



**#2012-109**  
**Dalzell – 39 N. Williams Street**  
**Project Review for Planning and Zoning Commission**

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<b><u>Meeting Date:</u></b>	November 7, 2012
<b><u>Request:</u></b>	Special Use Permit for a Used Merchandise Store
<b><u>Location:</u></b>	39 N. Williams Street
<b><u>Acreage:</u></b>	Approximately 3,400 sq. ft.
<b><u>Zoning:</u></b>	“B-4” Downtown Commercial
<b><u>Surrounding Properties:</u></b>	North B-4 Downtown Commercial South B-4 Downtown Commercial East B-4 Downtown Commercial West B-4 Downtown Commercial
<b><u>Staff Contact:</u></b>	Latika Bhide 815-356-3615

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**Background:**

- **Location:** 39 N. Williams Street (Tenant space adjacent to Dalzell Jewellers)
- **Zoning:** “B-4” Downtown Business
- **Existing Use:** Currently vacant. Formerly J. Scott Menswear
- **Request:** Special Use Permit for a Used Merchandise store

**Site Analysis:**

- **Details:** The approximately 3,400-square-foot retail space at this location was formerly occupied by J. Scott Menswear. It is located adjacent to Dalzell Jewelers, located at the southeast corner of Brink and Williams Streets. The request is to locate Dalzell Estate Sales at this location. Estate items including watches, costume jewelry, furniture, lighting, coins, stamps and collectibles are proposed to be sold at this location. The petitioner has indicated that firearms will not be sold.
- **Parking:** There are no parking spaces located on-site. However, a public parking lot is located on the property immediately adjacent to the east. There is also on-street parking along Brink and Williams Streets. Per the UDO, 3.5 parking spaces per 1,000 square feet of gross floor area are required for this use. Because this property is located in the Downtown District, a reduction in the number of parking spaces to allow 70% of the required spaces is allowed. A total of 8 spaces are required for this use. Since the previous use required 5 parking spaces per 1,000 square feet of gross floor area, based on past precedent, a parking variation is not required.

- Use: Used Merchandise stores are permitted as a limited use in the “B-4” district as long as they meet the established criteria. There are other used merchandise stores in this immediate area, including The Carriage House and the Antique Mall, that are within 1,000 feet of this use, thereby, requiring a Special Use Permit approval.

**Findings of fact:**

**SPECIAL USE PERMIT**

The petitioner is requesting approval of a Special Use Permit for a Used Merchandise Store. Per the UDO, if the Used Merchandise stores cannot comply with the following standards, it is required to seek a Special Use Permit. The Limited Use criteria are listed below:

- a. Location: Used Merchandise stores must be located more than 1,000 feet from an existing similar use. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the proposed use to the property line of the existing use.  
*Two other used merchandise stores are located within 1,000 feet of this use.*
- b. Outdoor display: Outdoor display, storage, and sales of items are not permitted.  
*It is staff’s understanding that there will be no outdoor display, storage or sales of merchandise.*
- c. Police inspection: Records of all items received and sold shall be kept and shall be made available during regular business hours for inspection by the Police Department.  
*It is staff’s understanding that items for sale are purchased at estate sales. If items are received at the store, it is the petitioner’s responsibility to maintain all required records.*

Special Uses require a separate review because of their potential to impact surrounding properties and the orderly development of the City. Section 2-400 of the Unified Development Ordinance establishes standard for all Special Uses in Crystal Lake. The criteria are as follows:

- 1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.  
 *Meets*                       *Does not meet*
- 2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.  
 *Meets*                       *Does not meet*
- 3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and flood plain regulations, Building and Fire Codes and all other applicable City Ordinances.  
 *Meets*                       *Does not meet*

- 4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.

*Meets*                       *Does not meet*

- 5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.

*Meets*                       *Does not meet*

- 6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.

*Meets*                       *Does not meet*

- 7. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.

*Meets*                       *Does not meet*

- 8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.

*Meets*                       *Does not meet*

- 9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use.

*Meets*                       *Does not meet*

- 10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.

