#2017-24
129 N. Main St. –Text Amendment & Variation
Project Review for Planning and Zoning Commission

Meeting Date: August 2, 2017

Request: 1. UDO Text Amendment to allow Consignment Store as a permitted use in the B-4, Downtown Business zoning district.
2. Variations from Article 4-200 from the required minimum parking of 6 spaces to allow 0 spaces.

Location: 129 N. Main Street

Acreage: 1,500 square-foot unit

Existing Zoning: B-4 (Downtown Business)

Surrounding Properties:
North: B-4 (Downtown Business)
South: B-4 (Downtown Business)
East: R-3A (Two Family Residential)
West: B-4 (Downtown Business)

Staff Contact: Kathryn Cowlin (815.356.3798)

Background:

- Existing Use: The property was occupied by an insurance office.
- Previous Approvals: There have been no previous parking variations granted for this property.
- A UDO Text Amendment would be applicable to all other properties zoned B-4 in the City.

Development Analysis:

General

- Request: The petitioner is requesting a text amendment to allow consignment store as a permitted use in the B-4 Downtown Business zoning district and variation for the required parking.
    - Consignment Store is a permitted use in the B-2 General Commercial zoning district.
    - The change of use to a more intense use requires the parking variation. The total parking spaces that are required is 8 spaces. The Downtown area received a reduced parking requirement and only needs to provide 70% of the required parking; therefore, only 6 parking spaces would be required.

- Land Use: The land use map shows the area as Mixed Use. This land use designation is appropriate for these uses, as well as, a multitude of other uses.

UDO Text Amendment:

The following changes would be made to the Unified Development Ordinance.

Article 2 – Land Use, Section 2-300 Permitted Use Table

TABLE 2-300 PERMITTED USES TABLE																	
		F	E	RE	R-1	R-2	R-3A	R-3B	O	B-1	B-2	B-4	M-L	M	W	USE CRITERIA	NAICS
Commercial																	
Miscellaneous Store Retailers	Consignment Store										P	**P**					

Consignment Store

- The proposed consignment store would sell furniture and home décor.
- The UDO defines a consignment store as an exclusively indoor retail establishment whose primary service is to receive a new or used retail product from a second party who entrusts the establishment to reimburse the second party, or trustee, upon the sale of the consigned retail product.
- Similar land uses, such as Antique Store/Antique Mall and Gift, Novelty, and Souvenir Stores are permitted in the B-4 Downtown Business zoning district.

Parking Variation:

- The Downtown, by design, does not provide on-site parking for uses. Within the vicinity there is sufficient on-street and public parking lots.
- The Beardsley and Ellsworth Parking Lots are located within 200 feet of the store entrance.



Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioner is requesting a variation from Article 4-200 Parking and Loading.

The Unified Development Ordinance lists specific standards for the review and approval of a variation. 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.

It should be noted that this property could qualify for an administrative variation for the required parking Downtown.

Comprehensive Land Use Plan 2030 Vision Summary Review:
The Comprehensive Plan designates the subject property as Mixed Use. The following goal is applicable to this request:

Unique Areas – 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: Strengthen the economic base of the downtown while diversifying it.
Success Indicator: The number of new occupancies Downtown for "mom and pop" stores.

