



**#2011-43**  
**Uteg Apartments**  
**Project Review for Planning and Zoning Commission**

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**Meeting Dates:** October 5, 2011

**Request:** The construction of a new parking area off Uteg Street, which requires variations to:

- A. Article 4-200 C Arrangement to allow the maneuvering incidental to parking and unparking on the public street and right-of-way, and
- B. Article 4-200 E. 1 a. to allow a 0 foot setback, a 20 foot variation.

**Location:** Uteg Street (223-225 Uteg Street)

**Acreage:** Approximately 2 acres

**Existing Zoning:** R-3B Multi-Family Residential

**Surrounding Properties:**

North:	R-3A Two Family Residential
South:	B-2 General Commercial
East:	R-3B Multi-Family Residential
West:	R-3A Two Family Residential

**Staff Contact:** Elizabeth Maxwell (815.356.3615)

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**Background:**

The City does not have a building permit file on when this complex was constructed. The first permit record we have is for a re-roof in 1977. It is assumed that the buildings were constructed 15-25 years before that. The parking requirement in 1949 required 1 space per each unit. The parking requirement in 1959 through the 1970's was 1.5 spaces per each unit. Utilizing 1.5 spaces per unit this complex was required to have 72 parking spaces, it has 73. Since more working families have multiple vehicles, parking requirements have increased. The current UDO requires 1.5 spaces per 1 bedroom unit, 2 spaces per 2 bedroom unit and 0.25 spaces guest parking per unit, for a total of 96 spaces required. The petitioner is proposing to add these additional 23 spaces in the parkway area of Uteg Street.

**Land Use Analysis:**

**SITE**

- Site is zoned R-3B allowing multi-family.
- Six existing two-story buildings.

- Each building contains 4 one-bedroom and 4 two-bedroom units for a total of 48 units.
- Residents were utilizing an adjacent parking lot to park their vehicles. This property was redeveloped into O'Reilly's and can no longer be used by the residents.
- The owner has not explored leasing spaces from other adjacent property owners.
- Temporary parking was created with caution tape and gravel in front of the units creating a tandem parking situation. *This is in violation to the ordinance for doing work without a permit, an unacceptable surface (gravel), no ADA compliance, and tandem parking. A letter to correct the situation was sent to the property owner.*



## PARKING

- The site provides 73 parking spaces.
- Current standards require 96 parking spaces.
- Proposed improvements will bring the site into compliance with the parking quantity requirements, but not parking lot standards.
- The on-street parking could compromise snow plowing and street cleaning efforts if vehicles were to overhang into the travel lane.

## LANDSCAPE

- Existing street trees will be retained in parking lot islands in the proposed parking lot configuration.
- The landscape islands will likely be used to pile snow from the adjacent parking spaces so no additional shrubs are recommended in these islands.

### **Findings of fact:**

#### **Zoning Ordinance Variation**

The petitioner is requesting zoning variations from Article 4-200 C and Article 4-200 E. 1 a. to allow the maneuvering incidental to parking and unparking on the public street and right-of-way, with no parking lot setback. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Zoning 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. At the time the apartment complex was constructed it was in compliance with the parking requirements. The petitioner has looked at ways to add additional parking on-site and it is not feasible.

Before recommending any variation, the Planning and Zoning Commission and the City Council shall first determine and record its findings that the evidence justifies the conclusions that the variation:

1. Will not impair an adequate amount of light and air to adjacent properties;
2. Will not unreasonably diminish the value of adjacent property;
3. Will not unreasonably increase the congestion in the public streets or otherwise endanger public safety; and
4. Is in harmony with the general purpose and intents of the Zoning Ordinance.

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

### **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 (George Ieremcuic, received 08/31/11)
  - B. Request letter (True North Properties, dated 08/25/11, received 09/27/11)
  - C. Plans (Terra Architects, dated 08/25/11, received 09/27/11)
2. Parking Plan
  - A. Parking stalls shall be increased in depth to at least 19 feet and allowing for a 1.5 foot overhang onto the sidewalk.
  - B. The sidewalk shall be a minimum of 5 ½ feet to accommodate the vehicle's overhang.

