



#2011-28
321 W. Terra Cotta Avenue (Barnes)
Project Review for Planning and Zoning Commission

Meeting Date: May 18, 2011

Request: Variations (Article 4 Section 4-200 B Off-Street Parking and Loading) from the required number of parking spaces and parking lot setbacks, curbing and landscape requirements.

Location: 321 West Terra Cotta Avenue

Acreage: Approximately 17,300 square feet

Existing Zoning: R-2 Single Family Residential

Surrounding Properties: North: M Manufacturing
South: R-2 Single Family Residential
East: R-3B Multi-Family Residential
West: R-3B Multi-Family Residential

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background: The site is currently developed with an 8 unit apartment building. The parking lot was in poor condition and any parking lot striping was faded. The petitioner removed the asphalt parking area and has requested replacing the parking lot with new asphalt and striping in the same configuration as what was removed. Anytime something is removed, its non-conforming status is lost. This requires the petitioner to replace the parking lot and meet the current UDO requirements.



PIQ

Zoning Analysis:

Parking Lot

Article 4 Section 4-200 B Off-Street Parking and Loading requires a minimum number of parking spaces, setbacks from adjacent uses, curbing around perimeters and landscape areas and required landscape plantings.

Parking spaces required

The number of spaces required is based on the use. For an apartment building, it is based on the number and what type of apartment units are there. The required number of parking spaces for this building is 15 spaces. The petitioner has stated that many of the current tenants do not have vehicles and only 6 cars are typically parked in the lot. Staff reviewed the plat of survey and sketched up a parking plan. Only 8 spaces can fit on this lot while meeting the required dimensional standards. This is a variation of 7 spaces.

Parking lot setbacks

A minimum 8 foot setback is required from adjacent properties and 20 feet from any right-of-way. This site does not have parking adjacent to the right of way. An 8 foot setback is required around the west, south and east property lines. Adjacent to this property on the west and east sides are multi-family buildings. To the south are single family homes. There is some existing landscape areas ranging from 1 to 6 feet in width on the south and east sides of the parking lot. These areas will not be removed and the asphalt will be replaced up to these areas. There is no landscape area on the west side. Because the setback area varies around the site, the petitioner has asked for a 0 foot setback requirement. Per a staff condition any existing landscape areas are required to remain. This is a variation of 8 feet.

Parking lot curbing

The perimeters of all parking lots and interior landscape islands shall be curbed. The previous parking lot did not have any curbing. The Engineering Division has reviewed the drainage for this lot and confirms that the future drainage pattern can follow the same pattern of sheet flow across the site. They are not opposed to this lot not having curb. Curbs are also important to maintain the integrity of the parking area especially near the edges so it does not crumble as easily as well as protect landscape areas from vehicles and snow plows. The variation requested is to not have any curbing around the perimeter of the parking lot or around any landscape areas.

Parking lot landscape

Landscape areas are required around the perimeter of a parking lot as well as in parking lot islands. Islands are required every 10 spaces, since the petitioner will only have 8 spaces, no islands are required. The site does not have any room to accommodate any additional landscape areas around the perimeter aside from what is there currently. This is a variation from the requirement to plant landscape around the perimeter of the parking lot.

Findings of Fact:

ZONING ORDINANCE VARIATIONS

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 Urban Residential, which is defined as: “representing existing and future residential areas including a combination of single-family and multi-family housing types.” Within the Residential Land Use section of the Comprehensive Plan, the following goal and objective is supported by the petitioner’s request:

Goal: Encourage a diversity of high quality housing in appropriate locations throughout the city that supports a variety of lifestyles and invigorates community character.

Objective #3: Preserve and enhance the character and livability of existing residential areas.

Recommended Conditions:

If a motion to recommend approval of the Simplified Residential Variation at 321 West Terra Cotta Avenue is granted, the following conditions are recommended:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
 - A. Application (Barnes, received 5/2/11)
 - B. Plat of Survey (C.T. Amelse, received 5/2/11)
 - C. Parking plan (hand drawn on plat of survey, dated 5/2/11)
2. The following are hereby granted:
 - A. A variation from the required number of parking spaces to allow 8 spaces.
 - B. A variation from the required perimeter setbacks and landscaping.
 - C. A variation from the requirement to curb around the perimeter of the parking area.
3. The parking lot shall be striped with 8 parking spaces, a maneuvering area along the west side and a no parking area for the dumpster.
4. Future lease agreements shall limit the vehicles a tenant can have to 1 per unit.
5. Any existing landscape areas on the site adjacent to the parking area shall remain.
6. The petitioner shall comply with all of the requirements of the Engineering and Building, Fire Rescue and Planning and Economic Development Departments.