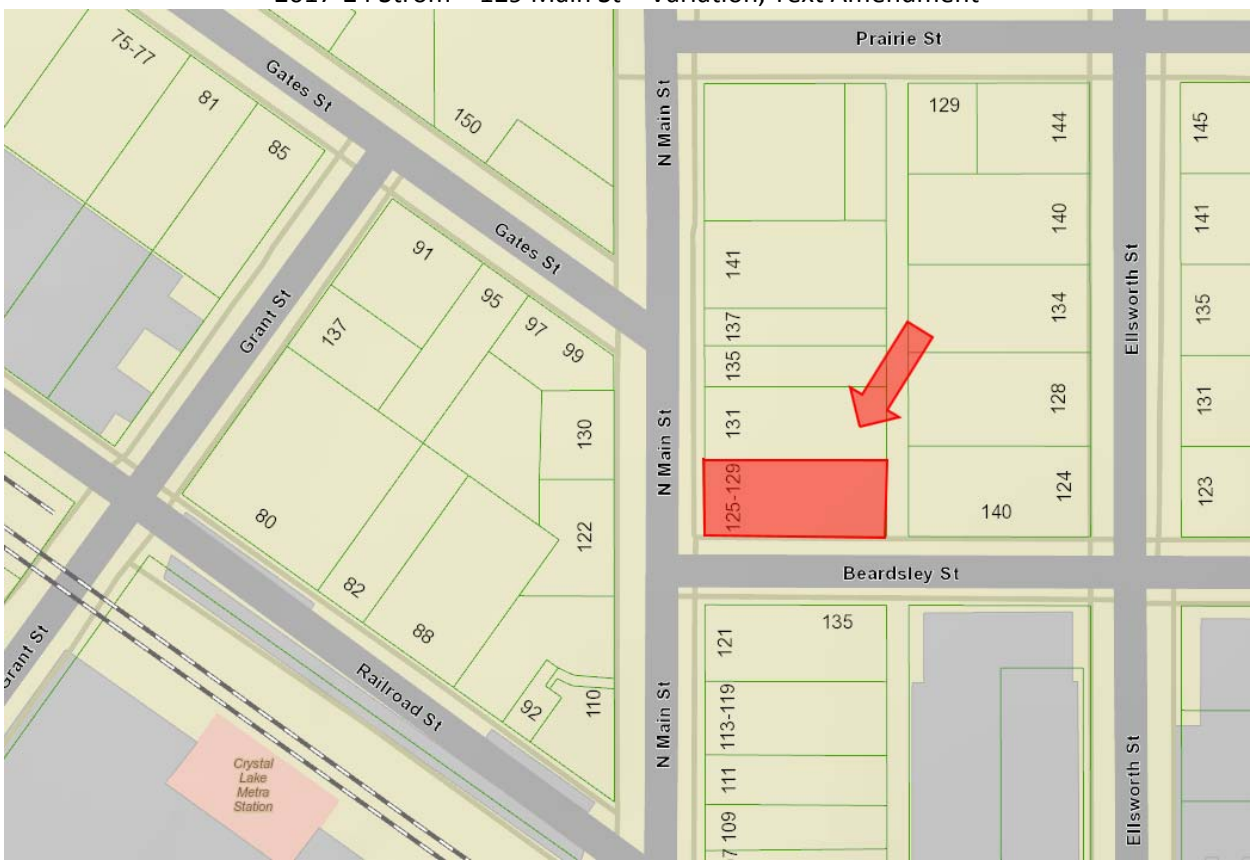
Recommended Conditions:
If a motion to recommend approval of the petitioner's request is made, it should be with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
   A. Application (Strom, dated 07/13/17, received 07/20/17)
   B. Floor Plan (Strom, received 07/20/17)

2. All employees for this business must acquire and maintain Z-lot passes.

3. The petitioner shall address all of the review comments and requirements of the Community Development and Fire Rescue Departments.

2017-24 Strom – 129 Main St – Variation, Text Amendment





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JUL 12 2017
BY: KC

City of Crystal Lake Development Application

Office Use Only
File # _____

Project Title: 129 Main Street C.L. IL 60014

Action Requested

- ___ Annexation
- ___ Comprehensive Plan Amendment
- ___ Conceptual PUD Review
- ___ Final PUD
- ___ Final PUD Amendment
- ___ Final Plat of Subdivision
- ___ Preliminary PUD
- ___ Preliminary Plat of Subdivision
- ___ Rezoning
- ___ Special Use Permit
- ___ Variation
- ✓ Other Text Ammendment

Petitioner Information

Name: Cheryl Strom
Address: 304 New Haven Dr
Cary, IL 60013
Phone: 224-622-9293
Fax: _____
E-mail: Chezstrom@gmail.com

Owner Information (if different)

Name: _____
Address: _____
_____
Phone: _____
Fax: _____
E-mail: _____

Property Information

Project Description: Consignment Store for Furniture and Home decor also will be selling new items, holiday decor, candles and soaps. Possibly prepackaged food.

Project Address/Location: 129 Main Street Crystal Lake, IL 60014

PIN Number(s): _____

Development Team

Please include address, phone, fax and e-mail

Developer: _____

Architect: _____

Attorney: _____

Engineer: _____

Landscape Architect: _____

Planner: _____

Surveyor: _____

Other: _____

Signatures

Cheryl A Strom — 7/12/17

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.

Glenn F Turner — 7/13/12

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.