- C. The existing north end of the parking lot illustrates striping for partial parking spaces, this striping shall be removed and hatched or this area should be converted to turf.
  - D. In operable vehicles shall not be parking in this new parking area.
  - E. The roadway curb line shall continue as a depressed curb between the roadway travel lanes and this parking area to differentiate the public verses private responsibility.
  - F. Vehicles parked in this parking area shall not overhang the curb line into the travel lane.
  - G. Increase the driveway width of the main parking area to 24 feet.
3. Per the letter from the Building Commissioner on June 24, 2011, the gravel shall be removed and restored with turf grass.
  4. Complete engineering plans are required to illustrate how stormwater will be retained on site from the additional impervious surface.
  5. It is highly likely that city snow removal on Uteg Street will trap cars in this parking area. Snow removal by vehicle owners shall not be placed in the travel lanes of Uteg Street. Snow will need to be removed and located on the subject property only. Shoveling snow into the street is a violation of the City Code.
  6. A Plat of Dedication shall be provided for review and recordation for Uteg Street.
  7. If approved, and prior to construction, the owner must provide proof that adjacent property owners were contacted about these residents utilizing their commercial lots.
  8. In all future leases, including lease renewals, the number of vehicles per unit shall be limited to two vehicles per unit.
  9. As an alternative to the new parking area, the owner should explore a variation for tandem parking in locations closer to the building. A review would need to be completed to ensure life safety codes, ADA accessibility, and engineering stormwater requirements could be met.
  10. The following Variation is hereby granted:
    - A. Article 4-200 C Arrangement to allow the maneuvering incidental to parking and unparking on the public street and right-of-way, and
    - B. Article 4-200 E. 1 a. Parking Lot Setbacks to allow a 0 foot setback, a 20 foot variation..
  11. The petitioner shall address all of the review comments and requirements 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 # 2011-42

Project Title: PARKING EXPANSION PROJECT - UTEG APARTMENTS

### 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  
AUG 31 2011  
BY: \_\_\_\_\_

### Petitioner Information

Name: GEORGE IEREMCIUC  
Address: 5134 N. HARLEM AV.  
HARWOOD HEIGHTS, IL 60706  
Phone: 847-909-3838  
Fax: \_\_\_\_\_  
E-mail: TNPI@COMCAST.NET

### Owner Information (if different)

Name: (SAME)  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

### Property Information

Project Description: CONSTRUCT 23 PARKING STALLS PERPENDICULAR AND ADJACENT TO UTEG STREET.

Project Address/Location: UTEG STREET

PIN Number(s): \_\_\_\_\_

**Development Team**

Please include address, phone, fax and e-mail

Developer: UTEG APARTMENTS, LLC, GEORGE IEREMCIUC, 847.909.3838  
TNPI@COMCAST.NET

Architect: TERRA ARCHITECTS, INC. DAVID WICKWIRE 847.271.7611  
DW@TERRAARCHITECTS.COM

Attorney: \_\_\_\_\_

Engineer: \_\_\_\_\_

Landscape Architect: \_\_\_\_\_

Planner: \_\_\_\_\_

Surveyor: \_\_\_\_\_

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.

Chuk Sewe 8/30/11  
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.

# True North Properties, Inc.

5134 N. Harlem Avenue  
Harwood Heights IL 60706  
847 909-3838 Fax 847 972-1182  
[tnpi@comcast.net](mailto:tnpi@comcast.net)

August 25, 2011

Mr. Aaron T. Shepley, Mayor  
City of Crystal Lake  
100 W. Woodstock Street  
Crystal Lake, IL 60014

**223-265 Uteg Apartments  
Crystal Lake IL  
On-Street Parking Request**

Dear Mr. Shepley,

This letter addresses the lack of available parking at the Uteg Apartments. This has been a concern of ours since we purchased the property a few years ago, as well as a concern of the residents of the apartment complex, the residents of the neighborhood and city staff in general.

Apartment Complex Background: There are six 2-story apartments; each contains four 1-bedroom and four 2-bedroom apartments. This totals 48 apartments. According to the zoning code, a total of 96 parking stalls are required but only 73 stalls are provided. We don't know what the zoning requirement was at the time these buildings were built but either the requirement years ago was for far fewer stalls or an exception was granted by the city to not meet the requirement. Nevertheless, the current code requirement seems to reflect the actual number of cars the residents have to park and therefore, there is clearly not enough parking available.