City of Crystal Lake Development Application

Office Use Only
File # _____

28 2011

Project Title: _____

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 checked="" type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other |

RECEIVED
MAY 02 2011

Petitioner Information

Name: Robert and Jane Walsh
Address: _____
Phone: Same
Fax: _____
E-mail: _____

Owner Information (if different)

Name: Jane E. Barnes c/o JB Real Estate Group
Address: 701 Cameron Drive
Paris, IL 60132
Phone: 847 659 8332
Fax: 847 659 8332
E-mail: jane.janiama@yalmo.com

Property Information

Project Description: Tear out and replace parking lot
at 321 W. TerraCotta
Crystal Lake

Project Address/Location: ↓

REQ 15 spaces - CURRENTLY TENANTS HAVE 6 CARS

PIN Number(s): 14-32-301-010

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

Janice L. Bancroft Agent for The Real Estate Incorporated 4/27/11

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.

Janice L. Bancroft Agent for The Real Estate Incorporated 4/27/11

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.

11-28

PUBLIC NOTICE

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

**IN THE MATTER OF THE PETITION
OF Jane A. Barnes**

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 of Jane A. Barnes, on behalf of JR Real Estate Incorporated for approval of a Variation relating to the following described real estate commonly known as 321 Terra Cotta Ave, Crystal Lake, Illinois 60014, PIN: 14-32-301-010

This application is filed for the purposes of seeking a Variation from Article 4 Section 4-200 B Off-Street Parking and Loading from the requirements for: the required number of spaces from 15 to allow 8, parking lot setbacks from 8 feet to allow 0 feet, parking lot curbing, parking lot landscaping; a variation from Article 4 Section 4-100 H, Dimensional Standards for Parking Spaces and Aisles, to allow a main drive aisle less than the required 24 feet; and any other variations necessary to approve the plans as presented to allow the removal and replacement of an existing parking lot as it was previously paved. 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 May 18, 2011, 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
May 3, 2011)

STATE ROUTE 176
(TERRA COTTA AVENUE)