*Meets*                       *Does not meet*

**2030 Comprehensive Land Use Plan Review:**

The Comprehensive Plan designates the subject property Commerce, which is planned for commercial and business activities. The following goals are applicable to this request:

Land Use

**Goal:** Maintain a dynamic and sustainable base of commercial uses that provides a solid tax base, goods, services and jobs to the city as well as the surrounding region through coordination in the Unified Development Ordinance, Comprehensive Land Use Plan and Economic Development Strategic Plan

**Supporting Action:** Promote, retain and attract businesses that provide a diverse tax base.

Unique Areas

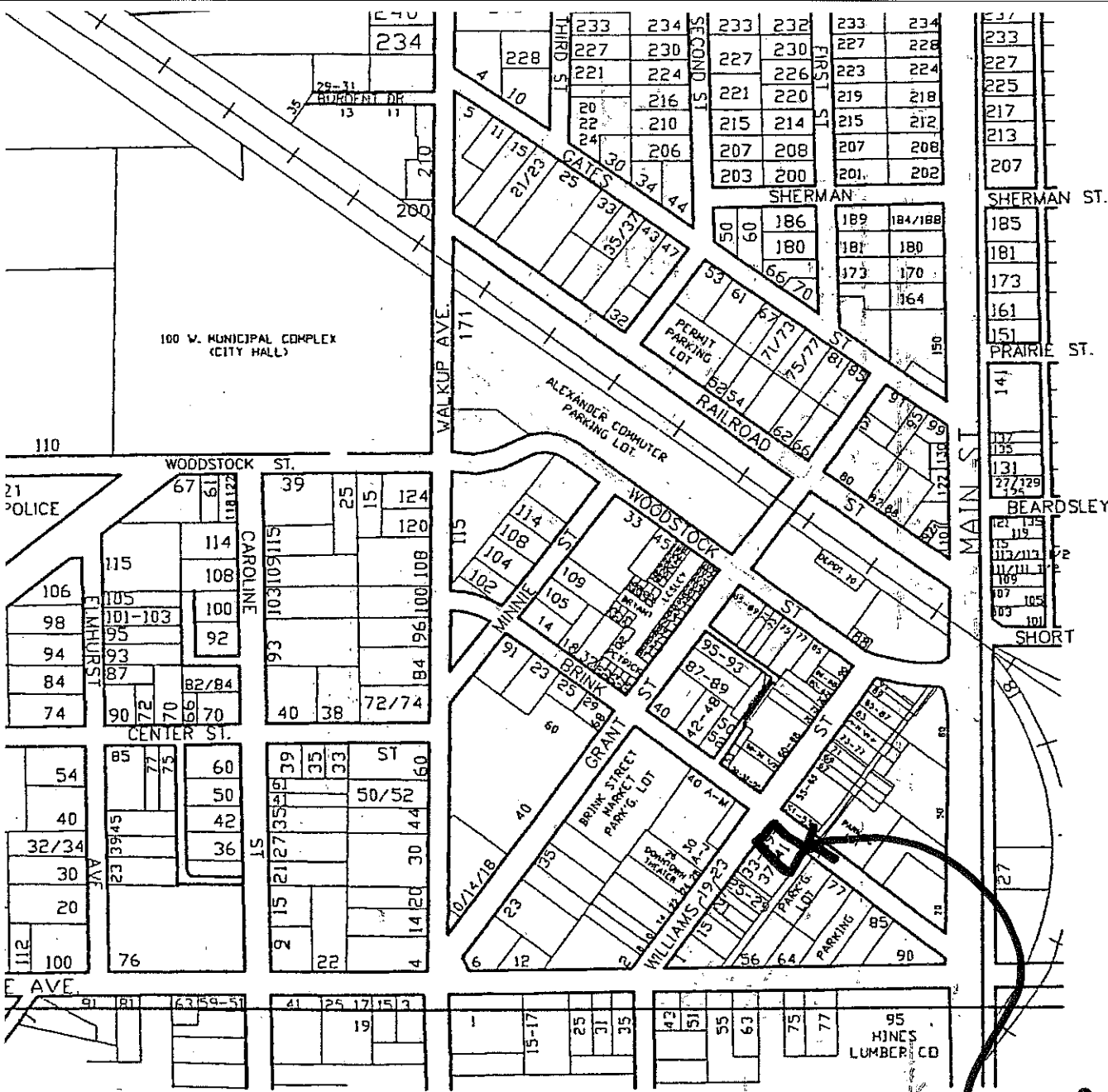
**Goal:** Promote the unique architectural, historical, and social aspects of the downtown to stimulate economic and social vitality.