As a result, residents sometimes chose to park on grass areas which has caused damage to the lawns, is unsightly, hinders snow removal and could pose a hazard in emergency situations. Residences have been asked not to park on the grass and yet it continues to be a problem. Because of the damage to the grass areas, earlier this year we placed gravel in these areas to keep the dirt and mud from becoming a bigger problem. This has only made parking in these areas more accessible and we've decided to try to restore the areas to grass.

On numerous occasions we have explored the possibility of expanding the existing parking lot and there are simply no feasible locations on the site to expand. We are left with two options. The first option is to provide parking in the parkway on the south side of Uteg Street. This is being explored via a variance request through the normal city review & approval process but there are some inherent drawbacks to this such as the high cost of construction, additional stormwater concerns as well as concerns the city may have.

A more desirable solution would be for the city to allow overnight parking on the south side of Uteg Street. Currently the city code reads:

**§ 496-109 All night parking.**

"No person, except physicians on emergency calls, shall park any vehicle for a period of time longer than 30 minutes between the hours of 2:00 a.m. and 6:00 a.m. of any day on any streets in the municipality."

It is for the hours between 2:00 a.m. and 6:00 a.m. that we are requesting approval of overnight parking. Street parking is already allowed at other times of the day.

Let me address some concerns you may have:

- Safety: We don't think this should be an issue any more than it may already be since the parking requested is at the time of day when there is the lowest street traffic.
- Safety: Access to the apartment buildings by emergency personal is no different at 3am than at 3pm in the afternoon.
- Maintenance Access: There is a city watermain in the parkway. Access to the watermain in case of a break may be hindered by cars parking along the curb. However, this is already the case most times of the day. If a car was in the way at 3pm, it would have to be moved. There is no difference than if it were 3am.
- Abandoned or unsightly vehicles: It is possible that a resident will choose to leave an inoperable or unsightly vehicle on the street indefinitely. To discourage this from happening, we propose signage limiting parking to 48hr maximum. This way, if there was a concern about any vehicle, the tires could be marked and, if not moved, could be subject to towing.
- Finally, if there were any other concerns the city has that might cost the city money or inconvenience, we would be willing to discuss a nominal monthly permit fee (\$10 or \$20). In this way, the cars would be registered with the city and parking would be limited to only those cars that are registered.

We hope you will consider our request and look forward to discussing this issue further, either directly with you or at an upcoming city council meeting. Please let me know how you wish to proceed.

Thank you very much,



George Ieremciuc  
Owner, Uteg Apartments

CC: Richard Paulson C.B.O. Building Commissioner  
Michelle Rentzsch, Director of Planning and Economic Development  
Abby Wilgreen, Assistant City Engineer