PLAT OF

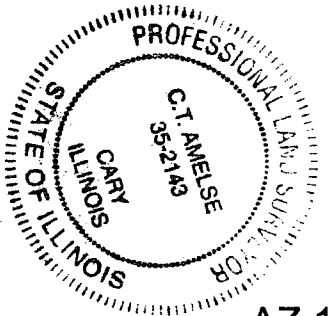
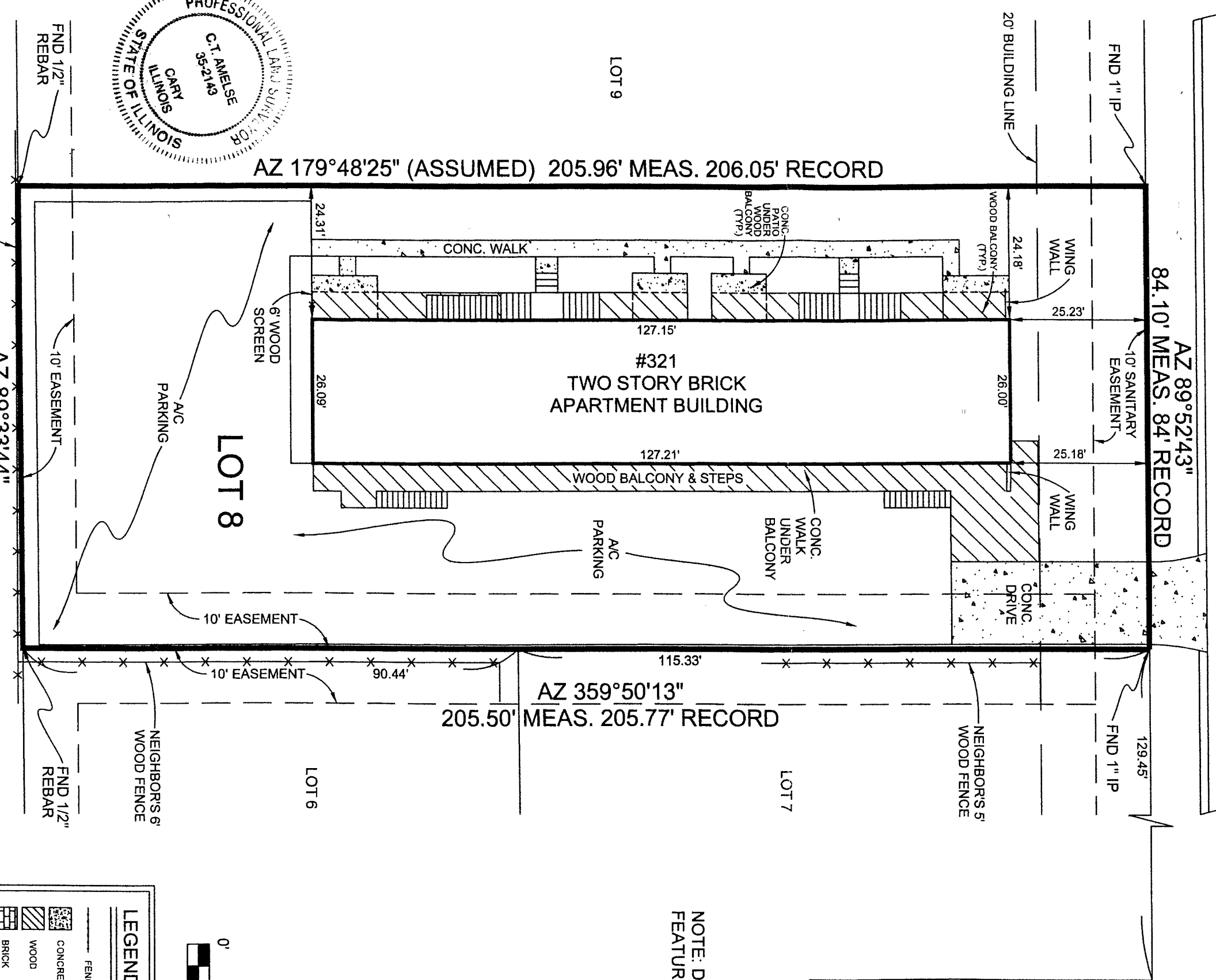
LEGAL DESCRIPTION: LOT 8 TO CRYSTAL LAKE, A SUBD NORTH HALF OF THE NORTH-SOUTHWEST QUARTER OF NORTH, RANGE 8 EAST OF MERIDIAN, (EXCEPTING THE FOR STATE ROUTE 176) AC THEREOF RECORDED JULY 356773, IN BOOK 14 OF PLATS COUNTY, ILLINOIS.

28 2011

MAY 02 2011

ACCESS ROAD

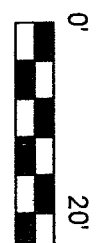
LINCOLN PARKWAY
(60' R.O.W.)



LEGEND

- FENCE
- CONCRETE
- WOOD
- BRICK
- PAVERS

LUC
PROF. CLIENT: ROS
FRA. CLIENT: ROS
FIELD W/D COMPLET: 12-21-0



NOTE: DUE TO SNOI
FEATURES MAY NO

OTHERWISE SHOWN,
WITHIN
ON THE ABOVE
S MINIMUM
SERVICE
MINIMUM
REPRESENTS
FEET
RECORD
NOT
NOTED,
NOT
INCLUDING
BUT
ANY) HAVE
STAMP.