PUBLIC NOTICE

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

IN THE MATTER OF THE APPLICATION OF Cheryl Strom

LEGAL NOTICE

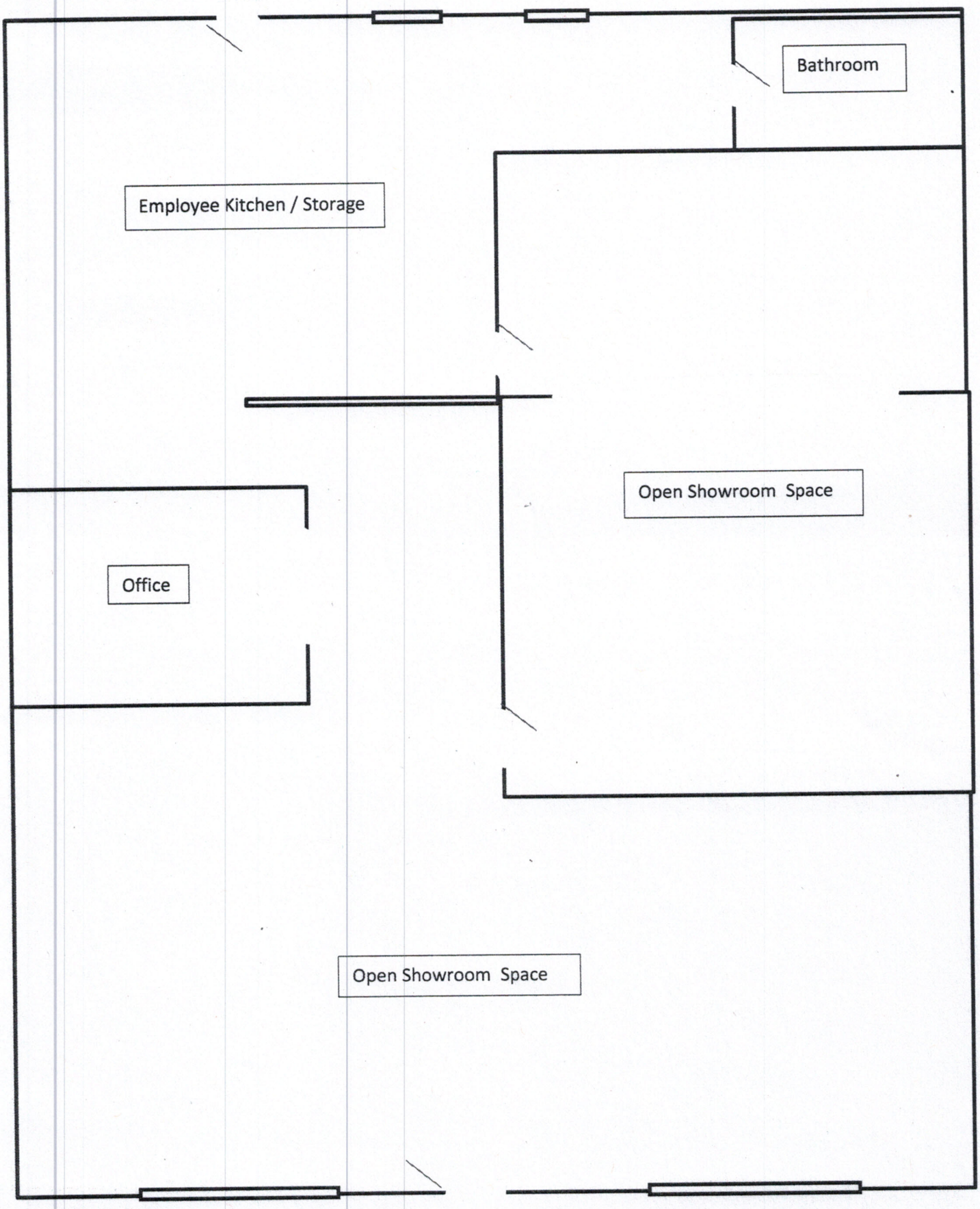
Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission upon the application of Cheryl Strom seeking a Text Amendment and Variation, located at 129 N. Main Street, Crystal Lake, Illinois. PIN 14-33-309-009

This application is filed for the purpose of seeking a Text Amendment and Variation pursuant to Article 2-300 and 9-200(B) to allow Consignment Store as a permitted use in the B-4 (Downtown Commercial) zoning district and a Variation from the required parking pursuant to Article 4-200, as well as any other variations as necessary to complete the project as proposed. Plans for this project can be viewed at the 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 2, 2017, 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 on July 18, 2017) 1435585



129 N Main St Crystal Lake