



#2013-21

7606 Northwest Highway – SUP and Variations

Project Review for Planning and Zoning Commission

Meeting Date: May 1, 2013

Requests:

1. Special Use Permit to allow a Used Merchandise Store.
2. Variation from Article 3 Section 3-200 Density and Dimensional Standards to allow a 60 foot building setback, rather than the 80-foot required setback, a variation of 20 feet.
3. Variation from Article 4-200 E Off-Street Parking and Loading and Article 4 Section 4-400 F Landscaping and Screening Standards to allow a 0 foot parking lot landscape screening setback, rather than the required 20-foot setback and 15-foot landscaped area, a variation of 20 feet and 15 feet respectively.
4. Variation from Article 4-200 Off-Street Parking and Loading to allow 33 spaces from the required 64 spaces, a variation of 31 spaces.

Location: 7606 Northwest Highway

Acreage: Approximately 1.7 acre site and 19,830 square foot building

Existing Zoning: W-PUD Watershed

Surrounding Properties:

North:	B-1 McHenry County
South:	B-2 General Commercial
East:	W PUD Watershed
West:	W PUD Watershed

Staff Contact: Elizabeth Maxwell (815.356.3615)

Background:

- **Previous Approvals:** In March of 2002, the property was annexed and zoned, incorporating the existing Classic Oak furniture store. The property was annexed “as is” and granted several variations from the City’s bulk standards.
- **Existing Use:** The site is an existing free-standing building with a parking area and typical signage. Classic Oak is in the process of leaving this building.
- **Current Approval:** Bethesda Thrift Store received a Special Use Permit approval in October of 1986. There was a specific condition of their approval that prohibited any clothing or gift drop on Crystal Lake Plaza property.

Development Analysis:

General

- **Request:** Special Use Permit to allow a Used Merchandise Store because the Police Inspection records requirement cannot be met. Variations from the required parking lot and building setbacks to allow the site to be re-built in the same location after a catastrophic event as a result of the reduced site area due to the IDOT roadway taking.
- **Land Use:** The land use map shows the area as Commerce. This land use designation is appropriate for the Used Merchandise Store.
- **Zoning:** The site is zoned W Watershed and per the annexation and zoning allows the uses permitted in the B-2 zoning district. The Used Merchandise Store is an acceptable use in this zoning district.

Site Layout

- The site currently has 2 access points from Route 14. The full access point will be eliminated with the Route 14 improvements. The right-in/right-out will remain; there will also be a barrier median in Route 14 preventing left turns into this site.
- There is a drive aisle along the north side of the building. Bethesda will use this area for customer donations.

Parking

- There are 33 parking spaces on site. All of the spaces will remain after the Route 14 improvements.
- Parking for a Used Merchandise Store is 3.5 spaces per 1,000/GFA, requiring 69 parking spaces.
- The site was built in McHenry County and annexed “as is” in 2002. Parking for a furniture store would require 40 parking spaces.

Signage

- The petitioner plans to relocate their existing wall signs from their location in the Crystal Lake Plaza to this new location. The existing wall signs total approximately 75 square feet.
- Free-standing buildings are permitted signage totaling 150 square feet with no more than 75 square feet per façade. This sign will meet the requirements.
- There is an existing free-standing sign on the site. The petitioner will replace the Classic Oak panel with their own sign.

2030 Comprehensive Land Use Plan Review:

The Comprehensive Land Use Plan designates the property in question as Commerce, which is intended for areas of commercial and business activity. The following goals are applicable to this request:

Land Use - Commerce

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.

This can be accomplished by the following supporting action and success indicator:

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

Success Indicator: The number of new small independent business occupancies.

Economic Development – Attract and Retain Businesses

Goal: Establish marketing efforts to attract and retain businesses throughout the City.

This can be accomplished by the following supporting action and success indicator:

Supporting Action: Continue to solicit the retail businesses which are most likely to succeed in various retail nodes in Crystal Lake.

Success Indicator: The number of retail businesses contacted, started and/or relocated.

Findings of Fact:

LIMITED USE PERMIT

Used Merchandise Stores are Limited Uses provided they meet the established criteria. 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.

Meets *Does not meet*

- b. Outdoor display: Outdoor display, storage, and sales of items is not permitted.

Meets *Does not meet*

- 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.

