#2012-84 Copley Roofing Annexation
Project Review for Planning and Zoning Commission

Meeting Date: August 3, 2016

Request:
1) Rezoning upon annexation to M- Manufacturing Planned Unit Development,
2) Special Use Permit for a recycling collection center, and
3) Special Use Permit for outdoor storage of materials, equipment and vehicles.

Location: 4709 Route 176

Acreage: Approximately 6.02 acres

Existing Zoning: B-3 – General Business & B-1 Neighborhood Business (McHenry County)

Surrounding Properties:

North:	O – Office
South:	B-2 & R-3B PUD – General Commercial & Multi-Family Residential Planned Unit Development
East:	B-2 – General Commercial
West:	M-L & R-3B PUD – Manufacturing Limited & Multi-Family Residential Planned Unit Development

Staff Contact: Kathryn Cowlin (815.356.3798)

Background:

- Existing Use: The property is currently occupied by Copley Roofing and its ancillary materials recycling collection center and outdoor storage of materials, vehicles and equipment.
- The existing conditions of the property would be allowed to remain 'as is' upon annexation into the City and allowed to continue for the term of the annexation agreement.
- History: This property is a county island, meaning it is surrounded by the City. City staff contacted the property owner and encouraged them to file an application for annexation.

Development Analysis:

- Request: To zone the property M-Manufacturing PUD upon annexation and a Special Use Permit for the existing recycling collection use and outdoor storage of materials, vehicles and equipment.

- Land Use: The land use map shows the property as Commerce. No Comprehensive Land Use Plan Map Amendment is necessary at this time.
- Zoning: The property is currently zoned B-3 – General Business and B-1 Neighborhood Business in McHenry County. The property will be rezoned to M- Manufacturing PUD, which is appropriate for the existing roofing business and ancillary recycling collection center and outdoor storage. The billboard on the site will be addressed via the annexation agreement.

Findings of Fact:

REZONING

- The property is currently zoned B-3 General Business and B-1 Neighborhood Business in McHenry County. Property annexed into the City of Crystal Lake comes in as E- Estate zoning unless rezoned to the appropriate zoning district.
- The property would be rezoned to the City's M- Manufacturing PUD zoning district upon annexation.

Criteria for Rezoning

(a) The existing uses and zoning of nearby property.

☐ *Meets* ☐ *Does not meet*

(b) The extent to which property values are diminished by a particular zoning classification or restriction.

☐ *Meets* ☐ *Does not meet*

(c) The extent to which the destruction of property value of a petitioner property owner promotes the health, safety, morals or general welfare of the public.

☐ *Meets* ☐ *Does not meet*

(d) The relative gain to the public as opposed to the hardship imposed on a petitioning property owner.

☐ *Meets* ☐ *Does not meet*

(e) The suitability of the subject property for its zoned purposes.

☐ *Meets* ☐ *Does not meet*

(f) The length of time the property has been vacant as zoned, considered in the context of land development in the area.

☐ *Meets* ☐ *Does not meet*

(g) The Comprehensive Plan designation and the current applicability of that designation.

☐ *Meets* ☐ *Does not meet*

(h) The evidence or lack of evidence, of community need for the use proposed.

☐ *Meets* ☐ *Does not meet*

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*

Outdoor sales, service, storage or display. All outdoor sales, service, storage or display must comply with the following standards:

1. General: An on-site circulation pedestrian and vehicle plan, illustrating the location of the sales, service, storage or display area shall be provided.

   ☐ *Meets* ☐ *Does not meet*

2. Site design: Outdoor service or storage areas shall be located at the rear of the property. Special attention must be given to locate outdoor service or storage areas away from adjacent residential properties and at the least obtrusive location for adjacent commercial uses.

   ☐ *Meets* ☐ *Does not meet*

3. Screening: All outside service or storage areas shall be screened from view with solid wooden fencing or opaque landscaping, in accordance with the standards in Section 4-700, Fences, walls and screening. The height of the fencing shall be adequate to conceal the stock, equipment or materials from view of adjacent properties. In cases where the height of materials exceeds 15 feet in height making it difficult to screen with fencing and landscaping, consideration will be given to the type of materials being stored and the impact of the visibility on the adjacent and surrounding property owners.

   ☐ *Meets* ☐ *Does not meet*

4. Other applicable regulations: Written evidence, that applicable standards and requirements for health and safety protection and licensing by jurisdictions other than the City, as well as those required by the City ordinances, have been met shall be provided.

   ☐ *Meets* ☐ *Does not meet*

5. All outdoor sales, service, storage and display must meet the Guidelines for Outdoor Sales, Service, Storage and Display that are included in the Appendix.

   ☐ *Meets* ☐ *Does not meet*

Recommended Conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Petition to Annex (Gottemoller, received 07/12/16)

2. The outdoor storage of vehicles should only be on an approved surface, the parking of vehicles on the grass is prohibited.

3. The petitioner shall comply with the requirements of the Community Development Department.

STATE OF ILLINOIS)
)SS
COUNTY OF MCHENRY)

RECEIVED
JUL 12 2016
BY:

BEFORE THE CORPORATE AUTHORITIES OF
THE CITY OF CRYSTAL LAKE
MCHENRY COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF)
CHARLES AND RENEE COPLEY TRUST)
TO ANNEX CERTAIN PROPERTY TO THE)
CITY OF CRYSTAL LAKE PURSUANT TO)
AN ANNEXATION AGREEMENT)

PETITION FOR ANNEXATION

Now comes the petitioner, Charles and Renee Copley Trust, Owners, by and through their attorneys, MADSEN, SUGDEN & GOTTEMOLLER hereby respectfully petitions to annex to the City of Crystal Lake, McHenry County, Illinois, the territory herein described in Exhibit A attached hereto and made a part hereof, and states as follows:

1. The territory herein described in Exhibit A is not within the corporate limits of any municipality.

2. The territory herein described in Exhibit A is contiguous to the City of Crystal Lake, McHenry County, Illinois.

3. Charles and Renee Copley Trusts are the owners of record and there are no the electors within the territory herein described in Exhibit A.

4. Charles Copley and Renee Copley are the beneficiaries of the trust which owns all of all land within the territory herein described in Exhibit A.

5. Petitioners may be reached through their attorney, Joseph Gottemoller, One North Virginia Street, Crystal Lake, IL 60014.

6. The annexation will include the territory to the far side of any roadways not all ready included in a municipality.

WHEREFORE, the Petitioners respectfully request the Corporate Authorities of the City of Crystal Lake, McHenry County, Illinois annex the territory herein described in Exhibit A to said City in the course and provisions of this petition, be contingent upon and pursuant to the terms of the proposed annexation agreement, all in accordance with the law as such case may be provided.

Dated this 12th day of July, 2016.

Charles Copley Trust,

By _____

Renee Copley Trust

By _____

STATE OF ILLINOIS)
)SS
COUNTY OF MCHENRY)

Charles Copley and Renee Copley the undersigned being sworn on oath depose and say that we each have the authority to sign this attestation that we are each familiar with the matters set forth herein and the matters stated herein are true in substance and in fact.

Charles Copley

Renee Copley

Subscribed and Sworn to before me
this 12 day of July, 2016

Notary Public

Prepared by: Joseph Gottemoller
MADSEN, SUGDEN & GOTTEMOLLER
One North Virginia Street
Crystal Lake, IL 60014
(815)459-5152

Exhibit A

That part of the Southwest Quarter of Section 34, Township 44 North, Range 8 East of the Third Principal Meridian, described as follows: Beginning at a point on the north line of the said Southwest Quarter at a point 842.19 feet south 87 degrees 33 minutes 46 seconds west of the northeast corner of said Southwest Quarter thence south 1 degree 47 minutes 39 seconds east parallel with the east line of the said Southwest Quarter 410.00 feet; thence southeasterly 112.22 feet along the arc of a curve concave to the east with a radius of 311.40 feet and a chord bearing of south 12 degrees 07 minutes 05 seconds east to a point on a line 520.00 feet south of the north line of said Southwest Quarter; thence north 87 degrees 33 minutes 46 seconds east parallel with the said north line 220 feet to the east line of a tract of land conveyed to Gail E. Harms by Trustee's Deed recorded October 24, 1968 as document no. 498825; thence north 1 degree 47 minutes 39 seconds west along the last said east line of a tract 120.00 feet; thence south 87 degrees 33 minutes 46 seconds west parallel with the said north line of the Southwest Quarter 90.00 feet; thence north 1 degree 47 minutes 39 seconds west parallel with the penultimate course 400.03 feet to the north line of the said Southwest Quarter; thence south 87 degrees 33 minutes 46 seconds west 150.01 feet to the place of beginning, except that part thereof dedicated for public highway by instrument recorded October 7, 1927 in volume 19 of miscellaneous records, page 175, and by instrument recorded August 8, 1932 in volume 19 of miscellaneous records, page78, and by instrument recorded August 8, 1932 in volume 19 of miscellaneous records, page 79, all in McHenry County, Illinois.

Also, the southerly 263.95 feet of the following: the west 240.00 feet (except the south 250.00 feet thereof) of that part of the Southwest Quarter of Section 34, Township 44 North, Range 8 of the Third Principal Meridian, described as follows: Beginning at the northeast corner of said Southwest quarter; thence west along the east and west quarter section line, 842.13 feet to a point; thence southeasterly parallel with the east line of said Southwest Quarter, 1033.28 feet to a point in the north line of the south 17 acres an 129 square rods of the north half of the southwest quarter of Section 34, aforesaid, thence easterly along said north line, 842.17 feet to an intersection with the east line of the Southwest Quarter aforesaid; thence north along said east line 1035.73 feet to a place of beginning, in McHenry County, Illinois; including a triangular shaped parcel approximately 90 degrees feet in length and approximately 20 feet at its based adjacent to the southwest line of the property conveyed by a certain articles of agreement for deed between Gail E. Harms, seller and Charles Copley and Renee Copley, husband and wife, buyers, dated June 18, 1993.

That part of the Southwest Quarter of Section 34, Township 44, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the northeast corner of said Southwest Quarter, an running thence west along the north line thereof, a distance of 842.19 feet to the point of beginning; thence continuing west, along said north line, 219.61 feet to the northeast corner of a certain tract of land conveyed o Herman Benson and wife be deed recorded April 17, 1946 in Book 278 of Deeds, on Page 440; thence south along the east line of said tract so conveyed, and along said east line extended, a distance of 782.70 feet to an intersection with a line which is 250 feet north from and parallel with the north line of the south 17.00 acres and 129 square rods of the

north half of the Southwest Quarter aforesaid; thence east along said parallel line, 211.83 feet; thence north parallel with the east line of the Southwest Quarter a distance of 783.28 feet to the point of beginning (except that part thereof described as follows: commencing at the northeast corner of said southwest quarter and running thence along the north line thereof south 87 degrees 33 minutes 46 seconds west a deed distance of 911.80 feet, more or less, to the point of beginning, thence continuing south 87 degrees 33 minutes 46 seconds west along said north line, 150 feet to the northeast corner of a certain tract of land conveyed to Herman Benson and wife by deed recorded April 17, 1946 in Book 278 of Deeds, Page 440 in McHenry County, Illinois; thence south along the east line of said tract so conveyed and as monumented and along said east line extended, a distance of 400 feet; thence north 87 degrees 33 minutes 46 seconds east along a line parallel with the said north line of the southwest quarter, 144.00 feet; thence north 1 degree 34 minutes 40 seconds west, a distance of 400.04 feet to the point of beginning) and (except that part thereof dedicated for public road by instrument recorded October 7, 1927 in Volume 12 of miscellaneous records, page 175 and by instrument recorded August 8, 1932 in Volume 19 of miscellaneous records, page 78 and by instrument recorded August 8, 1932 in Volume 19 of miscellaneous records, page 79), in McHenry County, Illinois.

Commonly known as 4709 IL Route 176, a 5.8-acre parcel in, Crystal Lake, Illinois 60014 (PINs 14-34-326-059 & 14-34-326-060)

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF
Charles J. Copley Trust and Renee Copley Trust

LEGAL NOTICE

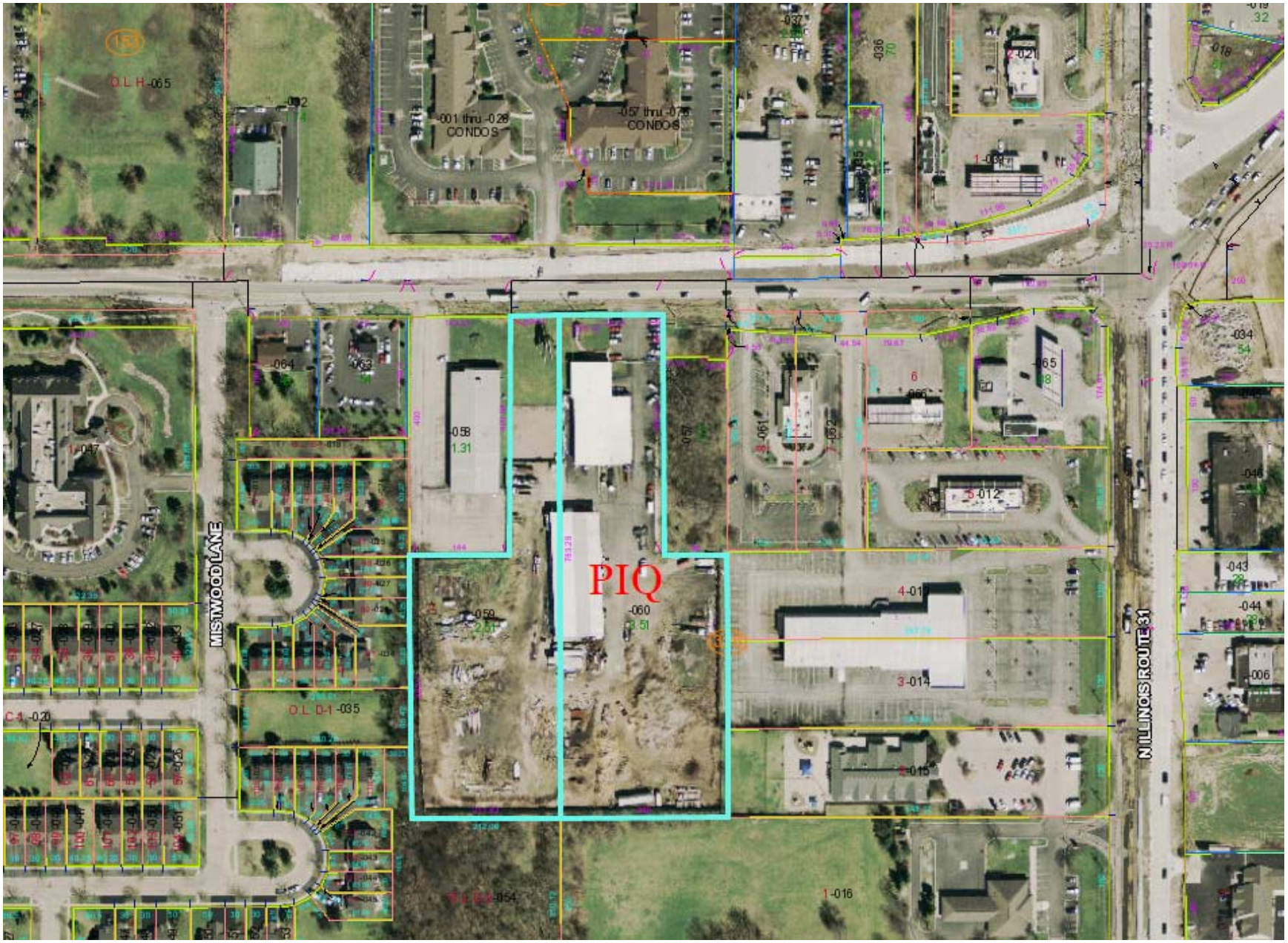
Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission upon the application of the Charles J. Copley Trust and Renee Copley Trust for the following described real estate commonly known as 4709 Route 176, Crystal Lake, Illinois 60014, PIN: 14-34-326-059 & 14-34-326-060.

The petitioner seeks a classification of M- Manufacturing zoning district upon annexation to allow the existing roofing business use to continue, a Special Use Permit for outdoor storage, a Special Use Permit for a recycling collection center pursuant to Article 2-400, and any variations as necessary to approve the plans as presented. This request will allow the existing facility and operations to continue upon the annexation of the property into the City of Crystal Lake. 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 August 3, 2016 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

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PIQ
MISTWOOD LANE
ILLINOIS ROUTE 31
O L H -065
-001 thru -028
CONDOS
-057 thru -078
CONDOS
-058
1.31
-059
2.51
-060
3.51
O L D-1 -035
C-1 -020
1-047
4-013
3-014
3-012
1-016