11-43 E

**PUBLIC NOTICE**

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

IN THE MATTER OF THE PETITION  
OF George Ieremciuc

**LEGAL NOTICE**

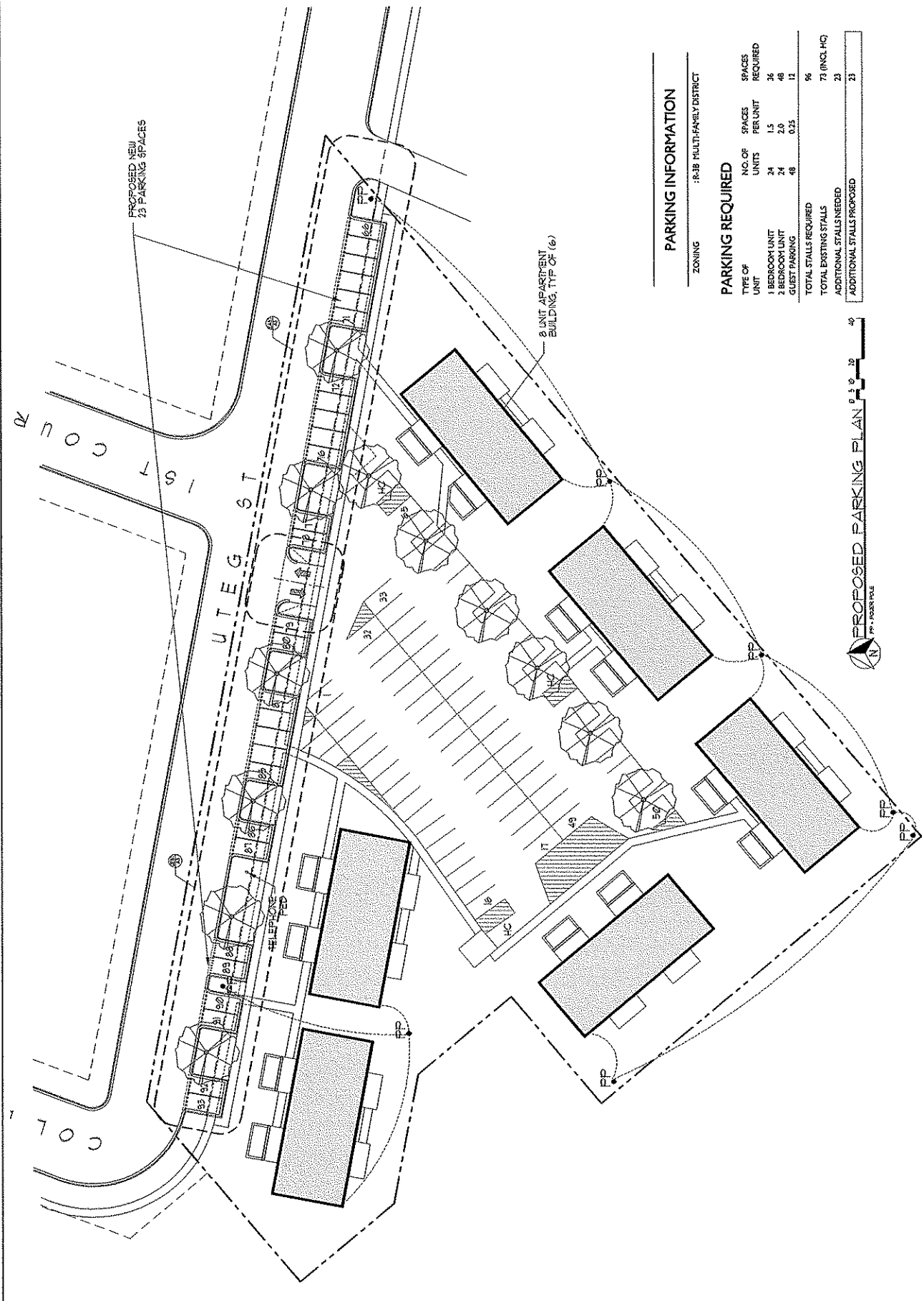
Notice is hereby given in compliance with the Unified Development Ordinance of the City of Crystal Lake, Illinois that a public hearing will be held before the Planning and Zoning Commission of the City of Crystal Lake upon the application by George Ieremciuc with the UTEG Apartments, for a Variation to the City Code and UDO regarding parking, relating to the real estate commonly known as UTEG Apartments located at 223-225 Uteg Street, Crystal Lake, IL 60014 with PIN: 19-05-307-023.

The application is filed for the purpose of seeking a variation from City Code Section 496-109 All Night Parking and Unified Development Ordinance Article 4-200 C. Arrangement and 4-200 E. Other Standards to allow a new parking area in a portion of Uteg Street right-of-way and parkway that requires maneuvering within the public right-of-way with no setback from the right-of-way as well as any other variations necessary to allow the plans as presented to be approved. The application and plans are available for view 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 October 5, 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  
September 20, 2011)





**PARKING INFORMATION**

ZONING : R-1B MULTI-FAMILY DISTRICT

PARKING REQUIRED		SPACES REQUIRED	
TYPE OF UNIT	NO. OF UNITS	U.S.	PER UNIT
1 BEDROOM UNIT	24	1.5	36
2 BEDROOM UNIT	24	2.0	48
GUEST PARKING	48	0.25	12
TOTAL STALLS REQUIRED		96	
TOTAL EXISTING STALLS		73 (INCL. HC)	
ADDITIONAL STALLS NEEDED		23	
ADDITIONAL STALLS PROPOSED		23	

PROPOSED PARKING PLAN 0 10 20 30  
 FT. APPROX SCALE