Meets *Does not meet*

Findings of Fact:

SPECIAL USE PERMIT

Used Merchandise Stores are Limited Uses provided they meet the established criteria. Bethesda cannot meet the requirement to have police records available for review, as they take in general donations. This requires that they request a 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*

Findings of Fact:

ZONING ORDINANCE VARIATION

The property owner has agreed with IDOT on a taking of a portion of the property for the widening of Route 14. This causes the property to be legal non-conforming. The City does not require the property owner to seek variations or make the property come into compliance due to a roadway taking, but since there is a current request for the SUP, we asked the property owner and petitioner if they wanted to be pro-active and acquire the variations now. The variations would be necessary to rebuild the site as it currently exists, if something catastrophic were to happen to this site. Nothing on the site is changing from when it was annexed and the zoning variation is needed due to the roadway taking.

The petitioner also needs a variation from the required number of parking spaces. For a Used Merchandise Store, the required number of spaces would be 64. This site only provides 33 spaces. There is little room on the site to add additional parking spaces.

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.

Recommended Conditions:

If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

- 1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Bethesda Thrift Shop, received 4/12/13)
 - B. Site Plans (Bethesda Thrift Shop, received 04/12/13)
 - C. Sign Elevation (Bethesda Thrift Shop, received 4/12/13)

- 2. The variations approved in the original zoning ordinance No. 5499 are still valid.
 - a. The minimum lot area shall be reduced from 3 acres to 1.711 acres;
 - b. The total side yard setback shall be reduced from 30 feet to 26 feet;
 - c. The minimum side yard setback shall be reduced from 12 feet to 11 feet; and
 - d. The maximum lot coverage shall not exceed 0.27%;
 - e. The interior parking lot landscaping requirement shall be 0%.

- 3. No outside drop boxes or outside drop/collection areas for collecting merchandise are permitted. Store staff shall continuously monitor the outside drive-through to ensure that donated material does not collect outside. Repeated violations of this condition shall render this SUP null and void.

4. If, in the future, a bike path or multi-use path is constructed to or adjacent to the site, at least 2 bicycle spaces shall be provided.
5. All wall and free-standing signage shall meet the UDO requirements.
6. The following variations are approved as part of this request:
 - a. Variation from Article 3 Section 3-200 Density and Dimensional Standards to allow a 60 foot building setback.
 - b. Variation from Article 4-200 E Off-Street Parking and Loading and Article 4 Section 4-400 F Landscaping and Screening Standards to allow a 0 foot parking lot landscape screening setback.
 - c. Variation from Article 4-200 Off-Street Parking and Loading to allow 33 spaces.
7. The petitioner shall address all of the review comments and requirements of the Engineering and Building and Planning and Economic Development Departments.

2013 21

City of Crystal Lake Development Application

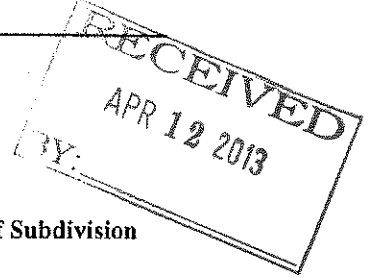
Office Use Only

File # _____

Project Title: Bethesda Thrift Shop

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: Bethesda Lutheran Communities
Jack Vater

Address: 600 Hoffmann Drive
Watertown, WI 53094

Phone: 920-206-4423

Fax: 920-206-7706

E-mail: jack.vater@mailblc.org

Owner Information (if different)

Name: Robert Sturgis

Address: 955 E. Rand Road
Arlington Heights, IL 60004

Phone: 847-797-8585

Fax: 847-797-8583

E-mail: diana@classicoakdesigns.com

Property Information

Project Description: Relocation of Bethesda Thrift Shop

Project Address/Location: 7606 Northwest Highway, Crystal Lake, IL 60012

PIN Number(s): 14-31-180-004

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

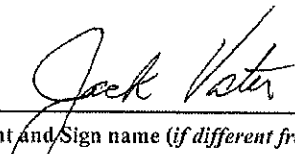
Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

Jack Vater  April 12, 2013
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.

Robert Sturgis April 12, 2013
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.

PUBLIC NOTICE

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

IN THE MATTER OF THE PETITION
OF Bethesda Lutheran Communities

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 upon the application of Jack Vater with Bethesda Lutheran Communities, on behalf of Robert Sturgis, property owner, for approval of a Special Use Permit relating to the following real estate location known as 7606 Northwest Highway, Crystal Lake, Illinois 60014;
PIN: 14-31-180-004.

This application is filed for the purposes of seeking a Special Use Permit to allow a Used Merchandise Store and a Variation from Article 3 Section 3-200 Density and Dimensional Standards to allow a 60 foot building setback; from Article 4-200 E Off-Street Parking and Loading and Article 4 Section 4-400 F Landscaping and Screening Standards to allow a 0 foot parking lot landscape screening setback, as well as any other variations as necessary to approve the plans as presented, pursuant to Article 2 Section 2-300 and 2-400 C 14 and Article 9 Section 9-200. 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

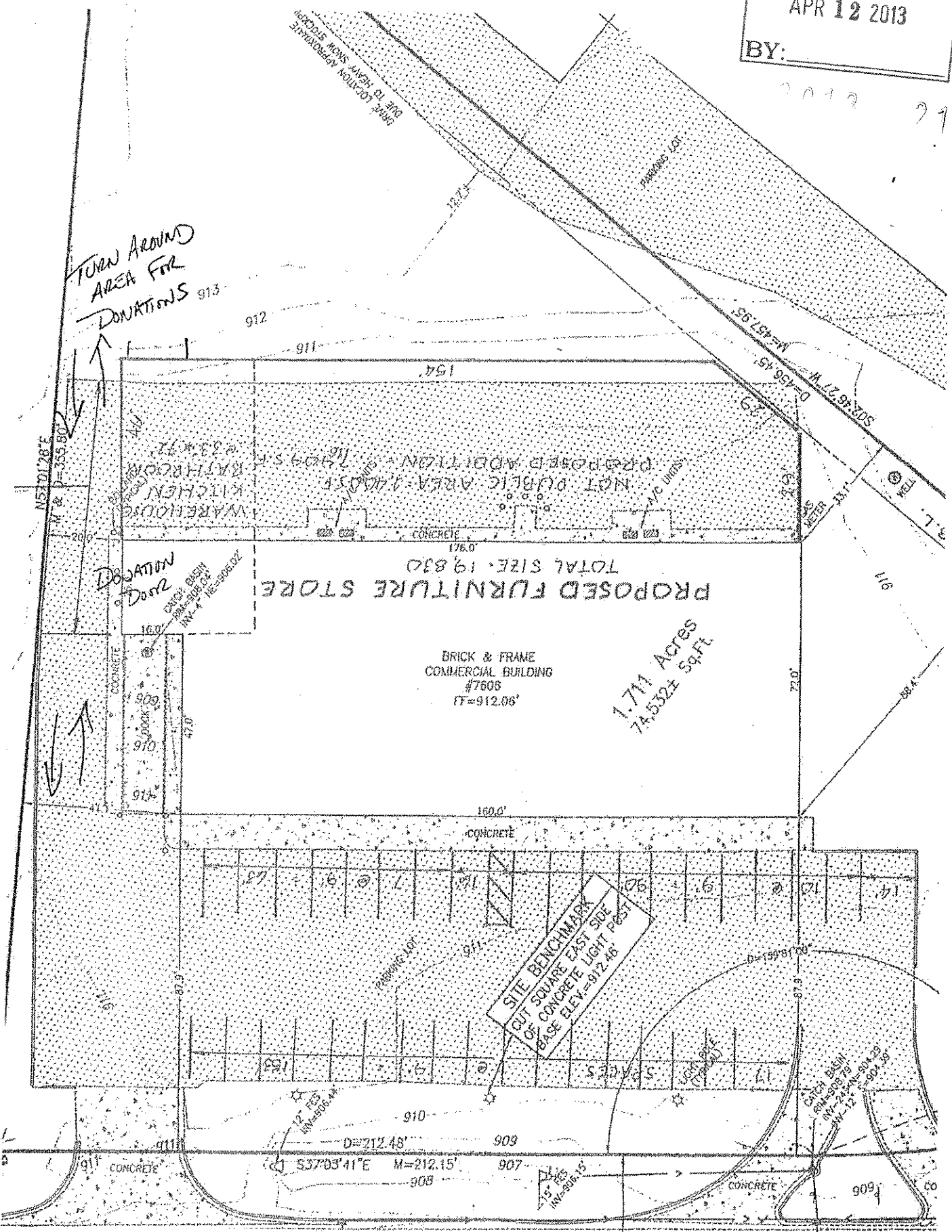
this request will be held at 7:30 p.m. on May 1, 2013, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present.

Tom Hayden, Chairperson

Planning and Zoning Commission
City of Crystal Lake

(Published in the Northwest Herald
April 16, 20123 #A704)

RECEIVED
 APR 12 2013
 BY:



TOWN AROUND
 AREA FOR
 DONATIONS

PROPOSED FURNITURE STORE
 TOTAL SIZE: 19,830

BRICK & FRAME
 COMMERCIAL BUILDING
 #7606
 FT=912.06'

1.711 ACRES
 74,532± SQ.FT.

SITE BENCHMARK
 CUT SQUARE EAST SIDE
 OF CONCRETE LIGHT SIDE
 BASE ELEV.=912.48'

DONATION
 DASH

WAREHOUSE
 KITCHEN
 BATHROOM

N 52° 01' 28" E

M = 335.80'

CONCRETE

913'
 917'
 970'
 902'

47.0'

16.0'

CONCRETE

913'

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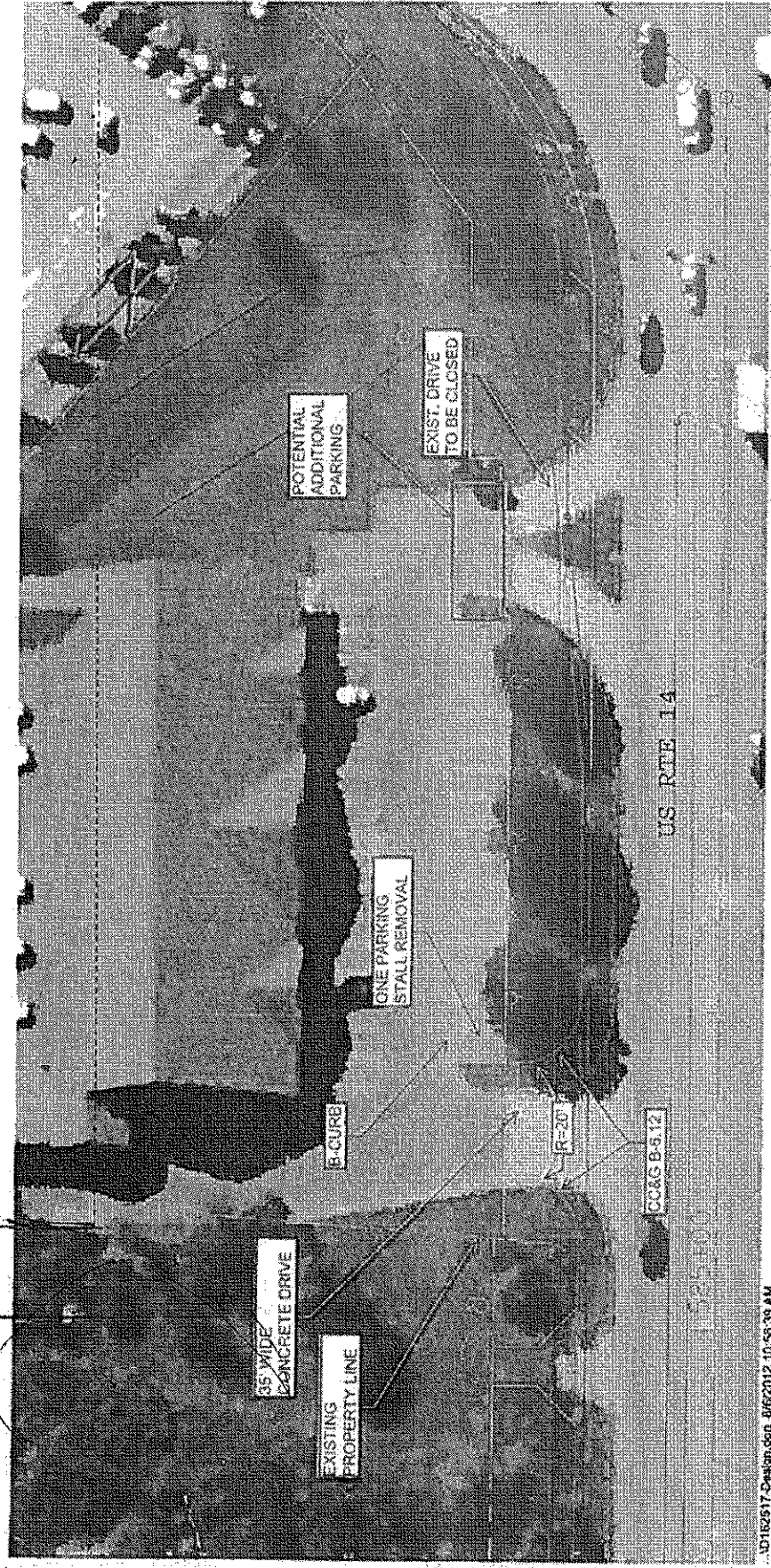
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RECEIVED
APR 12 2013
BY:

NORTH DRIVE
EXPANDED TO 35'
AT IDOT'S EXPENSE

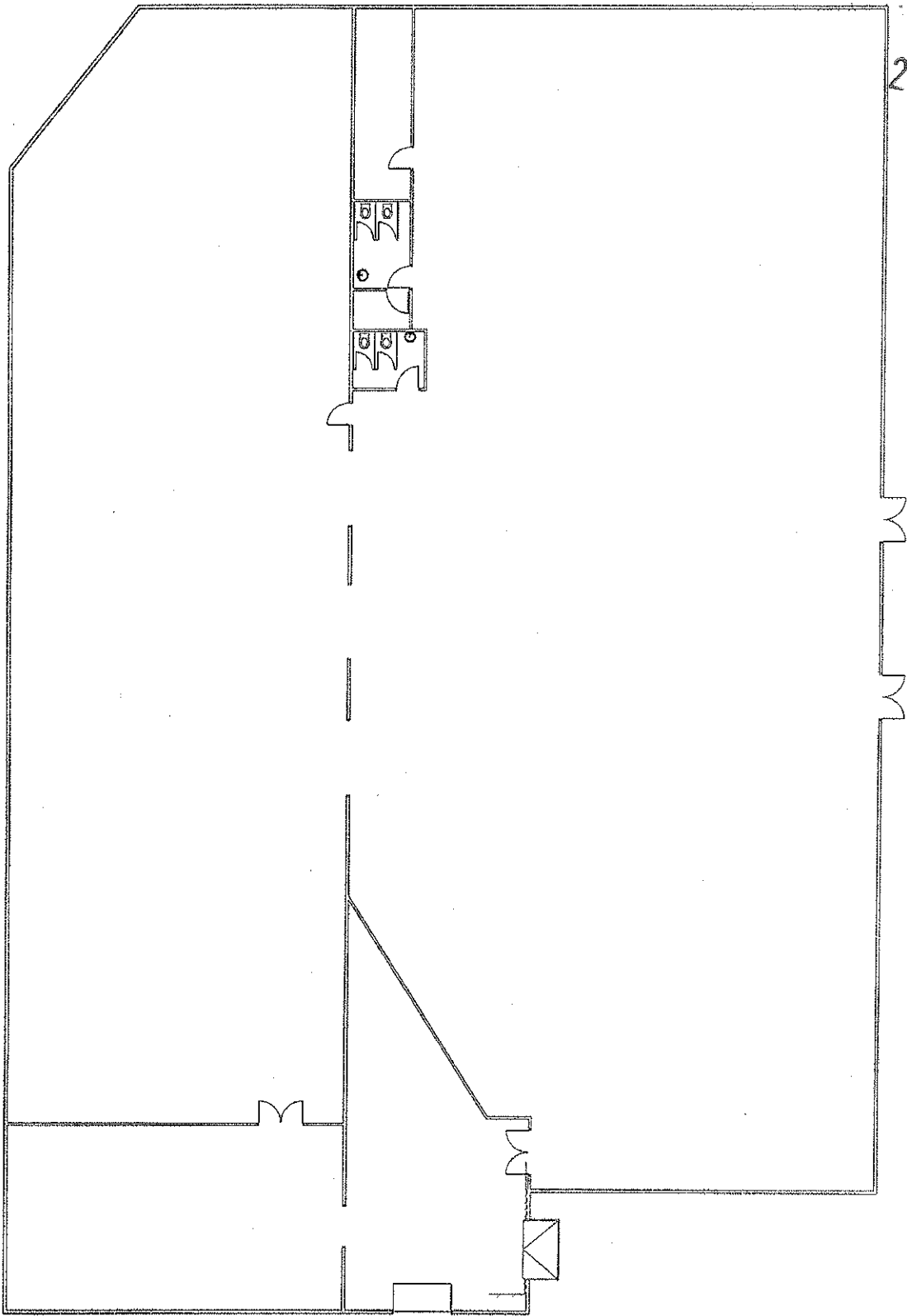


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EXHIBIT - NEW DRIVEWAY LAYOUT @ STA. 585+50 LT

RECEIVED
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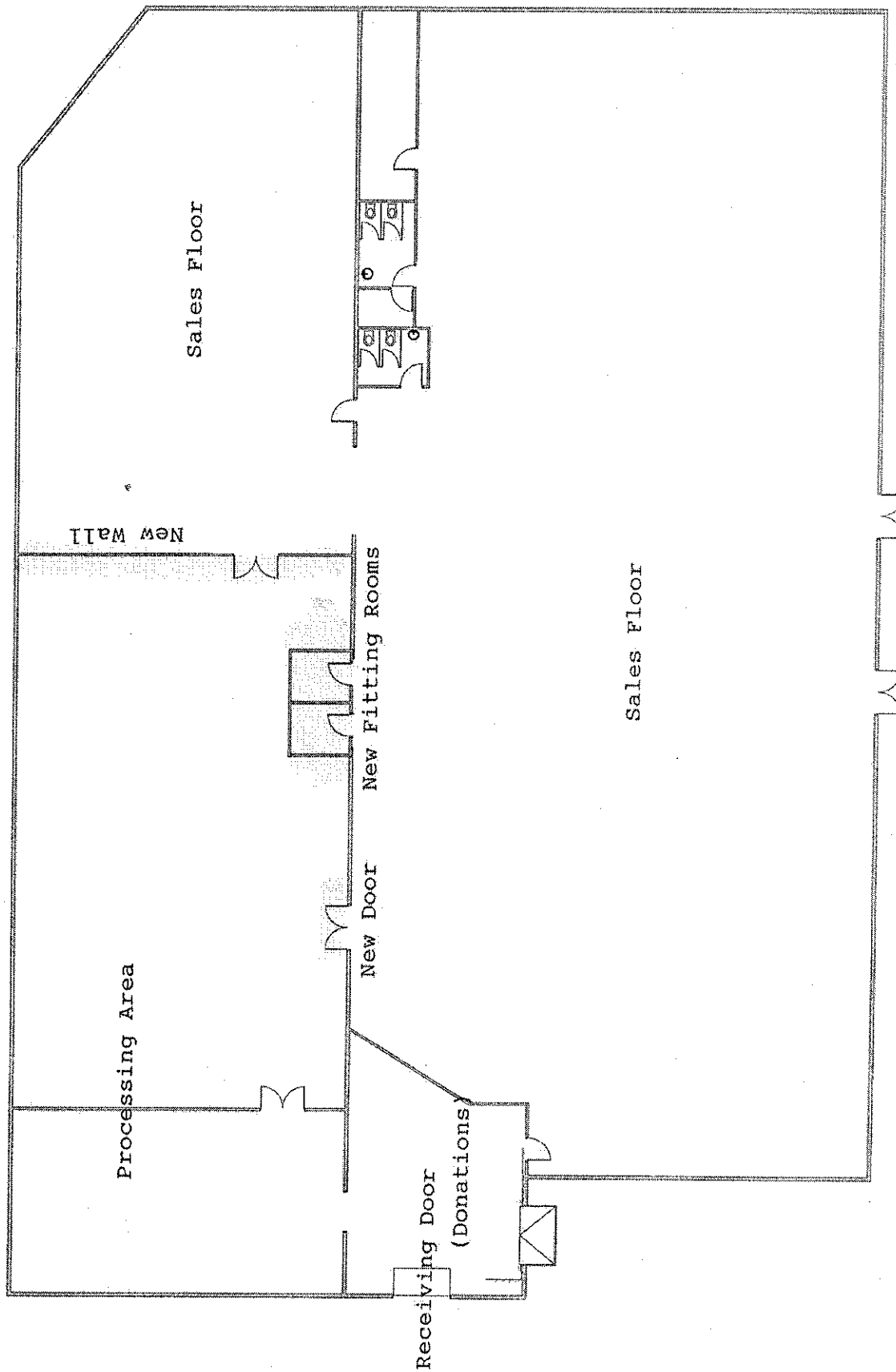
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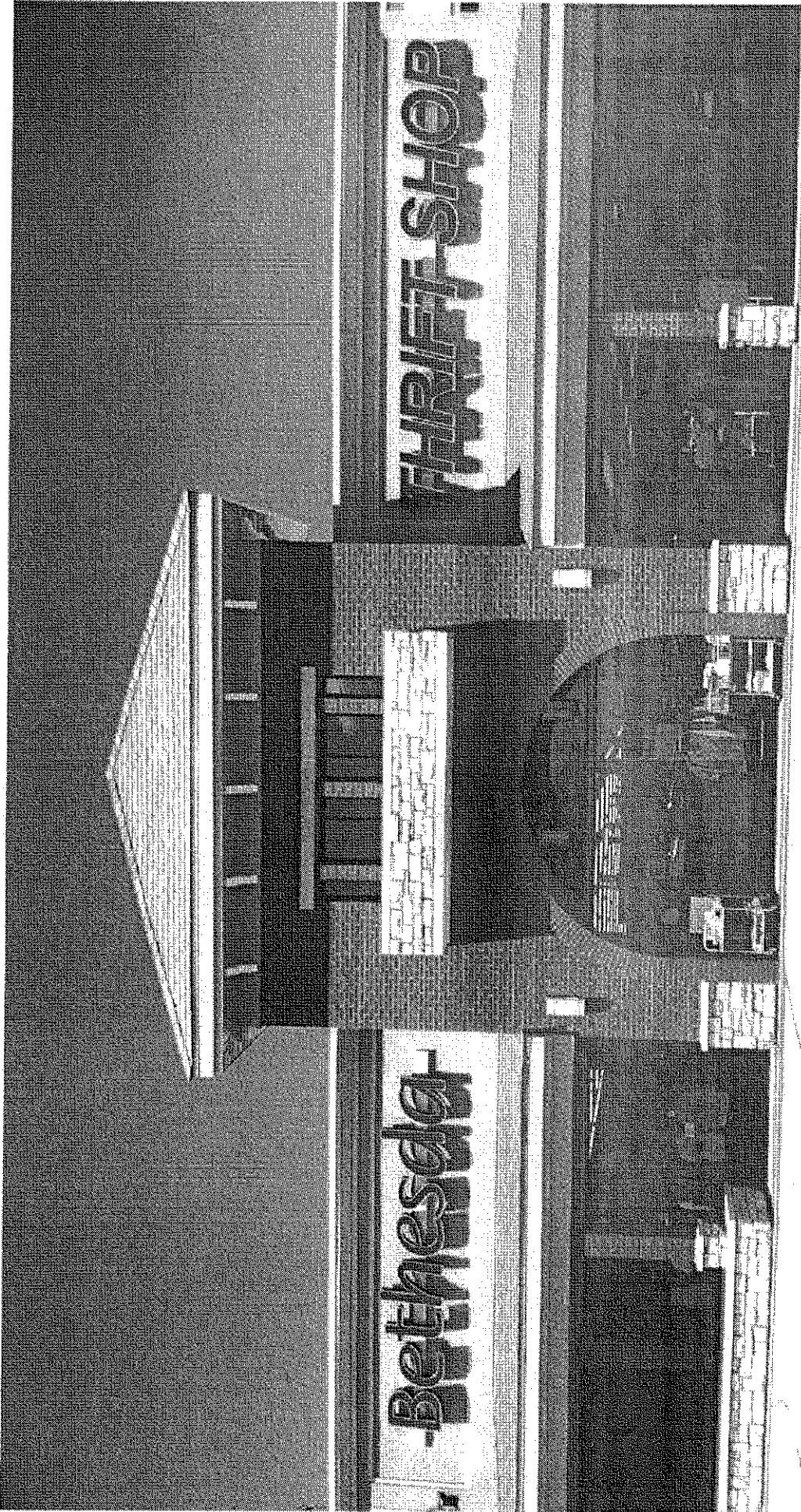
Existing Layout of Classic Oak

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2013 21



Proposed Layout of Bethesda Thrift Shop



Store Signage at Current Location
Will Be Moved to Classic Oaks Location

RECEIVED
APR 12 2013

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