**Supporting Action:** Strengthen the economic base of the downtown while diversifying it.

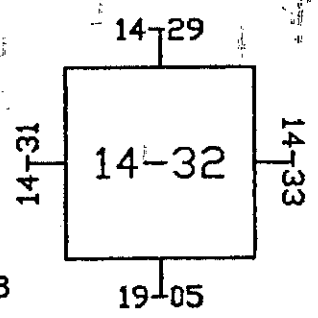
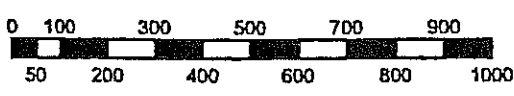
**Recommended Conditions:**

If the Planning and Zoning Commission makes a motion to recommend approval of a Special Use Permit for Dalzell Estate Sales at 39 N. Williams Street, the following conditions are recommended:

1. Approved plan, to reflect staff and advisory board comments, as approved by the City Council:
  - A. Application (Dalzell, received 10/22/12)
  - B. Site Plan (Dalzell, received 10/22/12)
2. The petitioner shall be responsible to ensure that any inspection requirements from the Police Department are met.
3. The petitioner shall address all of the review comments of Engineering and Building, Fire Rescue, Planning and Economic Development, Police and Public Works Departments.



PIQ.



REV. 09/03/08

**City of Crystal Lake  
Development Application**

Office Use Only 10 9 2012  
File # \_\_\_\_\_

Project Title: Datzell Estate Sales

RECEIVED  
OCT 22 2012  
BY: \_\_\_\_\_

**Action Requested**

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

**Petitioner Information**

Name: Steve Datzell  
Address: 41 N. Williams St  
Crystal Lake IL 60014  
Phone: 815-455-3600  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**Owner Information (if different)**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**Property Information**

Project Description: Special use permit for a  
used merchandise store  
Estate items: watches, costume jewelry, furniture, lighting,  
coins, stamps and collectables - NO FIREARMS  
Project Address/Location: 39 N. Williams St

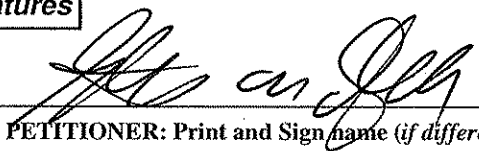
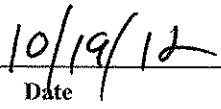
PIN Number(s): 14-32-483-027

**Development Team**

Please include address, phone, fax and e-mail

Developer: \_\_\_\_\_  
Architect: \_\_\_\_\_  
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.**

\_\_\_\_\_ Date  
OWNER: Print and Sign name

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 Steve Datzell**

### **LEGAL NOTICE**

Notice is hereby given in compliance with the Unified Development Ordinance (UDO) 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 Steve Datzell, for a Special Use Permit, relating to the following described real estate commonly known as 39 North Williams Street, Crystal Lake, Illinois 60014, PIN: 14-32-483-027

This application is filed for the purposes of seeking a Special Use Permit to permit a Used Merchandise store for estate items including watches, costume jewelry, furniture, lighting, coins, stamps, collectibles, etc; which is closer than 1,000 feet from a similar existing use pursuant to Articles 2 and 9 of the UDO. This request includes any variations that may be necessary to allow the project as presented. 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 November 7, 2012, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