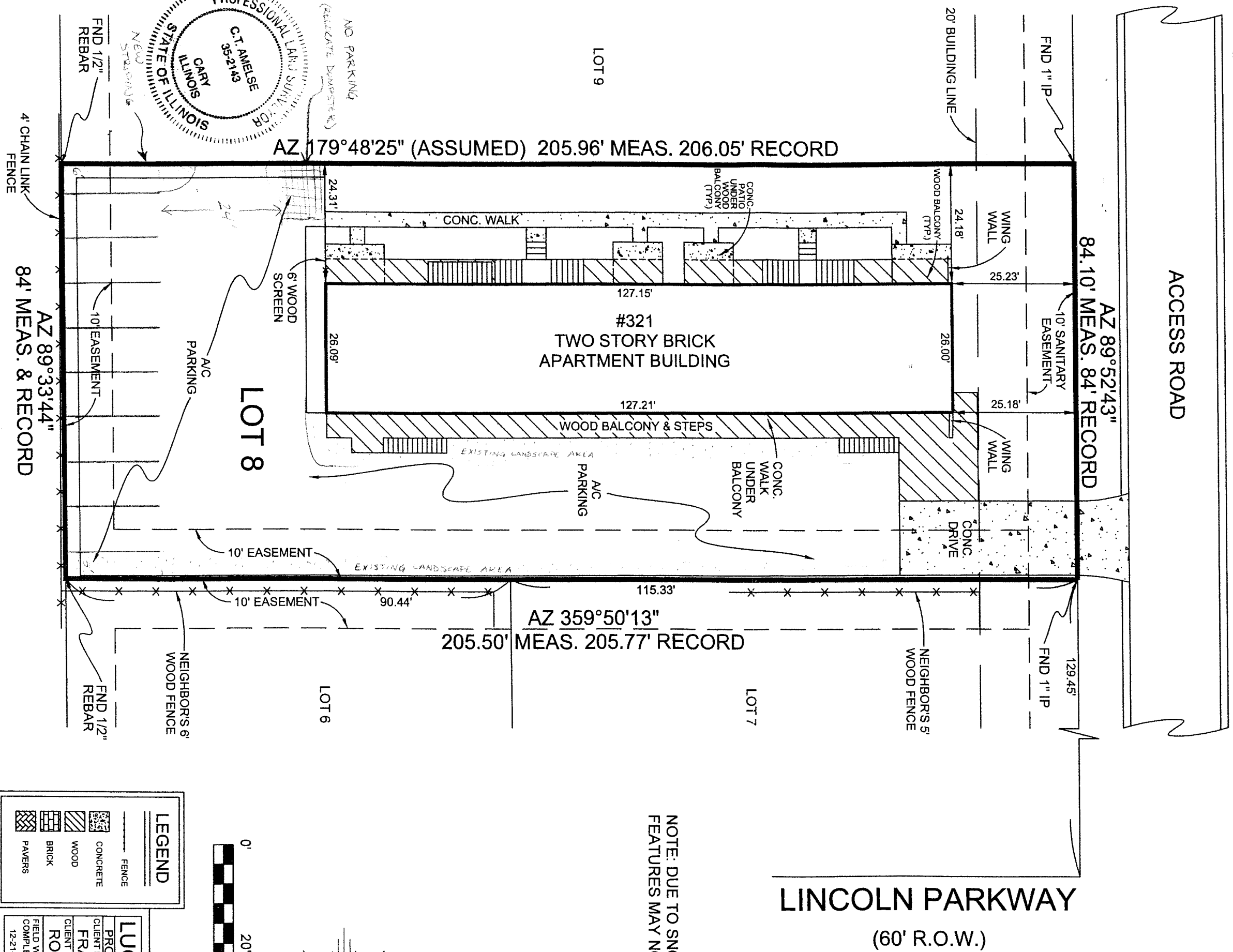
STATE ROUTE 176
(TERRA COTTA AVENUE)

PLAT OF

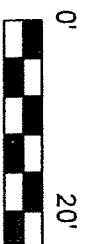
LEGAL DESCRIPTION: LOT 8 TO CRYSTAL LAKE, A SUBD NORTH HALF OF THE NORTHWEST QUARTER OF NORTH, RANGE 8 EAST OF MERIDIAN, (EXCEPTING THE FOR STATE ROUTE 176) ACQ THEREOF RECORDED JULY 356773, IN BOOK 14 OF PLAT COUNTY, ILLINOIS.

28 2011

MAY 02 2011



NOTE: DUE TO SNOI FEATURES MAY NO



LEGEND

- FENCE
- WOOD
- CONCRETE
- BRICK
- PAVERS

LUC
 PROF. CLIENT NO. FRA ROS
 FIELD NO. COMPLETE 12-21-0

DESCRIBED UNDER ANY OFFICIAL RECORD ECTLY REPRESENTS SHOWN IN FEET OTHERWISE SHOWN, WITHIN ANY VISIBLE ON THE ABOVE PROFESSIONAL SERVICE ILLINOIS MINIMUM ANY

FND 1/2" REBAR
 4' CHAIN LINK FENCE

10' EASEMENT
 84' MEAS. & RECORD

FND 1/2" REBAR
 NEIGHBOR'S 6' WOOD FENCE

FND 1/2" REBAR
 NEIGHBOR'S 5' WOOD FENCE



321

ONLY

03/29/2011

RECEIVED
MAY 02 2011
BY: