



#2012-110

**55 E. Crystal Lake Ave. (Dodaro/Stephani)
Project Review for Planning and Zoning Commission**

| | |
|---------------------------------------|--|
| <u>Meeting Date:</u> | December 5, 2012 |
| <u>Zoning Request:</u> | Special Use Permit to allow a residential use on the first floor in the “B-4” Downtown District. |
| <u>Location:</u> | 55 E. Crystal Lake Ave. |
| <u>Acreage:</u> | ≈0.45 acres (site); approximately 1,150 SF tenant suite |
| <u>Existing Zoning:</u> | “B-4” Downtown Business |
| <u>Surrounding Properties:</u> | North: “B-4” Downtown Business South: “M-L” Manufacturing Limited and “R-3A” Two-Family Residential East: “B-4” Downtown Business West: “B-4” Downtown Business and “R-3A” Two-Family Residential |
| <u>Staff Contact:</u> | Latika Bhide (815.356.3615) |

Background:

- **Lot Details:** Conforming lot in the “B-4” district.
- **Existing Improvements:** Two-story residence. A coach home (used as a residence) is located on the southeast corner of the property.
- **Request:** Special Use Permit to allow a residential use on the first floor in the “B-4” Downtown District.
- **Details:** The petitioner is requesting that a single residential use be permitted on the (entire) first floor of this structure.



Land Use Analysis:

District Standards: The “B-4” Downtown Business District is for the City’s historic downtown and its immediate surroundings. This district encourages mixed use. Retail, food service and service

businesses are desired on the street level with upper levels providing for office and residential uses. By allowing residential uses on the upper levels, the first floor in the business district is retained for business uses, protecting the district’s commercial viability and maintaining a vibrant retail trade area while at the same time allowing for a significant residential population within the district.

- Existing Conditions: The building is set up for two users. The first floor, currently vacant, was previously occupied as a lawyer’s office. The upper story is currently occupied by an office user. A parking area is located south of (behind) the building with 9 striped parking spaces available.



Findings of Fact:

SPECIAL USE PERMIT

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*

Comprehensive Land Use Plan 2030 Vision Summary Review:

The Comprehensive Plan designates the subject property as Mixed Use, which allows for a blend of commercial, office and residential uses. The property is located in the Downtown district which is identified as a Unique Area in the Comprehensive Plan. The following goal is applicable to this request:

Downtown

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

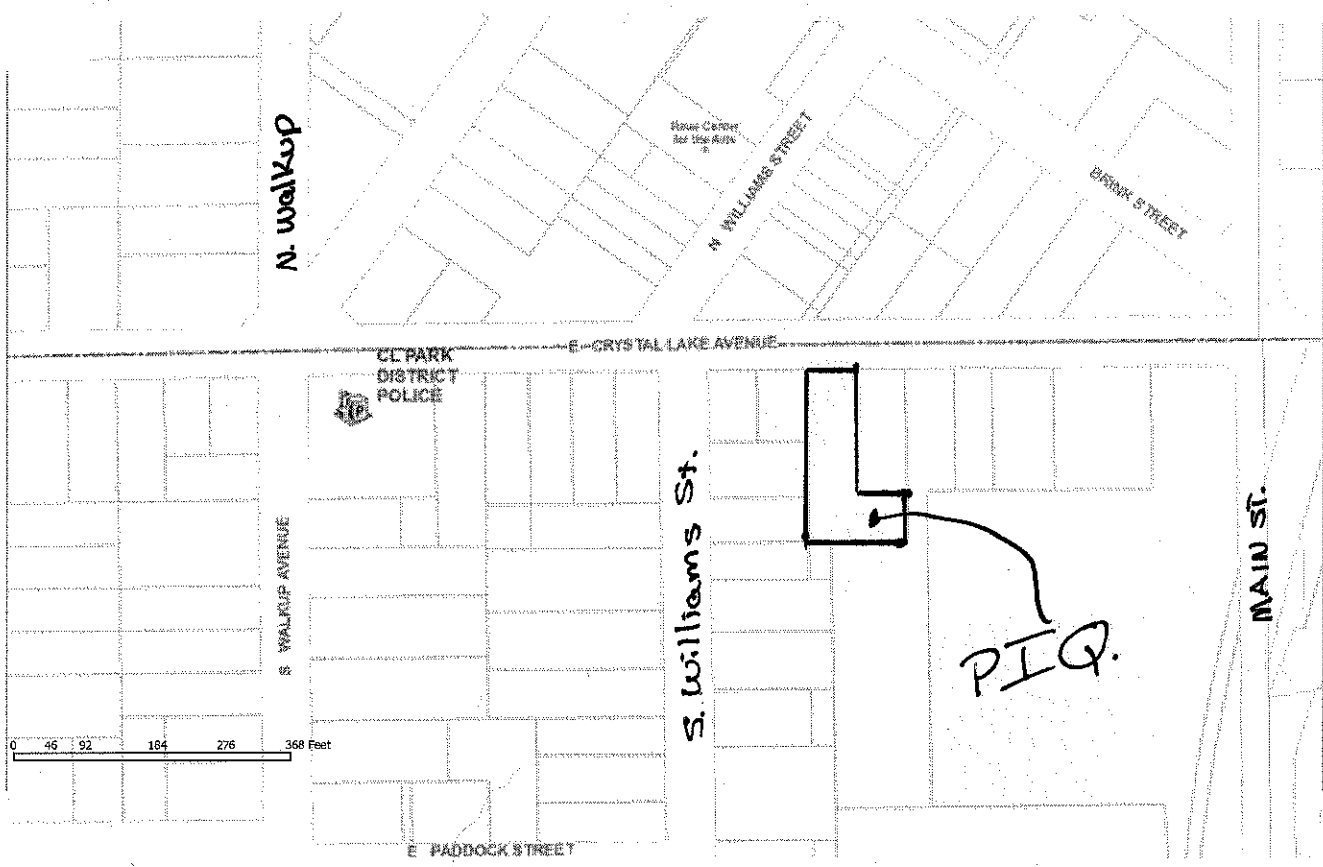
This can be accomplished with the following supporting action:

Supporting Action: Promote Downtown housing.

Recommended Conditions:

If a motion to recommend approval of the Special Use Permit at 55 E. Crystal Lake Ave. 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, letter (received 10-23-12).
 - B. Floor Plan (Dodaro, received 10-23-12)
 - C. Plat of Survey (Streamline Survey, dated received 10-23-12)
2. A Special Use for a residential use on the first floor at this location is hereby granted. This Special Use will expire if the use is abandoned for more than 90 days.
3. The petitioner shall comply with all of the requirements of the Planning and Economic Development, Engineering and Building, Fire Rescue, Public Works and the Police Departments.



N. walkup

Water Center
Ref. 1234 Ave

N WILLIAMS STREET

BRINK STREET

E CRYSTAL LAKE AVENUE

CL PARK
DISTRICT
POLICE

S WALKUP AVENUE

S. Williams St.

MAIN ST.

PIQ.

0 45 92 184 276 368 Feet

E PADDOCK STREET

**City of Crystal Lake
Development Application**

Office Use Only
File # _____ (10 2012)

Project Title: _____

RECEIVED
OCT 23 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

Owner Information (if different)

Name: Rosenthal Trust 101
Tom Stephens, Lynn Bedano Partnership
Address: 190 Liberty Road
Unit 4 upstairs
Phone: 815-455-2840
Call so we can turn it on 1st
Fax: 815-459-1205
E-mail: lynn@custombuilding.com
Tom@custombuilding.com

Name: Bill Rosenthal
Address: 190 Liberty Road
Unit 4 upstairs
Phone: 815-455-2840
Fax: 815-459-1205
E-mail: Lynn@custombuilding.com
Tom@custombuilding.com

Property Information

Project Description: First floor residential unit in B-4 zoning.

Project Address/Location: 55 E Crystal Lake Ave.
Main level

PIN Number(s): 19-05-228-003

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

Tom Stephani [Signature], Lynn Dodaro [Signature] 10/23/12
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.

Bill Rosenthal [Signature] 10-23-12
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.

ROSENTHAL TRUST 101 PARTNERSHIP

(815) 455-2840

P.O. BOX 400
CRYSTAL LAKE, IL 60039-0400

FAX (815) 455-2841



October 23, 2012

City of Crystal Lake
Planning and Zoning
100 W. Woodstock Street
Crystal Lake, IL 60014

Dear Planning and Zoning Department,

On August 1, 2012, I had met with James Richter to get the ball rolling on a special use permit for our main level at 55 E Crystal Lake Ave.

Currently, the unit is zoned B-4 and we would like a permit for residential use on the main level. We are having a very difficult time generating any interest with this piece for commercial leasing which is causing financial stress by having the unit vacant. The unit is currently set up to handle a tenant.

James guided me through process and asked I move forward with the request once we had a tenant for the unit. I currently have secured a tenant who would like to start renting the space by December 14, 2012.

Enclosed is the preliminary paperwork to get the process started.

Once you have had a chance to review please do not hesitate to call with any questions you may have.

Sincerely,

Lynn M. Dodaro

PUBLIC NOTICE

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

**IN THE MATTER OF THE PETITION
OF Rosenthal Trust 101 Partnership**

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 Rosenthal Trust 101 Partnership, for a Special Use Per-

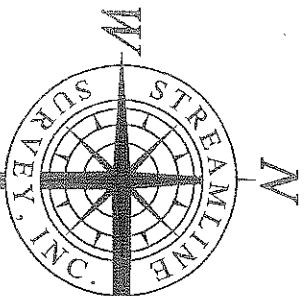
mit, relating to the following described real estate commonly known as 55 E. Crystal Lake Avenue, Crystal Lake, Illinois 60014, PIN: 19-05-228-003.

This application is filed for the purposes of seeking a Special Use Permit to allow an exclusively residential development (multi-family dwelling) in the "B-4" Downtown Business District per 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 Plan-

ning and Zoning Commission for this request will be held at 7:30 p.m. on Wednesday, December 5, 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.

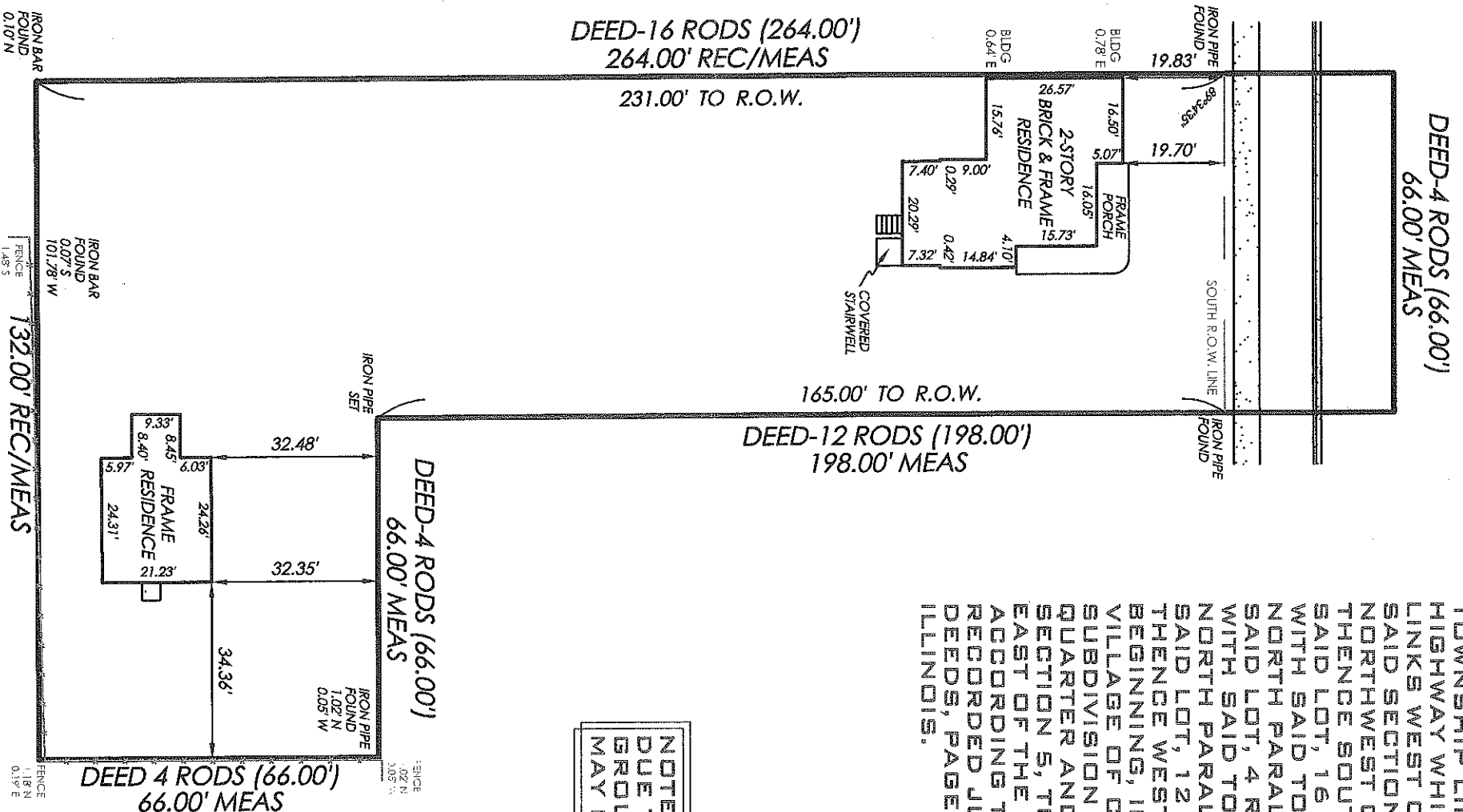
Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald
November 20, 2012)



PLAT OF SURVEY

18148 S. MARTIN AVE. HOMERWOOD, IL 60430 708-1-SURVEY (478-7839) 708-478-4076 FAX

EAST CRYSTAL LAKE AVENUE

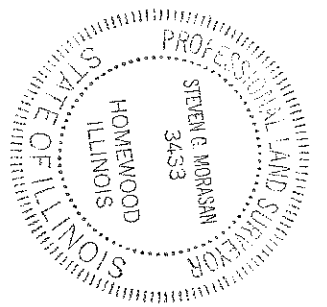


PART OF LOT 8 IN BLOCK 1, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE TOWNSHIP LINE IN THE CENTER OF THE HIGHWAY WHICH IS 9 CHAINS AND 74 1/2 LINKS WEST OF THE NORTHEAST CORNER OF SAID SECTION 5, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 8; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT, 16 RODS; THENCE EAST PARALLEL WITH SAID TOWNSHIP LINE, 8 RODS; THENCE NORTH PARALLEL WITH SAID WEST LINE OF SAID LOT, 4 RODS; THENCE WEST PARALLEL WITH SAID TOWNSHIP LINE, 4 RODS; THENCE NORTH PARALLEL WITH SAID WEST LINE OF SAID LOT, 12 RODS TO SAID TOWNSHIP LINE; THENCE WEST 4 RODS TO THE PLACE OF BEGINNING, IN PADDOCK'S ADDITION TO THE VILLAGE OF CRYSTAL LAKE, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 29, 1874 IN BOOK 55 OF DEEDS, PAGE 277, IN MCHEMERY COUNTY, ILLINOIS.

NOTE: DUE TO SNOW, SOME GROUND IMPROVEMENTS MAY NOT BE SHOWN

1102012

RECEIVED OCT 23 2012 BY:



AS PER CLIENT/AGENT, MONUMENTS NOT RECOVERED AT THE TIME OF THIS SURVEY WERE NOT RESET.

STATE OF ILLINOIS REG. # 184-002702

STATE OF ILLINOIS) COUNTY OF DOCK) S.S.

ON BEHALF OF STREAMLINE SURVEY, INC., I HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

STREAMLINE SURVEY, INC.

BY: [Signature] REDDIE B. ILLINOIS LAND SURVEYOR DATED: 02-14-20

DATE OF LICENSE EXPIRATION: NOVEMBER 30, 2008 DATE OF FIELD WORK COMPLETION: FEBRUARY 14, 2007 REVIEW YOUR DESCRIPTION AND PHYSICAL EVIDENCE WITH THIS PLAT AND REPORT ANY DIFFERENCES YOU MAY FIND.

ALL DISTANCES AS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF. NO ANGLES OR DISTANCES ARE TO BE DETERMINED BY SCALING.

SCALE: 1"=30'

JOB NO.: 07-0192

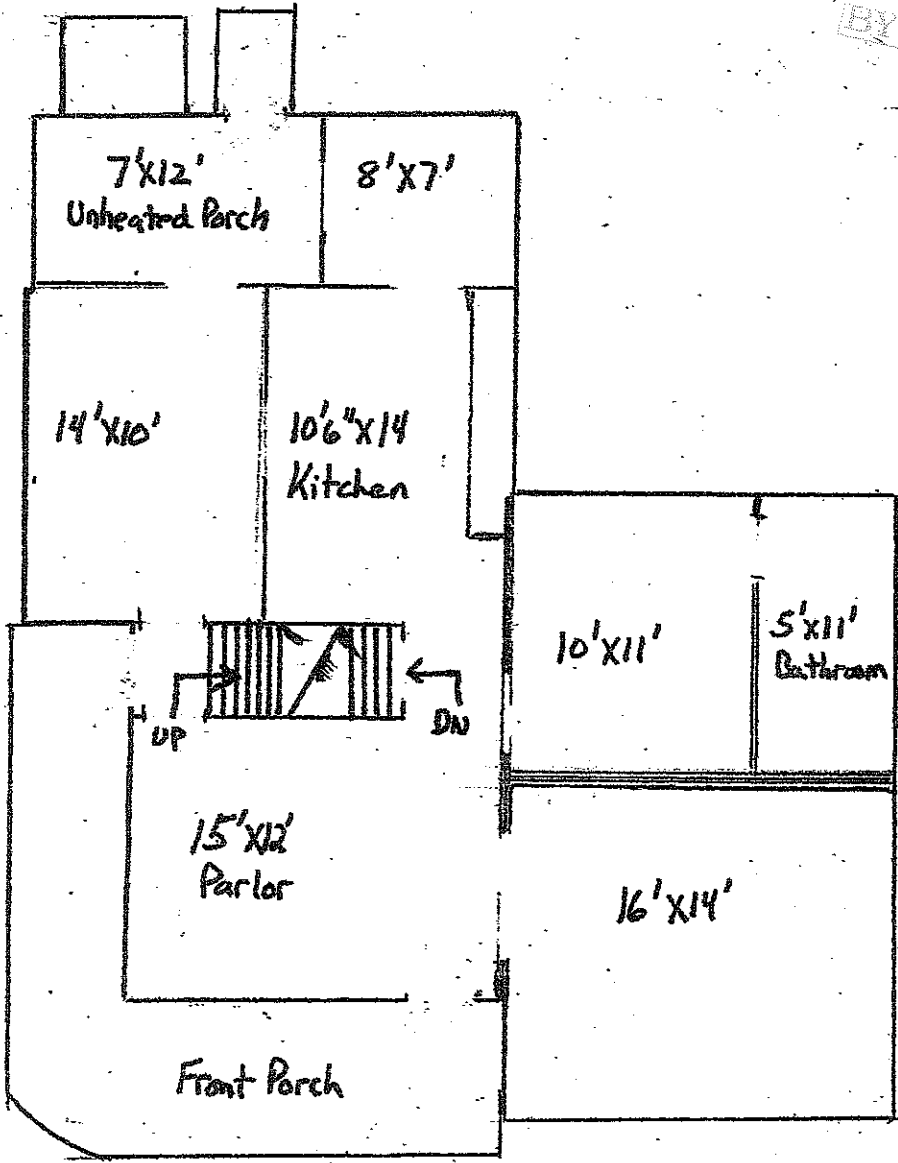
ADDRESS: 55 EAST CRYSTAL LAKE AVE. CRYSTAL LAKE, IL

P.L.N.: 19-05-228-003 ALGONQUIN

ORDERED BY: REGIS FREZADOS & DALLAS

RECEIVED
OCT 23 2012
BY:

11 0 2012



Main Level
55 E C. h. Ave



10 2012
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OCT 23 2012
BY:

55 E Crystal Lake Ave.



Front room



Bedroom 1



Office and bathroom through the doors



Kitchen



Bedroom 2



Parking