATE OF S.S. COUNTY OF THIS IS TO CERTIFY THAT. THIS STO CERTIFY THAT. THIS SAFT DE BE SIRVEYED AND SUBDIVIDED AS INDICATED HEREON, AND AS OWNER HAS CAUSED THE SAMET DE BE SIRVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES CAND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME DATED THIS	STATE OF STATE OF STATE S	STATE OF ILLINOIS) S.S.) COUNTY OF MCHENRY) APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, ILLINOIS, DATED THIS DAY OFAD.,