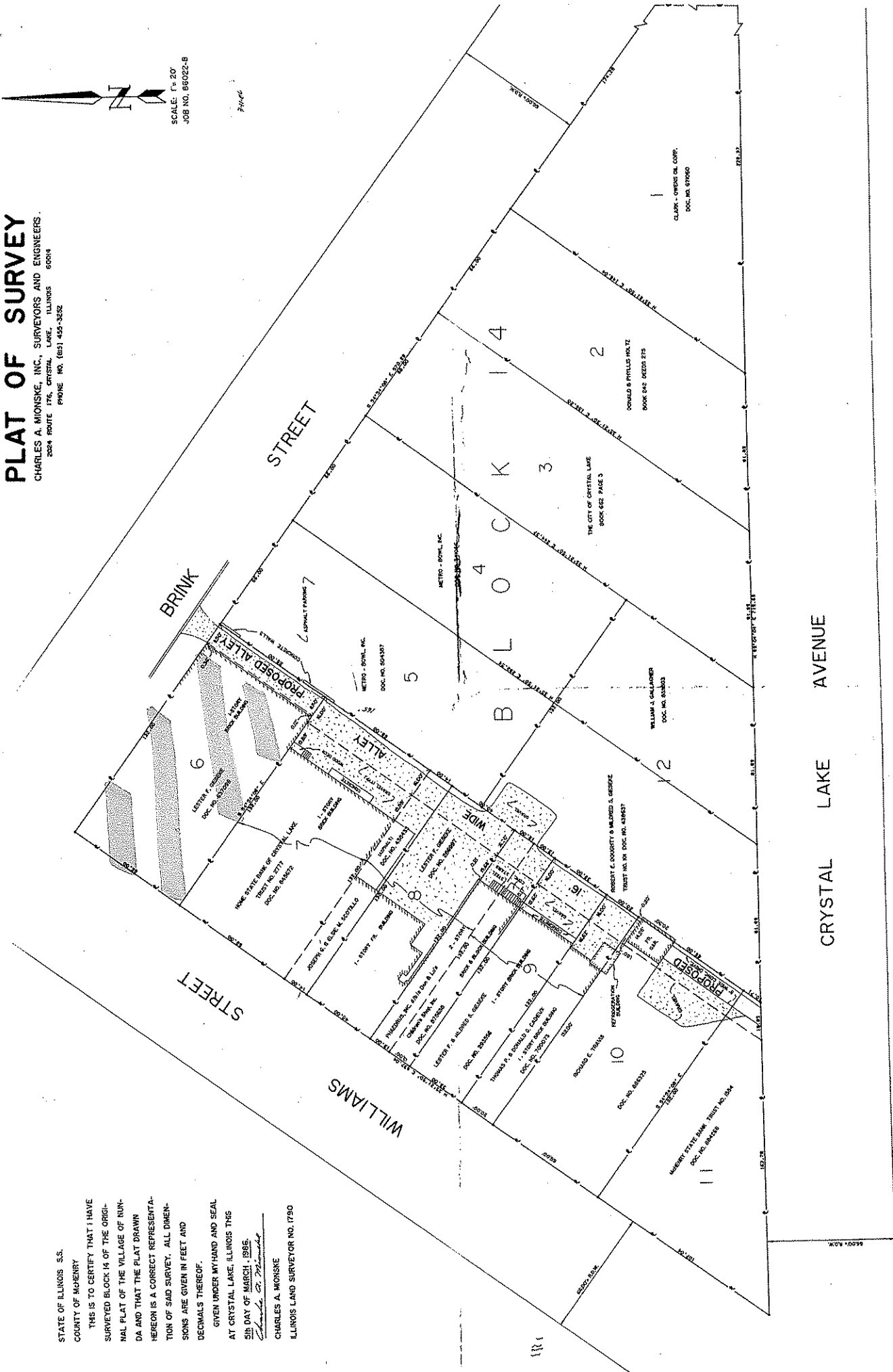
Tom Hoyden, Chairperson  
Planning and Zoning Commission  
City of Crystal Lake  
(Published in the Northwest Herald  
October 23, 2012)



# PLAT OF SURVEY

CHARLES A. MONSKE, INC., SURVEYORS AND ENGINEERS  
 2824 ROUTE 176, CRYSTAL LAKE, ILLINOIS 60014  
 PHONE NO. (815) 435-3352

SCALE: 1" = 20'  
 JOB NO. 86022-B



STATE OF ILLINOIS S.S.  
 COUNTY OF MCHEERY  
 THIS IS TO CERTIFY THAT I HAVE  
 SURVEYED BLOCK 14 OF THE ORIGINAL  
 PLAT OF THE VILLAGE OF RUN-  
 DA AND THAT THE PLAT DRAWN  
 HEREON IS A CORRECT REPRESENTA-  
 TION OF SAID SURVEY. ALL DIMEN-  
 SIONS ARE GIVEN IN FEET AND  
 DECIMALS THEREOF.  
 GIVEN UNDER MY HAND AND SEAL  
 AT CRYSTAL LAKE, ILLINOIS THIS  
 5TH DAY OF MARCH, 1986.  
 Charles A. Monske  
 CHARLES A. MONSKE  
 ILLINOIS LAND SURVEYOR NO. 1790

MARCH 5th, 1986

JOB NO. 86022-B